To Whom It May Concern

I have no objection to Edward D. Phillippos to add on or build on to the present store on Auburn St. I believe it will be a bigger asset to the neighborhood.

Yours Truly

Leonard K. Myrston, Jr.
57 Jackson Street
Portland, Me.

18, 1965

ward A. &
crete block
he retail
corner of

improve-
for the

Danielle
P. Russell

3/15/65

To whom it may Concern;
I think a new store espe-
cially a larger one, would
be an accet to the Community.

Mr. Cohen
67 Summer St. Cue.

18, 1965

ward A. &
rete block
to retail
corner of

n improva-
e for the

W. Russell
E. Russell

2/11/65

I have been told that the management of Eddie's Variety would like to expand their present facilities. I would have no objections whatsoever.

Donald E. Farrell Jr.
61 Jackson St.
Tel 797 3965

18, 1965

ward A. &
rete block
e retail
corner of

n improve-
for the

V. Russell
E. Russell

March 8, 1964

To Whom It May Concern,

We are in favor of allowing the reconstruction of Eddie's Variety Store.

Mr. & Mrs. Richard Dooley
386 Auburn St.
Phone 797-2824

18, 1965

ward A. &
rete block
e retail
corner of
improve-
for the

N. Russell
E. Russell

Portland, Me.
Mar 8, 65

To Whom it may concern,

Mr. Mifflippo wants to build a new Store at Auburn and Jackson Sts.

I have no objection.

Wm E Fielding
65 Jackson St.

March 18, 1965

TO WHOM IT MAY CONCERN:

We have no objection to the request of Edward A. & Henrietta Diphillipo for a one story concrete block [illegible] building to replace an existing wood frame retail store building at 379-383 Auburn Street, corner of Jackson Street.

We feel that this new building would be an improvement in appearance and also a better store [illegible] the neighborhood.

Dorothy M. Russell
Kenneth E. Russell

To whom it may concern

I have no objections to having a new store. In fact it would be a great improvement.

Mrs Fred Pride
321 Auburn St

3/9/64

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

March 8, 1965

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Thursday, March 18, 1965, at 3:30 p.m. to hear the appeal of Edward A.& Henrietta DiPhillipo requesting an exception to the Zoning Ordinance to permit construction of a one story concrete block building 30 feet by 40 feet for retail store in place of an existing wood frame retail store building about 18 feet by 20 feet at 379-383 Auburn Street, corner of Jackson Street.

This permit is presently not issuable under the Zoning Ordinance because: (1) The property is located in an R-3 Residence Zone where the existing use is non-conforming and may not be increased in cubical content under the provisions of Section 17-B of the Ordinance; (2) While the proposed building is to be located 26 feet back from Auburn Street, about the same distance as the existing building, it will encroach unlawfully upon the 40-foot setback area required by Section 21 of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

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 property in question as required by Ordinance.

BOARD OF APPEALS

Franklin G.Hinckley

Chairman

It will be very glad to have Mr. DiPhillipo have a new & larger store -
Beatrice M. Evans -
417 Auburn St -

I understand Eddie Variety would like to build a new store and I am very much in favor of it

Mr. Donald D. Pitro

March 19, 1965

Mr. Edward A. DiPhillipo
377 Auburn Street

Dear Mr. DiPhillipo:

Enclosed please find copy of the decision of the Board of Appeals relating to your request to permit construction of a one story concrete block building 30 feet by 40 feet for retail store at 379-383 Auburn Street, corner of Jackson Street.

It will be noted that this appeal was granted.

Very truly yours,

Robert W. Donovan
Assistant Corporation Counsel

h
Enclosure (1)

COPY

April 28, 1965

Mr. Edward DiPhilippo
377 Auburn Street

cc: Public Works Dept.

Dear Mr. DiPhilippo:

A check of the Zoning Ordinance reveals that the following requirement will need to be met before a building permit can be issued to construct a one-story masonry building 30' x 40' at the above address.

Under the provisions of the City Sidewalk Ordinance, curbing and sidewalks are required along the street frontage of the property as well as the side yard on Jackson Street unless such requirements are waived by the City Council. The Public Works Director should be consulted as to application of requirements of this ordinance.

