

1279-1287 CONGRESS STREET



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Aug. 15, 19 79

Receipt and Permit number A-28956

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine.

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 1261 Congress Street

OWNER'S NAME: Grassie Mkt. Market ADDRESS: same

	FEES
OUTLETS: Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL _____	
FIXTURES: (number of) Incandescent _____ Fluorescent _____ (not strip) TOTAL _____ Strip Fluorescent _____ ft. _____	
SERVICES: Overhead ☒ Underground _____ Temporary _____ TOTAL amperes <u>200</u>	<u>3.00</u>
METERS: (number of) <u>1</u>	<u>.50</u>
MOTORS: (number of) Fractional _____ 1 HP or over _____	
RESIDENTIAL HEATING: Oil or Gas (number of units) _____ Electric (number of rooms) _____	
COMMERCIAL OR INDUSTRIAL HEATING: Oil or Gas (by a main boiler) _____ Oil or Gas (by separate units) _____ Electric Under 20 kws _____ Over 20 kws _____	
APPLIANCES: (number of) Ranges _____ Water Heaters _____ Cook Tops _____ Disposals _____ Wall Ovens _____ Dishwashers _____ Dryers _____ Compactors _____ Fans _____ Others (denote) _____ TOTAL _____	
MISCELLANEOUS: (number of) Branch Panels _____ Transformers _____ Air Conditioners Central Unit _____ Separate Units (windows) _____ Signs 20 sq. ft. and under _____ Over 20 sq. ft. _____ Swimming Pools Above Ground _____ In Ground _____ Fire/Burglar Alarms Residential _____ Commercial _____ Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____ over 30 amps _____ Circus, Fairs, etc. _____ Alterations to wires _____ Repairs after fire _____ Emergency Lights, battery _____ Emergency Generators _____	
INSTALLATION FEE DUE:	
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE:	
FOR REMOVAL OF A "STOP ORDER" (304-16.b)	
TOTAL AMOUNT DUE:	<u>3.50</u>

INSPECTION:

Will be ready on _____, 19__; or Will Call xx

CONTRACTOR'S NAME: Daniel DiMatteo

ADDRESS: 1084 Washington Ave.

TEL.: new

MASTER LICENSE NO.: 02833

LIMITED LICENSE NO.: _____

SIGNATURE OF CONTRACTOR:

INSPECTOR'S COPY — WHITE

OFFICE COPY — CANARY

CONTRACTOR'S COPY — GREEN

ELECTRICAL INSULATION

Permit Number

Lexation

Owner

Date of Permit

Final Inspection

By Inspector

Permit Application Register Page 102

33

INSPECTIONS: Service

Service called in

Closing-in

PROGRESS INSPECTIONS:

CODE
COMPLIANCE
COMPLETED
8-16-77

DATE:

REMARKS:



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

000843

SEP 29 1978

ZONING LOCATION 12-5 PORTLAND, MAINE

Aug. 21, 1978

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 with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 1281 Congress Street, 04103
1. Owner's name and address Louis Grassi, 196 Maine Ave., Portland, ME 04103
2. Lessee's name and address
3. Contractor's name and address Owner
4. Architect
Proposed use of building grocery store
Last use same
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$1,500
Fire District #1 ☐ #2 ☐
Telephone 797-4671
Telephone
Plans No. of sheets
No. families
No. families
Roofing
Fee \$8.00 PA 8/21

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 addition to bldg.

Appeal sustained 9-25-78

To construct 16 x 16 addition
concrete block, to be added to
back of already existing bldg.
1 sheet of plans. 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 ☐ 4 ☐

Other:

DETAILS OF NEW WORK

Any plumbing involved in this work? no Is any electrical work involved in this work? yes
Connection to be made to public sewer? If not, what is proposed for sewer?
Septic tank notice been sent? Form notice sent?
Average grade to top of plate 10 ft. Height average grade to highest point of roof 11 ft.
at 16 depth 16 No stories 1 solid or filled land? solid earth or rock earth
of foundation concrete block Thickness, top 8 in bottom 8 in cellar
of pitch Rise per foot 8 or 10 Roof covering tar and gravel
Chimneys none Material of chimneys of lining Kind of heat fuel
Roof—Kind Dressed or full size? Corner posts Sills
Columns under girders Size Max. on centers
Walls and carrying partitions 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
rafters: 1st floor 2nd floor 3rd floor roof 2 x 12
1st floor 2nd floor 3rd floor roof 16
1st floor 2nd floor 3rd floor roof 15 ft.
with masonry walls, thickness of walls height?

IF A GARAGE

Accommodated on same lot be accommodated number commercial cars to be accommodated
Work to be done other than minor repairs to cars habitually stored in the proposed building?

DATE

MISCELLANEOUS

PLAN EXAMINER

Will work require disturbing of any tree on a public street? ..

