

349-355 ALLEN AVENUE



SHAW-WALKER

Full cut #920R - Half cut #920R - Third cut #920JR - Fifth cut #9205C

15. fee paid
12

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

MISCELLANEOUS APPEAL

Robert W. Davis, owner of property at 355-359 Allen Avenue under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit: the extension and enclosure of the existing front porch 2½' at the above named location. This permit is not issuable under the Zoning Ordinance because this addition would encroach upon the 40 foot setback required by Section 602.21 applying to that part of Allen Avenue.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals find that enforcement of the terms of the Ordinance would result in undue hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Ordinance.

Robert W. Davis
APPELLANT

DECISION

After public hearing held November 1, 1973, the Board of Appeals finds that enforcement of the terms of the Ordinance would result in undue hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Ordinance.

It is, therefore, determined that such permit may be issued.

BOARD OF APPEALS
W. Allen Colburn
Josephine Cohen
Thomas J. Murphy

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

October 25, 1973

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 112 City Hall, Portland, Maine, on Thursday, November 1, 1973 at 4:00 p.m. to hear the appeal of Robert W. Davis requesting an exception to the Zoning Ordinance to extend and enclose the existing front porch 2½' at 355-359 Allen Avenue.

This permit is not issuable under the Zoning Ordinance because this addition would encroach upon the 40 foot setback required by Section 602.21 applying to that part of Allen Avenue.

All persons interested either for or against this appeal will be heard at the above time and place.

BOARD OF APPEALS

W. Earle Eskilson
Jacqueline Cohen
Earl J. Wahl

copies to:

Amato, Francis J., Thomas Road, RFD #2, Sebago Lake, Me. 04075
U.S.H. Realty Ins., 77 Dedham Street, Canton, Mass. 02021
Marston, Carl W., Jr. & Ruth C., 32 Sara LANE, Portland, Me. 04103

Returned

355-359 Allen Avenue

Oct. 3, 1973

cc to: Corporation Counsel

Robert W. Davis
357 Allen Avenue

Dear Mr. Davis:

Building permit to close in and extend front porch 2½' at the above named location is not issuable under the Zoning Ordinance because this addition would encroach unlawfully upon the 40 foot setback required by Sec.502.21 applying to that part of Allen Avenue.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$5.00 shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter then consider this letter as a matter of formality.

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:m

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

October 4, 1973

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209¹¹² City Hall, Portland, Maine, on Thursday, October 11, 1973 at 4:00 p.m. to hear the appeal of Robert W. Davis requesting an exception to the Zoning Ordinance to extend and enclose the existing front porch 2½' at 355-359 Allen Avenue.

This permit is not issuable under the Zoning Ordinance because this addition would encroach upon the 40 foot setback required by Section 602.21 applying to that part of Allen Avenue.

All persons interested either for or against this appeal will be heard at the above time and place.

BOARD OF APPEALS

W. Earle Eskilson
Jacqueline Cohen
Earl J. Wahl

Copies to:

Amato, Francis J., Thomas Road, RFD #2, Sebago Lake, Me. 04075
U.S.H. Realty Inc., 77 Dedham St., Canton, Mass. 02021
Marston, Carl W., Jr. & Ruth C., 32 Sara Lane, Portland, Me. 04103

Returned

Dismissed without prejudice
(didn't show up)

CITY OF PORTLAND, MAINE
Department of Building Inspection

355-359 Allen Avenue

Oct. 3, 1973

cc to: Corporation Counsel

Robert W. Davis
357 Allen Avenue

Dear Mr. Davis:

Building permit to close in and extend front porch 2½' at the above named location is not issuable under the Zoning Ordinance because this addition would encroach unlawfully upon the 40 foot setback required by Sec.602.21 applying to that part of Allen Avenue.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$5.00 shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter then consider this letter as a matter of formality.

