



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 1
Portland, Maine, APR 12, 1954

PERMIT NO. 1331
APR 12 1954
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 54/380 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plus and specifications, if any, submitted herewith, and the following specifications:

Location 76-80 Auburn St. Within Fire Limits? no Dist. No.
Owner's name and address A. G. Hecker, 113 Pickett St., So. Portland Telephone 2-5966
Lessee's name and address
Contractor's name and address Gilbert Cyr, Main St., Biddeford Telephone
Architect
Proposed use of building Canteen business (see original permit) Plans filed no. No. of sheets
Last use See original application No. families
Increased cost of work Additional fee 50

Description of Proposed Work

To provide one hour fire resistance on dividing wall between former barn and the rear addition which is to be used for heater room.
Both sides of partition with be covered with 1/2" gypsum wallboard and stud spaces filled with mineral wood bats
A Class C labelled fire door will be provided in opening. nailed in place.

PERMIT ISSUED WITH AMEND

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining
Framing lumber - Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joints and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum spar: 1st floor, 2nd, 3rd, roof

Approved: with memo by Agel

Signature of Owner: A. G. Hecker
Approved: [Signature]
Inspector

INSPECTION COPY

Memorandum from Department of Building Inspection, Portland, Maine

76-80 Auburn St. - Amendment #1 to Permit #54/380 covering construction of fire resistive partition for A. G. Hecker by Gilbert Cyr - 4/12/54

Amendment #1 to Permit #54/380 covering construction of a one-hour fire resistive partition between garage space and heater room in building at 76-80 Auburn St. is issued herewith subject to the following conditions:-

1. Both sides of the separating partition are to be covered with 1/2 inch thick gypsum wall board and the spaces between the studs of the partition are to be completely filled with mineral wool bats nailed in place.
2. The frame of the Class "C" labelled fire door to be installed in the opening is to be covered completely with metal.
3. The fire door is to be equipped with a liquid door closer.
4. Unless the floor of heater room is at least six inches higher than the floor of the garage, a raised threshold of at least that height is to be provided in the doorway.

Copy to: Mr. Gilbert Cyr
Main St.
Biddeford, Me.

AJS/g

(Signed) Warren McDonald
Inspector of Buildings



(L) LOCAL ORDINANCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, Feb. 18, 1954

PERMIT ISSUED
00350

APR 6 1954

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 76-90 Auburn St. Within Fire Limits? no Dist. No. _____

Owner's name and address A. G. Hecker, 148 Fickett St., Sc, Portland Telephone 289 6 6

Lessee's name and address _____ Telephone _____

Contractor's name and address _____ Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 2

Proposed use of building Headquarters and storage of supplies for the retail No. families _____

Last use vending machines and the storage of 4 commercial automobiles No. families _____

Material frame wise and storage of farm equipment, motor driven and other No. families _____

No. stories 2 & 2 1/2 Heat _____ Style of roof pitch Roofing _____

Other buildings on same lot Garage and small storage building

Estimated cost \$ 3500. Fee \$ 5.00

General Description of New Work

To complete the finishing of certain partitions and ceilings in a space to be used as offices, To construct an outside chimney in the rear of the former barn to serve a new warm air heating plant with oil burning equipment to be installed in the small addition in the rear of the barn (separate permit to be applied for later for the heating)

The rear main portion portion of this stand of buildings was formerly a barn with two floor levels. The second floor to be used mainly for storage of files, etc., the first floor, formerly used for display, sales and storage of farm equipment, motorized, and otherwise, will never be used through the center for the storage of not more than three trucks. At either side will be storage capacity for various commodities to be distributed and sold in vending machines. An additional motor truck may be stored in the repair garage used by the former tenant, this being cut off from the balance of the building by fire separations.

Permit Issued with Letter

Approved 4/2/54

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. **PERMIT TO BE ISSUED TO** owner

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? _____ If not, what is proposed for sewage? _____

Has septic tank notice been sent? _____ Form notice sent? _____

Height average grade to top of plate _____ Height average grade to highest point of roof _____

Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____

Material of foundation _____ Thickness, top _____ bottom _____ cellar _____

Material of underpinning _____ Height _____ Thickness _____

Kind of roof _____ Rise per foot _____ Roof covering _____

No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____

Framing lumber—Kind _____ Dressed or full size? _____

Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____

Girders _____ Size _____ Column under girders _____ Size _____ Max. on centers _____

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 _____, 2nd _____, 3rd _____, roof _____

On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____

Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

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? _____

APPROVED:

Miscellaneous

Will work require disturbing of any 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

INSPECTION COPY

Signature of owner

[Handwritten Signature]

PH

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 76-90 Auburn St.

Issued to A. C. Meeker

Date of Issue June 11, 1954

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. 54/380, 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

APPROVED OCCUPANCY

Entire

Single family dwelling (in front) as formerly; also headquarters and storage of supplies for retail sale off the premises of various commodities through automatic vending machines, and including storage of four commercial vehicles.

Limiting Conditions:

This certificate supersedes certificate issued 6/6/47

Approved:

6/9/54 *Carl Smith*

(Date)

Inspector

Wanamaker

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.

AP 76-90 Auburn St.

April 6, 1954

Mr. A. G. Hecker
148 Pickett St.
South Portland, Me.

Dear Mr. Hecker:

The zoning appeal having been granted at 76-90 Auburn St. on April 2, 1954, building permit for certain alterations and to change the use of the building for your proposed purpose is issued herewith, but subject to the following conditions. If these conditions are not understood, it is important that you contact this office with more information before starting the work.

1. Since motor vehicles are to be parked (not more than three) in the former barn and the rear addition is to be used as a heater room, the dividing wall is required to be covered on both sides with such assemblies of materials as will afford at least one-hour fire resistance; the door, if any, between the main building and the heater room is required to be a Class C fire door (labelled by Underwriters' Laboratories, Inc. as such) made self-closing which means normally in a closed position and kept in that position by a liquid door closer, the frame of the door, if of wood, is required to be completely covered with metal so as to exclude air and "flashed" into the fire resistive covering on the partition, and the threshold of the door is required to be raised at least six inches above the level of the main floor, and the raised threshold covered on both sides with fire protection as the balance of the wall.

2. There is a variety of materials and assemblies which will satisfy this requirement for 1-hour fire resistance, information concerning which you can secure at this office. Before this fire protection and arrangement of wall and fire door are commenced, it is necessary that you file application for amendment to the permit already issued describing the type of material which will be used and the complete arrangement so that no difficulties may arise after the work is done.

3. Before work of completing the finishing of certain partitions and ceilings in the space to be used as offices and toilet is commenced, notice is required to this office of readiness for closing-in inspection, and none of this closing-in material is to be applied to walls, partitions or ceilings until our inspector has left his green tag of approval at the job.

4. The application calls for construction of an outside chimney in the rear of the former barn. This chimney, of course, must be constructed according to Building Code requirements which your mason will probably know, chimney to be lined throughout its length with cast iron cleanout door at the bottom of each flue and etc. Of particular importance with an outside chimney is the protection between the chimney wall and the wooden wall of the building, including the eaves of the building. Unless the chimney wall is to be set at least one inch from all parts of the wall of the building, including the eaves, special protection is required and an inquiry should be made of Mr. Sears in this office. The foundation of the chimney is, of course, required to be of masonry and to extend no less than four feet below the finished surface of the ground. The top of the chimney must be at least two feet above the highest part of any roof through which it may cut and at least as high as any roof surface within ten

Mr. A. G. Hecker-----2

April 6, 1954

feet of the top of the chimney, measured horizontally.