C.B. 9/29/78

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

Name of above

Louis Grassi

Phone # same

1 ☒ 2 ☐ 3 ☐ 4 ☐

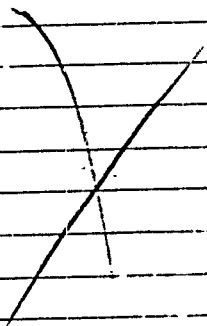
Other

and Address

NOTES

9-25-78 Shallow foundation - precast
block foundation - 15' x 15' x 4'
11-5-78 Mr. Barry H. H. completion
11-2-78 foundation - completed

Permit No. 98/0845
Location 1881 Lingua St.
Owner John H. H.
Date of permit 8-31-78
Approved 9-29-78



Applicant:

Date:

Address:

Assessors #:

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location -

Interior or corner lot -

40 ft. setback area (Section 21)-

Use -

Sewage Disposal -

Rear Yards -

Side Yards -

Front Yards -

Projections -

Height -

Lot Area -

Building Area -

Area per Family -

Width of Lot -

Lot Frontage

Off-street Parking -

Loading bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

1279-1287 Congress Street Corner 1-5 Edward Street

September 29, 1978

Louis Grassi
196 Maine Avenue
Portland, Maine

Dear Mr. Grassi:

Following is the decision of the Board of Appeals regarding your petition to permit construction of a 16x16 ft. addition on the right rear of the existing building at the above named location. Please note that your appeal was granted.

Very truly yours,

Malcolm G. Ward
Building Inspection Supervisor

MGW/r

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS
A NONCONFORMING USE APPEAL

Findings of Fact

The applicant is Louis Grassi and he is interested
in the property located at 1279-1287 Congress St. Cor.
1-5 Edward Street as Variety Store.
The owner of the property is same and his address is
196 Maine Avenue, So. Port., Me.. The property is located in a R-5
Zone. The present use of the property is Variety Store.

The applicant respectfully petitions the Board of Appeals for a variance
from the provision of Section 602.6.B.1 & 602.17.B of the Ordinance to permit
Construction of a 16x16 ft. addition on right rear of building not
issuable under Zoning Ordinance because: 1. 20 ft. rear yard rather
than 17 ft. required. 2. Addition would constitute an increase in
existing Nonconforming Use (variety store) unless authorized by the
Board of Appeals.

Further Findings of Fact

Appearances

The names and addresses of those appearing in support of the application
are: Mr. Grassi

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not
by way of limitation, plans, specification, photographs, etc. consisted of the
following: Photo - Sanborn Map - Plot Plan

2 letters in favor

REASONS FOR DECISIONS

The parcel of land in question (~~is/is not~~) exceptional, compared to other lots or parcels subject to the same provision by reason of its physical characteristics which may be described as follows: Located on Corner

and also by reason of the following topographical features: Same as above

and they (~~do/don't~~) amount to more than a mere inconvenience to the owner.

The aforesaid physical conditions (~~strike out inapplicable references~~).

(a) existed at the time of the enactment of the provision for which a variance is sought; or

(b) were created by natural forces; or

(c) were a result of governmental action.

The carrying out of the strict letter of the provision from which a variance is sought (~~would/would not~~) deprive the applicant of the substantial use or enjoyment of the property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision, because of the following: Other business in area

The hardship (~~is/is not~~) merely the inability of the applicant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision, as evidenced by: _____

Property in the same zone or neighborhood (~~will/will not~~) be adversely effected by the granting of the variance and the granting of the variance (~~will/will not~~) create conditions which would be detrimental to the public health or safety, because

SPECIFIC RELIEF GRANTED

After a public hearing held on Sept 28, 1978, the Board of Appeals find that all of the conditions required by the Ordinance (do/co not) exist with respect to this property and that a nonconforming use variance should _____ be granted in this case.

It is therefore determined that a variance from the provisions of the Zoning Ordinance should Yes be granted in this case.

Jacqueline Cohen

James O'Malley

Gail W. Don

W Earle Erickson

Shirley J. Murphy

1279-1287 Congress Street Corner 1-5 Edward Street

August 29, 1978

Louis Grassi
196 Maine Avenue
South Portland, Maine

Dear Mr. Grassi:

Building Permit to construct a 16 ft. by 16 ft. addition on the right rear of the existing building, at the above named location, is not issuable under the Zoning Ordinance in the R-5 Residential Zone for the following reasons:

1. Section 602.6.B.1 requires a 20 ft. rear yard rather than the 17 ft. as shown.
2. This addition would constitute an increase in the existing Nonconforming Use (variety store) unless authorized by the Board of Appeals under the provisions of Section 602.17.B.

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, Room 113, City Hall, to file the appeal on forms which are available here. A fee of \$15.00 for a Nonconforming Use appeal 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. Section 602.24.E.

Very truly yours,

Malcolm G. Ward
Building Inspection Supervisor

MGN/r

1290 Congress St.
Portland, Maine

September 13, 1973

City of Portland
Board of Appeals
Room 200 City Hall
Portland, Maine

Re: Non Conforming Use
Louis Grassi
1279-1287 Congress St.

Gentlemen:

As a property owner within 500 feet of the above mentioned property, I urge you to permit Mr. Grassi's proposed construction of an addition to existing building.

Mr. Grassi is forced by Maine law ("the bottle bill"), to have more space to conduct his business. It would appear to be contrary to the intent of the state law for the City of Portland to refuse Mr. Grassi's request.

Sincerely yours,

Maryann S. Otis
Maryann S. Otis

mo

cc: Louis Grassi

1290 Congress St.
Portland, Maine

September 13, 1978

City of Portland
Board of Appeals
Room 209 City Hall
Portland, Maine

Re; Non Conforming Use
Louis Grassi
1279-1287 Congress St.

