

77-81 CHESLEY AVENUE

SPENCER ALLEN
1938

77-81 Chesley Avenue
cor. Beechwood Ave.

May 2, 1972

John DiBiase
77 Chesley Avenue

cc to: Merit Pools, Scarborough
cc to: Corporation Counsel

Dear Mr. DiBiase:

Building permit to construct 16' x 32' swimming pool as per plans at the above named location is not issuable under the Zoning Ordinance because the area of the lot is only 8,000 sq. feet instead of the 9,000 sq. feet required by Section 602.19K.3 of the Ordinance applying to the R-3 Residential Zone in which this property is located.

We understand 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 appeal has been paid and appeal filed prior to this letter then consider this letter a matter of formality.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:sm

77-81 Cor. of Chesley Ave

77 Chesley Avenue

April 27, 1972

John DiBiase
77 Chesley Avenue

Dear Mr. DiBiase:

In checking your application to construct a 16'x32' swimming pool at the above named location we find we are unable to continue processing your permit until further information is provided as follows:

1. We will need to know the distance of this pool from the side lot lines to the rear lot line and from the pool to the house.
2. We would take this opportunity to call to your attention that if this pool is approved by the Board of Appeals it will be necessary for you to supply us with sufficient plans and information so that this department and the Health Department can check it against the requirements of the different codes.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:m



R3 RESIDENCE ZONE

APPLICATION FOR PERMIT

PERMIT ISSUED

MAY 18 1972

0545

CITY of PORTLAND

Class of Building or Type of Structure _____
Portland, Maine April 25, 1972

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 77 Chesley Ave. Within Fire Limits? _____ Dist. No. _____
Owner's name and address John DiBiase, same Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Merritt Pools, Scarborough, Maine Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building _____ No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 3000. Fee \$ 9.00 Pd 5-16-72

General Description of New Work

To construct 16' x 32' Merritt pool (steel walls- vinyl liners) as per plans

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

Rec'd to Health Dept 5/16/72

Rec'd from Health Dept 5/18/72

Appeal sustained 5/11/72

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

Details of New Work

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

John DiBiase

APPROVED: [Signature] Health Dept
17 May 1972
RLB, 5/18/72

CS 301

INSPECTION COPY

Signature of owner

[Signature of John DiBiase]

106 4-11-72

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

MISCELLANEOUS APPEAL

John DiBiase, owner of property at 77-81 Chesley Ave.
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland,
hereby respectfully petitions the Board of Appeals to permit to construct 16' x 32'
swimming pool as per plans at the above named location. This permit is
presently not issuable under the Zoning Ordinance because the area of the
lot is only 8,000 sq. ft. instead of the 9,000 sq. ft. required by Section
602.19K.3 of the Ordinance applying to the R-3 Residential Zone in which the
property is located.

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.

John DiBiase
APPELLANT

DECISION

After public hearing held May 11, 1972, 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

Jacqueline O'Brien
W. Earl Estabrook
W. B. Kesteven

77-81 Chesley Avenue
cor. Beachwood Ave.

May 2, 1972

John DiBiase
77 Chesley Avenue

cc to: Merit Pools, Scarborough
cc to: Corporation Counsel

Dear Mr. DiBiase:

Building permit to construct 16' x 32' swimming pool as per plans at the above named location is not insuable under the Zoning Ordinance because the area of the lot is only 8,000 sq. feet instead of the 9,000 sq. feet required by Section 602.19K.3 of the Ordinance applying to the R-3 Residential Zone in which this property is located.

We understand 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 appeal has been paid and appeal filed prior to this letter then consider this letter a matter of formality.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:m

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

May 8, 1972

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, May 11, 1972 at 4:00 p.m. to hear the appeal of John DiBiaso requesting an exception to the Zoning Ordinance to permit to construct 16' x 32' swimming pool as per plans at the 77-81 Chesley Avenue.