5. The permit is issued under the assumption that, if the former repair shop shown on the plan is to be used for storing automobiles, the fire protection formerly required and the fire doors separating this portion from the balance of the structure are in good order

6. It is understood that there will never be more than 20 persons in the entire business part of the building.

7. Before the building is occupied for the new purposes, and after all features controlled by the Building Code have been completed, you are required to notify this office of readiness for final inspection; and it is not lawful to occupy this building for the new purposes until our certificate of occupancy has been issued.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/B

AP 76-90 Auburn St.

March 5, 1954

Mr. A. G. Hecker
143 Pickett St.
South Portland, Maine

Copies to: Mr. Hecker
Corporation Counsel

Dear Mr. Hecker:-

Building permit intended to authorize minor physical alterations of the building at 76-90 Auburn St. and to change the use of the building from a single family dwelling house and sales and service of farm equipment, including storage of multiple commercial automobiles, to dwelling house and headquarters and storage of supplies for retail sales off the premises of various commodities through automatic vending machines, and including the storage of four commercial automobiles, is not issuable because:

—the property is located in a Local Business Zone where a storage warehouse, including the usual loading, unloading and transportation facilities for goods sold on the premises is not an allowable use according to Sect. 6A of the Ordinance.

You have indicated your desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMD/G

Enclosure: Outline of appeal procedure

OFFICE CORRESPONDENCE

*From memo
with
copy of appeal
in
1/21/54*

CITY OF PORTLAND, MAINE
CORPORATION COUNSEL

To: Warren McDonald, Building Inspector

DATE: March 1, 1954

FROM: Robert W. Donovan, Assistant Corporation Counsel

SUBJECT: Automatic Canteen of Maine - 76-90 Auburn Street

This is in reply to your memorandum of February 23rd, 1954 on the above subject.

The papers in the 1946 zoning appeal at the above location have been studied, and unfortunately only confuse the question. For example, it is not apparent from the file whether the Board of Appeals allowed the petition as amended, or as originally submitted.

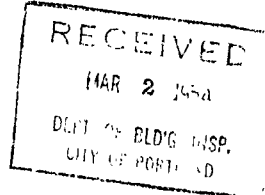
On the basis of the record, therefore, it is difficult to say whether the right to store canteen commodities exists, and if so, where on the property, and to what extent.

One thing, however, is clear from the record, and that is that any storage rights granted, were granted as incidental to a true retail use.

There is enough doubt as to the storage rights here to warrant a denial of the proposed use. However, I believe that there is a clearer ground on which to base your denial of a permit, and that is that Mr. Hecker's proposed use is not a retail use. (I am assuming the facts about Mr. Hecker's operations to be as you stated them, and that there is no type of middle-man between Mr. Hecker and the ultimate consumer. The only reason I raise this point is because I have the impression that in many of these canteen operations, territories are often franchised to sub-dealers.)

I do not believe it is necessary to cite Webster or court cases to establish that the words "retail business" in a zoning ordinance mean a place of business where commodities are offered, generally in single sales, to ultimate consumers on the premises. In fact, the language of Section 6-A-8 re-enforces this general principle. In limiting the manufacture of products on the premises, that sub-section provides that the major portion of such manufactured products must be sold at retail to the consumer on the premises. This phrase indicates to me that an on the premises sale is involved in our ordinance's concept of "retail business."

Therefore, I agree with your conclusion that you are without authority to issue this particular permit, and that Mr. Hecker's relief, if any, must come from the Board of Appeals.

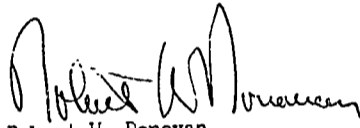


Warren McDonald, Building Inspector - 2
Re: Automatic Canteen of Maine
76-90 Auburn Street

March 1, 1954

This office has been contacted by Arthur Chapman, Jr., Esq., 85 Exchange Street, who represents Mr. Hecker. I have indicated to him that I would advise you that the permit was not issuable, and he indicates that he wishes to take an appeal for his client. Will you, therefore, send Mr. Chapman your customary certification letter at your earliest convenience.

Your file is herewith returned to you.


Robert W. Donovan
Assistant Corporation Counsel

K
Attachment (1946 Appeal File)

W McD 2/25/54

February 23, 1954

Robert W. Donovan, Assistant Corporation Counsel

Warren McDonald, Inspector of Buildings

Use of the property at 76-90 Auburn St. for headquarters and storage in connection with the business of distributing goods through automatic vending machines spread over a wide territory-occupied by a non-conforming dairy farm and business from before 1938.

In 1946 the Appeal Board authorized the use of the property for sales and service of farm equipment (motor driven and otherwise) and the storage of multiple commercial automobiles in connection with that business. All of those uses were non-conforming in the Residence A Zone where the property was located, and the Board also gave the right to a large roof sign for advertising the business, but denied the right to display vehicles outside of the buildings and to have a sign out in front.

A year or so ago the Ordinance was amended so that the property now is in a Local Business Zone. It is clear that the sale of the farm equipment is conforming in the Local Business Zone, but servicing or repairs and storage of more than one commercial automobiles are non-conforming. The large sign on the roof is conforming in the Local Business Zone only if it advertises goods or services offered by an occupant of the premises.

A. G. Hecker, who operates the Automatic Canteen of Maine, has purchased the property, and proposes to use it for that Company's business as headquarters for the business in this area, for the storage of supplies for the retail sales of various commodities such as candy through vending machines, and the storage of four commercial automobiles.

The former large barn attached to the dwelling on the property would be used for the storage of goods to be distributed to vending machines and not more than three small trucks. The part of the building between the former barn and the dwelling house would be used for offices and the former service garage for repairing vending machines. None of the goods would be sold on the premises. All of the goods would be distributed to vending machines in the company's trucks, of which there are seven or eight (only four to be kept on the property but all to go there to be loaded), driven by the employees of the company for both wage and on commission basis. All goods are the property of the company until purchased from the vending machines. Presumably goods would be delivered to the storage building by larger trucks.

Unless some supported definition of retail business can be found which provides that the goods must be actually sold on the property where the headquarters are, it appears that this is a retail business and therefore allowable.

Since in the former appeal the right was given to store merely "multiple" commercial automobiles, it appears that there would be the continued right to store the four trucks of the company.

Robert W. Donovan-----2

February 23, 1954

In this former barn, however, a storage warehouse conforming in a Limited Business Zone but not in a Local Business Zone? In this connection it is to be borne in mind that eight or more trucks would daily be using the property, probably to load in the morning and most of them to return in late afternoon besides the need of replenishing the stocks frequently by larger trucks which would come over the road from elsewhere.

The clause of the Ordinance (Section 6A7) seems unfortunate: "Sign advertising goods or services offered by an occupant of the premises". Do we have a right to read into that word "offered" that they must be offered for sale on the premises? You will be interested in part of a paper by a lawyer, whose name is Stickle, and whom Barney perhaps knows because he is head of the New Jersey Municipal Corporation Lawyer Association, where he said in connection with decisions under Zoning Ordinances "no doubt is to deny". He explained that to mean that if there was a substantial doubt on the part of the building official or other enforcing officer, the permit should be denied leaving it to the Board of Appeals and the Courts to see that justice is done. Whether he is right or not, in this case on Auburn St. I certainly have a large doubt if the Ordinance meant that such a business should be allowed although it is difficult to find the exact words of the Ordinance which forbids it. If it is allowed why could not the A & P warehouse and offices be allowed in a Local Business Zone or a Sears Roebuck or a Porteous, Mitchell & Braun warehouse be allowed?