Gentlemen:

As a property owner within 500 feet of the above mentioned property, I urge you to permit Mr. Grassi's proposed construction of an addition to existing building.

Mr. Grassi is forced by Maine law ("the bottle bill") to require more space to conduct his business. It would appear to be contrary to the intent of the state law for the City of Portland to refuse Mr. Grassi's request.

Sincerely yours,

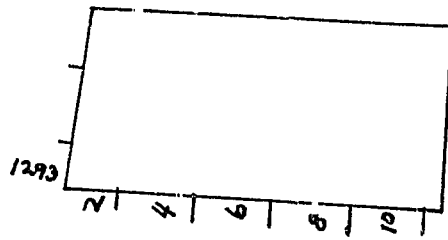
Maryann S. Otis

Maryann S. Otis

mo

cc: Louis Grassi

1279-1287 Congress ST. COR.
1-5 Edward ST.



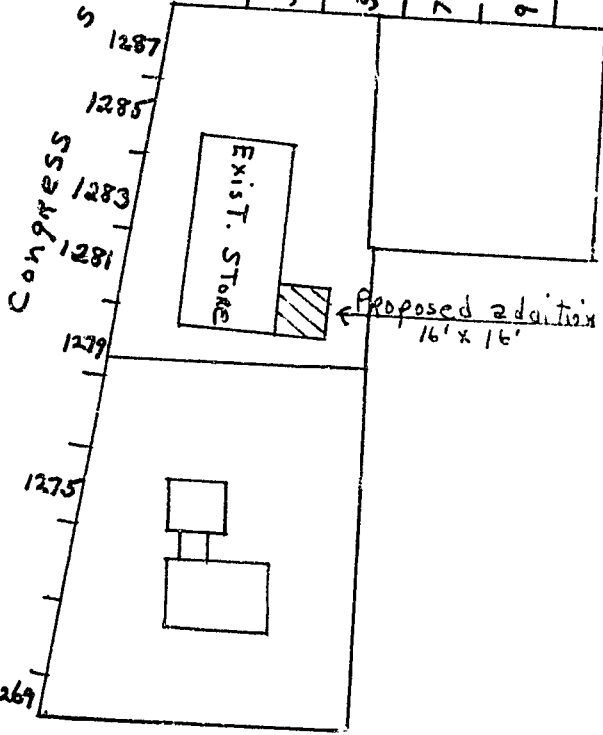
STREET

Edwards ST.

1 3 5 7 9

1287
1285
1283
1281
1279
1275
1269

Bowland ST.



Frances ST.

Malcolm Ward



CITY OF PORTLAND

WILLIAM J. O'BRIEN, JR.
CORPORATION COUNSEL

September 19, 1978

Mr. Louis Grassi
192 Main Avenue
South Portland, Maine

Re: Premise at 1279-1287 Congress Street
Corner of 1-5 Edward Street
Space and Bulk Variance Appeal

Dear Mr. Grassi:

At the last meeting of the Board of Appeals, it voted to grant your request for a variance at the above-described premises. Immediately following the meeting, the Board asked the office of the Corporation Counsel to review its procedures and specifically, to advise it whether it had correctly applied the provisions of §602.24(C)(3)(a).

Upon review of the applicable material it appears that the Board inadvertently failed to apply the provisions of the section in question properly. Accordingly, its decision is of no effect and the Building Inspector may not issue you a building permit.

The Board has scheduled your request for a variance for rehearing. The rehearing has been scheduled for Thursday, September 28, 1978. You will receive Notice of the time and place of the new hearing.

Very truly yours,

A handwritten signature in cursive script, reading "Charles A. Lane".

Charles A. Lane
Assistant Corporation Counsel

CAL/sig
cc: Jacqueline Cohen, Chairman
Board of Appeals
Malcolm Ward ✓

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS
A NONCONFORMING USE APPEAL

Findings of Fact

The applicant is Louis Grassi and he is interested
in the property located at 1279-1287 Congress Street Cor. as variety
1-5 Edward Street as store.
The owner of the property is same and his address is
196 Maine Avenue, So. Port., Me.. The property is located in R-5
Zone. The present use of the property is variety store.

The applicant respectfully petitions the Board of Appeals for a variance
from the provision of Section 602.6.B.1 & 602.17.B of the Ordinance to
construction of a 16x16 ft. addition on right rear of building not
issuable under Zoning Ordinance because: 1. 20 ft. rear yard rather
than 17 ft. required. 2. Addition would constitute an increase in
existing Nonconforming Use (variety store) unless authorized by the
Board of Appeals.

Further Findings of Fact

Appearances

The names and addresses of those appearing in support of the application
are: Mr. Louis Grassi

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not
by way of limitation, plans, specification, photographs, etc. consisted of the
following: Photo - Interior Map - Site layout - One

letter in favor
3 Phone Calls in favor

REASONS FOR DECISIONS

The parcel of land in question (~~is~~ is not) exceptional, compared to other lots or parcels subject to the same provision by reasons of its physical characteristics which may be described as follows: None

and also by reason of the following topographical features: None

and they (do/do not) amount to more than a mere inconvenience to the owner.