We will need a plot plan of the sidewalk on Auburn and Jackson streets showing compliance with the Sidewalk Ordinance. It is understood from our telephone conversation that there is to be no parking on the lot. Should you desire to park on the lot the plot plan will need to show curb cuts for ingress and egress, and the location of bumper guards so that approval may be obtained from the Traffic Engineer.

Very truly yours,

Archie L. Seeking
Deputy Director of
Building Inspection

ALS/h

N7 - 377 Auburn Street

April 23, 1965

Mr. Robert Chase
173 Lambert Street

cc: Edward DiPhillippo
377 Auburn Street

Dear Mr. Chase:

We are unable to issue a permit to construct a one-story masonry retail store at the above address until we have further information. We will need to know the following:

1. The size and weight of the steel to be used both at the floor and roof.

2. No heights have been given on the drawings. We will need to know the length of the lally columns. Also the type of connection you propose to use at the junction of girders and columns.

3. The type and size of lintels to be used at all openings in the masonry walls.

4. Will there be ceilings in the first floor - if so what type is to be used?

5. We have no information as to the type of heat to be used.

6. A statement of design, signed by a qualified person, will need to be submitted and attached to the drawings to cover the structural steel and lintels.

Very truly yours,

Archie L. Sooking
Deputy Director of Building
Inspection

ALS/h

AP 377 Auburn Street

May 21, 1930

Mr. Mitchell Douyard
375 Auburn Street
Pettingill-Ross Company
57 Cross Street

Copy to:
William S. Keating, Chief Inspector, Health Department

Gentlemen:

I am unable to issue the permit, applied for by Pettingill-Ross Company for installation of a mechanical system of ventilation in the refreshment stand at 375 Auburn Street because of a number of features which do not comply with the requirements:

1. With reference to Section 602-c-4 of the Building Code the metal protective hood is to be ventilated by means of a duct and if any fan is to be used the fan must exhaust the air from the room through the hood and through the duct.

Our inspector reports that an electric exhaust fan has already been provided in the wall of the building near the hood by others than Pettingill-Ross, and this fan is to be removed at once. If the fan is of suitable size it may be relocated in such a way that it will exhaust the air from the room through the hood and through the duct, to be provided.

2. The sketch shows the hood directly against the wooden frame wall of the building which is not allowable. If mechanical ventilation is to be used, the hood must be large enough to cover at least all of the appliances which it is intended to serve and extend to at least the outside edges of these appliances. If gravity ventilation is to be depended upon, then the hood is required to project no less than 6" beyond the edges of all appliances which it is intended to serve.

3. The hood is shown not only against one exterior wall but only 10" from another wooden wall or partition. Unless protection as described below is provided against the wooden walls or suspended part way between the walls and the hood, the hood is required to be at least 18" from every combustible wall, even though the wall covering may be plaster or plasterboard. There are a number of ways of providing protection for these wooden walls. Perhaps the most common is to apply one-quarter inch thick asbestos board to the wall and to apply 28 gauge sheet metal on the asbestos board, this protection to extend about 1 foot below the level of the cooking appliance to the ceiling and the entire length or width of the hood wherever it is closer than 18" to the wooden wall. If that protection is used, the distance between the hood and the wall or partition may be 9".

4. We shall have to know about the location of the duct or pipe from the hood and whether it is to pass through the side wall of the building or through the roof or how the duct is to vent to the open air. If there is a masonry chimney in the building and no other appliances are connected to the flue, the hood may be vented to it.

5. If it is necessary to vent the duct from the hood through the roof, a galvanized metal thimble is required through the roof extending from the underside of the ceiling or roof beams to at least 9" above the roof, and this thimble shall have a flange at the bottom at least 2" wide, the sides of the thimble to be at least one inch from the burnable material of the roof framing where it passes up through. The thimble is required to be of such a diameter as to provide no less than 6" air space between the duct and the thimble, and the duct or pipe is to be firmly centered on the thimble. The duct or pipe is to extend a suitable distance above the roof and the thimble is not to be connected to it but the top of the thimble left open to the atmosphere. Protection from weather should be provided by attaching a metal hood to the pipe or duct just above the top of the thimble but allowing sufficient space between the hood and the top of the thimble that any fire over the cooking appliances inside may be quickly and harmlessly vented to the open air. Of course in such a case the roof framing will have to be headed off in workmanlike and suitable manner.