WMcd/B

Inspector of Buildings

City of Portland, Maine
Board of Appeals
--- ZONING ---

*Sustained
4/2/54*

54/13

To the Board of Appeals:

March 9, 1954, 19

Your appellant, **A. G. Hecker**, who is the owner of property at 76-90 Auburn Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit intended to authorize minor physical alterations of the building at 76-90 Auburn Street and to change the use of the building from a single family dwelling house and sales and service of farm equipment, including storage of multiple commercial automobiles, to dwelling house and headquarters and storage of supplies for retail sales off the premises of various commodities through automatic vending machines, and including the storage of four commercial automobiles, is not issuable under the Zoning Ordinance because the property is located in a local Business Zone where a storage warehouse, including the usual loading, unloading and transportation facilities for goods sold off the premises is not an allowable use according to Section 6A of the Ordinance.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

A. G. Hecker
Appellant

After public hearing held on the 2nd day of April, 1954, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

William F. O'Brien
John W. Lake
Welan C. Frost
Edward J. Colley
Harry A. Torrey
BOARD OF APPEALS



(RA) RESIDENCE ZONE - A
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, October 8, 1946

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 84 Auburn Street Within Fire Limits? no Dist. No. _____
 Owner's name and address Harold Gothrow, 84 Auburn Street Telephone 2-8566
 Lessee's name and address _____ Telephone _____
 Contractor's name and address owner Telephone _____
 Architect _____ Specifications _____ Plans no No. of sheets _____
 Proposed use of building Dwelling and Bva. & Ind. use No. families 1
 Last use _____ " _____ No. families 1
 Material same No. stories 1 1/2 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____ Fee \$ 3.75
 Estimated cost \$ 1500.

General Description of New Work

- To repair after fire to former condition with minor alterations.
- To remove 10' non-bearing partition, first floor, between pantry and kitchen.
- To close up door to existing closet in dining room.
- To enlarge existing 2'6" doorway between dining room and living room to 5' opening.
4x4 header for support of opening-- non-bearing partition.
- To cover entire roof with Asphalt roofing Class C Und. Lab.

Permit Issued with Letter

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

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

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber--Kind _____ Dressed or full size? _____
 Corner posts: _____ Sills _____ Cirt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 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 _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
 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? _____

APPROVED:

Miscellaneous

Will work require disturbing of any 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

INSPECTION COPY

Signature of owner Harold Gothrow

Permit No. 46/1967
 Location 24 Auburn St
 Owner Harold Gibson
 Date of permit 10/10/46
 Notif. closing-in 12/30/46
 Inspn. closing-in 2/3/47
 Final Notif.
 Final Insp. n. 5/26/47
 Cert. of Occupancy issued

on top
 This ceiling has
 4 partitions in each
 storey.
 3- There is one pipe hot
 and a small boiler
 connected to the chimney
 smoke pipes of boiler
 being very close to wood
 partitions of boiler
 Is it boiler to be
 continued in use?

12/31/46. Comm
 Cert. to Close in
 C.D.
 5/26/47. work done
 P.S.

NOTES
 10/7/46 - There are several
 questions which arise
 concerning the plans -
 1- Is the 10' non-bearing
 partition between
 kitchen and living room
 to be removed? Will
 the chimney be
 removed? What
 to be done?
 2- The garden first
 floor is a 4x6
 diagonal floor with
 ported at intervals of
 about 6 ft. 6x6 joists
 which rest on wood
 plates of 2x4's

The opening will
 be in a non-bearing
 partition.
 4- Some of floor timbers
 are badly burned and
 new ones have been
 placed alongside them.
 It is unwise to
 see up into chimney
 to see if any rafters need
 reinforcing, but it may
 be possible they do need
 chimney.
 5- Firestopping needed
 around chimney and
 12' safety the walls where
 openings are to be made
 A.H.

46/65

City of Portland, Maine
Board of Appeals
—ZONING—

July 12th , 19 46

To the Board of Appeals:

Your appellant, Morrill Coal & Grain Company, which is the owner of property at 84 Auburn Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 17, Paragraph E of the Zoning Ordinance,

We have made application for building permit to cover change of use of dwelling and dairy barn (all one building) to dwelling and sales and service of farm equipment at 84 Auburn Street. The Building Inspector has refused to issue the permit because the property is located in a Residence A Zone where neither the dairy nor the proposed business use is allowable under Section 11A of the Zoning Ordinance. The permit is also not permissible because the owner proposes to make a structural change in the building, to wit, enlargement of the barn door, which is not permissible in changing one non-conforming use to another non-conforming use.

The facts and conditions which make this exception legally permissible are as follows:—

Storage of more than one commercial motor vehicle is permissible in a Limited Business Zone by appeal excepting for structural change by way of enlarging of the above-mentioned doorway.

The dairy barn is an existing non-conforming use and this change to the use requested would be permissible as a change from one non-conforming use to another were it not for the structural change and the storage of more than one commercial vehicle.

Morrill's Coal & Grain Company.
By *Samuel Phillip Steady*
Appellant

46/25

Amendment to Zoning Appeal of Morrill Coal & Grain Company dated July 12, 1946

We desire to amend our appeal in order to provide for use of what is now
and sale
the cow barn for storage/of farm machinery and equipment, a part of the ell
for a repair shop, and land on the northerly side of the building at 84
Auburn Street for display of farm machinery and equipment and the building
in the rear of the cow barn for storage purposes. Also, we ask that we
be allowed to place an attached sign on the top of the large building marked
"storage" on the attached blue print and a detached display sign 3 x 5' on the
lot marked "display" five feet in from the street line. The blue print above
mentioned is dated August 5th, 1946.

Morrill's Coal & Grain Company

By *Harold B. Tallin*
Appellant

City of Portland, Maine
Board of Appeals

—ZONING—

Decision

16/5
Sustained
conditionally
8/5/46
WMS

Public hearing was held on the 2nd day of August, 1946,
on petition of Morrill Coal & Grain Company, owner of property at
84 Auburn Street, seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

(See appeal dated July 12th, 1946)

CONDITION:

Outdoor display of farm machinery and equipment on land
on the northerly side of the building at above location and a
detached display sign 3' x 5' on the lot marked "display" on
the blue print dated August 5th, 1946, five feet in from the
street line shall not be allowed.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted
in this specific case.

Helmer E. Frank
Francis H. Babby
W. Francis Jones
Edna J. Colby

Lewell A. Coe

Board of Appeals

4/65

ASSOCIATES
SEWARD R. THOMPSON
PHILIP F. THORNE
B. WILLIAM HOLBROOK

CARROLL B. SKILLIN
ATTORNEY AND COUNSELLOR AT LAW
466 CONGRESS STREET
PORTLAND 3, MAINE

August 5, 1946

Board of Appeals
City of Portland
Portland, Maine

Madam Chairman & Gentlemen:

In behalf of Morrill's Coal & Grain Co. I wish to ask permission to amend their appeals now pending before you, and I submit herewith a blue print showing the location of the property on Auburn Street, the buildings thereon and the proposed uses of same.

Brackett & Shaw Co. desires to use what is now the cow barn for storage of farm machinery and equipment, a part of the ell for a repair shop, land on the northerly side of said building for display of farm machinery and equipment and the building in the rear of the cow barn for storage purposes.

They also wish to place an attached sign on the top of the large building marked "storage" and a detached display sign 3 x 5 on the lot marked "display" five feet in from the street line.

The rest of the buildings, including the residence and private garage, will be used by the manager, Mr. Gothrow, for residential purposes.

It is our belief that by changing the use of this property from a dairy to the handling of farm machinery that it will be much more favorable to the development of the surrounding property, and also that it will bring to Portland another substantial, profitable business.

Thanking you for your courtesy and consideration, I am

Very truly yours,

Carroll B. Skillin

CBS/ECG

CARROLL B. SKILLIN

Sent 7/27/46
46/65

City of Portland, Maine
Board of Appeals

July 15, 1946

To Whom It May Concern:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, August 2nd, 1946, at eleven o'clock in the forenoon upon the appeal under the Zoning Ordinance of Morrill Coal & Grain Company relating to a proposal to change the use of dwelling and dairy barn (all one building) to dwelling and sales and service of farm equipment at 84 Auburn Street.