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:ms

C
O
P
Y

City of Portland, Maine
Board of Appeals
—ZONING—

Denied
9/2/49

49/73

August 17, 19 49

To the Board of Appeals:

Your appellant, Harry P. Lessard, who is the owner of property at 1383 Washington Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 17, Paragraph E of the Zoning Ordinance,

Building permit to construct foundation, locate restaurant (diner moved from outside) and construct addition to restaurant at 1383 Washington Avenue is not issuable under the Zoning Ordinance because it is not allowable in the Local Business Zone where this property is located unless first authorized by the Board of Appeals after the usual appeal procedure. Also, because of location difficulties, the front wall of the diner would be only about 5' from the street line of Allen Avenue, while normal setback requires would be 8' and Section 16J of the Ordinance requires the front of the diner be as far from the street line of Allen Avenue as the front wall of the dwelling house on the next lot (facing on Allen Avenue, the front wall of the dwelling appearing to be about 16' from the line. Also, the end wall of the diner farther from Washington Avenue would be 4' from the side lot line instead of at least 7', and the rear wall of the proposed addition would be only 6' from the rear line instead of the minimum of 12'.
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 and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Harry P. Lessard
Appellant

49/13

City of Portland, Maine
Board of Appeals
— ZONING —

Decision

Public hearing was held on the 2nd day of September, 1949, on petition of Harry P. Lessard, owner of property at 1383 Washington Avenue, seeking to be permitted an exception to the regulations of the Zoning Ordinance relating to this property.

Building permit to construct foundation, locate restaurant (diner moved from outside) and construct addition to restaurant at 1383 Washington Avenue is not issuable under the Zoning Ordinance because it is not allowable in the Local Business Zone where this property is located unless first authorized by the Board of Appeals after the usual appeal procedure. Because of location difficulties, the front wall of the diner would be only about 5' from the street line of Allen Avenue, while normal setback required would be 8' and Section 16J of the Ordinance requires the front of the diner be as far from the street line of Allen Avenue as the front wall of the dwelling house on the next lot (facing Allen Avenue), the front wall of the dwelling appearing to be about 16' from the line; and the end wall of the diner farther from Washington Avenue would be 4' from the side lot line instead of at least 7', and the rear wall of the proposed addition would be only 6' from the rear line instead of the minimum of 12'.

not

The Board finds that an exception is necessary in this case to grant reasonable use of property and can not 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 ~~not~~ be permitted in this specific case.

Arthur L. Little
John W. Dale
Edward J. Bailey
~~_____~~

William F. ...

Board of Appeals

49/73

City of Portland, Maine
Board of Appeals
— ZONING —

Decision

Public hearing was held on the 2nd day of September, 1949, on petition of Harry P. Lessard, owner of property at 1383 Washington Avenue, seeking to be permitted an exception to the regulations of the Zoning Ordinance relating to this property.

Building permit to construct foundation, locate restaurant (diner moved from outside) and construct addition to restaurant at 1383 Washington Avenue is not issuable under the Zoning Ordinance because it is not allowable in the Local Business Zone where this property is located unless first authorized by the Board of Appeals after the usual appeal procedure. Because of location difficulties, the front wall of the diner would be only about 5' from the street line of Allen Avenue, while normal setback required would be 8' and Section 16J of the Ordinance requires the front of the diner be as far from the street line of Allen Avenue as the front wall of the dwelling house on the next lot (facing Allen Avenue), the front wall of the dwelling appearing to be about 16' from the line; and the end wall of the diner farther from Washington Avenue would be 4' from the side lot line instead of at least 7', and the rear wall of the proposed addition would be only 6' from the rear line instead of the minimum of 12'.

The Board finds that an exception is ^{not} necessary in this case to grant reasonable use of property and can not 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 ~~not~~ be permitted in this specific case.

John W. Lake
Edward J. Colby
[Signature]

[Signature]

Board of Appeals

49/73

DATE: September 2, 1949

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Harry F. Lessard
AT 1383 Washington Avenue

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

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

Record of hearing:

Chas. Pomeroy for Lessard. Area somewhat isolated - like small town, needs various businesses. Diner is such a business -- will be attractive and asset to community. Will not give off odors as will contain latest equipment to take care of odors. Other business in area and this one should be also included. Cater to tourists -- not too close to residential houses.