6. A sketch should be filed with the application for the permit showing the corrected situation after the fan in the outside wall has been removed and all details of the hood and duct, clearances from the hood and duct to burnable material and any protection intended, all details of the thimble and pipe clearances and weather protection if the vent pipe is to pass through the roof, and the same if it is intended to pass through the side wall. The location of the fan is to be shown also and the fact that all the air drawn by the fan must pass through the hood and the vent pipe or duct.

7. Mr. Douyard should bear in mind that installation of the cooking appliances in this commercial enterprise require a permit from this department before they are installed, as does also any hot water heater intended--even though the appliances may be electric and of the plug-in type. Permits for these appliances are issuable only to the actual installer. If he has plug-in type equipment, he himself may apply for the permit if he furnishes a sketch showing the location of the appliances with relation to the combustible material and with relation to the vent hood described above.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/G

828

(RA) RESIDENCE ZONE - A

APPLICATION FOR PERMIT

PERMIT ISSUED
00794
MAY 31 1950
CITY of PORTLAND

Class of Building or Type of Structure Third Class

Portland, Maine, May 19, 1950

Supersedes application 5/11/50

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ alter repair demolish ~~remove~~ 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 377 Auburn Street Within Fire Limits? no Dist. No.

Owner's name and address Mitchell Douyard, 375 Auburn Street Telephone 2-5660

Lessee's name and address Telephone

Contractor's name and address owner Telephone

Architect Specifications Plans no No. of sheets

Proposed use of building Store

Last use " No. families

Material wood No. stories 1 Heat Style of roof Roofing No. families

Other buildings on same lot

Estimated cost $ 35.

Fee $ 50

General Description of New Work

To demolish existing front platform and steps, platform 6' x 20' and construct platform 4' x 6' and steps.

Permit Issued with Memo

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 d-pth No. stories solid or filled land? earth or rock?

Material of foundation cedar posts at least 4' below grade Thickness, top bottom cellar

Material of underpinning Height Thickness

Kind of roof none Rise per foot Roof covering

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

Framing lumber—Kind hemlock Dressed or full size? full size

Corner posts Sills 6x6 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

On centers: 1st floor 16", 2nd, 3rd, roof

Maximum span: 1st floor 6', 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

Permit Issued with Memo

INSPECTION COPY

Signature of owner Mitchell Douyard

AP 377 Auburn Street-I

May 12, 1950

Mr. Mitchell Douyard
375 Auburn Street
Portland, Maine

Dear Mr. Douyard:-

Setting the proposed front platform and steps on the top of the ground as you have indicated in your application for permit at 377 Auburn Street, is not allowable under the Building Code, and we must be assured of the details of construction of the platform to make sure that it will comply with Building Code requirements before the permit is issued.

Probably the least expensive foundation that you can use would be cedar posts (posts of ordinary lumber will not do). These posts or foundations will be needed at the outside corners of the platform and at the bottom of the new steps. Masonry piers could be used according to sizes prescribed by the Building Code, if desired. These foundations are required to extend no less than 4' below the surface of the ground or to solid ledge if ledge is encountered at a less depth, and to extend at least 6" above the ground so as to place the framing of the platform and steps at least that distance above the dampness of the ground.

You have indicated 6x6 as though you intended them for sills. That is all right but they should be supported upon the posts with lap splices at the outer corners, and should outline the entire platform, that is both ends and the front. 4x6's would be strong enough in this location, if they were set with the 6" dimension upright. The 2x6 floor joists may either be carried on top of the sills or supported upon no less than 2x3 nailing strips spiked to the sides of the sills and flush with the lower edge, the 2x6 floor joists to be notched over the nailing strips.

It is necessary that you enter these details as you will follow them on the application for the permit or make the application over so that all is in order. We are required by law to know with considerable assurance that work will comply with the requirements of the Code before issuance of the permit.