The aforesaid physical conditions (strike out inapplicable references).

- (a) existed at the time of the enactment of the provision for which a variance is sought; or
- (b) were created by natural forces; or
- (c) were a result of governmental action.

The carrying out of the strict letter of the provision from which a variance is sought (would/would not) deprive the applicant of the substantial use or enjoyment of the property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision, because of the following:

The hardship (~~is~~ is not) merely the inability of the applicant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision, as evidenced by: See Map

Property in the same zone or neighborhood (~~will~~ will not) be adversely effected by the granting of the variance and the granting of the variance (~~will~~ will not) create conditions which would be detrimental to the public health or safety, because

SPECIFIC RELIEF GRANTED

After a public hearing held on Sept 14, 1978, the Board of Appeals find that all of the conditions required by the Ordinance (do/do not) exist with respect to this property and that a nonconforming use variance should _____ be granted in this case.

It is therefore determined that a variance from the provisions of the Zoning Ordinance should Be be granted in this case.

Jacqueline Cohen
Lamar O'Malley
The City Engineer
for the City

James E. Hated
Thomas Murphy

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

All persons interested either for or against this Nonconforming Use appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, September 28, 1978 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property within 500 feet of the property in question as required by Ordinance.

Louis Grassi, owner of property at 1279-1287 Congress Street Corner 1-5 Edward Street, under the provisions of Section 602.24 E of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit construction of a 16x16 ft. addition on the right rear of the existing building, at the above named location, not issuable under the Zoning Ordinance in the R-5 Residential Zone for the following reasons:

1. Section 602.6.B.1 requires a 20 ft. rear yard rather than the 17 ft. as shown.
2. This addition would constitute an increase in the existing Nonconforming Use (variety store) unless authorized by the Board of Appeals under the provisions of Section 602.17.B.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Sec. 602.24 E (1) of the Zoning Ordinance have been met.

James F. O'Malley
Secretary

pd. 8-30-78
\$15.00

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

APPLICATION FOR A NONCONFORMING USE APPEAL

Louis Grassi, owner of property at 1279-1287 Congress Street
Cor. 1-5 Edward Street

under the provisions of Section 602.24 E of the Zoning Ordinance of the City of

Portland, hereby respectfully petitions the Board of Appeals to permit: construction of a 16 ft. by 16 ft. addition on the right rear of the existing building not issuable under the Zoning Ordinance in the R-5 Residential Zone because:

1. Sec. 602.6.B.1 requires a 20 ft. rear yard rather than 17 ft. as shown.
2. Addition would constitute an increase in the existing Nonconforming Use (variety store) unless authorized by the Board of Appeals under the provisions of Sec. 602.17.B.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 E(1) of the Zoning Ordinance have been met. (See reverse side hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan approval is required, a preliminary or final site plan is attached hereto as Exhibit A.

Louis Grassi
APPELLANT

602.24 E Nonconforming Uses.

1. Authority.

The Board of Appeals may, subject to the procedures, standards and limitations set forth in Section 602.24 C (3)(b)(1) of this Ordinance, authorize such variances from the provisions of the following sections of this ordinance relating to nonconforming uses:

- (a) The subject lot or parcel is exceptional as compared to other lots or parcels subject to the same provision by reason of unique physical condition, including irregularity, narrowness, shallowness, or substandard or marginal size; exceptional topographical features; and other extraordinary physical conditions peculiar to and inherent in the lot or parcel in question, which amount to more than a mere inconvenience to the owner.
- (b) The aforesaid unique physical condition existed at the time of the enactment of the provision from which a variance is sought or were created by natural forces or were the result of governmental action.
- (c) The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the lot or parcel in question of substantial use and enjoyment of this property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision.
- (d) The hardship is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision.
- (e) Property in the same zone or neighborhood will not be adversely affected by the granting of the variance and the granting of the variance will not create conditions which would be detrimental to the public health or safety.

nonconforming use

(Louis Drasai)

Returned 29 Jan 82
addressed 104 to - Portland
So. P. - sent 9-25-78
(mail)

187-D-8 + 16 1279-1287 Congress St. 1-5 (drasai)

187-A-24 - Le. & Mabel M. Tandy

119 Congress St., City 04102 + ✓

187-A-25 - Coleman F. & Audrey D. Ridge

12 Craigil St., City 04102 + ✓

187-A-26 - Frances H. Putman

18 Craigil St., City 04102 + ✓

187-A-28 - Eugene K. & Sharon Doodell

1904 Kenmar Drive, Manhattan, KS 66502
Returned 9-11-78
Kansas

187-A-29 - John & Mary Green

30 Craigil St., City 04102 + ✓

187-A-46 - Royce C. & Elizabeth Dugstall

1329 Congress St., City + ✓

187-A-48 - Linda J. & William A. Tandy

13 Callet St., City 04102 + ✓

187-A-47 - Cindrella M. Lucci

1325 Congress St., City + ✓

187-B-1 - Priscilla M. Lowell

3 Craigil St., City 04102 + ✓

187-B-3 - Edgar A. & Virginia Elliott III

9 Craigil St., City 04102 + ✓

187-B-4 - Dianna J. & Ellen M. Duncan

15 Craigil St., City + ✓

187-B-5 - Anthony J. & Shirley A. Martini

21 Craigil St., City + ✓

187-B-6 - John D. J. Cattermole m. 11111

25 Craigie St., City 04102 + L

187-B-7 - Bernice B. Deeter } Bunnell, Edward & Susan
29 Craigie St., City } 29 Craigie St. 04102

