

BANK STREET

39-45 BANK STREET



SHANGHAIKOP

Full cut # 920R - Half cut # 920A - Third cut # 920B - Fifth cut # 920C



**APPLICATION FOR PERMIT**  
 DEPARTMENT OF BUILDING INSPECTIONS SERVICES  
 ELECTRICAL INSTALLATIONS

Date Nov. 15, 19 73  
 Receipt and Permit number 2-15834

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:  
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of  
 Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:  
 LOCATION OF WORK: Lot 14-15 Barclay Avenue  
 OWNER'S NAME: Christy & Small ADDRESS: 247 Allen Avenue

OUTLETS:	Receptacles _____	Switches _____	Plugmold _____	ft. TOTAL <u>31x-60</u>	FEES
FIXTURES: (number of)	Incandescent _____	Flourescent _____	(not strip) TOTAL _____		<u>5.00</u>
SERVICES:	Strip Flourescent _____	ft. _____			
METERS: (number of)	Overhead <u>X</u>	Underground _____	Temporary _____	TOTAL amperes <u>200</u>	<u>3.00</u>
MOTORS: (number of)	Fractional _____				<u>.50</u>
	1 HP or over _____				
RESIDENTIAL HEATING:	Oil or Gas (number of units) <u>6</u>				
	Electric (number of rooms) <u>6</u>				
COMMERCIAL OR INDUSTRIAL HEATING:	Oil or Gas (by a main boiler) _____				<u>6.00</u>
	Oil or Gas (by separate units) _____				
	Electric Under 20 kws _____	Over 20 kws _____			
APPLIANCES: (number of)	Ranges _____	Water Heaters _____			
	Cook Tops _____	Disposals _____			
	Wall Ovens _____	Dishwashers _____			
	Dryers _____	Compactors _____			
	Fans _____	Others (denote) _____			
	TOTAL _____				<u>6.00</u>
MISCELLANEOUS: (number of)	Branch Panels _____				
	Transformers _____				
	Air Conditioners Central Unit _____				
	Separate Units (windows) _____				
	Signs 20 sq. ft. and under _____				
	Over 20 sq. ft. _____				
	Swimming Pools Above Ground _____				
	In Ground _____				
	Fire/Burglar Alarm's Residential _____				
	Commercial _____				
	Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____				
	over 30 amps _____				
	Circus, Fairs, etc. _____				
	Alterations to wires _____				
	Repairs after fire _____				
	Emergency Lights, battery _____				
	Emergency Generators _____				

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT INSTALLATION FEE DUE: \_\_\_\_\_  
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) DOUBLE FEE DUE: \_\_\_\_\_  
 TOTAL AMOUNT DUE: 20.50

INSPECTION: Will be ready on \_\_\_\_\_, 19\_\_\_\_; or Will Call XX  
 CONTRACTOR'S NAME: Mancini Electric  
 ADDRESS: 179 Sheridan St.  
 TEL.: \_\_\_\_\_  
 MASTER LICENSE NO.: on file  
 LIMITED LICENSE NO.: \_\_\_\_\_  
 SIGNATURE OF CONTRACTOR: [Signature]

INSPECTOR'S COPY -- WHITE  
 OFFICE COPY -- CANARY  
 CONTRACTOR'S COPY -- GREEN

39-415  
Oakleigh Rd



City of Portland, Maine

Appeal sustained  
conditionally 10/6/41  
W.D.  
10/8/41

Appeal to the Municipal Officers to Change the Decision of the  
Inspector of Buildings Relating to the Property Owned  
by Myron D. Kidder, Inc at 39-45 Oakleigh Road

September 5 - 19 41.

To the Municipal Officers:  
Your appellant, Myron D. Kidder, Inc., which  
is the owner of property at 39-45 Oakleigh Road

respectfully petitions the Municipal Officers of the City of Portland to change the decision of  
the Inspector of Buildings relating to this property, as provided by Section 13, Paragraph c,  
of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case  
involves unnecessary hardship and because relief may be granted without substantially detri-  
mending from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a building permit to  
cover construction of a building to be used for a Repair and Service  
Garage because the building is located within the limits of a Limited  
Business Zone where such uses are not allowable under the precise terms  
of the ordinance.

The reasons for the appeal are as follows:  
Said lot of land, situated a few feet from Forest Avenue, is in the immediate vicin-  
ity of business buildings, such as garages, a burial case manufactory, on the north-  
west side is a storage and repair garage for trucks. In its present circumstance  
appellant's lot would not be usable for residential purposes.  
To deprive the owner of the right to utilize this for a garage is, in effect,  
depriving him of the value of his property, it being a source of expense for tax  
it also involves the loss of the use of the money invested in it unless it can  
be turned into income producing property. A new building upon the place will in-  
crease the taxable property of the City.

Myron D. Kidder, Inc  
By Myron D. Kidder, President

Action of Appeals Commission on Report of  
Wyron J. Milder, Jr.

October 20, 1945

21/70

Con. ditto

- Chairman Martine..... Yes
- Edward Derry..... Yes
- Dr. Loughton.....
- Herman Libby..... 7
- William J. Ward.....

PUBLIC HEARING UPON THE APPEAL UNDER THE ZONING AND BUILDING ORDINANCE OF MYRON D. KIDDER, INC.  
AT 39-45 OAKLEIGH ROAD

October 3, 1941

A public hearing on the above appeal was held before the Committee on Zoning and Building Ordinance Appeals today. Present for the city were Chairman Martin, Councillors Berry and Libby and the Inspector of Buildings.

Charles Gurney, attorney for the appellant corporation and Myron D. Kidder appeared in support of the appeal and Leo Shesong, attorney for the Palmer Spring Co., prospective tenant of the proposed building and perhaps buyer of the property, also appeared in support of the appeal.

Willard E. Barrows of 3 Deerfield Road opposed the appeal saying that he had recently purchased his property in August, that his residence was the only one facing on Oakleigh Road, that this was a nice residential neighborhood, that he himself was a heavy tax payer, that the proposed use of the property in question would reduce the value of all of the residential property and would undoubtedly be very objectionable to the comfort of the home owners in the vicinity. Mr. Joseph Winslow of 15 Deerfield Road, Mr. Harry F. Haskell of 11 Deerfield Road, Walter O. Leach of 714 Forest Avenue and H. F. Rinds of 32 Montreal Street (who said he was a possible purchaser of residential property in the neighborhood) all appeared in opposition to the appeal generally substantiating what Mr. Barrows had said in adding additional features to the effect that there was a great deal of disturbance from the existing garages along Forest Avenue in that neighborhood especially the Clement Garage and Trucking business, that the Palmer Spring Company now did a great deal of work outside of the building in which they are now located thus raising the question if they would not do the same in the new location. Samuel A. Anderson of 22 Deerfield Road appeared in opposition to the appeal also.