This building is located in a Residence A Zone where neither the dairy nor the proposed business use is allowable under Section 11A of the Zoning Ordinance. The owner further proposes to make a structural change in the building, to wit, enlargement of the barn door, which is not permissible in changing one non-conforming use to another non-conforming use.

The Appellant states the following facts and conditions which make this exception legally permissible:- "Storage of more than one commercial motor vehicle is permissible in a Limited Business Zone by appeal excepting for structural change by way of enlarging of the above-mentioned doorway.

"The dairy barn is an existing non-conforming use and this change to the use requested would be permissible as a change from one non-conforming use to another were it not for the structural change and the storage of more than one commercial vehicle."

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

BOARD OF APPEALS

Helen C. Frost
Chairman

Sent 7/15/46
116/105

City of Portland, Maine
Board of Appeals

July 15, 1946

Morrill Coal & Grain Company
c/o Carroll B. Skillin
465 Congress Street
Portland, Maine

Gentlemen:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, August 2nd, 1946, at 11 o'clock in the forenoon upon your appeal under the Zoning Ordinance relating to a proposal to change the use of dwelling and dairy barn (all one building) to dwelling and sales and service of farm equipment at 84 Auburn Street.

This building is located in a Residence A Zone where neither the dairy nor the proposed business use is allowable under Section 11A of the Zoning Ordinance. The owner further proposes to make a structural change in the building, to wit, enlargement of the barn door, which is not permissible in changing one non-conforming use to another non-conforming use.

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

BOARD OF APPEALS

Helen C. Frost
Chairman

Mr. Lane wa. in at 2:30 Thursday
and left this message for Mr. Lane
8/2/45

Mayo Plyson
Portland, Maine

Dear Sir:

I understand that they are contemplating establishing an
agricultural implements business on Auburn Street in the
buildings now owned by the Deering Coal and Wood Co. which
was the old Passmore Dairy.

We object to that as that is a residential zone and we own property
on Auburn Street and in back of Deering Village.

Calvin S. Lane
Box 1825
Portland, Maine

COPY



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

Issued to Harold D. Gothrow

Date of Issue June 6, 1947

This is to certify that the building, premises, or part thereof, indicated below, and ~~has~~ altered—changed as to use at 84 Auburn Street under Building Permit No. 46/1549, 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, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire Building

Sales and service of farm equipment and dwelling.

Limiting Conditions:

This certificate supersedes certificate issued 6/6/47 on temporary form at request of owner and is based only on final inspection in 1947

Certificate sent to Harold D. Gothrow 3/11/50

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.

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

CERTIFICATE OF OCCUPANCY

This is to certify that the building at 84 Auburn
Street which altered under Building Permit No.
49/1549 has been finally inspected and may now be oc-
cupied for the purpose of sales and service of farm
equipment and dealing
Date June 6, 1947

Temporary Certificate only
Final to be issued later

Inspector of Buildings

Issued to Harold D. Goshrow

(In accordance with conditions)

APPLICATION FOR AMENDMENT TO PERMIT



Amendment No. 2

Portland, Maine, September 16, 1946

PERMIT ASSOCIATION
SEP 16 1946

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for an amendment to Permit No. 16/1519 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 21 Auburn Street Within Fire Limits? no Dist. No. _____
 Owner's name and address Harold D. Gothrow, 21 Auburn Street Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address owner Telephone _____
 Architect _____ Plans filed no No. of sheets _____
 Proposed use of building Sales and Service for farm equip. & dwg. No. families _____
 Increased cost of work 150. Additional fee .25

Description of Proposed Work

To remove one non-bearing partition between two display rooms to make the enlarged space for the office instead of office being across the passageway as shown on plan.
 To demolish and remove present exterior wall and two interior partitions forming on the plan the parts room and the office and a small room 3'x12' and reconstruct and fitting as necessary the present interior partitions which would then be exposed to the open air, for exterior exposure with nominal thickness one-inch boards on the outside and finished with clapboards.
 Wherever these interior partitions now to become exterior walls would not have foundations extending at least 4' below the surface of the ground, such foundations of materials, sizes, etc., as required by the Building Code will be provided.

Details of New Work

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____
 Framing lumber--Kind _____ Dressed or full size? _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 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 _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

Approved:

Signature of Owner Harold Gothrow

Approved: 9/16/46 [Signature]
 Inspector of Buildings

INSPECTION COPY

APPLICATION FOR AMENDMENT TO PERMIT



Amendment No. 1

Portland, Maine, September 9, 1946

RECEIVED

SEP 11 1946

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for an amendment to Permit No. 16/1519 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 22 1/2 Auburn Street Within Fire Limits? no Dist. No. _____
Owner's name and address Harold D. Gothrow, 22 1/2 Auburn Street Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address CP&P Telephone _____
Architect _____ Telephone _____
Proposed use of building Sales and Service for farm equipment & dwg. Plans filed no No. of sheets _____
Increased cost of work 100. No. families _____ Additional fee 25

Description of Proposed Work

To change out concrete pier foundation under portion of building 22' long with concrete wall

Details of New Work

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation concrete at least 4' below grade 8" thickness, top _____ bottom 12" cellar _____
Material of underpinning _____ to sill _____ sill to be 12" above grade _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____
Framing lumber—Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
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 _____, 2nd _____, 3rd _____, roof _____
On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

Approved: _____

Signature of Owner Harold Gothrow

Approved: 9/10/46 WMD
Inspector of Buildings.

INSPECTION COPY

HP 43/1546

✓ MR
✓ ESS
✓ RMT
✓ AJS
✓ LPH
✓ DJ
✓ HD
✓ BS

August 28, 1946

Morrill Coal & Grain Company
65 Allen Avenue
Mr. Harold D. Gothrow
c/o Brackett & Shaw
R.F.D. #1, Main Street
South Portland, Maine

Subject: Temporary certificate of occupancy for partial use of the building at 84 Auburn Street.

Gentlemen:

This letter may be considered as a temporary certificate of occupancy to authorize the use of the above building for storage in connection with the business projected there so that the prospective occupants may be accommodated in moving their business.

This temporary certificate does not authorize the use of the building for sales or service, but I have explained to Mr. Gothrow that as soon as the sales and office areas are ready and requirements as to exit signs, exit door locksets and the new ordinary sized door beside the entrance doors to be widened are completed, if you will notify this office, inspection will be made and probably another temporary certificate can be issued then to cover the sales, the service as far as rendered in the repair shop is concerned waiting until the fire-resistive partitions, fire doors, etc., have been provided after which the final certificate may be issued.

Very truly yours,

Inspector of Buildings

RMCD/D

CC: Mr. Carroll B. Skilling
465 Congress Street
Portland 5, Maine

AP 84 Auburn Street-I

ATM
ESS
RMT
JJS
PH
DJ
ED
ES

August 22, 1946

Morrill Coal & Grain Company
35 Allen Avenue
Mr. Harold D. Gothrow
c/o Brackett & Shaw
R.F.D.#1, Main Street
South Portland, Maine

Subject: Building permit for alterations
and change of use of the building at
84 Auburn Street.

