

34-40 CLAYTON STREET



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP .....
B.O.C.A. TYPE OF CONSTRUCTION 963

NOV 14 1980

ZONING LOCATION PORTLAND, MAINE, Nov. 13, 1980

CITY OF PORTLAND

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

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

LOCATION 32 Claydon St. Fire District #1 [ ], #2 [ ]
1. Owner's name and address William E. Crockett - same Telephone
2. Lessee's name and address Telephone
3. Contractor's name and address Jim Boldebook - RED # 3 Gorham 04038 Telephone 929-6568
4. Architect Specifications Plans No. of sheets
Proposed use of building dwelling with chimney No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ 700 Fee \$ 5.50

FIELD INSPECTOR-Mr. GENERAL DESCRIPTION

This application is for: @ 775-5451
Dwelling Ext. 234
Garage
Masonry Bldg.
Metal Bldg.
Alterations
Demolitions
Change of Use
Other

To erect chimney on side of dwelling to be used in connection with wood stove as per plans. 1 sheet of plans. Stamp of Special Conditions

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

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

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
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 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?

APPROVALS BY: DATE
BUILDING INSPECTION-PLAN EXAMINER
ZONING
BUILDING CODE
Fire Dept.
Health Dept.
Others

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

Signature of Applicant Phone # same
Type Name of above Jim Boldebook 1 [ ] 2 [ ] 3 [x] 4 [ ]

Handwritten signature of Jim Boldebook

OFFICE FILE COPY

PERMIT TO INSTALL PLUMBING

Date Issued: **Nov. 4, 1969**  
 Portland Plumbing Inspector  
 By: **ERNOLD R. GOODWIN**

App. First Insp.  
 Date: **NOV 4 - 1969**  
 By: **ERNOLD R. GOODWIN**  
 CHIEF PLUMBING INSPECTOR

App. Final Insp.  
 Date: **NOV 4 - 1969**  
 By: **ERNOLD R. GOODWIN**  
 CHIEF PLUMBING INSPECTOR

- Type of Bldg.
- Commercial
  - Residential
  - Single
  - Multi Family
  - New Construction
  - Remodeling

Address: \_\_\_\_\_

Installation For: \_\_\_\_\_

Owner of Bldg.: **John Smith**

Owner's Address: \_\_\_\_\_

Plumber: \_\_\_\_\_

PERMIT NUMBER **867**

Date: **11/11/69**

NEW	REPL	NO.	FEE
		SINKS	
		LAVATORIES	
		TOILETS	
		BATH TUBS	
		SHOWERS	
		DRAINS	
		FLOOR SURFACE	
		HOT WATER TANKS	
		TANKLESS WATER HEATERS	
		GARBAGE DISPOSALS	
		SEPTIC TANKS	
		HOUSE SEWERS	
		ROOF LEADERS	1 2.00
		AUTOMATIC WASHERS	
		DISHWASHERS	
		OTHER	
TOTAL			1 2.00

Building and Inspection Services Dept. Plumbing Inspection



CITY OF PORTLAND, MAINE  
 DEPARTMENT OF BUILDING INSPECTION  
 COMPLAINT

Location  
 40 CLAYTON ST.

INSPECTION COPY

COMPLAINT NO. 72/45

Date Received Jan. 5, 1972

Location 40 Clayton St. Use of Building \_\_\_\_\_

Owner's name and address James & Olive Collins Telephone \_\_\_\_\_  
40 Clayton St.

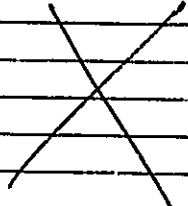
Tenant's name and address \_\_\_\_\_ Telephone \_\_\_\_\_

Complainant's name and address Inspector Telephone \_\_\_\_\_

Description: Two unlicensed motor vehicles stores on property.

NOTES: Checked 2-17-72. Both cars removed.

*File in C-10*



Complaint- 40 Clayton Street

Jan. 5, 1972 .

James & Olive Collins  
40 Clayton Street

Dear Mr. & Mrs. Collins:

Our field inspector reports that two unlicensed motor vehicles are stored on your lot at the above address.

Under Section 602.14a of the Zoning Ordinance forbids the lead storage of motor vehicles in a residence zone.

It is necessary that these cars be removed from the premises by Feb. 15, 1972 or it will be necessary to certify this case to the Corporation Counsel of the City of Portland for whatever action he may deem necessary.

Very truly yours,

R. Lovell Brown  
Director

RLB:ia

Checked 2-17-72 Both Junk Cars  
have been removed this date, Rm





RESIDENCE ZONE

# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class  
Portland, Maine, Oct. 15, 1957

01608

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 34 Clayton St. (See Ho) Within Fire Limits? no Dist. No. ....

Owner's name and address Earle S. Smith, 34 Clayton St. Telephone .....

Lessee's name and address .....

Contractor's name and address OWEN Telephone .....

Architect .....

Proposed use of building Dwelling Specifications Plans No. of sheets

Last use .....

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

Other building on same lot .....

Estimated cost \$ 250.00 Fee \$ 2.00

### General Description of New Work

To partially finish-off attic room 12' x 15' dry wall construction.

NO HEAT

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 connection to be made to public sewer? .....

Has septic tank notice been sent? .....

Height average grade to top of plate .....

Size, front .....

Material of foundation .....

Material of underpinning .....

Kind of roof .....

No. of chimneys .....

Framing lumber—Kind .....

Corner posts .....

Girders .....

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 .....

On centers: 1st floor .....

Maximum span: 1st floor .....

If one story building with masonry walls, thickness of walls? .....

### If a Garage

No. cars now accommodated on the 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:

016-10/16/57-098

### Miscellaneous

Will work require digging 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

Earle S Smith

098

INSPECTION COPY

Signature of owner .....

by: Earle S. Smith

F.M.





(RA) DISTRICT ZONE - A

# APPLICATION FOR PERMIT

Class of Building or Type of Structure... Third Class

Portland, Maine, May 28, 1957

PERMIT ISSUED

MAY 29 1957  
00773

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish or tall 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 34 Clayton Street (at DC) Within Fire Limits?

Owner's name and address Earle S. Smith, 34 Clayton St.

Lessee's name and address \_\_\_\_\_

Contractor's name and address Olaf Adler, Falmouth and owner

Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans \_\_\_\_\_

Proposed use of building dwelling

Last use \_\_\_\_\_

Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_

Other building on same lot \_\_\_\_\_

Estimated cost \$ 200,000

Dist. No. \_\_\_\_\_

Telephone \_\_\_\_\_

Telephone \_\_\_\_\_

Telephone \_\_\_\_\_

No. of sheets \_\_\_\_\_

No. families 1

No. families 1

Roofing \_\_\_\_\_

Fee \$ 2.00

### General Description of New Work

To change out wooden <sup>front</sup> steps to brick

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 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 highest point of roof \_\_\_\_\_

Size, front \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_

Material of foundation concrete blocks at least 4' below grade \_\_\_\_\_ earth or rock? \_\_\_\_\_

Material of underpinning \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_

Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_

No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_

Framing Lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_

Size of order \_\_\_\_\_ Columns under girders \_\_\_\_\_

Kind and thickness of outside sheathing of exterior walls? \_\_\_\_\_

Studs (outside walls and carry off 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? \_\_\_\_\_

### 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? YFR

APPROVED: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature of owner

Earle S. Smith

INSPECTION COPY







# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, March 22, 1954

PERMIT ISSUED

0290  
MAR 23 1954

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ ~~alter~~ ~~repair~~ ~~or~~ ~~replace~~ ~~or~~ ~~construct~~ 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 34 Clayton St. (1146) 2nd Within Fire Limits? no Dist. No. \_\_\_\_\_  
 Owner's name and address Earle S. Smith, 34 Clayton St. Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address Carl Hayden, 119 Brentwood St. Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Telephone \_\_\_\_\_  
 Proposed use of building dwelling house Specifications \_\_\_\_\_ Plans no No. of sheets \_\_\_\_\_  
 Last use \_\_\_\_\_ " " \_\_\_\_\_ No. families 1  
 Material wood No. stories 1 1/2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ No. families 1  
 Other buildings on same lot \_\_\_\_\_ Roofing \_\_\_\_\_  
 Estimated cost \$ 100. Fee \$ 1.50

### General Description of New Work

To provide stairway to existing unfinished attic.