You have given the estimated cost of fifteen dollars. This estimated cost is to include everything—all labor and material. If the material is secondhand or on hand, a fair ~~bare~~ value should be attached to it, and all new materials entered at cost. The labor even though your own or donated should be included in the estimate at fair market prices. This estimated cost should be raised to a more likely figure, or else you should show in detail the quantities of different kinds of materials, the number of hours of labor and estimated cost per hour of that labor—all to support the estimated cost which you have given.

Very truly yours,

WMcD/G

Warren McDonald
Inspector of Buildings

P.S. Of course it is unlawful for you to do any of the work or start it in any way at all until you have the permit card in your possession and posted upon the premises.

Memorandum from Department of Building Inspection, Portland, Maine

377 Auburn Street--Construction of front platform and steps for and by Mitchell Douyard--5/31/50

The 6x6 sill should outline the front and the two sides of the platform, should be halved at the corners for a lap splice and suitably supported upon the foundation of the building on the inside ends of the side sills.

The floor joists should either be supported upon the upper surface of the 6x6 sills, or else upon no less than 2x3 nailing strips spiked to the sides of the sills with the bottom of 2x3 flush with the bottom of sill, the 2x6 floor joiststo be notched over these nailing strips.

You have shown no indication of the height of the platform, but the steps require foundations at the bottom of cedar posts extending no less than 4' below the surface of the ground also. Risers of the steps must be no more than 8½" and the treads (measured from riser to riser) must be no less than 9". Steps should have a stout handrail on at least one side and the platform should have a railing around it also.

If you do not understand these conditions or are unable to abide by them, it is important that you refrain from starting the work and return the permit for adjustment.

WMcD/G

(*Signed*) **Warren McDonald**
Inspector of Buildings

(RA) RESIDENCE ZONE : A

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, May 11, 1950

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 377 Auburn Street Within Fire Limits? no Dist. No.

Owner's name and address Mitchell Douyard, 375 Auburn Street Telephone 2-5660

Lessee's name and address Telephone

Contractor's name and address owner Telephone

Architect Specifications Plans no No. of sheets

Proposed use of building Store No. families

Last use " No. families

Material wood No. stories 1 Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $ 15. Fee $ .50

General Description of New Work

To demolish existing front platform and steps, platform 6' x 20' and construct platform 4x6 and steps.

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*** Mitchell Douyard

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 6x6 laid on top of ground Thickness, top bottom cellar

Material of underpinning with 4x4 to support platform Height Thickness

Kind of roof none 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 2x6, 2nd, 3rd, roof

On centers: 1st floor 16", 2nd, 3rd, roof

Maximum span: 1st floor 6', 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

Signature of owner Mitchell Douyard

INSPECTION COPY

FILL IN AND SIGN WITH INK

PERMIT ISSUED
01075
JUL 6 1950
CITY of PORTLAND

N-ESS

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, June 30, 1950

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 375 Auburn Street Use of Building Refreshment Stand No. Stories 1 New Building ~~Existing~~

Name and address of owner of appliance Mitchell Douvard, 375 Auburn Street

Installer's name and address A. A. Dodge, R. F. D #5 Telephone 4-8275

General Description of Work

To install electric hot water heater, friolator and hot plate

Health Notified to

Health Officer and thus

IF HEATER, OR POWER BOILER

Location of appliance or source of heat Type of floor beneath appliance

If wood, how protected? Kind of fuel

Minimum distance to wood or combustible material, from top of appliance or casing top of furnace

From top of smoke pipe From front of appliance From sides or back of appliance

Size of chimney flue Other connections to same flue

If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner Labelled by underwriter's laboratories?

Will operator be always in attendance? Does oil supply line feed from top or bottom of tank?

Type of floor beneath burner

Location of oil storage Number and capacity of tanks

If two 275-gallon tanks, will three-way valve be provided?

Will all tanks be more than five feet from any flame? How many tanks fire proofed?

Total capacity of any existing storage tanks for furnace burners

IF COOKING APPLIANCE

Location of appliance First floor Kind of fuel electric Type of floor beneath appliance concrete

If wood, how protected?