Opposed: See file with petitions.
Also William Cassley, 357 Allen Avenue,
James S. Barton, 419 Allen Avenue,
Dorothy Cassley, 357 Allen Avenue,
Earl Jordan, 1392 Washington Avenue
James A. Jackson
May S. Burnman

We the undersigned, property owners and residents at Allen's Corner, North Deering, Portland, Maine, do request the City Council to reject the appeal for a restaurant (diner) to be located at 1383 Washington Avenue, for the following reasons:

- 1.. Said restaurant will not be an asset to this area in that the patrons will be principally transients thereby creating a traffic problem in an already congested area.
- 2.. It would tie up parking facilities for some who wish to shop at the corner.
- 3.. The residents have no need for such an establishment.

L A Birbee 14 Cypress St
Charles J. Cawley 25 Florida Ave
Edith M. Kuch 1784 Washington Ave
Carl M. Jordan 24 Cypress St
Carol B. Conley 22 Brook Road

4972

We the undersigned, property owners and residents at Allen's Corner, North Deering, Portland, Maine, do request the City Council to reject the appeal for a restaurant (diner) to be located at 1383 Washington Avenue, for the following reasons:

1. Said restaurant will not be an asset to this area in that the patrons will be principally transients thereby creating a traffic problem in an already congested area.
2. It would tie up parking facilities for some who wish to shop at the Corner.
3. The residents have no need for such an establishment.

William Crossley 357 Allen Ave.
 Thomas Barker 1367 Washington Ave.
 John Hill
 Charles W. Woodman 1350 Washington Ave.
 William Frost 1373 Washington Ave.
 Howard L. Bean 1373 Washington Ave.
 C. H. Shawman 395 Allen Ave.
 The Love Stewart 375 Allen Ave.
 Helen Stewart 399 Allen Ave.
 Mrs. Mrs. Sue Young 395 Allen Ave.
 Mrs. C. H. Thompson 395 Allen Ave.
 Dorothy Thompson 395 Allen Ave.
 Mr. Lloyd Blanchard 403 Allen Ave.
 Mrs. Lloyd Blanchard 403 Allen Ave.
 Mrs. Norman Hill 405 Allen Ave.
 Mrs. May Butterfield 365 Allen Ave.
 Mrs. Georgia P. Merrill 402 Allen Ave.

Portland, Me., Aug. 29, 1949.

49/73

To the Board of Appeals
Robert L. Getchell, Chairman.

We the undersigned residents of North Deering object to any change in the Zoning restriction that would permit a restaurant at 1383 Washington Ave.

- Linwood P. Fickett. 26 Maplewood St.
- Fred H. Knight. 271 Allen Ave.
- William T. Burrows. 327 Allen Ave.
- Era M. Jackson. 25 Abbott St.
- Margaret E. Curry. 26 Highland Ave.
- Henry E. Cook. 4 Abbott St.
- Kate W. Pease. 40 Maplewood St.
- Alice L. Thompson. 40 Maplewood St.
- Oliver Duggan. 40 Maplewood St.
- Clayton R. Duplisa. 40 Maplewood St.
- Lincoln C. Beal. 10 Abbott St.
- Hemietta B. Beal. 10 Abbott St.
- H. Merrill Lutz. 1883 Washington Ave.
- James S. Barto. 419 Allen Ave.
- Herland H. Jackson. 211 Ray St.
- Maurice R. Merrill. 5 Brook Rd.
- Hattie A. Davis. - 259 Ray St.
- Laubina H. Sellers. 66 Jackson St.
- John E. Phelps. 231 Maine Ave.
- Ernest L. Sellers. 55 Ray St.
- Warren L. Cobb. 164 Virginia St.

Portland, Me., Aug. 29, 1949.