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. **PERMIT TO BE ISSUED TO** Earle S. Smith

### 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 \_\_\_\_\_ cella \_\_\_\_\_  
 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 spacing 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, 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:

O.N. 3/22/54 - agl

### 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

Earle S. Smith

4/13

Permit No. 54/290

Location 34 Clayton St

Owner - Leslie J. Smith

Date of perm. 3/23/54

Notif. closing-in

Insph. closing-in

Final Avail.

Final Issues 4/13/54

Cert. of Occupancy Issued

Staking Out Notice

Form Check Notice

NOTES

4/13/54 - all work done  
L.S.

Large ruled area for notes, mostly blank with a large handwritten 'X' in the upper left quadrant.



FILL IN AND SIGN WITH INK

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

12162

Portland, Maine, Nov. 16, 1953

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 3A Clayton St. (2nd fl) Use of Building 1-family dwelling No. Stories 1 Not Existing Building  
Name and address of owner of appliance Earle S. Smith, 3A Clayton St. Existing "    "  
Installer's name and address Walter Bitchart, Route 99, Portland Telephone     

### General Description of Work

To install forced hot water heating system and oil burning equipment in place of warm air heating system

### IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? no  
If so, how protected?      Kind of fuel? oil  
Minimum distance to burnable material, from top of appliance or casing top of furnace 4'  
From top of smoke pipe 4' From front of appliance over 4' From sides or back of appliance over 3'  
Size over 100 Other connections to same flue none  
If gas fired, how vented?      Rated maximum demand per hour       
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

### 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 Size of vent pipe 1 1/2"  
Location of oil storage basement Number and capacity of tanks 1-275 gal.  
Low water shut off           No.       
Will all tanks be more than five feet from any flame? yes How many tanks enclosed?       
Total capacity of any existing storage tanks for furnace burners none

### IF COOKING APPLIANCE

Location of appliance      Any burnable material in floor surface or beneath?       
If so, how protected?      Height      if any       
Skirting at bottom of appliance?      Distance to 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?      Forced or gravity?       
If gas fired, how vented?      Rated maximum demand per hour     

### MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

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

APPROVED:

OK - 11/17/53 - [Signature]

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 Installer

Walter Bitchart







FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, September 15, 1950

PERMIT ISSUED 01699 SEP 18 1950 CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 Lot 1 Clayton Street 34 (Lumber) Use of Building Dwelling No. Stories 1 1/2 New Building Existing? Existing Name and address of owner of appliance Earle S. Smith, 115 MacArthur Circle East, So. Portland, Installer's name and address Owner Telephone 4-3872

General Description of Work

To install Gravity warm air heat. (one pipe)

IF HEATER, OR POWER BOILER

Location of appliance or source of heat Cellar Type of floor beneath appliance concrete If wood, how protected? Kind of fuel coal Minimum distance to wood or combustible material, from top of appliance or casing top of furnace register From top of smoke pipe 10" with shield From front of appliance over 4' From sides or back of appliance over 2' Size of chimney flue 8x12 Other connections to same flue kitchen range If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner Labeled by underwriters' 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 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

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

APPROVED:

Signature: E. S. Smith 9/15/50

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

Signature of Installer: [Handwritten Signature]

INSPECTION COPY





(RA) RESIDENCE ZONE - A  
**APPLICATION FOR PERMIT**

**PERMIT ISSUED**  
**00959**  
**JUN 22 1950**  
**CITY OF PORTLAND**

Class of Building or Type of Structure Third Class  
 Portland, Maine, June 2, 1950

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~alter or extend~~ all the following building structure ~~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 Lot 1 Clayton Street 34 (see H) Within Fire Limits? no Dist. No. 50. Port.  
 Owner's name and address Earle S. Smith, 115 MacArthur Circle East, Telephone 4-9802  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address Alton Stuart, 22 Old Orchard Ave., Old Orchard Beach, Maine Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. sheets 6  
 Proposed use of building Dwelling No. families 1  
 Last use \_\_\_\_\_ No. families \_\_\_\_\_  
 Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ 6500. Fee \$ 7.00

**General Description of New Work**

To construct 1 1/2 story frame dwelling 24'x31'

Appeal sustained 6/16/50

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**

**Details of New Work**

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes  
 Height average grade to top of plate 10' Height average grade to highest point of roof 20'  
 Size, front 31' depth 24' No. stories 1 solid or filled land? mark solid earth or rock? earth  
 Material of foundation concrete Thickness, top 10" bottom 12" cellar yes  
 Material of underpinning " to sill Height \_\_\_\_\_ Thickness \_\_\_\_\_  
 Kind of roof pitch-gable Rise per foot 10" Roof covering asphalt roofing Class C Und. Lab.  
 No. of chimneys 1 Material of chimneys brick lining tile Kind of heat w. air fuel coal  
 Framing lumber - Kind hemlock box Dressed or full size? dressed  
 Corner posts 4x4 Sills 2x8 Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
 Girders yes Size 6x8 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 2x8, 2nd 2x8, 3rd \_\_\_\_\_, roof 2x8  
 On centers: 1st floor 16", 2nd 16", 3rd \_\_\_\_\_, roof 16"  
 Maximum span: 1st floor 12', 2nd 22', 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? \_\_\_\_\_

**Miscellaneous**

Will work require disturbing of any trees 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

APPROVED:

OK-6/21/50-ags

Signature of owner Earle S. Smith

NOTES

6/30/50 - Location ~~8. 802 221~~  
 8/3/50 - Formwork heavy  
 checked some beams and  
 0.15. Framing completed  
 ready to close  
 9/3/50 - Finish nail stock &  
 chimney left G.T. to close  
 in. ~~88~~  
 10/9/50 - Temporary Certificate  
 to be issued - should to  
 be rounded on envelope, bridge  
 to be nailed and fireproofing  
 chimney to be completed  
 6/26/51 - ~~to be issued~~

Permit No. 5 0/969  
 Location ~~8. 802 221~~  
 Owner ~~See Deeds~~  
 Date of permit 6/22/50  
 Notif. date in 9/5/50  
 Insp. closing in 9/5/50  
 Insp. Final Inspection 9/5/50  
 Final Notif. 9/5/50  
 Tr. in. 6/3/51  
 Cert. of Occupancy issued 6/26/51

11/6  
 9/17

OK 8/31/50 (127)

City of Portland, Maine  
Board of Appeals

—ZONING—

June 12, 1950

*Sustained  
6/16/50  
50/56*

To the Board of Appeals:

Your appellant, Earle S. Smith, who is the owner of property at Clayton Street, Lot Nos. 382-D-1, 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 for construction of one family dwelling 24' x 31' on Clayton Street, Assessors Lot Nos. 382-D-1, is not issuable because it is proposed to locate one side of the building only 5' from the line of a proposed street whereas a minimum setback of 20' from that street line is required by Section 16J of the Zoning Ordinance in the Residence A Zone where this property is located.

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 and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

*Earle S. Smith*  
Appellant

After public hearing held on the 16th day of June, 1950, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property 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.