Mr. Gurney called Mr. Kidder who said that he controls the Myron D. Kidder, Inc., that the area of the lot is about 8500 square feet and is bounded on one side by Clements garage and on another side by the Portland Burial Case Company plant, that the nearest residences are but five hundred feet away, that the returns from the property in the last five years had been negligible, that the taxes were about 70 dollars per year and that the taxes have not been paid for the past few years, that the property could not be developed for residential property or for any other conforming use, that it is his impression that the garages along Forest Avenue were constructed before the dwelling houses along Deerfield Road and vicinity were built, that the Palmer Spring Company is the prospective tenant or buyer, and that probably that company would not have any occasion to do any work on the premises at night. Mr. Kidder said that he has owned this property since 1929, having bought it to operate in connection with the building which the Kidder corporation owned and occupied on Forest Avenue (now occupied by the Portland Burial Case Co.)

Mr. Shesong, as representative of the Palmer Spring Co. said that while he sympathized with the viewpoint of the home owners he thought the lot could hardly be used for anything except for some such use as the proposed garages. He thought there would be no occasion for the Spring Company to use the premises at night.

Wayne McDonald

Appeal 30-45 Oakleigh Rd.

October 9, 1961

Subject: Appeal of Myron D. Kiddor,  
Inc. relating to use of property  
at 30-45 Oakleigh Road

Myron D. Kiddor, Inc.  
c/o Charles E. Gurnay  
119 Exchange Street,  
Portland, Maine

Gentlemen:

On October 8, 1961, the Municipal Officers voted to sustain conditionally the above appeal and ordered that a building permit be granted to said appellant corporation or its successor subject to the following conditions: (1) that all terms of the Building Code be complied with; (2) that before any building permits or licenses under the jurisdiction of the City of Portland, involving this project, are issued the appellant corporation or its successor shall agree in writing, in consideration of sustaining of this appeal and issuance of permits and licenses involved, for its, their or his heirs, executors, administrators, successors and assigns, that no operations in connection with the use allowed under this order will be conducted or allowed in, on or about these premises from seven o'clock in the evening of any day to seven o'clock in the morning of the following day and at any time on Sundays, except in case of occasional emergency and that no operation as a part of the allowed use will at any time be allowed or conducted on the open land outside of the building or on any public street.

The way now seems to be clear to prepare the plans of the building to comply with Building Code requirements, to file the application for the building permit and to prepare and get executed the written agreements indicated in the order.

It is my understanding that your company intends to sell the property and that the new owner will actually construct the building, the building permit being applied for no doubt in the new owner's name. Perhaps the question could best be settled between your attorney and the Corporation Counsel, W. Mayo Payson, but it seems to me that it would be better for the new owner to execute the agreement.

In event the transfer cannot be consummated until after the agreement is executed, I should think similar agreement should be executed and filed on the part of your company and also on the part of the new owner.

Very truly yours,

Inspector of Buildings

WMD/R  
cc: W. Mayo Payson  
Corporation Counsel

*Sustained* 4/1/70  
*Conditionally* 10/6/41

City of Portland, Maine

IN BOARD OF MUNICIPAL OFFICERS

ORDERED, that the appeal under the Zoning Ordinance of Myron D. Kidder, Inc. at 39-45 Oakleigh Road, relating to construction of a new building approximately 100 feet by 144 feet overall by 24 feet high as indicated upon plan attached to application for permit, to be used for a Repair and Service Garage, contrary to the precise terms of the Zoning Ordinance in the "limited Business Zone where the property is located, be sustained conditionally and that a building permit be granted to said appellant corporation or its successor subject to the following condition:

1. That all terms of the Building Code be complied with.
2. That before any building permits or licenses under the jurisdiction of the City of Portland, involving this project, are issued the appellant corporation or its successor shall agree in writing, in consideration of sustaining of this appeal and the issuance of permits and licenses involved, for its, their or his heirs, executors, administrators, successors and assigns, that no operations in connection with the use allowed under this order will be conducted or allowed in, on or about these premises from seven o'clock in the evening of any day to seven o'clock in the morning of the following day and at any time on Sundays, except in case of occasional emergency; and that no operation as a part of the allowed use will at any time be allowed or conducted on the open land outside of the building or on any public street;

BECAUSE enforcement of the ordinance in this specific case involves unnecessary hardship since the possibility of using the property for any conforming use is very remote, thus practically depriving the appellant of an opportunity to use or sell the property; and desirable relief may be granted without substantially derogating from the intent and purpose of the ordinance in that the property is surrounded on two sides by industrial uses and existing habitations are sufficiently removed as to make features obnoxious to this residential property unlikely.



41/70

Appeal 39-45 Oakleigh Rd.

Harry E. Martin, Chairman  
Committee on Zoning and Building  
Ordinance Appeals

Dear Mr. Martin:

Two orders are attached to cover the Kidder Appeal, -one to sustain conditionally, the other to deny.

The following information may be of value:

The 1941 valuation for taxes is for land \$1150., for small building, \$75.

Taxes have not been fully paid since 1936. In 1937 about half of the taxes were paid, and none have been paid since.

Total taxes (exclusive of interest) now due \$294.54. This means that the city could take title at any time.

You will remember that we discussed what would be the future of the house lots in the "neck" between Deerfield Road and Fenwick. I find that the city owns all of these lots, so that the nearest privately owned residential lot to the Kidder lot is the Barrows property (formerly Boone).

Very truly yours,

Inspector of Buildings

41/70

Room 21, City Hall  
September 30, 1941

Myron D. Kiddor, Inc.  
c/o Charles E. Gurney, attorney  
120 Exchange Street,  
Portland, Maine

Gentlemen:

The Committee on Zoning and Building Ordinance Appeals of the  
Municipal Officers will hold a public hearing at the Council Chamber,  
City Hall on Friday, October 5, 1941 at 2:00 o'clock in the afternoon  
upon your appeal under the Zoning Ordinance relating to construction of  
a proposed building for a repair garage on the property at 27-45 Quinleigh  
Road.