Gentlemen:

Both zoning and Building Code appeals having been sustained conditionally (no doubt present owner has a copy of the action papers on both appeals and if Mr. Gothrow does not have a copy he should get them from the present owners), the building permit is issued, herewith, to Mr. Gothrow, subject to the following:

1. The Municipal Officers having allowed under Building Code appeal one-hour fire resistance around repair shop (garage) instead of the two-hour fire resistance ordinarily required, besides the fire resistance shown on the plan the attic floor over the shop requires a tight double wooden floor as well as the plastered ceiling, but a layer of hard asbestos board, cemented at the joints, may be used instead of the upper wooden floor, if desired, as suggested by Mr. Gothrow. The class C fire doors must bear the label of the Underwriters Laboratories Inc. Identifying the doors approved for rooms and corridors, the doors should fit the openings so that there will be no crack around the edge when in the closed position. If more than one-quarter of an inch, the frames of the doors are to be covered all over with metal with locked joints so as to exclude air from the wooden frame, metal to be "flushed" beneath the plaster wall covering or otherwise to exclude air from the work. Both doors are required to be made self-closing by liquid door closer or standard hardware, or automatic closing by means of standard automatic hardware. The doorways are required to be no less than six feet four inches high. A raised threshold is shown on the opening toward the dwelling, and this will be required if there is any direct connection from the corridor outside of the garage to the ditch or cellar stairs or any other place where a heating appliance might be in such a way that there could not be a six inch high barrier to prevent gas or fumes from reaching the flame of the appliance. If there is combustible wall covering or plaster on wooden lath on either side of these partitions, it will have to be removed before the metal lath and plaster is applied.

2. The "hicket" around the 11-foot sliding doors at each end of the repair shop are required to be no less than two feet wide and no less than 76 inches high instead of the two feet by four feet shown on the plan.

3. Since the repair shop has to be classified as a Repair Garage, if electrical equipment tending to produce sparks unless of the totally enclosed type and four feet above the floor level is provided in the shop, or forges, or welding operations or any heat generating apparatus, or apparatus for spraying on finishes, Section 204F of the Building Code makes special provisions for the protection, and should be consulted and

Morrill Coal & Grain Company

By: Harold D. Githrow

August 22, 1946

application made for amendment to the permit to cover any additional construction required thereby.

4. I understand the mercantile building and repair shop are to be heated from a plant in the dwelling house and that other than warm air heat will be provided.

5. If any floor drain is contemplated in the repair shop, an inflammable liquids and grease trap will be required of a type approved by the Chief of the Fire Department and the Plumbing Inspector.

6. Should tanks, pumps and other equipment for storing or handling gasoline or similar inflammable liquids be contemplated, their installation is to be covered by a separate permit from this department to be applied for by and issuable only to the actual installer.

7. It is understood that motor vehicles with gasoline tanks thereof will not be in any part of the building except the repair shop. It should be borne in mind in this connection that merely removal of gasoline from a vehicle tank is not of any help to avoid hazard unless the tank in each case is thoroughly purged of all inflammable liquids and vapors.

8. It is understood that the doorway on the right of the former stable as one faces the building (the one to be enlarged) is to be used for entrance to the sales space and that a ricket door no less than three feet wide and six feet four inches high is to be provided in these large doors or also a separate door of those minimum dimensions in the same end of the building. On this basis the exit door marked on the plan in the opposite end would be counted as a required means of egress and due to the arrangement of the sales space and display space the door from corridor to office and the door from office to out of doors would also be counted and required as an emergency means of egress. All of these doors, including the door to the office, if there is any lock on it at all or other fastening, are required to be equipped with vestibule locksets which are of such a type that any person on the inside can always quickly open the door merely by turning the usual knob or pressing the usual thumb latch without requiring a key or any special knowledge. Standard exit signs with letters in the word exit showing red no less than six inches high are to be provided indicating the exit door opposite the entrance and the door from corridor to office, the latter to be a directional sign so located with directional arrow or hand that persons in the corridor or in the display rooms would unerringly know what direction to take to reach the outside. See Section 205a1, e4, and 212a1.2 and 2.5 of the Building Code.

9. It is understood that the wearing surface of the floor of the repair shop is of concrete or will be made so.

10. It is understood that repair after fire of the dwelling house part of the stand of buildings will be done either under amendment applied for to this permit, or by separate permit. We have no information as to the amount of load to come upon the 4x12 header proposed over the enlarged doorway, nor any information as to the strength of the upper level of former barn or attic over connection between barn and house. If these floors are to be used for storage, their strength should amount to no less than 100 pounds per square foot live load, and permanent floor load signs to be displayed before the floors are used for storage indicating the maximum allowable live load per square foot.

11. Before any of the new work is covered from view—such as the partition work around the repair shop—notice to this office is required of readiness for inspection and none of the work is to be covered until inspection has been made and certificate of

Horvill Coal & Grain Company

Mr. Harold W. Gothrow

5

August 22, 1946

closure (green tag) left at the job. Before notice for inspection is given, fire stops should all be in place, and any electric wiring or plumbing pipes, the latter two to have been inspected by the other two inspectors before we are called upon. Before any part of the building is occupied for the new purpose, a certificate of occupancy is required from this department, and owner is required to notify this office of readiness for final inspection when all features controlled by the Building Code have been completed. I told Mr. Gothrow if they wanted to occupy a part of the space for storage before everything was done because of their need of moving soon, upon request from him we would issue a temporary certificate for that purpose.

12. Outdoor display of machinery and equipment and the detached display sign proposed on the front of the lot were excluded by the Board of Appeals but the sign proposed on the roof of the building was not. The sign on the roof requires a separate permit from this department. This sign upon the roof is required by Section 2114 of the Building Code to be of non-burnable material throughout. With the application for the sign permit should be a plan showing the size, material, construction, and the structural design of the sign and the supports of it, including the framing of the present roof to support it and the fact that the roof framing is either capable of supporting the sign or else will be strengthened to that capacity.

13. While not required by law your attention is called to the advantage of supplying an automatic sprinkler system in the building not only because of the potential saving in fire insurance rates and because of the protection against the operator finding himself out of business due to a fire, but because the business will be carried on in this Residential Zone only by special action by Board of Appeals. Should a fire take place that destroys a large percentage of the building, rebuilding and re-establishment of the building could only take place by special authorization of the Board of Appeals after the usual appeal procedure.

Very truly yours,

Inspector of Buildings

Wcb/D

CC: Mr. Carroll B. Skillin
465 Congress Street

Mr. Floyd E. McKay

AP-34 Auburn Street

✓ATH
✓ESS
✓RMT
✓PH
✓AJS
✓HL
✓DJ
✓BS

July 27, 1946

Mr. Harold D. Gothron
c/o Brackett & Shaw
E.F.D. #2 Main Street
South Portland, Maine
Mr. Carroll A. Skillin
465 Congress Street

Subject: Zoning, etc. 1 and Building Code appeal
relating to change of use at 84 Auburn Street.

Gentlemen:

I understand that hearing upon your appeals will be afforded on August 2.

It is recommended to you that you file here not later than Thursday some type of clear layout plan of your proposal as to the use of the part of the building and which buildings are proposed for the new use especially showing clearly what part of the first story is proposed for repair or servicing the tractors, what part intended for storage of tractors or any other commercial vehicles which might have gasoline in their tanks, and what type of fire resistant separation is proposed in lieu of that required by the Building Code between parts where motor vehicles will be and balance of the stand of buildings, whether these other parts are to be used for business purposes or for living quarters.

I note that the shed between house and main barn has two floor levels and perhaps the barn door also. It will have to be made very clear what these various levels are to be used for and the best way to do it is by comprehensive plan. Apparently there are two or three other small buildings on the property and the proposed use of these should be clearly established by statement as well as the use of the various areas of land outside of the buildings.

If all of this is not done and your appeals should be sustained, considerable delay will ensue before building permits can be issued while all of these matters are being cleared up. Furthermore, unless these details are all clearly established you are likely to find that some of the exceptions that you desired from the Board of Appeals have not been included, and that further proceedings before the Board will be necessary before the full desired use of the premises can go forward.

Very truly yours,

Inspector of Buildings

WMD/J

CC: W. Mayo Payson
Corporation Counsel

AP 84 Auburn Street-I

July 10, 1946

ES
APH
ESS
RMT
CPH
AJS
HL

Morrill Coal & Grain Company
55 Allen Avenue
Mr. Harold D. Gochrow
c/o Brackett & Shaw
R.F.D.#2 Main Street
South Portland, Maine

Subject: Zoning appeal and Building Code appeal
relating to change of use of the dwelling and
dairy barn at 84 Auburn Street to dwelling and
sales and service of farm equipment.