49/73

To the Board of Appeals
Robert L. Getchell, Chairman.

We the undersigned residents of North Deering object to any change in the Zoning restriction that would permit a restaurant at 1383 Washington Ave.

- James H. Jackson 25 Abbott St
- Basil M. Coggins 25 Abbott St
- Alice Miller 11 Abbott St
- Helen M. Wall 11 Abbott St
- Eva B. Fickett 26 Maplewood St
- Emma F. Fickett 26 Maplewood St
- Ida M. Fickett 26 Maplewood St
- Adelaide Thurston 19 Abbott St
- Wm. W. Emery 7 Abbott St
- Lutwidge St. Bailey 1 Abbott St
- Adella Thurston 19 Abbott St
- Maurice S. Fickett 27 Cypress St
- Lewis B. Stultz 19 Cypress St
- Dorothy McElarthy 15 Cypress St

WARREN McDONALD
INSPECTOR OF BUILDINGS

Reply refer
to file

CITY OF PORTLAND, MAINE
AP 1383 Washington Avenue, Department of Building Inspection
Corner of 349-355 Allen Avenue-I

49/73

FU *Harry P. Lessard, owner of land*

August 16, 1949

Mr. Miles Keating - *Lessee of appeal*
40 Kenilworth Street
Mr. Harry P. Lessard
41 Gledkler Road

Subject: Application for building permit to
construct foundation, locate restaurant (diner
moved from outside the city) and construct addi-
tion to restaurant at 1383 Washington Avenue,
corner of 349-355 Allen Avenue; and proposed
zoning appeal relating thereto

Gentlemen:

As explained to Messrs. Keating and Brann, building permit for the above work
is not issuable under the Zoning Ordinance because it is not allowable in the Local
Business Zone where the property is located unless first authorized by the Board of
Appeals after the usual appeal procedure, according to Section 6A8 of the Ordinance;
and because the proposed location on the lot would not afford the width or depth
of open yard spaces required by the Ordinance as follows:

The front wall of the diner would be only about 5' from the street line (in-
side edge of public sidewalk) of Allen Avenue, while the normal setback required
under such circumstances in a Local Business Zone would be 8' and Section 16J of the
Ordinance requires that the front of the diner be as far from the street line of
Allen Avenue as the front wall of the dwelling house on the next lot (facing on Allen
Avenue), the front wall of the dwelling house appearing to be about 16' from that
street line.

The end wall of diner farther from Washington Avenue would be 4' from the side
lot line instead of a least 7', and the rear wall of the proposed addition would be
only 6' from the rear line of the lot instead of the minimum of 12'—both dimensions
being contrary to Section 6B of the Ordinance.

Mr. Keating has indicated your desire to seek an exception from the Board of
Appeals to allow use of the lot for a restaurant and to allow open spaces less than
ordinarily required. There is enclosed to each of you, therefore, an outline of the
appeal procedure. If you desire the question to come before the Board of Appeals
at the earliest possible time, it is important that you file the appeal at the office
of Corporation Counsel within the next day or two.

We are without information as to details of construction of the diner or the
proposed addition, with regard to compliance with Building Code requirements, and
of course if the project is to go forward the Health Department will have active
control over all preparations for preparing and cooking food and toilet room arrange-
ments. It is understood the diner is now located out on Route No. 1 in Scarborough,
and it is important before the Zoning hearing taken place to furnish enough informa-
tion here to show that no insurmountable obstacles will appear in the construction
of the diner as affected by the Building Code.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMD/C

Enclosure to each address: Outline of appeal procedure
CC: Mark Barrett
Assistant Corporation Counsel

COPY

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

August 23, 1949

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, September 2, 1949 at 10:30 A. M. Daylight Saving Time to hear the appeal of Harry P. Lessard requesting exception to the Zoning Ordinance to permit construction of foundation, locate restaurant (diner moved from outside) and construct addition to this restaurant at 1383 Washington Avenue. This permit is presently not issuable under the Zoning Ordinance because a restaurant is not allowable in the Local business Zone where this property is located unless first authorized by the Board of Appeals after the usual appeal procedure.