Please be represented at this hearing in support of your appeal.

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

Harry E. Martin, Chairman

CC: Box 31  
Allston, Mass.

41/70

CITY OF PORTLAND, MAINE  
BOARD OF MUNICIPAL OFFICERS  
COMMITTEE ON ZONING AND BUILDING ORDINANCE APPEALS

Room 21, CityHall  
September 23, 1941

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, October 3, 1941 at 2:00 o'clock in the afternoon upon the appeal under the Zoning Ordinance of Myron D. Kidder, Inc. with relation to the property at 39-45 Oakleigh Road, corner of Fenwick Road.

The Inspector of Buildings is unable to issue a permit for the construction of a one story building about 106 feet by 129 feet because the proposed building would be used for a Repair and Service Garage and these uses are not allowable under the precise terms of the ordinance in the Limited Business Zone where the property is located.

The appellant corporation sets forth the following reasons for the appeal: "Said lot of land, situated a few feet from Forest Avenue, is in the immediate vicinity of business buildings, such as garages, a burial case manufactory; on the northwest side is a storage and repair garage for trucks. In its present circumstance appellant's lot would not be usable for residential purposes. To deprive the owner of the right to utilize this for a garage is, in effect depriving him of the value of his property, it being a source of expense for tax, it also involves the loss of the use of the money invested in it unless it can be turned into income producing property. A new building upon the place will increase the taxable property of the city."

All persons interested either for or against this appeal will be heard at the above time and place, this notice of hearing having been sent to owners of property within 500 feet of the premises in question as required by law.

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

Harry E. Martin, Chairman

Appeal 33-45 Oakleigh Rd.

October 9, 1941

Myron D. Kiefer, Inc.  
c/o Charles E. Gurney  
119 Exchange Street,  
Portland, Maine

Subject: Appeal of Myron D. Kiefer,  
Inc. relating to use of property  
at 33-45 Oakleigh Road

Gentlemen:

On October 6, 1941, the Municipal Officers voted to sustain conditionally the above appeal and ordered that a building permit be granted to said appellant corporation or its successor subject to the following conditions: (1) that all terms of the Building Code be complied with; (2) that before any building permits or licenses under the jurisdiction of the City of Portland, involving this project, are issued the appellant corporation or its successor shall agree in writing, in consideration of sustaining of this appeal and issuance of permits and licenses involved, for its, their or his heirs, executors, administrators, successors and assigns, that no operations in connection with the use allowed under this order will be conducted or allowed in, on or about these premises from seven o'clock in the evening of any day to seven o'clock in the morning of the following day and at any time on Sundays, except in case of occasional emergency; and that no operation as a part of the allowed use will at any time be allowed or conducted on the open land outside of the building or on any public street.

The way now seems to be clear to prepare the plans of the building, to comply with Building Code requirements, to file the application for the building permit and to prepare and get executed the written agreements indicated in the order.

It is my understanding that your company intends to sell the property and that the new owner will actually construct the building, the building permit being applied for no doubt in the new owner's name. Perhaps the question could best be settled between your attorney and the Corporation Counsel, W. Mayo Payson, but it seems to me that it would be better for the new owner to execute the agreement.

In event the transfer cannot be consummated until after the agreement is executed, I should think similar agreements should be executed and filed on the part of your company and also on the part of the new owner.

Very truly yours,

Inspector of Buildings

WMD/H  
cc: W. Mayo Payson  
Corporation Counsel



# APPLICATION FOR PERMIT

Permit No. \_\_\_\_\_

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.  
 The undersigned hereby applies for a permit to erect alter install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 39-45 Oakleigh Road Ward E Within Fire Limits? no Dist. No. \_\_\_\_\_  
 Owner's or Lessee's name and address Myron D. Kidder, Inc. Telephone \_\_\_\_\_  
C/O Charles F. Gurnoy, 119 Exchange St. Telephone \_\_\_\_\_  
 Contractor's name and address \_\_\_\_\_ Plans filed \_\_\_\_\_ No. of sheets \_\_\_\_\_  
 Architect \_\_\_\_\_ No. families \_\_\_\_\_  
 Proposed use of building Repair Garage Fee \$ \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ \_\_\_\_\_ Description of Present Building to be Altered  
 Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Last use \_\_\_\_\_ No. families \_\_\_\_\_

## General Description of New Work

to erect one story brick building

This application is preliminary to get settled the question of Zoning Appeal. If appeal is sustained, full plans and details will be furnished and the building permit fee paid

It is under the heating \_\_\_\_\_ that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of \_\_\_\_\_

## Details of New Work

Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_  
 To be erected on solid or filled land? \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
 Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ Thickness \_\_\_\_\_  
 Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_  
 Kind of Roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_  
 Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
 Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
 Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof  
 span over 8 feet. Sills and corner posts all one piece in cross section.  
 Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, height? \_\_\_\_\_  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_  
 If a Garage \_\_\_\_\_, to be accommodated \_\_\_\_\_

No. cars now accommodated on same lot \_\_\_\_\_  
 Total number commercial cars to be accommodated \_\_\_\_\_  
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_  
 Will above work require removal or disturbing of any shade tree on a public street? no  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

## Miscellaneous

Signature of owner By Myron D. Kidder, Inc.  
[Signature]





CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION Lots 14 & 15 Barclay Avenue

Issued to **Christy & Small, Inc.**

Date of Issue **1-9-80**

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No. **79/478**, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

**Entire**

APPROVED OCCUPANCY

**Single Family Dwelling**

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

*Jan 8/80*  
(Date) *[Signature]*  
Inspector

*[Signature]*  
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



# APPLICATION FOR PERMIT

B.O.C.A. USE GROUP .....  
 B.O.C.A. TYPE OF CONSTRUCTION ..... **0.0478** .....  
 ZONING LOCATION **R-3** PORTLAND, MAINE, **6-6-78** .....