Gentlemen:

As explained to Mr. Gochrow after receipt of his letter of July 9 and his verbal explanation of the proposed use, I am unable to issue the building permit for the change to include the enlargement of a certain doorway leading to the barn, either under Zoning Ordinance or Building Code.

Under the Zoning Ordinance, it appears that the bare change of use satisfies the provisions as to change from one non-conforming use to the other, it is my belief that the enlargement of the doorway constitutes a structural alteration which is not allowed in case of such a change from one non-conforming use to another by Section 13A of the Zoning Ordinance.

Under the Building Code it seems to me that the gasoline powered tractors would have to be classified as motor vehicles. Building Code does not allow the storage of more than three motor vehicles or the repair of motor vehicles in a wood frame building (termed Third Class Construction)—reference Section 104cl.3. Since you would on occasion have more than three tractors in the building, perhaps with gasoline in the tanks or having been in the tanks, and would on occasion repair such tractors in the building, the building permit would not be issuable on the score of non-compliance with Class of Construction as related to a Repair or Major Garage.

Mr. Gochrow has indicated the desire to file appeals under both ordinances, and there is enclosed, therefore, a copy of the appeal procedure to each of you under both ordinances.

Under the Zoning appeal question will come up as to whether or not such tractors are commercial automobiles, this being important since in the Residence C Zone where the property is located, the storage of more than one commercial automobile is not allowable. If you want to try out the Zoning question, as you have indicated, I suggest that you concede that the tractors may be commercial automobiles and include in your appeal the right to keep more than one on the premises.

Your appeal under the Building Code would be taken under Section 115a of the Building Code where certain specific subjects are made subject to variance appeal, among them appearing the item: "altering or converting for use as a garage any building of Third Class Construction existing on November 22, 1938, but distances required from such buildings to property lines shall not be subject to such variance appeal." It appears that this barn was in existence as a barn on November 22, 1938, and also that the distances from it to the property line comply with the regulations for garages.

Very truly yours,

WMD/L

CC: W. Mayo Payson, Corporation Counsel

Inspector of Buildings

BRACKETT & SHAW CO.

(ESTABLISHED 1892)

Tractors for Every Purpose

SNOW PLOWS—POWER SPRAYERS—MILK COOLERS

Long Experience, Skilled Engineers and Guaranteed Results

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POWER UNITS

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WOOD SAWING
MACHINERY

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WATER PRESSURE
TANKS

CONCRETE MIXERS

PUMPS, PIPE
FITTINGS, ETC.

BRANCHES: MANCHESTER, CONN., Apol Place
SMITHFIELD, I. I., Farnum Pike
AUGUSTA, ME., Box 332
BANGOR, ME., 88 Summer St.

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ALLS-GRAINERS
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Successor to the
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PLANTERS
AND DIGGERS

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AND HAY CUTTERS

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TILLES

LARGE LINE OF
USED MACHINERY

BRANCHES: MANCHESTER, N. H., Box 165
SO. PORTLAND, ME., R. D. 2, Main St.
AUBURN, ME., Center St., Box 295
HAVERHILL, MASS., 86 Boardman St.

July 9, 1946

Tentative Letter from Harold D. Gothrow to
Warren McDonald, Inspector of Buildings,
City of Portland, Portland, Maine.

RECEIVED

JUL 10 1946

DEPT. OF BLD'G. INSP.
CITY OF PORTLAND

Dear Sir:

I acknowledge receipt of your letter of July 8, 1946 with reference to application for a building permit to cover change of use on property at 84 Auburn Street, Portland, Maine.

I note the comment in the second paragraph of your letter explaining that a section of the Ordinance provides that the non-conforming dairy could be changed to the proposed non-conforming mercantile use if the proposed use is such that it would be allowable in the class of zone next greater in degree of restriction to the General Business Zone. I also note that the same section would not allow such a change if the proposed use would be more objectionable or detrimental to the neighborhood than the existing use.

With respect to the above comments, I would state that the business in which I propose to enter of sales and service of farm equipment would be less objectionable than the dairy for the following reasons:

1. Elimination would be made of unsightly manure piles and the odor in connection therewith.
2. Insects resulting from this condition of its former use would be eliminated. There would be no noise such as was formerly the case or wandering cattle trespassing on other people's property.
3. The dwelling would be repaired and placed in A-1 condition for occupancy and the barn in connection therewith painted and made more sightly.

Your records may not show that this dwelling is in a bad state of disrepair due to the fact that a fire took place and burned out much of the inside.

With respect to your comments on structural alterations, I would advise that no alterations of such a nature are proposed. The only important alteration to the barn would be the widening of

Please Refer Your Reply to

-2-

one doorway to admit the machinery which I propose to sell to keep it under cover. There is to be no increase of cubical volume of the building, the present volume being sufficient to handle my business for many years.

The matter of the storage of commercial vehicles is a simple one, because the only equipment that I need of such nature is one truck for the delivery of my sales. My personal car would be stored on the property. From time to time there would be farm tractors stored but these make up my stock in trade and would not, I believe, be classed as commercial vehicles. The balance of the stock would be made up of such items as hay rakes, ensilage cutters, spreaders, plows, harrows and other farming tools of such a nature and component parts.

I think the above is the information you have requested for your purpose and you have my assurance that the plan as outlined above will be carried out to the letter and will permit you to issue the permit requested. However, in order to make sure that the proposed plan is seconded, I will try to carry this matter in an informal way to the Board of Appeals for explanation and have their concurrence in your action.

Thank you very much for your very clear explanation of the situation.

Very truly yours

Harold D. Gothrow

Harold D. Gothrow

HEG/J

AP 84 Auburn Street-1

July 8, 1946

Morrill Coal & Grain Company
35 Allen Avenue
Mr. Harold D. Gothrow
c/o Brackett & Shaw
RWD #2
Main Street
So. Portland, Maine

Subject: Application for building permit to cover
change of use of dwelling and dairy barn (all
one building) to dralling and sales and service
of farm equipment at 84 Auburn Street

✓ATH
✓ESS
✓RMT
✓PT
✓AJS
✓HL
✓BS

Gentlemen:

This property is in a Residence A Zone where neither the dairy nor the proposed business use is allowable under Section 11A of the Zoning Ordinance, but the dairy use may be continued precisely as it existed in December, 1938 when the Zoning Ordinance was adopted by the voters of the city.

The most restricted class of zone in which the dairy is an allowable use is General Business, and Section 13A of the ordinance provides that the non-conforming dairy could be changed to the proposed non-conforming mercantile use if the proposed use is such that it would be allowable in the class of zone next greater in degree of restriction to the General Business Zone. The class of zone next greater in restriction is a Limited Business Zone.

A retail sales and service business is allowed in a Limited Business Zone but excluding Repair Garages, excluding the storing of more than one commercial vehicle and excluding any manufacture on the premises except such as is clearly incidental to the retail business or service. However, Section 13A would not allow such a change from one non-conforming use to another if the proposed use would be more objectionable or detrimental to the neighborhood than the existing use and if structural alterations are to be made and if there is to be an increase of cubical volume of the building housing the proposed use or if extension of the proposed use to any part of the land not formerly used by the dairy.

While the above must sound rather complicated to you, I am sure that you will see that there is not enough specific information with the application for me to reach a conclusion as to whether or not I can issue the building permit. It is presumed that only the large former barn attached to the dwelling would be used for this proposed business, but what about the storage of more than one commercial vehicle, what about structural alterations to get the equipment in and out or for any other purpose. It is clear that if structural alterations are proposed either now or in the future or any increase in volume of the building is proposed, the permit now applied for is not issuable; but if none of these limitations mentioned above are to take place in connection with the proposed business, it appears that the building permit is issuable.