Minimum distance to wood or combustible material from top of appliance woodwork is covered with asbestos

From front of appliance woodwork covered with asbestos From sides and back woodwork covered with asbestos From top of smokepipe

Size of chimney flue Other connections to same flue

Is hood to be provided? yes If so, how vented? through outside wall See notes

If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? ~~2.00~~ 3.00 ($4.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:
O.K. E.S.S. 7/5/50

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

Signature of Installer A A Dodge

INSPECTION COPY

(RA) RESIDENCE ZONE - A

APPLICATION FOR PERMIT

PERMIT ISSUED
00644
MAY 11 1949
CITY of PORTLAND

Class of Building or Type of Structure Third Class

Portland, Maine, May 6, 1949
supersedes 4/20/49

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~change, remove, demolish and~~ the following building ~~or 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 379-383 Auburn Street, corner of Jackson St Within Fire Limits? no Dist. No.

Owner's name and address Mitchell Douyard, 375 Auburn Street Telephone 2-5660

Lessee's name and address Telephone

Contractor's name and address Owner Telephone

Architect Specifications Plans yes No. of sheets 1

Proposed use of building Refreshment stand No. families

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $ 800 Fee $ 4.00

General Description of New Work

To construct 1-story wooden frame building about 12' x 20' for refreshment stand.
It is not planned for the public to enter the building and no food is to be sold for consumption within the building. Sale of malt beverages for consumption in the building or on the premises is not contemplated.
It is planned to make this building about 12' above the ground to the eaves, to cover the outside walls with waterproof plywood and trim to be painted.
No heat is to be provided in building until fall and owner is aware of requirement of permit for heating equipment.

Permit Issued with Letter

Appeal Sustained conditionally 4/15/49

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 12' Height average grade to highest point of roof 18'

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

Material of foundation concrete ~~blocks~~ at least 4' below grade Thickness, top 8" bottom 10" cellar no

Material of underpinning at least 6" above grade Height Thickness

Kind of roof pitch-gable Rise per foot 6" Roof covering Asphalt Class C Und Lab

No. of chimneys none Material of chimneys of lining Kind of heat fuel

Framing lumber—Kind second-hand hemlock Dressed or full size? full size

Corner posts 4x6 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 concrete	2nd	3rd	roof 2x4
On centers:	1st floor	2nd	3rd	roof 16"
Maximum span:	1st floor	2nd	3rd	roof 6' 4"

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:
No Letter by AJP

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

COPY

Signature of owner Mitchell J Douyard

Permit No. 49/644
Location 379-383 Alabama St.
Owner Mitchell Quinlan
Date of permit 5/11/49
Notif. closing-in 4/24/50
Inspn. closing-in 4/24/50
Final Notif.
Final Inspn.
Cert. of Occupancy issued

NOTES

5/19/49 - Force [illegible] NOTICE
[illegible]
10/19/49 - Foundation Permit. E. S.S.
1/18/50 - Walls frame & panel roof sheathed E. S.S.
3/3/50 - No Lath, [illegible] Alabama E.S.S.
4/10/50 - Work progressing [illegible] E.S.S.
4/24/50 - Left G.T. to close in with note warning to be covered until insp. & appr. E.S.S.
5/6/50 - Told Contractor to be sure & secure permits before installation of any heating or cooking appliances. E.S.S.
2/19/51 - Final inspection made. E.S.S.

10"

AP 379-383 Auburn Street,
Corner of Jackson Street-I

May 11, 1949

Mr. Mitchell Hoyard
375 Auburn Street
Portland, Maine

Subject: Permit for construction of refreshment stand at 379-383 Auburn Street, corner of Jackson Street

Dear Sir:

The appeal under the Zoning Ordinance having been sustained, the permit for the above work is issued herewith based on plan filed with application and subject to the following:

1. The building is to be located about five feet from the existing store on the lot and lined with the front wall of that building. This will leave a space of about five feet between the new building and the side line of the lot. The building has been staked out and checked in this location, which is the one for which the permit is issued.