**PERMIT ISSUED**  
**JUN 8 1978**  
**CITY OF PORTLAND**

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE  
 The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION **Lots 14 & 15 Barclay Avenue** ..... Fire District #1 , #2   
 1. Owner's name and address **Christy & Small, Inc. - 247 Allen Ave.** ..... Telephone **797-3441**  
 2. Lessee's name and address ..... Telephone .....  
 3. Contractor's name and address **owner** ..... Telephone .....  
 4. Architect ..... Specifications ..... Plans .....  
 Proposed use of building **single fam. dwell.** ..... No. of sheets .....  
 Last use ..... No. families .....  
 Material ..... No. stories ..... Heat ..... Style of roof ..... No. families .....  
 Other buildings on same lot ..... Roofing .....  
 Estimated contractual cost \$ **22,000** ..... Fee \$ **88.00** .....

FIELD INSPECTOR—Mr. .... GENERAL DESCRIPTION  
 This application is for: **@ 775-5451** To construct split foyer 24 x 34 as per plans.  
 Dwelling ..... Ext. 234  
 Garage .....  
 Masonry Bldg. ....  
 Metal Bldg. ....  
 Alterations .....  
 Demolitions .....  
 Change of Use .....  
 Other .....

Stamp of Special Conditions

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO  1  2  3  4  
 Other: .....

### DETAILS OF NEW WORK

Is any plumbing involved in this work? ... **yes** ..... Is any electrical work involved in this work? ... **yes** .....  
 Is connection to be made to public sewer? ... **yes** ..... If not, what is proposed for sewage? .....  
 Has septic tank notice been sent? ..... Form notice sent? .....  
 Height average grade to top of plate **12'** ..... Height average grade to highest point of roof **16'** .....  
 Size, front **34'** depth **24'** No. stories **1 1/2** solid or filled land? **solid** earth or rock? **earth** .....  
 Material of foundation **concrete** Thickness, top **10'** bottom **10'** cellar **10'** .....  
 Kind of roof **pitch** Rise per foot **5"** Roof covering **asphalt** Kind of heat **elec.** fuel .....  
 No. of chimneys **none** Material of chimneys ..... of lining .....  
 Framing Lumber—Kind **spruce** Dressed or full size? **dressed** Corner posts **4 x 6** Sills **2 x 10** .....  
 Size Girder **6 x 10** Columns under girders **3 1/2" lally** Size ..... Max. on centers **7'** .....  
 Studs (outside walls and carrying partitions) **2x4-16"** O. C. Bridging in every floor and flat roof span over 8 feet.  
 Joists and rafters: 1st floor **2 x 10** ..... 2nd ..... 3rd ..... roof **2 x 6** .....  
 On centers: 1st floor **16"** ..... 2nd ..... 3rd ..... roof **16"** .....  
 Maximum span: 1st floor **12'** ..... 2nd ..... 3rd ..... roof **12'** .....  
 if one story building with masonry walls, thickness of walls? ..... height? .....

### IF A GARAGE

No. cars now accommodated on same lot ..... to be accommodated ..... number commercial cars to be accommodated .....  
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? .....

APPROVALS BY: ..... DATE .....  
 BUILDING INSPECTION—PLAN EXAMINER .....  
 ZONING: **OK M.C.P. 6/8/78** .....  
 BUILDING CODE: **O.I.C. E.S. 6/16/78** .....  
 Fire Dept.: .....  
 Health Dept.: .....  
 Others: .....

### MISCELLANEOUS

Will work require disturbing of any tree on a public street? ...  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? .....

Signature of Applicant **George Christy** Phone # .....  
 Type Name of above **George Christy** .....  
 Other .....  
 and Address .....

FIELD INSPECTOR'S COPY



May 2/78 Check plate  
foundation.  
Excavation appeal - OK.

May 22/78 Planning.

July 23/78 Closing in  
Work going slow.

Aug 15/78 No one working.

Sept 14/78 Some work going on  
interior finish to be completed.

Oct - Same

Nov 6 Interior yet to be  
completed.

Dec 78 Nothing has been done  
here for a month or more.

Jan 79 Interior appears to be  
completed - no one working -  
house is locked up.

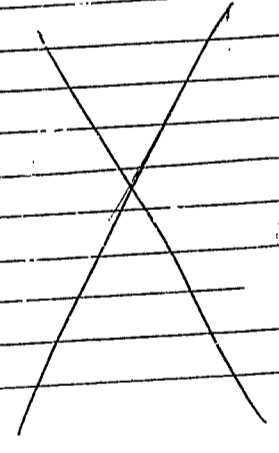
Feb 29 Same

Mar 28/79 Same

May 16/79 Final completed.  
OK to issue the Co. Order  
of the entire single family dwelling.

Permit No. 78/0178  
Location 1415 Grand Ave  
owner Charles & Janet  
date of permit 6-16-78  
approved 6-8-78

at 1415 Grand Ave - Forest Ave - 1414 Phoenix St



**CERTIFICATE OF APPROVAL**

FOR INTERNAL PLUMBING FOR THE TOWN/CITY OF Portland

TOWN/CITY CODE: 03170

LPI NUMBER: 1123

DATE ISSUED

4/25/79  
Month Day Year

**No. 24051 IC**

Certificate of App. Number

- 1. Owner
- 2. Licensed Master Plumber
- 3. Licensed Oil Burnerman
- 4. Employees of Public Utilities
- 5. Manufactured Housing Dealer
- 6. Manufactured Housing Mechanic

Inst. Name

QUARTER

Last Name

F.I.M.I.

Installer Code

Owner

Address

100 Banker Lane, Maine

Location where plumbing was done and inspected.

THE INTERNAL PLUMBING INSTALLED PURSUANT TO THE ABOVE CERTIFICATE OF APPROVAL NUMBER HAS BEEN TESTED IN MY PRESENCE, FOUND TO BE FREE FROM LEAKS, AND WAS INSTALLED IN COMPLIANCE WITH THE MUNICIPAL AND STATE PLUMBING REGULATIONS.

STATE OFFICE USE ONLY

Control Number

Signature of LPI APR 25 1979

Date Inspected

ORIGINAL - To be sent to: Department of Human Services, Division of Health Engineering, Augusta, Maine 04333

**INTERNAL PLUMBING PERMIT** FOR THE TOWN/CITY OF Portland

Town/City Code

LPI Number

Date Issued

License Number

03170

1123

4/11/79  
Month Day Year

1854

**No. 24051 IP**

PERMIT NUMBER

Address of Where Plumbing is Done

100 Banker Lane

ST/Lot Number

Street, Road Name/Subdivision

St., Rd., Av., Lot

Name of Owner

QUARTER, I. S. PELLE

Last Name

F.I. M.I.