187-B-8 - Joseph R. Moran

35 Craigie St., City 04103 + L

187-B-9 - John & Florence L. Brown

39 Craigie St., C. L

187-B-2 - Gladys & John E. Weir } McCarthy, Michael
44 Stearns Ave., C. } Jan-Marie Chasbourn
1305 Congress St. 04102

187-B-10 - Joseph S. & Elizabeth H. Concession
1301 Congress St., C. + L

187-B-11 - Frank M. & Mary T. Ungersowski
6 Edwards St., C. + L

187-B-12 - Alberta G. Heskest

16 Edwards St., C. + L

187-B-13 - Stanley E. & Patricia E. Heskest

16 Edwards St., C. 04102 + L

187-B-14 - Marie B. Coates

24 Edwards St., C. 04102 + L

187-B-15 - Bernard B. & Shirley M. Estey

28 Edwards St., C. + L

187-B-16 - Benjamin D. Hall } Laird, Aldana m. &
34 Edwards St. 04102 } Maxwell E. - 34 Edwards
04102

~~187-B-16~~

187-B-17 } Margaret E. Woodward
 44 Edwards St., C. 04102 +
 187-B-18 }

~~187-D-16~~

187-D-1 - Clyde W. & Irene Dodge
 9 Edwards St., C. 04102 +

187-D-2 - Hazel D. & Gladys V. Miller
 15 Edwards St., C. +

187-D-3 - Terrance J. & Deborah Curtis
 33 Edwards St., C. 04102 + ✓

187-D-4 - Clifford S. Morton
 29 Edwards St., C. 04102 + ✓

187-D-5 - Albert W. Mitchell
 33 Edwards St., C. + ✓

187-D-6 & 7 - Rita F. Allen
 39 Edwards St., C. 04102 +

187-D-17 - Bertram J. & Kathleen L. Fairweather
 43 Edwards St., C. 04102 +

~~187-D-8-16 - Louis D. & Frances T. Davis
 196 Main St., C. 04103~~

187-D-15 - C. Clifford & Josephine E. Allen
 6 Therman St., C. 04102 +

187-D-14 - James V. [unclear] 70 [unclear] St., C. 0402 + ✓
187-D-11 - [unclear] 24 [unclear] St., - + ✓

187-D-13 } - [unclear] Joseph [unclear]
187-D-12 } 34 [unclear] St., - 0402 + ✓

187-D-9 - [unclear] 46 [unclear] St., C + ✓
187-D-10 - }

✓ 186-A-13 - Celeste L. [unclear] 16 [unclear] Ave., C. 0402 + 28 ✓
✓ 186-A-14 - ~~[unclear] 16 [unclear] Ave.~~ (Nelson, Bernice & Richard P. 18 [unclear] Ave. 04102)
✓ 186-A-15 - Helen L. [unclear] 48 [unclear] St., C. 04103 + ✓
✓ 186-A-16 - John J. [unclear] 28 [unclear] St., - + ✓
✓ 186-A-17 - Ralph M. [unclear] 30 [unclear] St., - 04102 + ✓
✓ 186-A-18 - Thomas H. [unclear] 34 [unclear] Ave., C. + ✓

- ✓ 186-A-19 - Kathleen M. Heid
43 Whitney ave., C. 04102 X ✓
- ✓ 186-A-20 ~~21~~ - Stanley E. & Alice M. Hestett
44 Whitney ave., C. 04102 X ✓
- ✓ 186-A-23 - Mary P. MacDonnell
48 Whitney ave., C. 04102 X ✓
- ✓ 186-A-12 - Kathryn J. & Donald J. Jankie
18 Scott St., C. 04102 X ✓
- ✓ 186-A-24 - Philip Joseph Leonard
43 Frances St., C. 04102 X ✓
- ✓ 186-A-11 - Richard J. ^{Helen T.} Ranshaw
37 Frances St., C. 04102 X ✓
- ✓ 186-A-10 - William M. Standley
33 Frances St., C. X ✓
- ✓ 186-A 9, 25 - John P. & Mary E. Ayward
29 Frances St., C. 04102 X ✓
- ✓ 186-A 5, 6, 7, 8 - Roman Catholic Bishop of Portland
309 Congress St., C. X ✓
- ✓ 186-A - 1 - Roland M. & Muriel J. Coote Returned 9-7-78
1263 Congress St., C. 04102 X ✓
- ✓ 186A-2, 3 - (same as 186-A-5, 6, 7, 8 Repeat)
(Roman Cath. Bishop of Port.) X ✓
- ✓ 186-C-1 - Margaret D. Rogers
398 Gushing ave., C. X ✓
- ✓ 186-A-21 - ^{John E. & Alice J. Hestett}
116 Cavendish St., C. X ✓

✓
186-2-4-21. cont + Shalome. 1000 ✓
+ 200. small, old, C. 0.012 ✓ 28 ✓
mekong, 1000

✓
186-2-4-21. cont + Shalome. 1000 ✓
+ 200. small, old, C. 0.012 ✓ 28 ✓
mekong, 1000