This permit is presently not issuable under the Zoning Ordinance because the area of the lot is only 8,000 sq. ft. instead of the 9,000 sq. ft. required by Section 602.19K.3 of the Ordinance applying to the R-3 Residential Zone in which this property is located.

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

BOARD OF APPEALS

William B. Kirkpatrick
Chairman

cc to: Clarence Jr. & Barbara Pride
80 Edgewood Ave.
Clayton & Ella Richardson
71 Chesley Ave.

77 Chesley Ave.

May 6, 1971

Mr. Richard Snowe
Shawnee Step Company
Minot Avenue
Auburn, Maine 04210

Dear Mr. Snowe:

It would seem best that we clarify the two methods of providing Shawnee platforms and steps to existing or new structures.

If the platform and steps are connected to the structure, a rigid connection, then a foundation 4' below grade must be used for support of platforms and steps.

If however, there is no connection between the structure and platforms and steps, Shawnee steps may set on four concrete pads or one single large concrete pad.

If you are using or plan to use any different method other than these two outlined above, please contact this office at the earliest opportunity so that we may evaluate the method you intend to use.

Very truly yours,

Earle S. Smith
Plan Examiner

ESS/c

Permit No. 711498
Location 77 Charles Ave.
Owner John Di Biase
Date of permit 5/6/71
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
~~Field Insp.~~
~~Staking Out Notice~~ FRV
Form Check Notice _____

NOTES

5/11/71
John Di Biase
761



FILL IN AND PRINT WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

NOV 3 1959

Portland, Maine, November 3, 1959

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 77-81 Chesley ^{AVE} Street Use of Building Dwelling No Stories New Building Existing

Name and address of owner of appliance C. ^{Sam} Wallace, Summit St.

Installer's name and address Pallotta Oil Co., 112 Exchange St. Telephone 4-2671

General Description of Work

To install forced hot water heating system and oil burning equipment

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 3'

From top of smoke pipe 3' From front of appliance 4' From sides or back of appliance 3'

Size of chimney flue 8x8 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 Crane Labeled by underwriters' 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"

Location of oil storage basement Number and capacity of tanks 1-275 gal.

Low water shut off Make 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 of Legs, 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 L.S.S. 11/3/59

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

Pallotta Oil Co.

CS 300

Signature of Installer B.S.

INSPECTION COPY

7.1

Permit No. 5911641
 Location 77-81 Chesley Ave
 Owner C. Mrs. DeBened
 Date of permit 11/3/59
 Approved 1/5/60

NOTES

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MISCELLANEOUS EQUIPMENT INFORMATION
 MISCELLANEOUS INFORMATION
 (Additional fields for equipment and general information)

PERMIT ISSUED

APPLICATION FOR PERMIT

JUL 22 1959 00943

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

Portland, Maine, July 21, 1959

CITY of PORTLAND



To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location . . . Lot 70-71 Chesley Ave. (77-81) . . . Within Fire Limits? . . . Dist. No. . . . Telephone 2-1870 . . . Telephone . . . Telephone . . . No. of sheets 4 . . . No. families 1 . . . No. families . . . Roofing Asphalt . . . Fee \$ 12.00

General Description of New Work

To construct dwelling house 26'x32'