Mailing Address

Issue Code

- 1. Owner
- 2. Licensed Master Plumber
- 3. Licensed Oil Burnerman
- 4. Employees of Public Utilities
- 5. Manufactured Housing Dealer
- 6. Manufactured Housing Mechanic

Type of Construction

- 1. New
- 2. Remodeling
- 3. Addition
- 4. Remodeling & Addition
- 5. Replacement of Hot Water Heater
- 6. Hook-up of Mobile Home
- 7. Hook-up of Modular Home
- 8. Other (Specify)

Plumbing To Serve

- 1. Single (Pcs)
- 2. Multi-Fam (Res)
- 3. Mobile Home
- 4. Modular Home
- 5. Commercial
- 6. School
- 7. Other (Specify)

Number of Fixtures or Hook-Ups

Sinks  Toilets  Bathtubs  Lavatories  Showers  Urinals   
Clothes Washers  Dish Washers  Hot Water Heater  Floor Drains  Hook-Ups

This "Internal Plumbing Permit" is invalid if work is not commenced within six(6) months from date of issuance. Upon completion of work a "Certificate of Approval" must be obtained from the LPI.

STATE OFFICE USE ONLY

Control Number

Administrative Code

**SCHEDULE OF "FEES"**  
(See section 112 of the Part I Code)

1-10 Fixtures \$2.00 each  
11-20 Fixtures \$1.00 each  
21 Fixtures on up \$.50 each  
Hook-Ups \$2.00 each

NOTE: Hotwater Heater (Tank or Tankless) is a Fixture!

Fixture Fee 174.00

Administrative Fee 3.00

Total Fee 177.00

If Double Fee Check ( ) Box

Signature of LPI



**APPLICATION FOR PERMIT**  
**DEPARTMENT OF BUILDING INSPECTIONS SERVICES**  
**ELECTRICAL INSTALLATIONS**

Date Nov. 15, 19 78  
 Receipt and Permit number A 18952

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: Lot 14-15 Barclay Avenue  
 OWNER'S NAME: Christy & Small ADDRESS: 247 Allen Avenue

	FEES
OUTLETS: Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL <u>312-60</u>	<u>5.00</u>
FIXTURES: (number of) Incandescent _____ Flourescent _____ (not strip) TOTAL _____ Strip Flourescent _____ ft. _____	
SERVICES: Overhead <input checked="" type="checkbox"/> Underground _____ Temporary _____ TOTAL amperes <u>200</u>	<u>3.00</u>
METERS: (number of) <u>1</u>	<u>.50</u>
MOTORS: (number of) Fractional _____ 1 HP or over _____	
RESIDENTIAL HEATING: Oil or Gas (number of units) <u>6</u> Electric (number of rooms) <u>6</u>	<u>6.00</u>
COMMERCIAL OR INDUSTRIAL HEATING: Oil or Gas (by a main boiler) _____ Oil or Gas (by separate units) _____ Electric Under 20 kws _____ Over 20 kws _____	
APPLIANCES: (number of) Ranges _____ <input checked="" type="checkbox"/> Water Heaters _____ <input checked="" type="checkbox"/> Cook Tops _____ Disposals _____ <input checked="" type="checkbox"/> Wall Ovens _____ Dishwashers _____ Dryers _____ <input checked="" type="checkbox"/> Compactors _____ Fans _____ Others (denote) _____	<u>6.00</u>
MISCELLANEOUS: (number of) Branch Panels _____ Transformers _____ Air Conditioners Central Unit _____ Separate Units (windows) _____ Signs 29 sq. ft. and under _____ Over 20 sq. ft. _____ Swimming Pools Above Ground _____ In Ground _____ Fire/Burglar Alarms Residential _____ Commercial _____ Heavy Duty Outlets, 220 Volt (such as welder) 30 amps and under _____ over 30 amps _____ Circus, Fairs, etc. _____ Alterations to wires _____ Repairs after fire _____ Emergency Lights, battery _____ Emergency Generators _____	

INSTALLATION FEE DUE: \_\_\_\_\_  
 FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT ..... DOUBLE FEE DUE: \_\_\_\_\_  
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) .....  
 TOTAL AMOUNT DUE: 20.50

INSPECTION:  
 Will be ready on \_\_\_\_\_, 19 \_\_\_\_; or Will Call   
 CONTRACTOR'S NAME: Mancini Elect  
 ADDRESS: 179 Sheridan St.  
 TEL.: \_\_\_\_\_  
 MASTER LICENSE NO.: on file SIGNATURE OF CONTRACTOR: \_\_\_\_\_  
 LIMITED LICENSE NO.: \_\_\_\_\_

INSPECTOR'S COPY — WHITE  
 OFFICE COPY — CANARY  
 CONTRACTOR'S COPY — GREEN



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP
B.O.C.A. TYPE OF CONSTRUCTION 0 0478
ZONING LOCATION PORTLAND, MAINE, 5-6-78

PERMIT ISSUED

JUN 8 1978

CITY OF PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment, or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION Lots 14 & 15 Barclay Avenue
1. Owner's name and address Christy & Small, Inc., -247 Allen Ave. Telephone 797-3441
2. Lessee's name and address
3. Contractor's name and address OWNER Telephone
4. Architect Specifications Plans No. of sheets
Proposed use of building single fam. dwell. No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ 22,000 Fee \$ 88.00

FIELD INSPECTOR-Mr. GENERAL DESCRIPTION
This application is for: @ 775-5451 To construct split foyer 24 x 34 as per
Dwelling Ext. 234 plans.
Garage
Masonry Bldg. Stamp of Special Conditions
Metal Bldg.
Alterations
Demolitions
Change of Use
Other

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 [x] 2 [ ] 3 [ ] 4 [ ]
Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? yes
Is connection to be made to public sewer? yes
Has septic tank notice been sent?
Height average grade to top of plate 12'
Size front 34' depth 24' No stories 1 1/2 solid or filled land? solid earth or rock? earth
Material of foundation concrete Thickness, top 10' bottom 10' cellar 10'
Kind of roof pitch Rise per foot 5" Roof covering asphalt
No. of chimneys none Material of chimneys Kind of heat elec. fuel
Framing Lumber-Kind spruce Dressed or full size? dressed Corner posts 4 x 6 Sills 2 x 10
Size Girder 6 x 10 Columns under girders 3 1/2" lally Size Max. on centers 7'
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2 x 10 2nd 3rd roof 2 x 6
On centers: 1st floor 16" 2nd 3rd roof 16"
Maximum span: 1st floor 12' 2nd 3rd roof 12'
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot . . . . . to be accommodated . . . number commercial cars to be accommodated . . .
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? . . . . .

APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION-PLAN EXAMINER Will work require disturbing of any tree on a public street?
ZONING:
BUILDING CODE: Will there be in charge of the above work a person competent
Fire Dept.: to see that the State and City requirements pertaining thereto
Health Dept.: are observed?
Others:

Signature of Applicant George Christy Phone #
Type Name of above George Christy 1 [x] 2 [ ] 3 [ ] 4 [ ]
Other and Address

OFFICE FILE COPY

39-45 BANK STREET



SHAW-WALKER

Full cut #920R • Half cut #920R • Three cut #920R • Five cut #920R



**APPLICATION FOR PERMIT**  
 DEPARTMENT OF BUILDING INSPECTIONS SERVICES  
 ELECTRICAL INSTALLATIONS

Date Nov. 15, 19 78  
 Receipt and Permit number A 15858

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:  
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of  
 Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:  
 LOCATION OF WORK: Lot 14-15 Barclay Avenue  
 OWNER'S NAME: Christy & Small ADDRESS: 247 Allen Avenue

OUTLETS:	Receptacles _____	Switches _____	Plugmold _____	ft. TOTAL <u>314-60</u>	FEE
FIXTURES:	(number of) _____	Incandescent _____	Flourescent _____	(not strip) TOTAL _____	<u>5.00</u>
SERVICES:	Strip Flourescent _____	ft. _____	Overhead <input checked="" type="checkbox"/> _____	Underground _____	Temporary _____
METERS:	(number of) <u>1</u>	TOTAL amperes <u>200</u>	<u>3.00</u>		
MOTORS:	(number of) _____	Fractional _____	<u>.50</u>		
RESIDENTIAL HEATING:					
	Oil or Gas (number of units) <u>6</u>	Electric (number of rooms) <u>6</u>	<u>6.00</u>		
COMMERCIAL OR INDUSTRIAL HEATING:					
	Oil or Gas (by a main boiler) _____	Oil or Gas (by separate units) _____	<u>6.00</u>		
	Electric Under 20 kws _____	Over 20 kws _____			
APPLIANCES: (number of)					
	Ranges _____	Cook Tops _____	Water Heaters _____	<input checked="" type="checkbox"/>	
	Wall Ovens _____	Fryers _____	Disposals _____	<input checked="" type="checkbox"/>	
	Fans _____	Dishwashers _____	Compactors _____	<input checked="" type="checkbox"/>	
	Others (denote) _____				
	TOTAL _____	<u>6.00</u>			
MISCELLANEOUS: (number of)					
	Branch Panels _____	Transformers _____	Air Conditioners Central Unit _____	<u>6.00</u>	
	Separate Units (windows) _____	Signs 20 sq. ft. and under _____	Over 20 sq. ft. _____		
	Swimming Pools Above Ground _____	In Ground _____	Fire/Burglar Alarms Residential _____		
	Commercial _____	Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____	over 30 amps _____		
	Circus, Fairs, etc. _____	Alterations to wires _____	Repairs after fire _____		
	Emergency Lights, battery _____	Emergency Generators _____			

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT INSTALLATION FEE DUE: \_\_\_\_\_  
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) DOUBLE FEE DUE: \_\_\_\_\_  
 TOTAL AMOUNT DUE: 20.00

INSPECTION:  
 Will be ready on \_\_\_\_\_, 19 \_\_\_\_; or Will Call   
 CONTRACTOR'S NAME: Mancini Electric  
 ADDRESS: 179 Sheridan St.  
 TEL.: \_\_\_\_\_  
 MASTER LICENSE NO.: on file  
 LIMITED LICENSE NO.: \_\_\_\_\_

SIGNATURE OF CONTRACTOR:  
[Signature]

INSPECTOR'S COPY — WHITE  
 OFFICE COPY — CANARY  
 CONTRACTOR'S COPY — GREEN

37-413  
Oakleigh Road



City of Portland, Maine

Appeal sustained  
conditionally 10/6/41

*WMD*

4/1/20

Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned

by Myron D. Kidder, Inc at 39-45 Oakleigh Road

September 5 - 19 41

To the Municipal Officers:

Your appellant, Myron D. Kidder, Inc., which

is the owner of property at 39-45 Oakleigh Road

respectfully petitions the Municipal Officers of the City of Portland to change the decision of the Inspector of Buildings relating to this property, as provided by Section 13, Paragraph c, of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case involves unnecessary hardship and because relief may be granted without substantially derogating from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a building permit to cover construction of a building to be used for a Repair and Service Garage because the building is located within the limits of a Limited Business Zone where such uses are not allowable under the precise terms of the ordinance.

The reasons for the appeal are as follows:  
Said lot of land, situated a few feet from Forest Avenue, is in the immediate vicinity of business buildings, such as garages, a burial case manufactory, on the north-west side is a storage and repair garage for trucks. In its present circumstances appellant's lot would not be usable for residential purposes.  
To deprive the owner of the right to utilize this for a garage is, in effect, depriving him of the value of his property, it being a source of expense for tax it also involves the loss of the use of the money invested in it unless it can be turned into income producing property. A new building upon the place will be the taxable property of the City.

*Myron D. Kidder, Inc.*  
By *Myron D. Kidder, President* 2520

Action of Appeals Committee on Appeal of  
Myron D. Kidder, Inc.

October 3, 1941

41/70

Conditions

Chairman Martin----- Yes  
Edward Berry----- Yes  
Dr. Leighton-----  
Herman Libby----- N  
William J. Ward-----



41/70

PUBLIC HEARING UPON THE APPEAL UNDER THE ZONING ORDINANCE OF MYRON D. KIDDER, INC.  
AT 33-45 OAKLEIGH ROAD

October 3, 1941

A public hearing on the above appeal was held before the Committee on Zoning and Building Ordinance Appeals today. Present for the city were Chairman Martin, Councillors Berry and Libby and the Inspector of Buildings.