*Edward A. Alley*  
*John W. Lake*  
*Allen C. Dept.*  
*William H. O'Brien*  
*Harold A. Cole*  
BOARD OF APPEALS



DATE: June 16, 1950

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF EARLE S. SMITH  
AT Clayton Street, Lot Nos. 382-D-1

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

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Colley	(x)	( )	
Mr. Lake	(x)	( )	
Mrs. Frost	(x)	( )	
Mr. O'Brien	(x)	( )	
Mr. Cole	(x)	( )	
	( )	( )	
	( )	( )	
	( )	( )	

Record of Hearing:

Mr. Smith, pro se

No opposition

WARREN McDONALD  
INSPECTOR OF BUILDINGS

On reply to file <sup>AP</sup> Clayton Street  
(Assessors Lot Nos. 382-D-1)-1

CITY OF PORTLAND, MAINE

Department of Building Inspection

FU

June 12, 1950

Mr. Earle S. Smith  
115 MacArthur Circle East  
South Portland, Maine

Copy to:  
✓ Mark Barrett  
Assistant Corporation Counsel

Dear Sir:

We are unable to issue a permit for construction of a one family dwelling 24' x 31' on Clayton Street, Assessors Lot Nos. 382-D-1, because you propose to locate one side of the building only 5' from the line of a proposed street whereas a minimum setback of 20' from that street line is required by Section 16J of the Zoning Ordinance in the Residence A Zone where the property is located. You have expressed a desire to exercise your appeal rights in this matter and accordingly we are enclosing an outline of the appeal procedure and are certifying the case to the Assistant Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

Warren McDonald  
Inspector of Buildings

AJS/G

Enclosure: Outline of appeal procedure

C  
O  
P  
Y

COPY



CITY OF PORTLAND, MAINE  
Department of Building Inspection  
**Certificate of Occupancy**

Issued to Earle S. Smith

Date of Issue June 26, 1951

This is to certify that the building, premises, or part thereof, indicated below, and built ~~under~~ ~~changed or to use at~~ Lot 1 Clayton Street under Building Permit No. 50/969, 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

One-family Dwelling House

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved 6/24/51  
*Earle S. Smith*  
Inspector

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 Clayton Street  
(Assessors Lot Nos. 382-D-1)-1

June 12, 1930

Mr. Earle S. Smith  
115 McArthur Circle East  
North Portland, Maine

Copy to:  
Mark Barrett  
Assistant Corporation Counsel

Sir:

We are unable to issue a permit for construction of a one family dwelling 24' x 31' on Clayton Street, Assessors Lot Nos. 382-D-1, because you propose to locate one side of the building only 5' from the line of a proposed street whereas a minimum setback of 20' from that street line is required by Section 16' of the Zoning Ordinance in the Residence A Zone where the property is located. I have expressed a desire to exercise your appeal rights in this matter and accordingly we are enclosing an outline of the appeal procedure and are certifying the case to the Assistant Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

Warren McDonald  
Inspector of Buildings

MJ/G

Enclosure: Outline of appeal procedure

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for dwelling Date June 2, 1950  
at 1 Clayton Street

1. In whose name is the title of the property now recorded? Earle S. Smith
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? yes stakes
3. Is the outline of the proposed work now staked out upon the ground? no  
If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced? \_\_\_\_\_
4. What is to be maximum projection or overhang of eaves or drip? \_\_\_\_\_
5. Do you assume full responsibility for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections? yes
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? yes

Earle S. Smith





CITY OF PORTLAND, MAINE

389 CONGRESS STREET  
PORTLAND, MAINE 04101  
(207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF  
INSPECTION SERVICES DIVISION

Date: April 19, 1990

Olive Collins  
813 Congress Street  
Portland, ME 04102

Re: ~~819 Congress Street~~ *40 Taylor St*

Dear Sir:

An inspection has been made of the above referenced property. Trash, garbage, junked furniture, etc. provide rodent attraction/harborage, and is a serious violation of the City of Portland Municipal Codes, and must be removed from front, side, and rear areas of the above referenced property and properly disposed of on or before April 29, 1990. Trash for collection is not to be placed curbside prior to 6 p.m. on day preceding scheduled pick up. Tenants are to be instructed in this requirement.

*Merlin Leary*  
Code Enforcement Officer  
Merlin Leary (4)

/el  
6/17/90

jmr

CITY OF PORTLAND, MAINE

389 CONGRESS STREET  
PORTLAND, MAINE 04101  
(207)874-8300



DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF  
INSPECTION SERVICES DIVISION

June 15, 1989

Mrs. Olive Collins  
P. O. P-1835  
Portland, ME 04101

Re: 40 Clayton Street.

Dear Mrs. Collins:

This letter is in response to your request for a time extension to correct the conditions at 40 Clayton Street, Portland, Maine.

I discussed the matter with my supervisor, Mr. P. Samuel Hoffses, and because of the fact that this situation has existed for such a considerable length of time, we feel that you have had adequate time to correct this problem. Therefore, you should comply with our original notice when you receive this letter.

If you have any questions, please feel free to call me at City Hall, 874-8300, Ext. 8702 between the hours of 8:00 to 9:00 a.m.

Sincerely yours,

Merlin Leary  
Code Enforcement Officer

ML/jnr

Inspection Services  
Samuel P. Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

CITY OF PORTLAND

July 18, 1994

RE: 40 Clayton St.

Olive Collins  
819 Congress St.  
Portland, ME 04102

Dear Mrs. Collins,

This letter is in regard to property you own at 40 Clayton Street, Portland, Maine. A recent extensive inspection by Code Enforcement Officer Marland Wing and I, has produce many violations of the City of Portland Municipal Codes, also under the Office of State Fire Marshal Laws for the Fire Service, chapter 2 Section. 2851 Dangerous Buildings "whenever the municipal officers shall find a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof which is or was located on or extending from land within the boundaries of the municipality, as measured from low water: mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property, they may after notice and hearing on this matter, adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal shall be made thereof."

These are also violations of the City of Portland Municipal Codes, Chapter 22, Section 22.5, which states, "All buildings and vacant properties to be kept free of rodent. Every building which existed on April 16, 1956 and every alteration, addition or extension thereto shall be rodent-proofed and maintained in such condition, and all vacant or unimproved property shall be kept free from rodent harborage at all times."

This office has had requests dating back to June 15, 1989 regarding the condition of this property. It is quite obvious you have no intension of complying with the directives from this office. The building in question has deteriorated substantially during this time frame, and structural damage is now apparent in the building, floor joist cellar, and with the huge amount of debris in every room and basement this constitutes a fire hazard. With these conditions existing for such a long period of time, I am going to

Collins

2

7/18/94

recommend to the City of Portland Chief Inspector that this structure be demolished if it is not brought up to Municipal and State standards. I am allowing twenty(20) days for you to comply with and respond to this correspondence. Your prompt attention to this matter is mandatory.

Sincerely,



David Jordan  
Code Enforcement Officer

/el

cc: P. Samuel Hoffass, Chief of Inspection Services







13/OCT/94 done video of 40 Clayton St. <sup>marge</sup> David  
5/PE:174 Was sch. for Demo- myself  
2/MAR/95 Insp.

\$ 1423 TAX us of 20/MAR/95

20/MAR/95 COUNCIL 30 days to clean  
House 180 to sell -

Sum  
J. MacDermid  
773-8922  
Jerry  
Blind.

Larry  
Allens

FFB-1502

Mr. Clayton H

Bill  
11/49

OLIVE  
COLLINS

- End of April -

~~828-1592~~

# called Ms Collins  
Told her no  
time exten.  
B

APR 10 1995

1 1 1 1 1 1 1 1 1 1

Scotch

40 CLAYTON ST.

13/OCT/94

Hoffman

AGENDA  
REGULAR CITY COUNCIL MEETING  
AFTERNOON SESSION  
MARCH 20, 1995

The Portland City Council will hold the Afternoon Session of its regular City Council Meeting at 4:00 p.m. in the City Council Chambers, City Hall. The Honorable Richard W. Paulson, Jr., Mayor, will preside.

ROLL CALL:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

CONSENT ITEMS:

LICENSES:

APPOINTMENTS:

BUDGET ITEMS:

UNFINISHED BUSINESS:

ORDER 194 - ORDER GRANTING MUNICIPAL OFFICERS' APPROVAL FOR NEW AND  
(TAB 1) RENEWAL STATE LIQUOR LICENSES AND SPECIAL ENTERTAINMENT PERMITS  
- SPONSORED BY NADEEN M. DANIELS, CITY CLERK.