2. The plan filed with the application shows no vestibule for the toilet room as is required by law. You have said that you would provide one by building an enclosure inside the entrance door to building with the doors leading from the enclosure to the toilet room and into the work space in the building made self-closing by a suitable device. This arrangement will satisfy the requirements of the Building Code, but unless you have already done so, we suggest that you get the approval of the Health Department for the arrangement before starting any work.

Very truly yours,

Inspector of Building

AJS/G

CC: William B. Bunting, Health Department
Chief Inspector

Mrs. Marguerite Fay
208 Middle Street

Mr. Wilfred Beaudette
480 Congress Street

ISSUED
MAR 7 1950
CITY of PORTLAND

APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 2

Portland, Maine, March 6, 1950

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 49/644 *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 379 Auburn Street Within Fire Limits? no Dist. No.

Owner's name and address Mitchell Douyard, 375 Auburn Street

Lessee's name and address Telephone

Contractor's name and address owner Telephone

Architect Telephone

Proposed use of building Refreshment Stand Plans filed no No. of sheets

Last use " " No. families

Increased cost of work No. families

Additional fee .25

Description of Proposed Work

To cut in 3x7 door and two small windows in southerly end of building.
To use wood boards and clapboards on outside of wall instead of plywood.

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.

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

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

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

Approved:
OK - 3/7/50 - agS

INSPECTION COPY

Signature of Owner Mitchell J Douyard

Approved: 3/7/50

Inspector of Buildings

Memorandum from Department of Building Inspection, Portland, Maine

379 Auburn Street--Amendment to building permit for refreshment stand to cover change in type of foundation for and by Mitchell Douyard--
9/19/49

Amendment is approved subject to the following:

As provided by the Building Code the concrete blocks are required to be laid in cement mortar consisting of one part of Portland Cement and not more than three parts of sand by volume with an allowable addition of hydrated lime not to exceed fifteen per cent by volume of the cement content of the mixture; to have a concrete footing (poured concrete) at least 8" in depth, the footing to have the usual forms instead of being poured directly into the trench.

The wall is to be made up of only one unit through the thickness of the wall--in other words the concrete block is to be 8" thick, on the basis that there is to be no excavation beneath the building so that the ground outside of the wall will be approximately the same level as the ground inside of the wall.

The owner's attention is also called to the fact that his zoning appeal to allow construction of the building was sustained on April 15, and that his rights to the exception granted by the Board of Appeals will expire if the building is not substantially completed before April 15, 1950.

WMcD/G

(Signed) Warren McDonald
Inspector of Buildings

A.P. 379-363 Auburn St., corner of Jackson St.

March 23, 1965

Mr. Edward DiPhilippo
377 Auburn Street

Dear Mr. DiPhilippo

Your appeal under the Zoning Ordinance concerning construction of a new retail store building at the above named location has been sustained. Before further action towards issuance of a building permit can be taken by this department, it is necessary that the permit application already filed be completed by furnishing an estimated cost of the work by paying the permit fee based thereon, and by furnishing plans of the proposed structure for checking and approval.

Rights granted under the appeal will expire unless work on the new building is started by 9/18/65, six months from the date on which the appeal was sustained.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:mm

A.P.- 379-383 Auburn Street, corner of Jackson St.

March 2, 1965

Edward A. & Henrietta DiPhillipo
377 Auburn Street

cc to: Corporation Counsel

Dear Mr. & Mrs. DiPhillipo:

Building permit for demolition of an existing wood frame retail store building about 18 feet by 20 feet at the above named location and for construction in its place of a one story concrete block building 30 feet by 40 feet to be used for retail store purposes is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in an R-3 Residence Zone where the existing use is non-conforming and may not be increased in cubical content under the provisions of Section 17-E of the Ordinance.

2. While the proposed building is to be located 26 feet back from Auburn Street, about the same distance as the existing building, it will encroach unlawfully upon the 40-foot setback area required by Section 21 of the Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you should come to this office to file the appeal on forms which are available here. If you desire to have signs on the building or elsewhere on the property, information should be furnished as to the type, size and location so that they may be included in the appeal and thus the need for another appeal for them be avoided.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

R3 RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class

Portland, Maine, February 1, 1965

Application complete 4-15-65

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 377 Auburn Street Within Fire Limits? Dist. No.