Further, because of location difficulties, the front wall of the diner would be only about 5' from the street line of Allen Avenue, while normal setback required would be 8'; Section 16J of the Ordinance requires the front of the diner to be as far from the street line of Allen Avenue as the front wall of the dwelling house on the next lot (facing Allen Avenue), said front wall appearing to be about 16' from the line; and the end wall of the diner farther from Washington Avenue would be 4' from the side lot line instead of at least 7' and rear wall of proposed addition would be only 6' from rear line instead of minimum of 12' required.

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 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

Robert L. Getchell

Chairman

M

49/23

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

August 29, 1949

Mr. Miles Keating
20 Kenilworth Street
Portland, Maine

Dear Sir:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, September 2, 1949 at 10:30 a. m. Daylight Saving Time to hear your appeal under the Zoning Ordinance relating to the premises at 1383 Washington Avenue.

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

Very truly yours,
Board of Appeals
Robert L. Getchell
Chairman

M

49/23

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

August 23, 1949

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, September 2, 1949 at 10:30 A. M. Daylight Saving Time to hear the appeal of Harry P. Lessard requesting exception to the Zoning Ordinance to permit construction of foundation, locate restaurant (diner moved from outside) and construct addition to this restaurant at 1383 Washington Avenue. This permit is presently not issuable under the Zoning Ordinance because a restaurant is not allowable in the Local Business Zone where this property is located unless first authorized by the Board of Appeals after the usual appeal procedure.

Further, because of location difficulties, the front wall of the diner would be only about 5' from the street line of Allen Avenue, while normal setback required would be 8'; Section 16J of the Ordinance requires the front of the diner to be as far from the street line of Allen Avenue as the front wall of the dwelling house on the next lot (facing Allen Avenue), said front wall appearing to be about 16' from the line; and the end wall of the diner farther from Washington Avenue would be 4' from the side lot line instead of at least 7' and rear wall of proposed addition would be only 6' from rear line instead of minimum of 12' required.

This appeal is taken under Section 18L 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 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

Robert L. Gatchell

Chairman

M

49/23

We, the undersigned, owners of property in the vicinity of a proposed
at
do hereby give our written consent to this proposed use.

Signature of Owner or Authorized Agent.
Printed signature not accepted.

LOCATION OF PROPERTY
Street and Number

Abbeal 1383 Washington Ave. Miles J Keating

- Washington Ave. 1335 - 1433 inc. ✓
- 1344 - 1426 inc. ✓
- Abbott St. Assoc's lot # 401A 2-2 ✓
- Allen Ave. 9 - 31 inc. ✓
- 18 - 28 inc. ✓
- 307 - 399 inc. ✓
- Auburn St. 306 - 408 inc. ✓
- 1 - 25 inc. ✓
- Cypress St. (of Washington Ave) 14 - 22 inc. ✓
- 2-34 inc. ✓
- Brewster St. 344G - 29, 30, 38 ✓
- 344G - 32, 33, 34 ✓
- Mablewood St.