LIQUOR LICENSES:

RENEWAL APPLICATIONS TO BE CONSIDERED:

MALT, SPIRITUOUS, AND/OR VINOUS AND SPECIAL ENTERTAINMENT  
PERMITS:

Robert Larkin, d/b/a Bubba's Sulky Lounge, 92 Portland Street  
(Class A Lounge, Entertainment with Dance)

This item was tabled to this afternoon's meeting because the police originally recommended denial. They have changed their recommendation to approval following an analysis of the calls previously attributed to Bubba's.

Five affirmative votes are required for passage; after an opportunity for public comment has been given.

ORDER 195 - ORDER AUTHORIZING AGREEMENT WITH ANIMAL REFUGE LEAGUE OF  
(TAB 2) WESTBROOK - SPONSORED BY ROBERT B. GANLEY, CITY MANAGER.

This order authorizes a contract between the City of Portland and the Animal Refuge League for a term beginning January 1, 1995 through December 31, 1995. For several years the Animal Refuge League has provided to the City essential services such as providing shelter for strayed and lost dogs and cats and providing services relating to humane disposition of dogs and cats in the event they are not claimed by their owners or suitable homes can not be found for them.

This order must be read on two separate days. It received its first reading at the March 6th, 1995 Council meeting. Five affirmative votes are required for passage; after an opportunity for public comment has been given.

PUBLIC HEARINGS:

RESOLUTIONS:

COMMUNICATIONS:

ORDERS:

ORDER 201 - ORDER OF DEMOLITION - (17 M.R.S.A. SECTION 2851 et Seq' RE:  
(TAB 3) PREMISES AT 40 CLAYTON STREET - SPONSORED BY ROBERT B. JANLEY,  
CITY MANAGER.

The building has been the subject of a great number of complaints over the past ten years. Reports from the Building Inspector and the Fire Department, which are included in the backup material, detail the structural safety and fire concerns which these departments have with the building's present condition.

The property has been secured by the City's Trade Department on a number of occasions. This building is located between two, occupied, single-family dwellings. All mechanical systems in the building have been damaged because of the building's abandoned state. As a result, the property can not be occupied.

Appropriate notification of this public hearing has been given to the property owner and the public.

This order gives the building owner one final thirty (30) day period to remove it. After that, the City will have the building razed and try to recover its cost by enforcing the lien against the real estate. This order seeks the approval required by State Law before the City can demolish the structure.

This item requires five (5) affirmative votes for passage; after an opportunity for public comment has been given.

AMENDMENTS:

- 30 days to clean house - 180 to sell -

REQUEST FOR EXECUTIVE SESSION:

CITY OF PORTLAND, MAINE  
M E M O R A N D U M

TO: P. Samuel Hoffses, Director of Inspection Services  
FROM: Charles A. Lane, Associate Corporation Counsel  
Ext. 8480  
DATE: February 22, 1995  
RE: Premises at 40 Clayton Street

A hearing regarding the proposed demolition of the premises at 40 Clayton Street has been scheduled for Monday, March 20, 1995 at 4:00 p.m.

It is my understanding that Marge will deliver all the materials for the council package, except the Order of Demolition, and deliver that material to the Manager's office on or before Tuesday, March 14, 1995.

I suggest that all the recipients of the memorandum meet with me on Monday morning, March 20th at 11:00 o'clock to prepare for the hearing. If that time should be inconvenient, please let me know.



Charles A. Lane  
Associate Corporation Counsel

cc: Marge Schmuckal, Asst. Chief of Inspection Services  
Lt. Galen McDougal, Fire Prevention Bureau  
Joseph E. Gray, Director of Planning and Urban Development

CAI:rlj





CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Joseph E. Gray, Jr., Director of Planning and Urban Development  
FROM: P. Samuel Hofses, Chief of Inspection Services DATE: March 2, 1995  
SUBJECT: 40 Clayton Street (382-C-11)

As you are aware, this proposed demolition was scheduled for the Monday, December 5, 1994 Council Meeting but was withdrawn because the owner, Ms. Olive Collins, could not be found to be served notice.

On March 1, 1995, LT. McDougall of the Portland Fire Department and I conducted an inspection of 40 Clayton Street and found the same conditions as all previous inspections.

This building has been abandoned for over ten years and has been inspected by this division a number of times during this period. Many of our inspections have found this building open and evidence that people had entered the building causing damage.

On the September 7, 1994 inspection, the building was found to be secured because the City had completed this work recently. Therefor, only an exterior inspection was conducted. We found the property covered with heavy vegetation, so heavy that we could not see the house from the street. This poses not only a severe fire hazard but also a possible site for illegal activities. This property is located in a very nice neighborhood, and on a frequently traveled street.

During our inspections, we found the building to meet the criteria as a dangerous building due to the fact that the building constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.

The building's power has been discontinued, the meter has been removed. The plumbing is inoperable and the heating system would have to be replaced.

There has been a minimum of two interior inspections of the building, one on July 15, 1994 by Code Enforcement Officers David Jordan and Marland Wing. The second inspection was done by LT. McDougall and C.E.O., Jordan and I on October 13, 1994. On that date, I did a video tape.

The interior inspection found the building full of trash and garbage with evidence of rodent. The basement floor had about an inch of water on it. The floor joists have rotted in some areas and the subfloor shows signs of being unstable.

I am requesting that this building be placed on the City Council Agenda for razing.

/el

Attachments: letter to owner from David Jordan date July 18, 1994  
copy of assessment tax map  
Mr. Charles Lane, Lette. for title opinion



**CITY OF PORTLAND**  
Planning and Urban Development Department

**MEMORANDUM**

**TO:** Robert B. Ganley, City Manager  
**DATE:** March 2, 1995  
**FROM:** Joseph E. Gray, Jr., Director of Planning and Urban Development  
**SUBJECT:** Item for March 20, 1995 City Council Agenda  
Demolition Order regarding 40 Clayton Street

Summary of Issue:

The City's Building Inspections Division and the Fire Department are recommending the demolition of the property located at 40 Clayton Street. Videotape of the condition of the property is available for review.

The building has been the subject of a great number of complaints over the past ten years. The attached reports from the Building Inspector and the Fire Department details the structural safety and fire concerns which these departments have with the building's present condition.

The property has been secured by the City's Trade Department on a number of occasions. This building is located between two occupied single family dwellings. All mechanical systems in the building have been damaged because of the building being abandoned. As a result, the property can not be occupied.

Representatives of the City Departments will be at the public hearing, and a video tape of the premises will be available for review at the public hearing.

Order # Order of Demolition-(17 M.R.S.A. Section 2851 et Seq)  
RE Premises at 40 Clayton St.-Sponsored by Robert B. Ganley,  
City Manager.  
Order # Order approving order of demolition RE: 40 Clayton St.  
Sponsored by Robert B. Ganley, City Manager

This single family which has been abandoned, should be demolished. This structure has been abandoned for over ten years and has become dilapidated. The structure has also become structural unsound in certain areas of the floor system. The plumbing, heating and electrical systems, have been disabled and the building is unsuitable for residential use. Many attempts to work with the owner to rehab the building have been unsuccessful. This order gives the owner one final thirty(30) day period to remove it. After that, the city will have the building razed and try to recover its cost by enforcing the lien against the real estate. This order seeks the approval required by State Law before the city can demolish the structure.

The two items require five(5) affirmative votes for passage, after an opportunity for public comment has been given.

Corporation Counsel  
Gary C. Wood



CITY OF PORTLAND

Associate Counsel  
Charles A. Lane  
Elizabeth L. Boynton  
Natalie L. Burns  
Donna M. Katsiaticas

September 8, 1994

James M. Amendolara, Esq.  
Maine Title Company  
10 Free Street  
Portland, ME 04101

RE: Request for Title Opinion - Demolition Program

Dear Jim:

Would you please undertake a forty year title search on the property described below. The property is being considered for removal, pursuant to Maine's Dangerous Building Statute (17 M.R.S.A. Section 2851, et seq.). Notice of the proceedings must be given to the owner and all parties in interest, as defined in 14 M.R.S.A. Section 6321 (foreclosure proceedings).