186-3-6-Williford, E. 9
14-11-1942
Oyer, Kathleen M.
15 Whitney Ave.
4102

✓ 186-2-7 - *Robert M. Allen*
13. 1. 1921, c. 09102 X✓

186-C-8 - 2. to. in. Di. m. t. 64102 ✓

✓ 180-2-9 - 1na qart. m. x. d. a. n. d. ✓
31 v. p. t. n. y. 20.0.0.0. ✓

✓ 190-D-12,3,9 George K. Margaret E. 123
378 Brighton ave., C. 04102

190-D-2-

✓
190-D-^{4,5,6}~~344~~- Christian Grommett
44 Street St. cur = ✓✓

~~190-IV-5-~~

~~194-D-6~~

✓
190-D-756-14616-1000
232-81

~~194-D-9-2~~

✓ 190-D-10 - Walter R. & Mabel G. Good.
1268 Congress St., C. 04102 ✓

✓ 190-D-11 & 18 - Rose M. & John B. Bylander
18 Davis St., C. 04102 ✓

✓ 190-D-13 & 17 - Louis M. & Fortia A. Savard
24 Davis St., C. 04102 ✓

~~190-D-18~~

~~190-D-14, 15, 16~~

✓ 190-G-1, 17, 18, 20³ - Joseph J. & Agatha J. Doyle
7 Davis St., C. 04102 ✓

✓ 190-G-19 - } Same as 190-D-10
190-G-15 } 1268 Congress St., C. 04102
190-G-2 }

~~190-G-3 - Joseph J. & Agatha Doyle~~ ✓

✓ 190-G-5 - Stephen E. & Maryann Conley
17 Davis St., C. 04102 ✓

✓ 190-G-6, 7, 8 - Portland Terminal Co.
232 St. John St., C. (Repeat) ✓

~~190-5-7~~

- 190-6-8 - *Estelle Mayo* } *see 190-5-62*
35 *Pringle St., C.* } *day on street*
✓
190-6-9 - *Walter Bone* } *see 190-5-62*
P.O. Box 351, C. } *see 190-5-62*
✓
190-6-10 - *Andrea D.* } *see 190-5-62*
666 *all. Ave., C.* } *see 190-5-62*
✓
190-6-12B - *Alfred D. & Julia Saunders*
30 *Powderland St., C.* } *see 190-5-62*

~~190-6-13~~

~~190-6-14~~

- 190-7-1, 2 - *Dry W. Dickey* } *see 190-5-62*
✓
190-7-3 - *William Clifford & Josephine Allen*
6 *Frances St., C.* } *see 190-5-62*
✓
190-7-4 - *Theodore L. & Rosalie V. Russell*
15 *Powderland St., C.* } *see 190-5-62*
✓
190-7-5 - *Peter D. Katsis* } *see 190-5-62*
17 *Powderland St., C.* } *see 190-5-62*
✓
190-7-6 - *Daniel G. Dimiter, Jr.*
21 *Powderland St., C.* } *see 190-5-62*

- ✓ 190-J-7 - Freeman M. & Ferlie M. Santos
17 Thomas Drive, Scarborough, Me. 04074 ✓✓
- ✓ 190-J-8 - Robert W. & Tonya D. Heath
29 Beardsley St., C. 04102 ✓
- ✓ 190-J-11, 12 - Annie M. & R. M. Robinson
16 Milton St., C. 04102 ✓
- ✓ 190-J-13 - John W. Sullivan
18 Milton St., C. 04102 ✓
- ✓ 190-J-14 - Carol A. & Timothy Leavitt
24 Milton St., C. 04102 ✓
- ✓ 190-J-15 - Shirley V. Litley
28 Milton St., C. 04102 ✓
- ✓ 190-J-16 - Theodore James & Ellen B. Volger
32 Milton St. C. ✓
- ✓ 190-J-17 - C. Clifford & Josephine E. Allen
6 Graves St., C. 04102 ✓
- ✓ 190-J-10 - Alice N. Warrick
2 Milton St., C. 04102 ✓

- ✓ 191-A-1 - ~~John F. Perkins~~ } Perkins, Patrick J. 28
1310 Congress St., C. } 1308 Congress St.
✓✓ 04102
- ✓ 191-A-2 - Jean D. & William Plummer
1312 Congress St., C. 04102 ✓
- ✓ 191-A-3, 4 - Lea Casey
15 Milton St., C. ✓

- 191-A-5 - Cheryl A. Williams } Mileski Purcell
19 Milton St., C. 04102 } 28
✓ 169 Glenwood Ave. 04103
- 191-A-6, 14 - Margaret & Helen Barber
23 Milton St., C. 04102 X✓
- 191-A-7 - Donna R. & Ralph L. Martin
29 Milton St. 04101 X✓
- 191-A-8 - Patricia L. & Peter G. Driffin
31 Milton St. 04102 X✓
- 191-A-9 - Jane A. Riley
1316 Congress St., C. X✓
- 191-A-10 - Mary A. Maggi
2 Jassell St., C. 04102 X✓
- 191-A-11 - George F. & Maureen F. Ke
10 Jassell St., C. 04102 X✓
- 191-A-12 - Alfred C. Placey
16 Jassell St., C. 04102 X✓
- 191-A-13 - David Alan Mitchell
22 Jassell St., C. X✓
- 191-A-15 - Mary M. Doyle
30 Jassell St., C. X✓
- 191-B-8, 9, 10 - Mental-Medical
Realty Corp. Inc. X✓
1330 Congress St., C. 04102

1279-1287 Congress St. cor. 1-5 Edwards St.