1-17

Appeal 1383 Washington Ave 8/23/49
 Miles Gilreath 49/73

Washington Avenue

- 1335-1341 Uitenström, Albert & Metals 240 Lyman St
- 1335-1341 Lewis, Ruth A. 1359 Washington Ave
- 1343-1353 Dup
- 1361/2 Noyes, Edward K. Jr. 1367 Washington Ave
- 1363-1369 Dup
- 1371-1395 Frost, Madeline & Frank Bean 1373 Washington Ave
- 1377 Speirs, Madeline R. et al 14 Maplewood St
- 1379 DiPhillippo, Angelina 1379-1381 Washington Ave
- 1383 Lussard, Harry 41 Glacier Road
648 Beacon St
Boston, Mass
- 1391-1391 Socony Vacuum Oil Co. Inc. NR Rent Est. Dept. 170A Brickett
- 1401 Pulsifer, Edward Jr
- 1401-1407 Dup
- 143-1431 Midco Water Assoc. Oil Co. NR 17 Battery Place, N.Y., N.Y.
- 1433-1465 Wilcox, Robert Dix Helen Corp. 301 Cumberland Ave
- 1344-1346 Wolfe, Willis Herbert City of Portland
- 1348-1352 Woodman, Alice M. 1350 Washington Ave
- 1354-1362 City of Portland (School)
- 1364-1370 North Deering Cong. Church of Lawrence Sellers 66 St
- 1372-1374 MANNING, ANTONIA & LOUISA TR AMERICAN Oil Co BATTMORE
- 1376-1382 AMERICAN Oil Co NR TAX Dept. P.O. Box 507 3 MARK
- 1390-1398 Pride, Edward 7 Knight St
- 1400-1406 Standard Oil Co. of N.J. NR 328 Stuart St, Boston
- 1412-1414 Deering Spruce #535 Pol. H. 90 ISABEL WATSON
- 1416-1422 Priest, Vivian & Sarah T or SUNY 1287 Forest Ave.
- 1424-1426 Saifer, Abraham & Madeline P or SUNY, 1424 Washington Ave

Abbott Street

- 9-13 Wells, Helen M. 11A Abbott St
- 15-21 Thurston, Roland W & Adella H. 19 Abbott St
- 23-25 JACKSON, EVAM. 25 Abbott
- 27-31 Allen Avenue Garage Inc. FRANK A. YERXA 321 Allen Ave
- 18-22 Speirs, James R. 22 Abbott St.
- 24-28 Dup

Allen Avenue

4/73

307-311	Dup	
319-323	Dup	
325-329	Gondan, Carl L. M. + Ruth M. or Surv.	24 Cypress St.
331-333	Dup	
335-337	Dup	
339-341	Dup	
349-355	Dup	
357-359	Crossley, William + D. E. Whitney	359 Allen Ave.
361-365	MANNETTE, ANNE C.	365 Allen Ave.
367-371	HOWARD, MARY M.	369 Allen Ave.
373	Dup	
375-385	YOUNG, Gaddie R.	379 Allen Ave.
387-397	DUNHAM, MARY S.	215 Oxford St.
306-314	BAKER, DAVID H. + SUSIE R. or Surv.	308 Allen Ave.
316-320	DEHOYAN, Reta Mae + Thomas M.	318 Allen Ave.
322-328	Dup	
330-	GILSON, Raymond V.	R. F. D. 3 Portland
332-334	COOK, Fanny E.	Habbott St.
336-338	FRIDE, ORMAN G. + Fred R. R. NR	321 Auburn St.
340-346	FRIDE, Edna W.	Dup
352-360	Dup	
362-372	Mary Smith Jonathan CONNISTON Masonic Corp. Robert M. SMITH	405 Congress St Room 312
374-388	Dup	
390-404	MERRILL, Georgia F.	402 Allen Ave.
406-414	ROLLINS, George G.	410 Allen Ave.

Auburn Street

1-11	Community Oil Co.	510 Cumberland Ave
13-19	DANNING, MARY A. + Rose M. or Surv.	237 Auburn St.
21-31	Gohman, W. H. H. S. ATLAS Corp.	315 Cumberland Ave.
22-22	Dup	

Cypress Street

2-8	Dup	
10-12	MANN, Virginia A.	25 MURRAY ST.
14-22	Bisbee, HANEY A. + Myrtle H. or Surv.	14 Cypress St.
24-26	Dup	
28-30	Dup	
32-34	DOTTS, Edward	32 Cypress

Brewster St

4/1/73

344 G 32

Dup

344 G 33

Adams, Waldemar Peteral NR Hill House, Dublin, N.H.

344 G 34

Caminetti, Angelina

H.3 Elmwood St

Maplewood Street

1-7

Dup

9-11

Lond, Philip K.