According to records in the Assessor's office, the property is described as follows:

40 Clayton Street  
382-C-11  
Frances J. Smith  
to  
James F. Collins  
and  
Olive M. Collins  
Deed dated March 4, 1963  
Book 2735, page 290

James F. Collins is believed to have died on March 30, 1984.

Would you please forward your report on the property to me as soon as it has been completed. You should direct the bill for your services to :

Joseph E. Gray, Jr.  
Director of Planning and Urban Development  
389 Congress Street  
Portland, ME 04101

Your bill should clearly indicate that the title work was done in connection with the demolition of the property.

Very truly yours,



Charles A. Lane  
Associate Corporat.on Counsel

CAL:zlj

cc: Joseph E. Gray, Jr., Director of Planning and Urban  
Development  
P. Samuel Hoffses, Chief of Inspection Services

7-18-1994  
File  
Inspection Services  
Samuel P. Hoffics  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

CITY OF PORTLAND

July 18, 1994

RE: 40 Clayton St.

Oliva Collins  
219 Congress St.  
Portland, ME 04102

Dear Mrs. Collins,

This letter is in regard to property you own at 40 Clayton Street, Portland, Maine. A recent extensive inspection by Code Enforcement Officer Marland Wing and I, has produce many violations of the City of Portland Municipal Codon, also under the Office of State Fire Marshal Laws for the Fire Service, chapter 2 Section. 2851 Dangerous Buildings "whenever the municipal officers shall find a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof which is or was located on or extending from land within the boundaries of the municipality, as measured from low water mark, is structurally unsafe; untable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property, they may after notice and hearing on this matter, adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal shall be made thereof."

These are also violations of the City of Portland Municipal Codes, Chapter 22, Section 22.5, which states, "All buildings and vacant properties to be kept free of rodent. Every building which existed on April 16, 1956 and every alteration, addition or extension thereto shall be rodent-proofed and maintained in such condition, and all vacant or unimproved property shall be kept free from rodent harborage at all times."

This office has had requests dating back to June 15, 1989 regarding the condition of this property. It is quite obvious you have no intension of complying with the directives from this office. The building in question has deteriorated subatantially during this time frame, and structural damage is now apparent in the building, floor joist cellar, and with the huge amount of debris in every room and basement this constitutes a fire hazard. With these conditions existing for such a long period of time, I am going to

Collins

7/18/94

recommend to the City of Portland Chief Inspector that this structure be demolished if it is not brought up to Municipal and State standards. I am allowing twenty (20) days for you to comply with and respond to this correspondence. Your prompt attention to this matter is mandatory.

Sincerely,

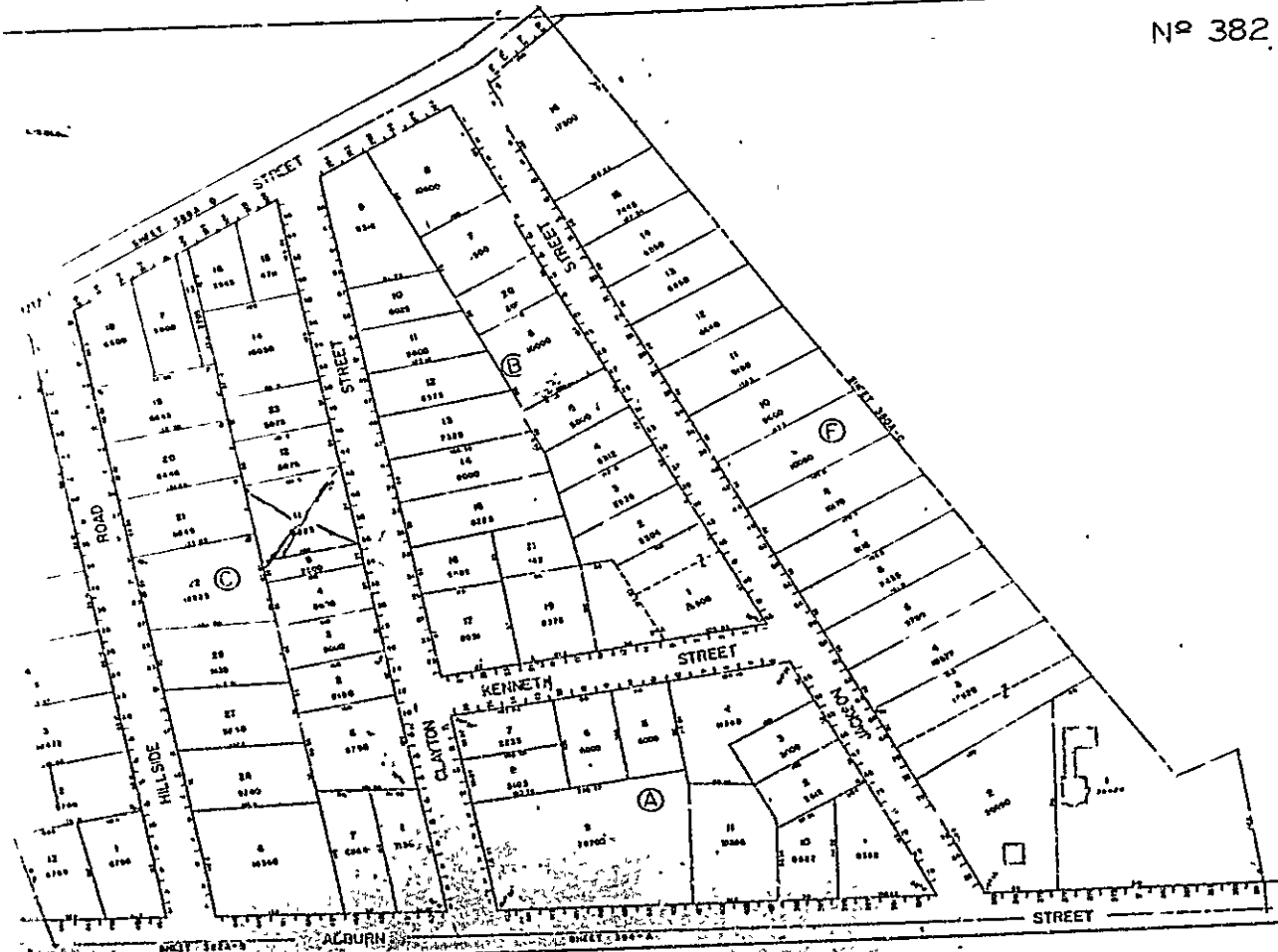


David Jordan  
Code Enforcement Officer

/el

cc: P. Samuel Hoffses, Chief of Inspection Services

No 382



CITY OF PORTLAND  
ASSESSOR'S PLAN  
SCALE 1" = 50'  
MAY 1975





CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

To: Charles A. Lane - Asst. Corp. Counsel  
From: P. Samuel Hoffses - Chief of Inspections  
Re: 40 Clayton Street (382-C-11)  
Date: September 8, 1994

On September 7, 1994, Lt. MacDougal of the Portland Fire Department and I conducted an inspection of the above referenced property.

This building has been abandoned for over 10 years, and has been inspected by this division a number of times during this period. Many of our inspections had found this building open and evidence that people had entered the building causing heavy damage.

On the September 7, 1994 Inspection we found the building secured because the City had done this work recently. Therefore only an exterior inspection was conducted. We found the property covered with heavy vegetation, so heavy that we could not see the house. This poses not only a severe fire hazard but a possible site for illegal activities. This property is located in a very nice neighborhood, and on a well traveled street.

During our inspections we found the building meets the criteria as a dangerous building due to the fact the building constitutes a hazard to the health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.

The building's power has been discontinued, the meter removed. The plumbing is inoperable and the heating system would have to be replaced.