Charles Gurney, attorney for the appellant corporation and Myron D. Kidder appeared in support of the appeal and Leo Shesong, attorney for the Palmer Spring Co., prospective tenant of the proposed building and perhaps buyer of the property, also appeared in support of the appeal.

Willard E. Barrows of 3 Deerfield Road opposed the appeal saying that he had recently purchased his property in August, that his residence was the only one facing on Oakleigh Road, that this was a nice residential neighborhood, that he himself was a heavy tax payer, that the proposed use of the property in question would reduce the value of all of the residential property and would undoubtedly be very objectionable to the comfort of the home owners in the vicinity. Mr. Joseph Winslow of 15 Deerfield Road, Mr. Harry F. Haskell of 11 Deerfield Road, Walter O. Leach of 714 Forest Avenue and H. F. Hinds of 32 Montreal Street (who said he was a possible purchaser of residential property in the neighborhood) all appeared in opposition to the appeal generally substantiating what Mr. Barrows had said in adding additional features to the effect that there was a great deal of disturbance from the existing garages along Forest Avenue in that neighborhood especially the Clement Garage and Trucking business, that the Palmer Spring Company now did a great deal of work outside of the building in which they are now located thus raising the question if they would not do the same in the new location. Samuel A. Anderson of 22 Deerfield Road appeared in opposition to the appeal also.

Mr. Gurney called on Mr. Kidder who said that he controls the Myron D. Kidder, Inc., that the area of the lot is about 8500 square feet and is bounded on one side by Clements garage and on another side by the Portland Burial Case Company plant, that the nearest residences are but five hundred feet away, that the returns from the property in the last five years had been negligible, that the taxes were about 70 dollars per year and that the taxes have not been paid for the past few years, that the property could not be developed for residential property or for any other conforming use, that it is his impression that the garages along Forest Avenue were constructed before the dwelling houses along Deerfield Road and vicinity were built, that the Palmer Spring Company is the prospective tenant or buyer, and that probably that company would not have any occasion to do any work on the premises at night. Mr. Kidder said that he has owned this property since 1929, having bought it to operate in connection with the building which the Kidder corporation owned and occupied on Forest Avenue (now occupied by the Portland Burial Case Co.)

Mr. Shesong, as representative of the Palmer Spring Co. said that while he sympathized with the viewpoint of the home owners he thought the lot could hardly be used for anything except for some such use as the proposed garage. He thought there would be no occasion for the Spring Company to use the premises at night.

Warren McDonald

Appeal 33-45 Salsleigh Rd.

October 9, 1941

Subject: Appeal of Myron D. Alder,  
Inc. relating to use of property  
at 33-45 Salsleigh Road

Myron D. Alder, Inc.  
c/o Charles E. Gurney  
119 Exchange Street,  
Portland, Maine

Gentlemen:

On October 8, 1941, the Municipal officers voted to sustain conditionally the above appeal and ordered that a building permit be granted to said appellant corporation or its successor subject to the following conditions: (1) that all terms of the Building Code be complied with; (2) that before any building permits or licenses under the jurisdiction of the City of Portland, involving this project, are issued the appellant corporation or its successor shall agree in writing, in consideration of sustaining of this appeal and issuance of permits and licenses involved, for its, their or his heirs, executors, administrators, successors and assigns, that no operations in connection with the use allowed under this order will be conducted or allowed in, on or about those premises from seven o'clock in the evening of any day to seven o'clock in the morning of the following day and at any time on Sundays, except in case of occasional emergency; and that no operation on the open land outside of the building or on any public street.

The way now seems to be clear to prepare the plans of the building to comply with Building Code requirements, to file the application for the building permit and to prepare and get executed the written agreements indicated in the order.

It is my understanding that your company intends to sell the property and that the new owner will actually construct the building, the building permit being applied for no doubt in the new owner's name. Perhaps the question could best be settled between your attorney and the Corporation Council, E. Mayo Payson, but it seems to me that it would be better for the new owner to execute the agreement.

In event the transfer cannot be consummated until after the agreement is executed, I should think similar agreements should be executed and filed on the part of your company and also on the part of the new owner.

Very truly yours,

Inspector of Buildings

W.M.D./N  
CC: E. Mayo Payson  
Corporation Council

4/1/70  
Sustained  
Conditionally 10/6/41

City of Portland, Maine

IN BOARD OF MUNICIPAL OFFICERS

ORDERED, that the appeal under the Zoning Ordinance of Myron D. Kidder, Inc. at 39-45 Oakleigh Road, relating to construction of a new building approximately 100 feet by 144 feet overall by 24 feet high as indicated upon plan attached to application for permit, to be used for a Repair and Service Garage, contrary to the precise terms of the Zoning Ordinance in the "Limited Business Zone" where the property is located, be sustained conditionally and that a building permit be granted to said appellant corporation or its successor subject to the following condition:

1. That all terms of the Building Code be complied with.
2. That before any building permits or licenses under the jurisdiction of the City of Portland, involving this project, are issued the appellant corporation or its successor shall agree in writing, in consideration of sustaining of this appeal and the issuance of permits and licenses involved, for its, their or his heirs, executors, administrators, successors and assigns, that no operations in connection with the use allowed under this order will be conducted or allowed in, on or about these premises from seven o'clock in the evening of any day to seven o'clock in the morning of the following day and at any time on Sundays, except in case of occasional emergency; and that no operation as a part of the allowed use will at any time be allowed or conducted on the open land outside of the building or on any public street;

BECAUSE enforcement of the ordinance in this specific case involves unnecessary hardship since the possibility of using the property for any conforming use is very remote, thus practically depriving the appellant of an opportunity to use or sell the property; and desirable relief may be granted without substantially derogating from the intent and purpose of the ordinance in that the property is surrounded on two sides by industrial uses and existing habitations are sufficiently removed as to make features obnoxious to this residential property unlikely.

4/78

Appeal 39-45 Oakleigh Rd.

Harry E. Marting Chairman  
Committee on Zoning and Building  
Ordinance Appeals

Dear Mr. Martini:

Two orders are attached to cover the Kidder Appeal, -one to sustain conditionally, the other to deny.

The following information may be of value:

The 1941 valuation for taxes is for land \$1150., for small building, \$75.