Sept. 29, 1977

Louis Grassi
1281 Congress St.
Portland, Maine

C.C. Coyne Sign Co.
66 Cove St.

Building permit to erect a 4'x6' detached pole sign with steady lighting, 14' above the grade, advertising goods by trade name and a 3'x10' wall sign on the left side of existing building at the above named location is not issuable under the Zoning Ordinance because these signs are to be accessory to the existing retail store which is non conforming in the R-5, Residential Zone in which this property is located. Such an extension of a lawful non conforming use is forbidden by Section 602.17.B.

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, Room 113, City Hall to file the appeal on forms which are available here.

A fee of \$15. for a Nonconforming Use Appeal 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. Sec.602.24.E.

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:k

17

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

APPLICATION FOR A NONCONFORMING USE APPEAL

Louis Grassi, owner of property at 1279-1287 Congress St.
corner 1-5 Edwards St.
under the provisions of Section 602.24 E of the Zoning Ordinance of the City of

Portland, hereby respectfully petitions the Board of Appeals to permit:

4'x6' detached pole sign with steady lighting, 14' above the grade,
advertising goods by trade name and a 3'x10' wall sign on the left
side of existing building which is not issuable under the Zoning
Ordinance because these signs are to be accessory to the existing
retail store which is nonconforming in the R-5, Residential Zone
in which this property is located. Such an extension of a lawful
nonconforming use is forbidden by Sec. 602.17.B.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds
that the conditions imposed by Section 602.24 E(1) of the Zoning Ordinance have been
met. (See reverse side hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan approval
is required, a preliminary or final site plan is attached hereto as Exhibit A.

Louis E. Grassi
APPELLANT

602.24 E Nonconforming Uses.

1. Authority.

The Board of Appeals may, subject to the procedures, standards and limitations set forth in Section 602.24 C (3)(b)(1) of this Ordinance, authorize such variances from the provisions of the following sections of this ordinance relating to nonconforming uses:

- (a) The subject lot or parcel is exceptional as compared to other lots or parcels subject to the same provision by reason of unique physical condition, including irregularity, narrowness, shallowness, or substandard or marginal size; exceptional topographical features; and other extraordinary physical conditions peculiar to and inherent in the lot or parcel in question, which amount to more than a mere inconvenience to the owner.
- (b) The aforesaid unique physical condition existed at the time of the enactment of the provision from which a variance is sought or were created by natural forces or were the result of governmental action.
- (c) The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the lot or parcel in question of substantial use and enjoyment of this property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision.
- (d) The hardship is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision.
- (e) Property in the same zone or neighborhood will not be adversely affected by the granting of the variance and the granting of the variance will not create conditions which would be detrimental to the public health or safety.

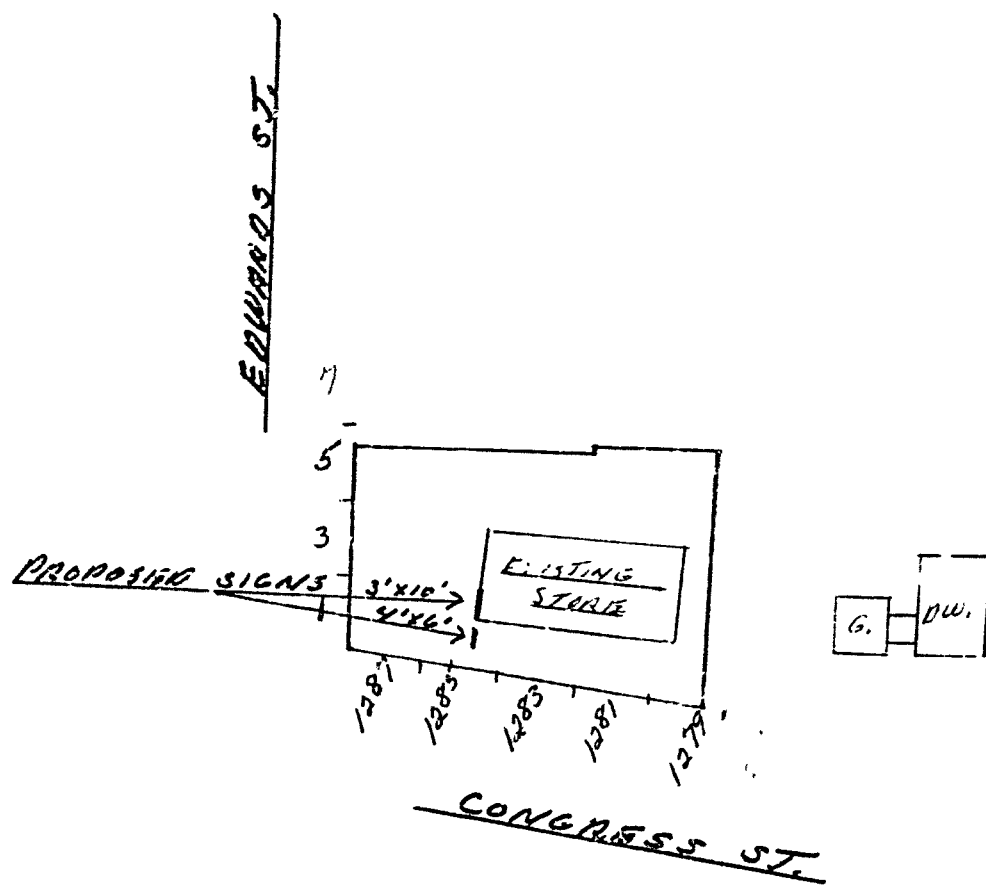
CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

