

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CIN OF PORTLAND

## BUILDING DEPARTMENT

### PERMIT

Permit Number: 041117

Please Read Application And Notes, if Any, Attached

This is to certify that Mardigan Stephen E/Bailey S Company  
has permission to Install 49 sq. Ft. Sign on building and double sided sq. Ft. Panel panels.  
AT 726 Forest Ave City of Portland 130 H021001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and work on permit in progress before this building or part thereof is closed or closed-in. **HEAR NOTICE IS REQUIRED.**

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

#### OTHER REQUIRED APPROVALS

Fire Dept. \_\_\_\_\_  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name

# PERMIT DENIED

Director - Building & Inspection Services

### PENALTY FOR REMOVING THIS CARD

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



## CITY OF PORTLAND

August 20, 2004

Bailey Sign Company, Inc.  
9 Thomas Drive  
Westbrook, ME 04092  
Attn: Judy Trainor

**RE: 726 Forest Avenue – 130-H-021 – B-2 Business Zone – permit application #04-1117**

Dear Judy,

I am in receipt of your permit application to install new signage on the building located at 726 Forest Avenue and to reface the existing freestanding sign. Your permit is denied.

Signage is considered to be an accessory use to an approved principal use per section 14-404. This property does not have an approved use for the first floor. The owner, Stephen Mardigan, has been notified that before a change of use permit can be issued by this office, he is required to install a fence separating his property from a neighboring property. That has not been done at this time. There is no approved principal use for the first floor. Therefore, no permit for an accessory use can be issued.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

Attachment

Cc: Gary Wood, Corporation Counsel  
Stephen Mardigan, 460 Baxter Blvd., Portland, ME 04103  
File

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



## CITY OF PORTLAND

February 24, 2004

Steven Mardigan  
460 Baxter Blvd  
Portland, ME 04103

RE: **726 Forest Avenue – 130-H-021 & 027**

Dear Mr. Mardigan,

This letter is to notify you that before any use will be permitted on your property located at 726 Forest Avenue, you will first have *to* file for and receive a change of use permit from the City. It is my understanding, based upon a conversation with City Attorney *Gary Wood*, that you represented to the City Council that you will not be leasing this property for use as a bar or drinking establishment which was its prior use.

Before a change of use permit will be issued, or before any other use of the property is undertaken, you will be required to construct a fence separating your property from that of the Nashes. This is required by both our ordinance and it is my understanding by an existing court order resolving the boundary dispute and fence issue between you and the Nashes. In addition to installing the fence, there may be other changes required to the property before a change of use permit can be issued. Those changes will depend upon the proposed use. Please contact me in Inspection Services for a permit before entering into any binding legal obligations.

Failure to comply with any or all City Ordinances will result in legal action.

Sincerely,

Marge Schmuckal  
Zoning Administrator

**CC: Chris Vaniotis, Esq.**  
**Councilor Karen Geraghty**  
**Gary Wood, Corporation Counsel**



# Signage/Awning Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>726 Forest Avenue</u>		
Total Square Footage of Proposed Structure <u>Bldg = 48:33 · pylon panels = 88:80</u>	<u>total 138:13</u>	Square Footage of Lot <u>12,610.09</u>
Tax Assessor's Chart, Block & Lot Chart# <u>130</u> Block# <u>H</u> Lot# <u>021</u>	Owner: <u>Stephen E Mardigan</u>	Telephone: <u>772-5535</u>
Lessee/Buyer's Name (If Applicable) <u>Quiznos Sub</u>	Applicant name, address & telephone: <u>Bailey Sign Company</u> <u>9 Thomas Drive</u> <u>Westbrook, ME 04092</u> <u>774 2843 ext. 103</u>	Total s.f. of signage x \$2.00 per s.f. plus \$30.00/\$65.00 for H.D. signage = Total Fee: \$ <u>306.00</u> Awning Fee = Cost Of Work: \$ _____ Total Fee: \$ _____
Current use: <u>vacant</u>		
If the location is currently vacant, what was prior use: <u>Business - Restaurant</u>		
Approximately how long has it been vacant: <u>6 months</u>		
Proposed use: <u>Business - sandwich shop</u>		
Project description: <u>To install channel neon letters on roadway - Forest Avenue</u> <u>cleaning per print &amp; panel replacements for existing pylon sign</u>		
Contractor's name, address & telephone: <u>Bailey Sign Company Inc</u>		
Whom should we contact when the permit is ready: <u>Judy Trainor 774 2843 ext. 103</u>		
Mailing address: <u>9 Thomas Drive</u> <u>Westbrook ME 04092</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A STOP WORK ORDER will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>774 2843 ext. 103</u>		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT. WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: <u>Judy Trainor / Bailey Sign</u>	Date: <u>8-5-04</u>
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**This is NOT a permit, you may not commence ANY work until the permit is issued.**