Owner's name and address Eddie's Variety Store, 377 Auburn St. Telephone

Lessee's name and address Telephone 797-3960

Contractor's name and address Robert Chase, 178 Lambert Street Telephone 797-4866

Architect Specifications Plans yes No. of sheets 2

Proposed use of building Retail grocery store No. families

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $ ~~10,000~~ 15,000

Fee $ ~~20.00~~ 30.00

fee pd. 4-15-65

General Description of New Work

To construct 1-story cinder block building 30'x40' for retail store, as per plans.

~~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.~~

Superseded

Appeal sustained 3/18/65

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*** Edward DiPhilippo, 375 Auburn St.

Details of New Work

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

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 concrete at least 4' below grade Thickness, top 12" bottom 12" cellar

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

Size Girder 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

Eddie's Variety Store
Robert Chase

CS 301

INSPECTION COPY

by: *Signature of owner* Edward D. DiPhilippo

P.H.

City of Portland, Maine
Board of Appeals
—ZONING—

Sustained 8/17/56

56/75

To the Board of Appeals: July 24, 1956, 19

Your appellant, Edward DiPhilippo, who is the owner of property at 375 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 to authorize erection of an outdoor telephone booth at 375 Auburn St. is not issuable under the Zoning Ordinance because the property is in a Residence A Zone where, according to Section 12A of the Ordinance applying to such zones, such a business use is not allowable.

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

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

Edward DiPhilippo
Appellant

After public hearing held on the 17th day of August, 1956, 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.

Ben B. Wilson
Ruth W. Walch
William F. O'Brien
John W. Lake
Vernon Wunsch
BOARD OF APPEALS

CS-41

DATE: August 17, 1956

HEARING ON APPEAL UNDER THE Zoning Ordinance OF Edward DiPhilippo

AT 375 Auburn Street

Public hearing on the above appeal was held before the Board of Appeals

BOARD OF APPEALS	VOTE Yes	VOTE No	MUNICIPAL OFFICERS
Ben B. Wilson	✓	( )	
John W. Lake	✓	( )	
William H. O'Brion	✓	( )	
Sumner T. Bernstein	✓	( )	
Ruth D. Walch	✓	( )	
	( )	( )	
	( )	( )	
	( )	( )	
	( )	( )	

Record of Hearing:

NO OPPOSITION

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

August 14, 1956

Mr. Edward DiPhilippo
375 Auburn Street
Portland, Maine

Dear Mr. DiPhilippo:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, August 17, 1956, at 10:30 a. m. to hear your appeal under the Zoning Ordinance.

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

BOARD OF APPEALS

Ben B. Wilson

Chairman

K
cc: Mr. Clifford L. Barker

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

August 7, 1956

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, August 17, 1956, at 10:30 a. m. to hear the appeal of Edward DiPhilippo requesting an exception to the Zoning Ordinance to authorize erection of an outdoor telephone booth at 375 Auburn Street.

This permit is presently not issuable under the Zoning Ordinance because the property is in a Residence A Zone where, according to Section 12A of the Ordinance applying to such zones, such a business use is not allowable.

This appeal is taken under Section 18E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

Ben B. Wilson

Chairman

K

R3 RESIDENCE ZONE

CITY OF PORTLAND, MAINE

DEPARTMENT OF BUILDING INSPECTION

CS-66

COMPLAINT

CJS

Location: 377 Auburn St.

INSPECTION COPY

COMPLAINT NO. 58/100 Date Received October 20, 1958

Location 377 Auburn Street Use of Building Store

Owner's name and address Edward DiPhilippo, 377 Auburn St. Telephone

Tenant's name and address Telephone

Complainant's name and address Telephone

Description: Budweiser sign 2'½" x 5' erected probably by United Neon Display (has 4 guy wires)

NOTES: 10-20-58. Talked to Owners Son. He says sign has been in this location for at least three or four years and possibly more. This sign replaced a Schlitz sign. Not sure when erected the Budweiser sign, but thinks it was erected later.