An interior inspection completed on July 15, 1994 by Code Enforcement Officers David Jorian and Marland Wing. They found the interior full of trash and garbage and evidence of rodents. The basement floor has about 1 inch of water. The floor joists have rotted in some areas and the subfloor shows signs of being unstable.

I am requesting that this building be placed on the Council Agenda for razing.

Attachments: letter to owner from D. Jordan on 7/18/94  
Copy of Assessment Tax Map  
Memo to you from M. Schmuckal on 8/23/94  
Photos



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Charles Lane, Associate Corporation Counsel  
DATE: August 21, 1994  
FROM: Marge Schmuckal, *MS* Asst. Chief of Inspection Services  
SUBJECT: Title Search and other preparation for the proposed demolition of  
40 Clayton Street - 282-C-11, owner: Olive M. Collins  
DATE: August 23, 1994

At the request of Mr. Joseph E. Gray, Jr., Director of Planning and Urban Development and P. Samuel Hoffses, Chief of Inspection Services, we would like to go forward with demolition procedures for 40 Clayton Street. Please review our findings which we have attached, and take the necessary actions to place this on a future Council agenda. We feel that this structure meets the criteria of the dangerous building outline under subsection 2851 of the Maine Revised Statutes.

/s/

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development  
P. Samuel Hoffses, Chief of Inspection Services

CITY OF PORTLAND, MAINE  
M E M O R A N D U M

TO: P. Samuel Hoffsoos, Director of Inspection Services  
FROM: Charles A. Lane, Associate Corporation Counsel  
Ext. 8480  
DATE: November 16, 1994  
RE: Promises at 40 Clayton Street

A hearing regarding the proposed demolition of the premises at 40 Clayton Street has been scheduled for Monday, December 5th at 4:00 p.m.

It is my understanding that Marge will assemble all the materials for the council package and deliver that material to the Manager's office

I suggest that all the recipients of the memorandum meet with me on Monday morning, December 5th at 11:00 o'clock to prepare for the hearing. If that time is inconvenient, please let me know.

*Charles A. Lane*  
Charles A. Lane  
Associate Corporation Counsel

cc: Marge Schmuckal, Asst. Chief of Inspection Services  
Lt. Capt. McDougal, Fire Prevention Bureau  
Joseph C. Gray, Director of Planning and Urban Development

CAL:rij

*S*  
Corporation Counsel  
Gay C. Wood



CITY OF PORTLAND

Associate Counsel  
Charles A. Lane  
Elizabeth L. Bouton  
Natalie L. Burns  
Donna M. Kastaficas

September 8, 1994

James M. Amendolara, Esq.  
Maine Title Company  
10 Free Street  
Portland, ME 04101

RE: Request for Title Opinion - Demolition Program

Dear Jim:

Would you please undertake a forty year title search on the property described below. The property is being considered for removal, pursuant to Maine's Dangerous Building Statute (17 M.R.S.A. Section 2851, et seq.). Notice of the proceedings must be given to the owner and all parties in interest, as defined in 14 M.R.S.A. Section 5321 (foreclosure proceedings).

According to records in the Assessor's office, the property is described as follows:

40 Clavton Street  
382-C-11  
Frances J. Smith  
to  
James F. Collins  
and  
Olive M. Collins  
Deed dated March 4, 1963  
Book 2735, page 290

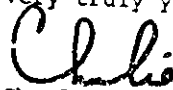
James F. Collins is believed to have died on March 30, 1984.

Would you please forward your report on the property to me as soon as it has been completed. You should direct the bill for your services to:

Joseph E. Gray, Jr.  
Director of Planning and Urban Development  
389 Congress Street  
Portland, ME 04101

Your bill should clearly indicate that the title work was done in connection with the demolition of the property.

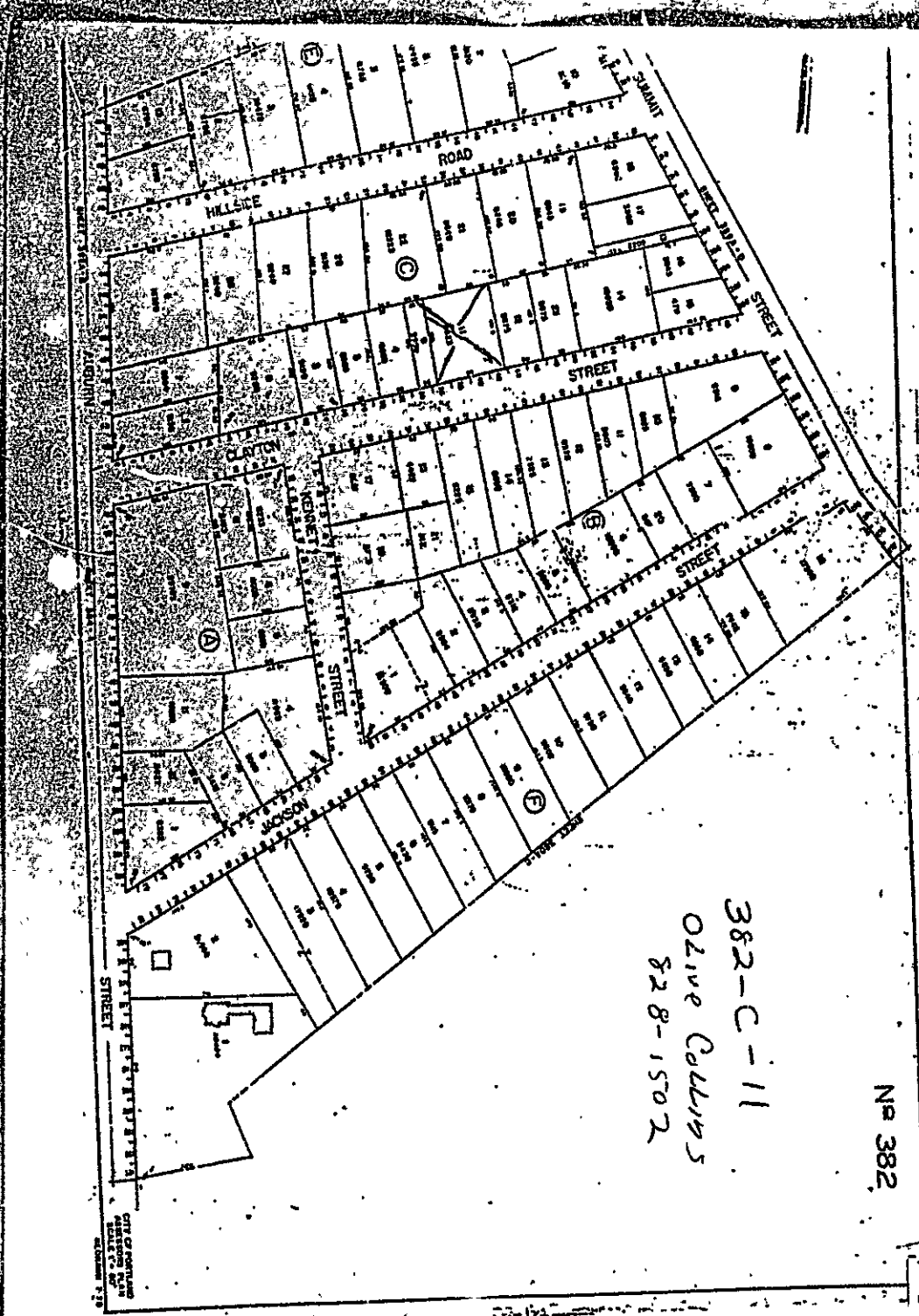
Very truly yours,



Charles A. Lane  
Associate Corporation Counsel

CAL:rlj

cc: Joseph E. Gray, Jr., Director of Planning and Urban  
Development  
P. Samuel Poffses, Chief of Inspection Services