# SIGNAGE/AWNING PRE-APPLICATION QUESTIONNAIRE

PLEASE COMPLETE ALL INFORMATION

ADDRESS: 720 Forest Avenue ZONE: B2

CBL: \_\_\_\_\_

SINGLE TENANT LOT? YES \_\_\_\_\_ NO  MULTI TENANT LOT? YES  NO \_\_\_\_\_

MORE THAN ONE SIGN TOTAL WITH PROPOSED SIGN? YES  NO \_\_\_\_\_

TENANT/ALLOCATED BUILDING SPACE FRONTAGE (FEET): (Forest Ave frontage)  
Tenant space  
Length: 33.5' Height: 14'

INFORMATION ON PROPOSED SIGN(S): panel replacement only in existing sign  
FREESTANDING (e.g., pole) SIGN? YES  NO \_\_\_\_\_ DIMENSIONS PROPOSED: 7'5" X 12' (panels)  
BLDG. WALL SIGN? (attached to bldg) YES  NO \_\_\_\_\_ DIMENSIONS PROPOSED: \_\_\_\_\_

## INFORMATION ON ALREADY EXISTING AND PERMITTED SIGN(S):

FREESTANDING (e.g., pole) SIGN? YES  NO \_\_\_\_\_ DIMENSIONS: 7'5" X 12'  
BLDG. WALL SIGN(attached to bldg) ? YES \_\_\_\_\_ NO  DIMENSIONS: \_\_\_\_\_  
AWNING? YES \_\_\_\_\_ NO  DIMENSIONS: \_\_\_\_\_  
LOT FRONTAGE (FEET): 89.85

AWNING YES \_\_\_\_\_ NO  IS AWNING BACKLIT? YES \_\_\_\_\_ NO \_\_\_\_\_

HEIGHT OF AWNING: \_\_\_\_\_ LENGTH OF AWNING: \_\_\_\_\_ DEPTH: \_\_\_\_\_

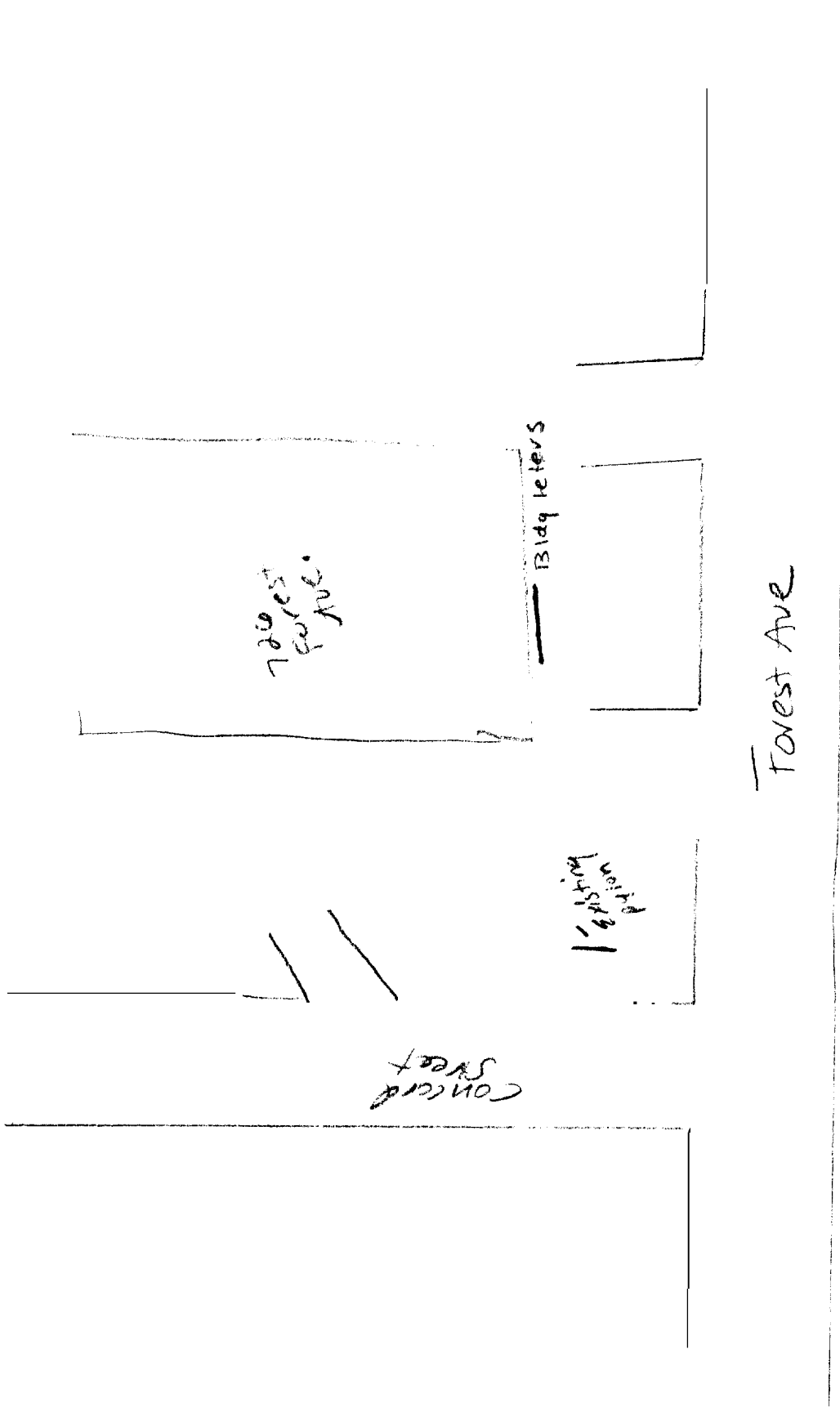
IS THERE ANY COMMUNICATION, MESSAGE, TRADEMARK OR SYMBOL ON IT? YES \_\_\_\_\_ NO \_\_\_\_\_