11 Maplewood St

13-17

Noyes, Charles W.

178 St. John St.

(1.) LOCAL BUSINESS ZONE

APPLICATION FOR PERMIT



Class of Building or Type of Structure Second Class

Portland, Maine, August 9, 1949

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect ~~the following building structure~~ 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 349-355 Allen Avenue Within Fire Limits? no Dist. No. _____
Owner's name and address Miles Keating, 40 Kenilworth Street Telephone 3-9738
Lesse's name and address _____ Telephone _____
Contractor's name and address Roy S. Darling, 15 Beverly Street, So. Portland Telephone _____
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Diner No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____ Fee \$ _____
Estimated cost \$ _____

General Description of New Work

To construct 1-story steel diner 14' x 60', plus 14' x 37'.

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.

Appeal denied 9/2/49

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 Miles Keating

Details of New Work

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber—f. n. c. _____ 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? _____

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

APPROVED:

Signature of owner Miles Keating

INSPECTION COPY

AP 1383 Washington Avenue,
Corner of 349-355 Allen Avenue-I

August 16, 1949

Mr. Miles Keating
40 Kenilworth Street
Mr. Harry De Lessard
41 Glesker Road
Gentlesburg

Subject: Application for building permit to construct foundation, locate restaurant (diner moved from outside the city) and construct addition to restaurant at 1383 Washington Avenue, corner of 349-355 Allen Avenue; and proposed zoning appeal relating thereto.

As explained to Messrs. Keating and Brann, building permit for the above work is not issuable under the Zoning Ordinance because it is not allowable in the Local Business Zone where the property is located unless first authorized by the Board of Appeals after the usual appeal procedure, according to Section 6A8 of the Ordinance; and because the proposed location on the lot would not afford the width or depth of open yard spaces required by the Ordinance as follows:

The front wall of the diner would be only about 5' from the street line (inside edge of public sidewalk) of Allen Avenue, while the normal setback required under such circumstances in a Local Business Zone would be 8' and Section 16J of the Ordinance requires that the front of the diner be as far from the street line of Allen Avenue as the front wall of the dwelling house on the next lot (facing on Allen Avenue), the front wall of the dwelling house appearing to be about 15' from that street line.

The end wall of diner farther from Washington Avenue would be 4' from the side lot line instead of at least 7', and the rear wall of the proposed addition would be only 6' from the rear line of the lot instead of the minimum of 12'—both dimensions being contrary to Section 6B of the Ordinance.

Mr. Keating has indicated your desire to seek an exception from the Board of Appeals to allow use of the lot for a restaurant and to allow open spaces less than ordinarily required. There is enclosed to each of you, therefore, an outline of the appeal procedure. If you desire the question to come before the Board of Appeals at the earliest possible time, it is important that you file the appeal at the office of Corporation Counsel within the next day or two.

We are without information as to details of construction of the diner or the proposed addition, with regard to compliance with Building Code requirements, and of course if the project is to go forward the Health Department will have active control over all preparations for preparing and cooking food and toilet room arrangements. It is understood the diner is now located out on Route No. 1 in Scarborough, and it is important before the Zoning hearing takes place to furnish enough information here to show that no insurmountable obstacles will appear in the construction of the diner as affected by the Building Code.

Very truly yours,

Warren McDonald
Inspector of Buildings

WHD:G

Enclosure to each addressee: Outline of appeal procedure

CC: Mark Barrett
Assistant Corporation Counsel

File INQUIRY BLANK

ZONE L
FIRE DIST. 25

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Verbal
By Telephone 349-355 Date 8/6/49

LOCATION 1383 Washington Ave OWNER Henry Besand

MADE BY M. J. Keating ADDRESS 40 Kenilworth TEL. _____

PRESENT USE OF BUILDING _____ NO. STORIES _____

LAST USE OF BUILDING _____ CLASS CONSTRUCTION _____

REMARKS Mr. Keating is a potential for
a diner now outside of city
has sketch of lot attached
INQUIRY Can diner be established on this
lot?