This largest sign targets but surrounding the roof land about 2 feet and a half without any fastenings. Four guy wires are attached to the sign, but are set back along the roof.

This sign is contrary to the Zoning Law and Building Code.

HM

July 9, 1956

AP 375 Auburn St.--Proposed outdoor telephone booth contrary to Zoning Ordinance and appeal relating thereto

Mr. Edward Di Philippo
375 Auburn St.

Copy to Mr. Clifford L. Barker
Com'l. Rep. New England Tel. & Tel.
489 Congress St.
Corporation Counsel

Dear Mr. Di Philippo,

Building permit to authorize erection of an outdoor telephone booth at 375 Auburn St. is not issuable under the Zoning Ordinance because the property is in a Residence A Zone where, according to Section 12A of the Ordinance applying to such zones, such a business use is not allowable. It is recognized that your market on the same property is a business use; but, presumably, the market is allowed to remain by one of several allowances under the Zoning Ordinance.

Mr. Barker of New England Tel. & Tel. Co. has indicated that you desire to seek an exception from the Zoning Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

WMcD/B

Warren McDonald
Inspector of Buildings

Enc: Outline of appeal procedure

July 3, 1956

AP 375 Auburn Street

Mr. Clifford L. Barker
Commercial Representative
New England Tel. & Tel. Co.,
489 Congress St.

Copy to Mr. Edward DiPellippo
375 Auburn St.

Dear Mr. Barker,

Building permit to authorize erection of an outdoor telephone booth at the above location is not issuable under the Zoning Ordinance because the property is in a Residence A Zone where such a business use is not allowable according to Section 10A of the Ordinance applying to such zones. The retail market is allowed to continue there either because it existed at the time the Ordinance was adopted or was granted by appeal since.

The owner of the property has appeal rights; but otherwise, if you will return the receipt for the fee paid to this office within ten days of the date of this letter, the money will be refunded by voucher.

Very truly yours,

WMcD/B

Warren McDonald
Inspector of Buildings

(RA) RESIDENCE ZONE - A

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, July 3, 1956

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 375 Auburn Street Within Fire Limits? Dist. No.

Owner's name and address Edward DiPhilippo, 375 Auburn St. Telephone

Lessee's name and address New England Tel. & Tel. Co. 45 Forest Ave. Telephone 3-9971

Contractor's name and address Telephone

Architect Specifications Plans yes No. of sheets 1

Proposed use of building telephone booth

Last use No. families

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

Other buildings on same lot

Estimated cost $ 315.00 Fee $ 2.00

General Description of New Work

To erect outdoor telephone booth

This booth to be constructed and foundations constructed as per American Dist. Tel. & Tel. Standatds--Section C-44-201 Issue 1-5-19-42 Type KS-14611

Approved: 8/17/56

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*** New England Tel. & Tel 489 Congress St.

Details of New Work

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

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 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

New England Tel. & Tel.

INSPECTION COPY

Signature of owner By: Lifford E. Baker, Construction Superintendent

(RA) RESIDENTIAL

APPLICATION FOR PERMIT

PERMIT ISSUED
JUN 12 1950
00896
CITY OF PORTLAND

Class of Building or Type of Structure Installation

Portland, Maine, May 22, 1950 Revised plan 6/9/50

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect, 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 375 Auburn Street Within Fire Limits? no Dist. No.

Owner's name and address Mitchell Douward, 375 Auburn Street Telephone

Lessee's name and address Telephone

Contractor's name and address Pettingill Ross, 57 Cross Street Telephone 3-6623

Architect Specifications Plans yes No. of sheets 1

Proposed use of building Refreshment Stand No. families

Last use No. families

Material wood No. stories 1 Heat Style of roof Roofing

Other buildings on same lot

Estimated cost $ Fee $ 1.00

General Description of New Work

To install mechanical system of ventilation as per sketch.

At end of hood there is a window and I have agreed that the window casing need not be covered with metal. Emp 6/12/50

Health Notified to ✓
Health Officer and LDH

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*** Pettengill Ross

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:

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

Mitchell Douyward

Signature of owner by: Pettingill Ross Co. By G. E. Ross.

INSPECTION COPY