Permit Issued with Letter

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

Details of New Work

Is any plumbing involved in this work? yes . . . Is any electrical work involved in this work? yes . . . Is connection to be made to public sewer? yes . . . If not, what is proposed for sewage? . . . Form notice sent? . . . Height average grade to highest point of roof 20' . . . Size, front 32' . . . depth 26' . . . No. stories 1 1/2 . . . solid or filled land? solid . . . earth or rock? clay . . . Material of foundation cement . . . Thickness, top 10" at bottom . . . cellar yes . . . Material of underpinning " . . . Height . . . Thickness . . . Kind of roof pitch . . . Rise per foot 9 1/2-12 . . . Roof covering Asphalt-Class C. Und. Label . . . No. of chimneys 1 . . . Material of chimneys brick of lining tile . . . Kind of heat h.w. fuel oil . . . Framing Lumber Kind hemlock . . . Dressed or full size? dressed . . . Corner posts 4x6 . . . Sills 2x8-box . . . Size Girder 6x8-11 . . . Columns under girders 3x4 . . . lally . . . Size 7/8" . . . Max. on centers 7'7" . . . Kind and thickness of outside sheathing of exterior walls? . . . Studs (outside walls and carrying partitions) 2x4-16" O. C. . . edging in every floor and flat roof span over 8 feet. . . Joists and rafters: 1st floor 2x8 2x8 . . . 2nd . . . 3rd . . . roof 2x8 . . . On centers: 1st floor 12 14 16 . . . 2nd . . . 3rd . . . roof 16 . . . Maximum span: 1st floor 14 12 . . . 2nd . . . 3rd . . . roof 13 . . . 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 . . .

C. Sam DiBiase

Signature of owner

By: C. Sam DiBiase

INSPECTION COPY

APPROVED:

Handwritten signature and date: O.K. - 7/22/59 - ajs

NOTES

7/30/59 - Form check made E.S.S.
 10/7/59 - Left G.T. to close in E.S.S.
 12/10/59 - Met with for final. E.S.S.
 1/5/60 - Close off here. Locally sub.
 Self - Close on clothes date.
 Front panel work E.S.S.
 1/6/60 - Letter.
 1/12/60 - Saw ordered and soil water done E.S.S.

Permit No. 59/943
 Location 30-77 Broadway St
 Owner E. Lewis & Co.
 Date of permit 7/22/59
 Notif. closing-in 10/9/59 1:30 PM
 Inspn. closing-in
 Final Notif. 1/5/60 (10100) 10:55 AM
 Final Inspn. Notif. Final Inspn. Requirement
 Cert. of Occupancy issued 1/12/60
 Staking Out Notice
 Form Check Notice

11/5

THE CITY OF NEW YORK
 DEPARTMENT OF BUILDINGS
 BUREAU OF PERMITS
 100 NASSAU ST., NEW YORK 2, N.Y.

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 77-El Chesley Ave.

Issued to C. Sam DiGiac

Date of Issue January 12, 1960

This is to certify that the building, premises, or part thereof, at the above location, built—~~altered~~
~~changed~~ to use under Building Permit No. 59/943, has had final inspection, has been found to conform
substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for
occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

1-family dwelling

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

Carl Smith

Albert J. Sears

(Date)

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.

77-21 Chealey Avenue

January 6, 1960

C. Sam DiBiase
276 Summit Street

Dear Mr. DiBiase:

Upon inspection of the above job on January 5, 1960, the following defects were found which prevent us from issuing the certificate of occupancy--required by law to be in possession of the owner before the building may be lawfully occupied:

- Hole in flooring beneath tub not closed off with incombustible material.
- Soil stack not firestopped.
- No self-closing device on clothes chute.

It is important that the above conditions be corrected before January 15, 1960, and that you notify this office of readiness for another inspection, so that, if all is found in order, the certificate of occupancy required by law may be issued.

If additional information relative to the above is desired, please phone Inspector Earle Smith at 4-8221, extension 234, any week day but Saturday between 8:00 and 9:00 A.M.

Very truly yours,

ESS/jg

Earle S. Smith
Field Inspector

AP-77-81 Chealey Avenue

July 22, 1959

Mr. C. Sam DiBlase
276 Summit Street

Dear Mr. DiBlase:

Building permit for construction of a single family dwelling 26 feet by 32 feet at the above named location is issued herewith based on plans filed with application for permit, but subject to the condition that the 6x8 Douglas Fir girder indicated in place of the 6x10 shown on plans is to be of full size, not dressed lumber.

Very truly yours,

Albert J. Sears
Inspector of Buildings

AJSim