It is my understanding that you would like to get this matter definitely passed upon by the Board of Appeals before completing the transaction or sale, Morrill's Coal and Grain Company being the present owner and Mr. Gothrow the prospective owner.

If you will give me by plan or in writing the assurance that none of the limitations above will apply to your proposal, I will be compelled to issue the permit, but that will give you no assurances from the Board of Appeals. If, however, you do plan structural alterations or increase in volume or the storage of more than one commercial

July 8, 1946

Morrill Coal & Gas Company
Mr. Harold D. Gothrow ----- 2

automobile or going in any other way beyond the above limitations, the building permit is not issuable under the Zoning Ordinance, and denial of it would form the basis for a variance appeal.

I can only suggest that you consider the above and give explicit information so that some basis of action can be reached. If you feel that your proposal is within the limitations above and that, therefore, the permit would ordinarily be issued, and you still want to get the reinforcement of a decision from the Board of Appeals, I suggest that you have your attorney consult Corporation Counsel W. Mayo Payson to see if something different from the ordinary appeal can be filed with the Board of Appeals to secure a decision one way or the other from the Board to quiet the Zoning question.

Very truly yours,

Inspector of Buildings

WMOB/S

CC: W. Mayo Payson
Corporation Counsel

(KA) RESIDENCE ZONE - A.

APPLICATION FOR PERMIT



Class of Building or Type of Structure Third Class

Portland, Maine, July 1, 1946

PERMIT ISSUED

01549
AUG 22 1946

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 24 Auburn Street Within Fire Limits? no Dist. No. _____
 Owner's name and address Morrill Coal & Grain Co., 35 Allen Avenue Telephone _____
 Prospective owner _____
 Lessor's name and address Harold D. Gothrow, c/o Brackett & Shaw, RFD #2 Telephone 2-8566
 Main Street, South Portland
 Contractor's name and address _____ Telephone _____
 Architect _____ Specifications _____ Plans no No. of sheets 2
 Proposed use of building Sales and Service of farm equipment and dwelling No. families 1
 Last use Dairy and dwelling No. families 1
 Material for _____ No. stories 2 Heat _____ Style of roof pitch Roofing _____
 Other building 2 car garage and poultry house, shed
 Estimated cost 100 Fee \$ 2.00

General Description of New Work

To change use of building from dairy to sales and service of farm equipment (machinery, assembly and distribution office) including alterations

This application is preliminary to get settled the question of zoning appeal. In event the appeal is sustained the applicant will furnish complete information, the estimated cost and will pay legal fee.

Permit issued with Letter

Appeal Sustained conditionally 8/15/46

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

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled in? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber—Kind _____ Dressed or full size? _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 Snds (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 _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
 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? _____

APPROVED:

Miscellaneous

Will work require disturbing of any 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

Morrill Coal & Grain Co.
by H. C. Jarboe Jr.
Brackett & Shaw

Signature of owner By: Harold D. Gothrow

REPRODUCTION COPY

INQUIRY BLANK

ZONE RA
FIRE DIST. No.

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date 3/29/50

Verbal
By Telephone

LOCATION 84 Auburn OWNER Brackett & Shaw

MADE BY Mrs. H. Charles Jones TEL. _____

ADDRESS 94 Auburn St.

PRESENT USE OF BUILDING Farm implement business NO. STORIES _____

LAST USE OF BUILDING _____ CLASS CONSTRUCTION _____

REMARKS The present owners are offering the property for sale. Mrs. Jones and other neighbors are concerned as to what type of use may be allowed.

INQUIRY (1) Can a new owner use this property for business purposes?

(2) Can the property be used for some other business than that now there?

ANSWER (1) The rights under the appeal granted a few years ago would extend to any future owner.

(2) Any change in the occupancy would be scrutinized very carefully here, and if any substantial change in the business were contemplated that change could only be lawfully after successful appeal to the Board of Appeals of which proceedings the neighborhood would be notified.

DATE OF REPLY 3/29/50 REPLY BY W McD



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, February 24, 1949

PERMIT ISSUED
00273
FEB 25 1949
CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 84 Auburn Street Within Fire Limits? no Dist. No.
Owner's name and address Harold Gothrow, 84 Auburn Street Telephone
Lessee's name and address Telephone
Contractor's name and address owner Telephone
Architect Specifications Plans no No. of sheets
Proposed use of building Sales & Service garage No. families
Last use " No. families
Material frame No. stories 1 1/2 Heat Style of roof pitch Roofing
Other buildings on same lot Dwelling
Estimated cost \$ 25x 60. Fee \$ 50

General Description of New Work

To partition off toilet room 4'x8' in building.
Studs 2x4, 16" O.C., sheetrock both sides
To finish existing 5'x8' room for office. sheetrock with cornice - cut in new door in non-bearing partition.

REQUIREMENT IS MET

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. PERMIT TO BE ISSUED TO owner

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Root covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
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, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
If one story building with masonry walls, thickness of walls? height?

If a Garage

No. cars now accommodated 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?

APPROVED:
O.R. - 2/25/49 - ags

Miscellaneous

Will work require disturbing of any 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

INSPECTION COPY

Signature of owner Harold D. Gothrow

(RA) RESIDENCE ZONE - A



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, June 5, 1948

PERMIT ISSUED

00952
JUN 14 1948

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 84 Auburn Street Within Fire Limits? no Dist. No.
Owner's name and address Harold Gothrow, 84 Auburn St. Telephone 2-8566
Lessee's name and address Telephone
Contractor's name and address Livio DiPietrantonio, 220 Hicks St. Telephone
Architect Specifications Plans no. No. of sheets
Proposed use of building Sales and Service and dwelling No. families
Last use " No. families
Material frame No. stories 1 1/2 Heat none Style of roof pitch Roofing
Other buildings on same lot
Estimated cost \$ 200. Fee \$ 1.00

General Description of New Work

To finish off one bedroom on second floor - 2x8 floor joists, 16" O.C.- 2x4 studs, 16" O.C.
To cut in new window, second floor, in bedroom;
To cut in two new doors between rooms "

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. PERMIT TO BE ISSUED TO Harold Gothrow

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
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, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
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?

APPROVED:

[Signature line for approval]

Miscellaneous

Will work require disturbing of any 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

INSPECTION COPY

Signature of owner Harold D. Gothrow

NOTES

6/21/48. Question of development
between rafters. Mr. Gathner
was not at home, period?
we'd be back to...
A.M. 280

6/22/48. Cdn. was with some
permission to remove on G.T.
with of framing in top right
joint between rafters
there is no crack between
roof boards and top
of gable end. 280

Permit No.	48/952
Location	84 Rindberg St
Owner	Harold Johnson
Date of permit	6/14/48
Notif. closing-in	6/21/48
Inspn. closing-in	6/22/48
Final Notif.	
Final Inspn.	
Cert. of Occupancy issued	



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

02551 SEP 30 1947

Portland, Maine, Sept. 27, 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 84 Auburn Street Use of Building Dwelling and Repair Garage No. Stories Existing " New Building Existing "
Name and address of owner of appliance Brackett & Shaw, 84 Auburn St.
Installer's name and address P. E. Trites & Co., 56 Cross Street Telephone 2157

General Description of Work

To install forced hot water heat and oil burning equipment in place of former high pressure boiler

IF HEATER, OR POWER BOILER

Location of appliance or source of heat basement Type of floor beneath appliance concrete
If wood, how protected? Kind of fuel oil
Minimum distance to wood or combustible material, from top of appliance or casing top of furnace 2'
From top of smoke pipe 2' From front of appliance Over 4' From sides or back of appliance Over 3'
Size of chimney flue 8x12 Other connections to same flue none
If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner Quiet Heat Labelled by underwriter's laboratories? yes
Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom
Type of floor beneath burner concrete
Location of oil storage basement Number and capacity of tanks 1-275 gal.
If two 275-gallon tanks, will three-way valve be provided?
Will all tanks be more than five feet from any flame? yes How many tanks fire proofed?
Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Kind of fuel Type of floor beneath appliance
If wood, how protected?
Minimum distance to wood or combustible material from top of appliance
From front of appliance From sides and back From top of smokepipe
Size of chimney flue Other connections to same flue
Is hood to be provided? If so, how vented?
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Permit Issued with Laws (extra registered)

Amount of fee enclosed? 1.00 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

Handwritten signature and date: 9-29-47 P.E.T.