IF YES, TOTAL S.F. OF PANELS WITH COMMUNICATIONS/MESSAGE/TRADEMARK/SYMBOL? \_\_\_\_\_ s.f.

**A SITE SKETCH AND BUILDING SKETCH SHOWING EXACTLY WHERE EXISTING AND NEW SIGNAGE IS LOCATED MUST BE PROVIDED. SKETCHES AND/OR PICTURES OF PROPOSED SIGNAGE ARE ALSO REQUIRED.**

SIGNATURE OF APPLICANT: Juden Trainor / Bailey Sign DATE: 8-5-04

\*\*\*\*\* FOR OFFICE USE ONLY \*\*\*\*\*





**ICORD. CERTIFICATE OF LIABILITY INSURANCE**

DPID RE DATE (MM/DD/YYYY)  
 STEP-12 08/04/04

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

Turner Barker Insurance  
 India Street  
 Portland ME 04101  
 phone: 207-773-8156 Fax: 207-773-6647

Stephen E Mardigan  
 460 Baxter Boulevard  
 Portland ME 04103

INSURERS AFFORDING COVERAGE NAIC #  
 Concord Group 20672

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR IN PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CODE	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
		<b>GENERAL LIABILITY</b>				
X	X	COMMERCIAL GENERAL LIABILITY	20917935	06/30/04	06/30/05	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (EOP) \$100,000 MEDICAL EXPENSE \$5,000 PERSONAL & ADJ. INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPOUND \$1,000,000
		<b>AUTOMOBILE LIABILITY</b>				
		ALL AUTO				TIME SHARED SINGLE LIMIT (EOP) \$1 BODILY INJURY (PERSONAL) \$ BODILY INJURY (PERSONAL) \$1 PROPERTY DAMAGE (PERSONAL) \$
		<b>Garage Liability</b>				
		ALL AUTO				ALL OTHER THAN EA ACC \$ ALL OTHER THAN AGG \$
		<b>EXCESS/UMBRELLA LIABILITY</b>				
		ALL RISK				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		<b>WORKERS COMPENSATION AND EMPLOYERS LIABILITY</b>				
		ALL EMPLOYERS LIABILITY				MC DISEASE - POLY LIMIT \$ MC DISEASE - POLY LIMIT \$ MC DISEASE - POLY LIMIT \$ MC DISEASE - POLY LIMIT \$

CAPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT, SPECIAL PROVISIONS  
 City of Portland is named as additional insured in regards to sign at 726 Forest Avenue, Portland, ME

**CERTIFICATE HOLDER**

**CANCELLATION**

CITY001

City of Portland  
 389 Congress Street  
 Portland ME 04101

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE  
 Roberta Rump

STEPHEN E. MAKDIGAN  
460 BAXTER BOULEVARD  
PORTLAND, MAINE 04101  
207-772-5555 TEL

August 4, 2004  
QUIZNOS  
% JEANNE MANDVILLE  
REFERENCE 726 FOREST AVENUE  
PORTLAND, MAINE  
SIGNAGE AT SITE

DEAR JEANNE,  
I STEPHEN E. MARDIGAN HEREBY GRANT TO QUIZNOS SUE3 PERMISSION TO  
USE THE SIGN, AND/OR SIGN POST ALREADY MOUNTED IN MY PARKING  
LOT @ 726 FOREST AVENUE PORTLAND, MAINE IN CONJUNCTION WITH THE  
LEASE THAT THEY HAVE SIGNED TO RENT MY SPACE AT SAME ADDRESS. I  
ALSO AGREE TO APPROVE THE COLOR AND SIZE OF THE LETTERING TO BE  
USED ON SAID SIGN.

RESPECTFULLY YOURS.

  
STEPHEN E. MARDIGAN

726 Forest Avenue

Existing sign -  
for panel  
re placement  
only