ANSWER No except after authorization
by Board of Appeals after usual
appeal procedure. Advise
him to have plot plan made
showing proposed location
of diner so we could check open
space. Also of application of
city code to construction of diner.
DATE OF REPLY 8/6/49 REPLY BY LMG



APPLICATION FOR PERMIT

PERMIT ISSUED

0637

MAY 11 1937

Class of Building or Type of Structure Third Class

Portland, Maine, May 11, 1937

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 555 Allen Avenue Ward 8 Within Fire Limits? no Dist. No. _____
 Owner's or Lessee's name and address G. A. Stephens, 1379 Washington Ave. Telephone no
 Contractor's name and address _____ Telephone _____
 Architect's name and address _____
 Proposed use of building _____ No. families _____
 Other buildings on same lot _____
 Plans filed as part of this application? no No. of sheets _____
 Estimated cost \$ _____ Fee \$.50

Description of Present Building to be Altered

Material wood No. stories 1 Heat _____ Style of roof _____ Roofing _____
 Last use Garage and storage No. families _____

General Description of New Work

To demolish building 18' x 27'

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

Details of New Work

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

If a Garage

No. cars now accommodated on same lot _____ to be accommodated _____
 Total 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 above work require removal or disturbing of any shade tree on a public street? no
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Signature of owners G. A. Stephens

INSPECTION COPY

23169

Location, Ownership and detail must be correct, complete and legible.
 Separate application required for every building.
 Plans must be filed with this application.



Application for Permit for Alterations, etc.

To the Portland, September 23, 1922 192
 INSPECTOR OF BUILDINGS:

The undersigned applies for a permit to alter the following described building—

Location 355 Allen Avenue Ward, 9 in fire-limits? no
 Name of Owner or Lessee, W. A. Oxnard Address 338 Allen Avenue
 " " Contractor, owner " "
 " " Architect " "
 Material of Building is wood Style of Roof, pitch Material of Roofing, shingle
 Size of Building is: 25ft feet long; 17ft feet wide. No. of Stories, 1
 Celler Wall is constructed of posts is _____ inches wide on bottom and batters to _____ inches on top.
 Underpinning is _____ is _____ inches thick; is _____ feet in height.
 Height of Building 12ft Wall, if Brick; 1st, _____ 2d, _____ 3d, _____ 4th, _____ 5th, _____
 What was Building last used for? private garage No. of Families? _____
 What will Building now be used for? dwelling (one family)

Description of Present Bldg

TRESPASS REPORT

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK

DETAIL OF PROPOSED WORK

Build addition 12x17 two stories high, raise roof of present building so as to
 make two stories high, cut in doors and windows, put in partitions, build sun porch
 8x20, build tile lined chimney
 all to comply with the building ordinance

Estimated Cost \$1800.

IF EXTENDED ON ANY SIDE

Size of Extension, No. of feet long? 17ft; No. of feet wide? 12ft; No. of feet high above sidewalk? 20ft
 No. of Stories high? 2; Style of Roof? pitch; Material of Roofing? asphalt
 Of what material will the Extension be built? wood Foundation? concrete
 If of Brick, what will be the thickness of External Walls? _____ inches; and Party Walls _____ inches.
 How will the extension be occupied? dwelling How connected with Main Building? joined

WHEN MOVED, RAISED OR BUILT UPON

No. of Stories in height when Moved, Raised, or Built upon? _____ Proposed Foundations _____
 No. of feet high from level of ground to highest part of Roof to be? _____
 How many feet will the External Walls be increased in height? _____ Party Walls _____

IF ANY PORTION OF THE EXTERNAL OR PARTY WALLS ARE REMOVED

Will an opening be made in the Party or External Walls? _____ in _____ Story.
 Size of the opening? _____ How protected? _____
 How will the remaining portion of the wall be supported? _____

Signature of Owner or Authorized Representative W. A. Oxnard
 Address 338 Allen Ave