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

P. E. Trites & Co.

Signature of Installer By: Norton Montgomery Sr

INSPECTION COPY

Handwritten signature
HANCOCK 0348

PARKER COMPANY, INC.

31 ST. JAMES AVE.
BOSTON 16, MASS.

June 6, 1947

Mr. Wilbury O. Hutchins
57 Exchange Street
Portland 3, Maine

RE: Your Order No. 2011
Brackett & Shaw Co.
Portland, Maine

Dear Mr. Hutchins:

In connection with your letter of May 29th, we called at the factory and talked with the factory man and he was very much surprised on checking his records that these doors were shipped without the label, because it was certainly his intention to have a Class C label applied to these doors at the factory.

As you know, it would be impossible to apply the labels on these doors on the job. The only way we could do this would be to have the doors returned to the factory and have them factory inspected and the labels applied.

However, we can assure you that these doors are manufactured in accordance with the Underwriters' Laboratory requirements for Class C throughout, but through an oversight the labels were not attached, and we regret the inconvenience that this caused your client.

Very truly yours,

THE PARKER COMPANY, INC.

Handwritten signature of James A. Hain

James A. Hain

JAH:D



(RA) RESIDENCE ZONE - A

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, April 11, 1947

PERMIT ISSUED
00668
APR 12 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 84 Auburn Street Within Fire Limits? no Dist. No. _____
 Owner's name and address Harold Gothrow, 84 Auburn St. Telephone 2-8566
 Lessee's name and address _____ Telephone _____
 Contractor's name and address Mivio DiPietrantonio, 220 Hicks Street Telephone _____
 Architect _____ Specifications _____ Plans no No of sheets _____
 Proposed use of building Dwelling No. families 1
 Last use _____ " _____ No. families 1
 Material frame No. stories 1 1/2 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot Sales & Service garage
 Estimated cost \$ 50. Fee \$ 50

General Description of New Work

To demolish existing 5'x26' front piazza and
To construct 8'x5' front piazza

4x6 on 8' span = 1100
2.5x8x45 = 900

NOTIFICATION BEFORE LATHING
OR CLOSING-IN IS WAIVED

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

2-2x5 plate - 8' span

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

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
 Height average grade to top of plate 10' Height average grade to highest point of roof 12'
 Size, front _____ depth _____ No. stories 1 solid or filled land? solid earth or rock? earth
 Material of foundation concrete piers at least 4' below grade Thickness, top _____ bottom 10" cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof pitch-gable Rise per foot 3" Roof covering asphalt roofing Class C Und. Lab.
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber—Kind hemlock 6" upright Dressed or full size? dressed
 Corner posts 6" posts _____ Sills 4x6 Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 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 2x6, 2nd _____, 3rd _____, roof 2x5
 On centers: 1st floor 16", 2nd _____, 3rd _____, roof 16"
 Maximum span: 1st floor 5', 2nd _____, 3rd _____, roof 4'
 If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

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

APPROVED:

Miscellaneous

Will work require disturbing of any 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

INSPECTION COPY

Signature of owner

Harold Gothrow



(RA) RESIDENCE ZONE - A
APPLICATION FOR PERMIT

Class of Building or Type of Structure Roof Sign

Portland, Maine, March 24, 1947

PERMIT ISSUED
00527
MAR 29 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 84 Auburn Street Within Fire Limits? no Dist. No. _____

Owner's name and address Harold Savick Gothrow, 84 Auburn Street Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address owner Telephone _____

Architect _____ Specifications _____ Plans no No. of sheets _____

Proposed use of building _____ No. families _____

Last use _____ No. families _____

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____

Other buildings on same lot _____

Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To erect 16" high by 20" long roof sign, all metal construction - 2' above angle iron base, base is 2" angle iron. To be fastened with 1 1/4" angle iron braces.

OK'd by ART
8/5/46

NOTIFICATION BEFORE LATHING
OR CLOSING-IN IS WAIVED

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

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

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____

Height average grade to top of plate _____ Height average grade to highest point of roof _____

Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____

Material of foundation _____ Thickness, top _____ bottom _____ cellar _____

Material of underpinning _____ Height _____ Thickness _____

Kind of roof _____ Rise per foot _____ Roof covering _____

No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____

Framing lumber—Kind _____ Dressed or full size? _____

Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____

Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 3 feet.

Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____

On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____

Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

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? _____

APPROVED:

Miscellaneous

Will work require disturbing of any 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

INSPECTION COPY

Signature of owner Harold Gothrow

ATH
RMT
VATS
ESS
PH
DJ
HD
BS

AP 84 Auburn Street-I

October 16, 1946

Mr. Harold Gotlow
84 Auburn Street
Portland, Maine

Subject: Building permit for repair after fire and
minor alterations at 84 Auburn Street

Dear Sir:

Mr. Sears of this office has examined the dwelling prior to issuing the permit and several questions arise concerning the job, as follows:

1. Removal of the 10-foot non-bearing partition between kitchen and pantry would expose the cellar stairway. The application does not include removal of the cellar stairway, so I presume suitable protection is to be provided around it.

2. The girder under the first floor is a 4x8 laid flat--with the 4-inch dimension upright--and is supported at intervals of about six feet by 6x6 posts which get their bearing on wooden plates of 2x8 or similar which rest on top of the cellar floor. This girder carries two floors and partitions in each story and obviously is not strong enough to make a permanently satisfactory job. No doubt it is true that this arrangement has supported the dwelling through the years, and I do not know that we will issue any requirements about it; but for your own benefit, a much heavier girder should be provided, and, if wooden posts are used, they ought to get a bearing on concrete or other masonry at least four inches above the cellar floor. I suggest that you have some competent person work out for you a substantial arrangement and file a plan of it here with application for amendment to this permit now issued to cover the strengthening of the interior of the building. We would like to be able to offer you the service of working out for you but you can realize from your trips in here that the demands of the public upon our time are too great to allow us to do this work for everyone--therefore we can do it for no one. We will, however, check whatever plan you bring in if we can understand it. It ought to be understandable without someone standing by to explain it.

3. There is a one pipe heater and a small boiler connected to the chimney, smokepipe of heater being very close to wood partitions of coal bin. I seem to remember that you told me you were to put in an entirely new heating plant. If that is the case, the old boiler and the one pipe heater no doubt will be discontinued and removed. A separate permit from this office covering a new heater is required to be applied for by and issuable only to the actual installer.

4. Some of the floor timbers were badly burned and new ones have been placed along side of them. This is satisfactory, and the new timbers should run from bearing to bearing without relying upon the old timbers at all.

5. Mr. Sears could not see up into the blind attic to find out if any of the rafters had been damaged and needed reinforcing, but it is quite possible they do need attention near the chimney.

6. Firestopping of non-burnable material will be required around the chimney at each floor level and no less than 12-inch in diameter safety thimbles are required where openings in the chimney wall are to be left. A metal thimble should be provided

Mr. Harold Gothrow -----

October 10, 1946

in the chimney wall of the right size to receive the smokepipe into it and the 12-inch safety collar of metal should be supplied ^{through} the partitions around the chimney extending clear through from the face of the partition to the chimney wall in such a way that the smokepipe will be centered upon the safety collar.

Very truly yours,

Inspector of Buildings

WMD/S