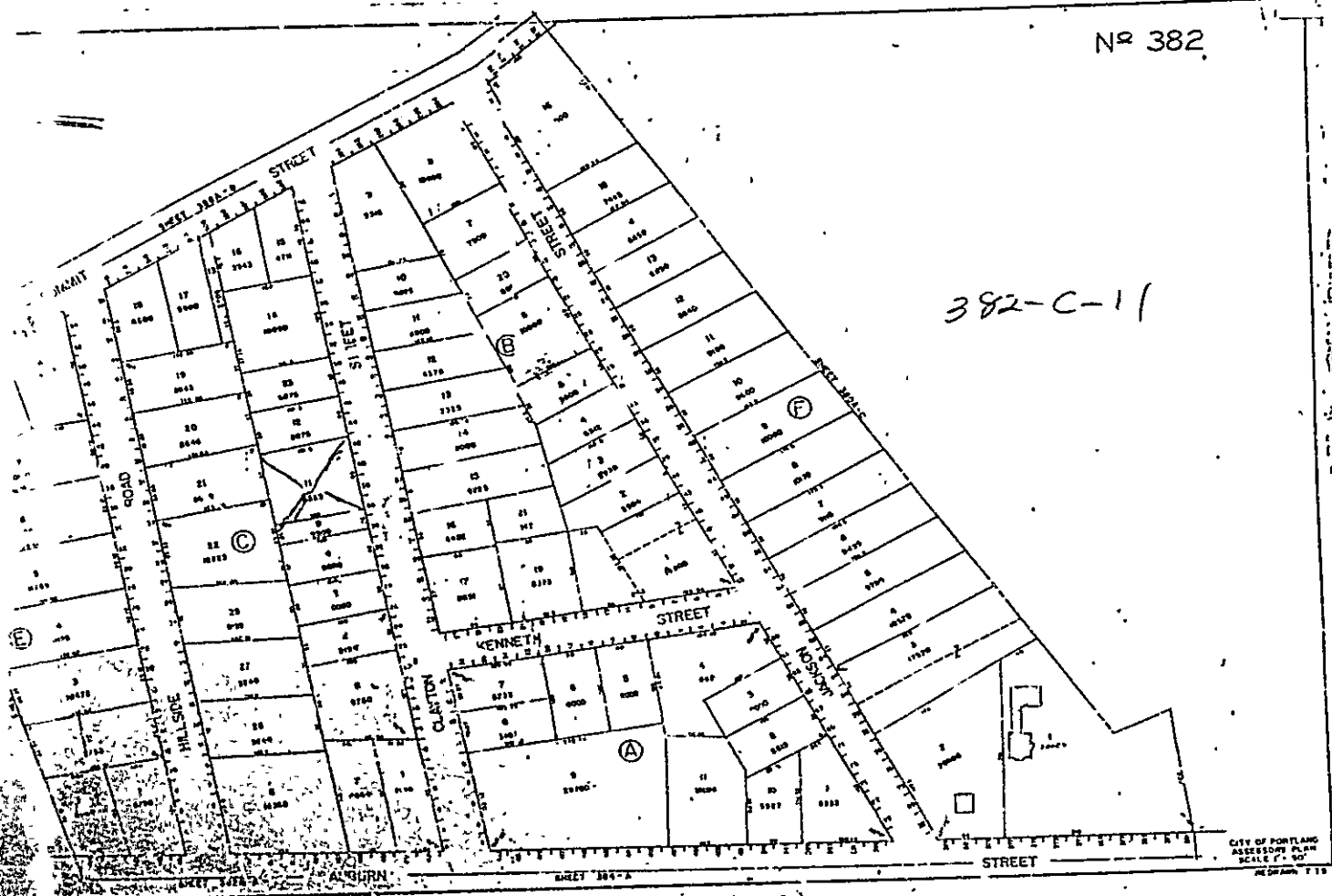
382-C-11  
Olive Collins  
828-1502

№ 382

CITY OF PORTLAND  
PLANNING DEPARTMENT  
1220 NE 12TH AVENUE  
PORTLAND, OREGON 97232

Nº 382

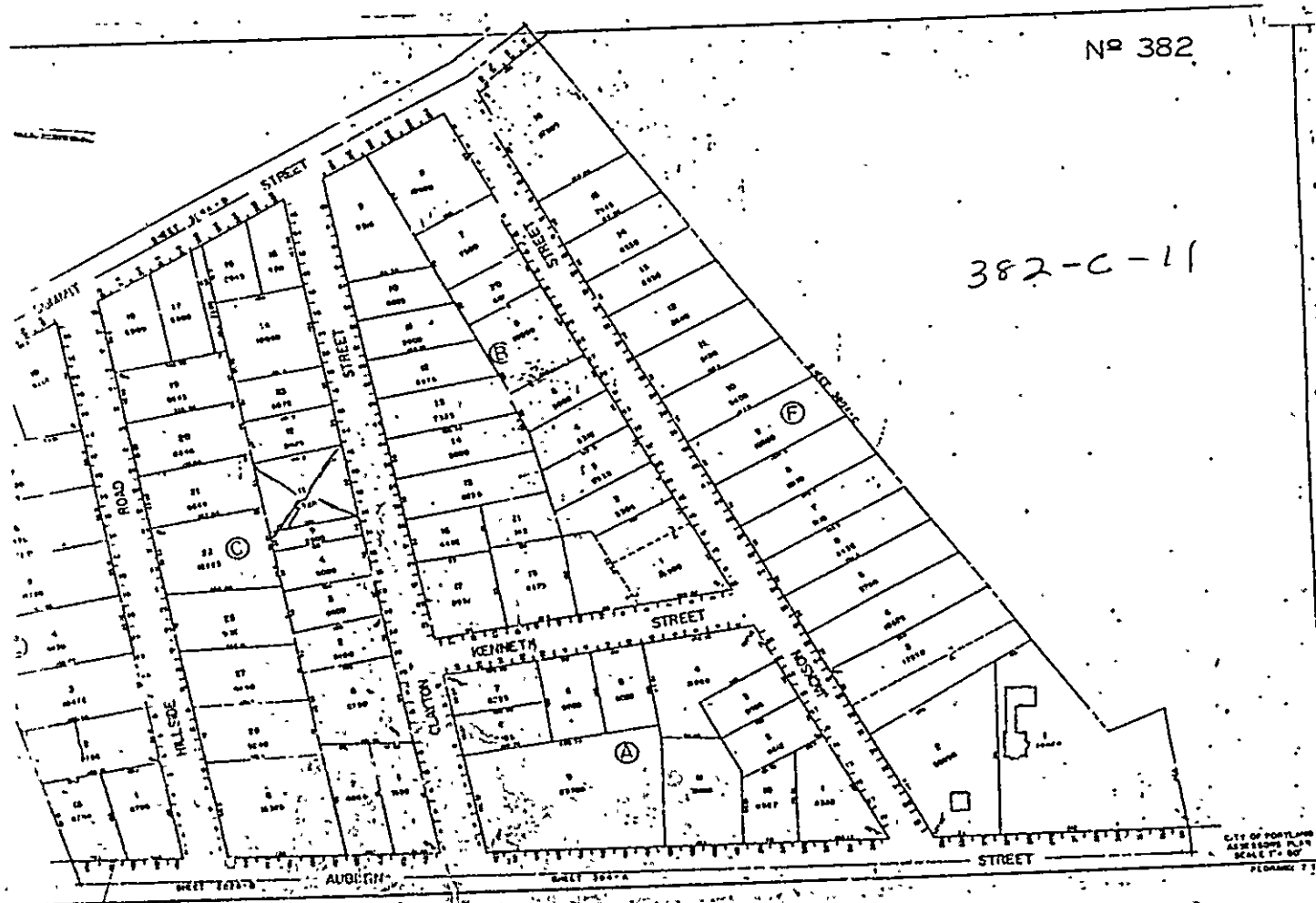
382-C-11





Nº 382

382-C-11



CITY OF PORTLAND  
ALLEYS PLAN  
SCALE 1" = 60'  
PLANNING 7-11



CITY OF PORTLAND, MAINE  
M E M O R A N D U M

TO: P. Samuel Hoffses, Director of Inspection Services

FROM: Charles A. Lane, Associate Corporation Counsel  
Ext. 8480

DATE: February 22, 1995

RE: Premises at 40 Clayton Street

A hearing regarding the proposed demolition of the premises at 40 Clayton Street has been scheduled for Monday, March 20, 1995 at 4:00 p.m.