Taxes have not been fully paid since 1936. In 1937 about half of the taxes were paid, and none have been paid since.

Total taxes (exclusive of interest) now due \$294.54. This means that the city could take title at any time.

You will remember that we discussed what would be the future of the house lots in the "neck" between Deerfield Road and Fenwick. I find that the city owns all of these lots, so that the nearest privately owned residential lot to the Kidder lot is the Barrows property (formerly Boone).

Very truly yours,

Inspector of Buildings

8/1/70

Room 11, City Hall  
September 30, 1941

Myron D. Kidder, Inc.  
c/o Charles E. Gurney, attorney  
119 Exchange Street,  
Portland, Maine

Gentlemen:

The Committee on Zoning and Building Ordinance Appeals of the  
Municipal Officers will hold a public hearing at the Council Chamber,  
City Hall on Friday, October 3, 1941 at 2:00 o'clock in the afternoon,  
upon your appeal under the Zoning Ordinance relating to construction of  
a proposed building for a repair garage on the property at 39-45 Calleigh  
Road.

Please be represented at this hearing in support of your appeal.

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

Harry E. Martin, Chairman

CC: Box 31  
Allston, Mass.

41/70

CITY OF PORTLAND, MAINE  
BOARD OF MUNICIPAL OFFICERS  
COMMITTEE ON ZONING AND BUILDING ORDINANCE APPEALS

Room 21, CityHall  
September 23, 1941

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, October 3, 1941 at 2:00 o'clock in the afternoon upon the appeal under the Zoning Ordinance of Myron D. Kidder, Inc. with relation to the property at 39-45 Oakleigh Road, corner of Fenwick Road.

The Inspector of Buildings is unable to issue a permit for the construction of a one story building about 106 feet by 129 feet because the proposed building would be used for a Repair and Service Garage and these uses are not allowable under the precise terms of the ordinance in the Limited Business Zone where the property is located.

The appellant corporation sets forth the following reasons for the appeal: "Said lot of land, situated a few feet from Forest Avenue, is in the immediate vicinity of business buildings, such as garages, a burial case manufactory; on the northwest side is a storage and repair garage for trucks. In its present circumstance appellant's lot would not be usable for residential purposes. To deprive the owner of the right to utilize this for a garage is, in effect depriving him of the value of his property, it being a source of expense for tax, it also involves the loss of the use of the money invested in it unless it can be turned into income producing property. A new building upon the place will increase the taxable property of the city."

All persons interested either for or against this appeal will be heard at the above time and place, this notice of hearing having been sent to owners of property within 500 feet of the premises in question as required by law.

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

Harry E. Martin, Chairman

Appeal 33-45 Oakleigh Rd.

October 9, 1941

Myron D. Kidder, Inc.  
c/o Charles E. Garney  
119 Exchange Street,  
Portland, Maine

Subject: Appeal of Myron D. Kidder,  
Inc. relating to use of property  
at 33-45 Oakleigh Road

Gentlemen:

On October 8, 1941, the Municipal Officers voted to sustain conditionally the above appeal and ordered that a building permit be granted to said appellant corporation or its successor subject to the following conditions: (1) that all terms of the Building Code be complied with; (2) that before any building permits or licenses under the jurisdiction of the City of Portland, involving this project, are issued the applicant corporation or its successor shall agree in writing, in consideration of sustaining of this appeal and issuance of permits and licenses involved, for its, their or his heirs, executors, administrators, successors and assigns, that no operations in connection with the use allowed under this order will be conducted or allowed in, on or about these premises from seven o'clock in the evening of any day to seven o'clock in the morning of the following day and at any time on Sundays, except in case of occasional emergency; and that no operation as a part of the allowed use will at any time be allowed or conducted on the open land outside of the building or on any public street.

The way now seems to be clear to prepare the plans of the building to comply with Building Code requirements, to file the application for the building permit and to prepare and get executed the written agreements indicated in the order.

It is my understanding that your company intends to sell the property and that the new owner will actually construct the building, the building permit being applied for no doubt in the new owner's name. Perhaps the question could best be settled between your attorney and the Corporation Counsel, W. Mayo Payson, but it seems to me that it would be better for the new owner to execute the agreement.

In event the transfer cannot be consummated until after the agreement is executed, I should think similar agreements should be executed and filed on the part of your company and on the part of the new owner.

Very truly yours,

Inspector of Buildings

WMB/H  
cc: W. Mayo Payson  
Corporation Counsel



# APPLICATION FOR PERMIT

To the INSPECTOR OF BUILDINGS, PORTLAND, ME. Mill Construction Permit No. \_\_\_\_\_  
Portland, Maine, September 5, 1941

The undersigned hereby applies for a permit to erect alter-install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 39-45 Oakleigh Road Ward E Within Fire Limits? no Dist. No. \_\_\_\_\_  
Owner's or Lessee's name and address Myron D. Kidder, Inc. Telephone \_\_\_\_\_  
Contractor's name and address C/O Charles F. Gurney, 119 Exchange St. Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Plans filed \_\_\_\_\_ No. of sheets \_\_\_\_\_

Proposed use of building Repair Garage No. families \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_ Fee \$ \_\_\_\_\_  
Estimated cost \$ \_\_\_\_\_  
Description of Present Building to be Altered  
Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Last use \_\_\_\_\_ No. families \_\_\_\_\_

General Description of New Work  
To erect one story brick building

This application is preliminary to get settled the question of Zoning Appeal. If appeal is sustained, full plans and details will be furnished and the building permit fee paid

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor.

## Details of New Work

Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_  
To be erected on solid or filled land? \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
Material of foundation \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of underpinning \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_  
Kind of Roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_ Thickness \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_  
Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span 8 feet. Sills and corner posts all one piece in cross section.  
Joists and rafters: \_\_\_\_\_  
On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
If one story building with masonry walls, thickness of walls? \_\_\_\_\_, to be accommodated \_\_\_\_\_  
No. cars now accommodated on same lot \_\_\_\_\_  
Total number commercial cars to be accommodated \_\_\_\_\_  
If a Garage \_\_\_\_\_, to be accommodated \_\_\_\_\_  
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_  
Will above work require removal or disturbing of any shade tree on a public street? no  
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

## Miscellaneous

Signature of owner by Myron D. Kidder, Inc.  
Myron D. Kidder, Inc.

INSPECTION COPY