It is my understanding that Marge will deliver all the materials for the council package, except the Order of Demolition, and deliver that material to the Manager's office on or before Tuesday, March 14, 1995.

I suggest that all the recipients of the memorandum meet with me on Monday morning, March 20th at 11:00 o'clock to prepare for the hearing. If that time should be inconvenient, please let me know.



Charles A. Lane  
Associate Corporation Counsel

cc: Marge Schmuckal, Asst. Chief of Inspection Services  
Lt. Galen McDougal, Fire Prevention Bureau  
Joseph E. Gray, Director of Planning and Urban Development

CAL:rlj



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Joseph E. Gray, Jr., Director of Planning and Urban Development  
DATE: March 2, 1995  
FROM: P. Samuel Hoffses, Chief of Inspection Services  
SUBJECT: 40 Clayton Street (382-C-11)

As you are aware, this proposed demolition was scheduled for the Monday, December 5, 1994 Council Meeting but was withdrawn because the owner, Ms. Olive Collins, could not be found to be served notice.

On March 1, 1995, LT. McDougall of the Portland Fire Department and I conducted an inspection of 40 Clayton Street and found the same conditions as all previous inspections.

This building has been abandoned for over ten years and has been inspected by this division a number of times during this period. Many of our inspections have found this building open and evidence that people had entered the building causing damage.

On the September 7, 1994 inspection, the building was found to be secured because the City had completed this work recently. Therefore, only an exterior inspection was conducted. We found the property covered with heavy vegetation, so heavy that we could not see the house from the street. This poses not only a severe fire hazard but also a possible site for illegal activities. This property is located in a very nice neighborhood, and on a frequently traveled street.

During our inspections, we found the building to meet the criteria as a dangerous building due to the fact that the building constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.

The building's power has been discontinued, the meter has been removed. The plumbing is inoperable and the heating system would have to be replaced.

There has been a minimum of two interior inspections of the building, one on July 15, 1994 by Code Enforcement Officers David Jordan and Marland Wing. The second inspection was done by LT. McDougall and C.E.O., Jordan and I on October 13, 1994. On that date, I did a video tape.

The interior inspection found the building full of trash and garbage with evidence of rodent. The basement floor had about an inch of water on it. The floor joists have rotted in some areas and the subfloor shows signs of being unstable.

I am requesting that this building be placed on the City Council Agenda for razing.

/el

Attachments: letter to owner from David Jordan date July 18, 1994  
copy of assessment tax map  
Mr. Charles Lane, Letter for title opinion



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Robert B. Ganley, City Manager

DATE: March 2, 1995

FROM: Joseph E. Gray, Jr., Director of Planning and Urban Development

SUBJECT: Item for March 20, 1995 City Council Agenda  
Demolition Order regarding 40 Clayton Street

Summary of Issue:

The City's Building Inspections Division and the Fire Department are recommending the demolition of the property located at 40 Clayton Street. Videotape of the condition of the property is available for review.

The building has been the subject of a great number of complaints over the past ten years. The attached reports from the Building Inspector and the Fire Department details the structural safety and fire concerns which these departments have with the building's present condition.

The property has been secured by the City's Trade Department on a number of occasions. This building is located between two occupied single family dwellings. All mechanical systems in the building have been damaged because of the building being abandoned. As a result, the property can not be occupied.

Representatives of the City Departments will be at the public hearing, and a video tape of the premises will be available for review at the public hearing.

Order # Order of Demolition-(17 M.R.S.A. Section 2851 et Seq)  
RE Premises at 40 Clayton St.-Sponsored by Robert B. Ganley,  
City Manager.

Order # Order approving order of demolition RE: 40 Clayton St.  
Sponsored by Robert B. Ganley City Manager

This single family which has been abandoned, should be demolished. This structure has been abandoned for over ten years and has become dilapidated. The structure has also become structural unsound in certain areas of the floor system. The plumbing, heating and electrical systems, have been disabled and the building is unsuitable for residential use. Many attempts to work with the owner to rehab the building have been unsuccessful. This order gives the owner one final thirty(30) day period to remove it. After that, the City will have the building razed and try to recover its cost by enforcing the lien against the real estate. This order seeks the approval required by State Law before the City . demolish the structure.

The two items require five(5) affirmative votes for passage, after opportunity for public comment has been given.

Administration Council  
Gary C. Wood



CITY OF PORTLAND

Associate Counsel  
Charles A. Lane  
Elizabeth L. Boynton  
Nathaniel L. Burns  
Donna M. Katsafikas

September 8, 1994

James M. Amendolara, Esq.  
Maine Title Company  
10 Free Street  
Portland, ME 04101

RE: Request for Title Opinion - Demolition Program

Dear Jim:

Would you please undertake a forty year title search on the property described below. The property is being considered for removal, pursuant to Maine's Dangerous Building Statute (17 M.R.S.A. Section 2851, et seq.). Notice of the proceedings must be given to the owner and all parties in interest, as defined in 14 M.R.S.A. Section 321 (foreclosure proceedings).

According to records in the Assessor's office, the property is described as follows:

40 Clayton Street  
382-C-11  
Frances J. Smith  
to  
James F. Collins  
and  
Olive M. Collins  
Deed dated March 4, 1963  
Book 2735, page 290

James F. Collins is believed to have died on March 30, 1984.

Would you please forward your report on the property to me as soon as it has been completed. You should direct the bill for your services to :

Joseph E. Gray, Jr.  
Director of Planning and Urban Development  
389 Congress Street  
Portland, ME 04101





Inspection Services  
Municipal Offices  
Chief

*File*  
*File*



Planning and Urban Development  
Joseph E. Gray Jr  
Director

CITY OF PORTLAND-

July 18, 1994

RE: 40 Clayton St.

Olive Collins  
919 Congress St  
Portland, ME 04102

Dear Mrs Collins,

This letter is in regard to property you own at 40 Clayton Street, Portland, Maine. A recent extensive inspection by Code Enforcement Officer Marland Wing and I, has produce many violations of the City of Portland Municipal Codes, also under the Office of State Fire Marshal Laws for the Fire Service, chapter 2, Section 2851 Dangerous Buildings "whenever the municipal officers shall find a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof which is or was located on or extending from land within the boundaries of the municipality, as measured from low water mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property, they may after notice and hearing on this matter, adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal shall be made thereof."

These are also violations of the City of Portland Municipal Codes, Chapter 22, Section 22.5, which states, "All buildings and vacant properties to be kept free of rodent. Every building which existed on April 16, 1956 and every alteration, addition or extension thereto shall be rodent-proofed and maintained in such condition, and all vacant or unimproved property shall be kept free from rodent harborage at all times "

This office has had requests dating back to June 15, 1989 regarding the condition of this property. It is quite obvious you have no intension of complying with the directives from this office. The building in question has deteriorated substantially during this time frame, and structural damage is now apparent in the building, floor joist cellar, and with the huge amount of debris in every room and basement this constitutes a fire hazard. With these conditions existing for such a long period of time, I am going to

Collins

2

7/18/94

recommend to the City of Portland Chief Inspector that this structure be demolished if it is not brought up to Municipal and State standards. I am allowing twenty(20) days for you to comply with and respond to this correspondence. Your prompt attention to this matter is mandatory

Sincerely,



David Jordan  
Code Enforcement Officer

/el

cc: P. Samuel Hoffses, Chief of Inspection Services

1/16/94

1/16/94





CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Robert B. Ganley, City Manager

DATE: March 2, 1995

FROM: Joseph E. Gray, Jr., Director of Planning and Urban Development

SUBJECT: Item for March 20, 1995 City Council Agenda  
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