All persons interested either for or against this Nonconforming Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, October 13, 1977 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property within 500 ft. of the property in question as required by Ordinance.

Louis Grassi, owner of property at 1279-1287 Congress St. corner 1-5 Edwards St. under the provisions of Sec.602.24.E of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit: 4'x6' detached pole sign with steady lighting, 14' above the grade advertising goods by trade name and a 3'x10' wall sign on the left side of existing building which is not issuable under the Zoning Ordinance because these signs are to be accessory to the existing retail store which is nonconforming in the R-5, Residential Zone in which this property is located. Such an extension of a lawful nonconforming use is forbidden by Section 602.17.B.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Sec. 602.24.E (1) of the Zoning Ordinance have been met.

Jacqueline Cohen
Secretary



CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

A NONCONFORMING USE APPEAL

TABLED 59⁴⁵
TO NOV 3 1977

Findings of Fact

The applicant is Louis Grassi and he is interested
in the property located at 1279-1287 Congress St. as variety store.
corner 1-5 Congress St.
The owner of the property is Louis Grassi and his address is
1281 Congress St.. The property is located in a R-5
Zone. The present use of the property is variety store.

The applicant respectfully petitions the Board of Appeals for a variance
from the provision of Section 602.17. B of the Ordinance to permit
4'x6' detached pole sign with steady lighting, 14' above grade advertising
goods by trade name and a 3'x10' wall sign on the left side of existing
building which is not issuable under the Zoning Ordinance, because these
signs are to be accessory to the existing retail store which is
nonconforming in the R-5, Residential Zone in which this property is
located.

Further Findings of Fact

Appearances

The names and addresses of those appearing in support of the application
are: MMP. LOUIS GRASSI 1279-1287 CONGRESS ST PORTLAND ME.

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not
by way of limitation, plans, specification, photographs, etc. consisted of the
following: SIGN PLAN DOCUMENT #1

REASONS FOR DECISIONS

The parcel of land in question (~~is~~/is not) exceptional, compared to other lots or parcels subject to the same provision by reasons of its physical characteristics which may be described as follows: _____

and also by reason of the following topographical features: _____

and they (do/do not) amount to more than a mere inconvenience to the owner.

The aforesaid physical conditions (strike out inapplicable references).

- (a) existed at the time of the enactment of the provision for which a variance is sought; or
- (b) were created by natural forces; or
- (c) were a result of governmental action.

The carrying out of the strict letter of the provision from which a variance is sought (~~would/would not~~) deprive the applicant of the substantial use or enjoyment of the property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision, because of the following: _____

free limit the visibility of the existing sign

The hardship (~~is~~/is not) merely the inability of the applicant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision, as evidenced by: _____

Will still have no sign

Property in the same zone or neighborhood (~~will~~/ will not) be adversely effected by the granting of the variance and the granting of the variance (~~will~~/will not) create conditions which would be detrimental to the public health or safety, because

SPECIFIC RELIEF GRANTED

After a public hearing held on 11/17/77
10/13/77, the Board of Appeals find that all of the conditions required by the Ordinance (do/~~do not~~) exist with respect to this property and that a nonconforming use variance should _____ be granted in this case.

It is therefore determined that a variance from the provisions of the Zoning Ordinance should _____ be granted in this case.

TABLED 5925 TO NOV 3 1977

MOTION BY MR. HAINES SECOND BY MR. O'MALLEY.

Approval for a
4' x 6' detached
pole sign 1' from
corner of building
with the condition
that the existing
Gross sign be
removed.

Jaqueline Cole

Carol Erickson

James O'Malley
Merrill Letzer
Thomas Murphy

November 22, 1977

cc: Coyne Sign Co.
66 Cove St.

Louis Grassi
1281 Congress St.
Portland, Maine

RE: 1279-1287 Congress St. cor. 1-5 Edwards St.

Dear Mr. Grassi:

Following is the decision of the Board of Appeals regarding your petition to permit erection of a 4' x 6' detached pole sign with steady lighting, 14' above the grade, advertising goods by trade name at the above location. Please note that your appeal was granted with the condition detached pole sign shall be 1' from corner of building and the existing Grassi sign shall be removed.

Also, before your permit can be issued, you must pay for the permit fee itself. Please make all checks payable to City of Portland.

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW/r

CHECK LIST FOR SIGNS

Date - 9/12/14
Checked By W. D. V.

Location - 105-1418 10th St. Cor. 1-5th Ave. St.

Zone Location - 1-5
Fire Zone - 1-5
Sign & Review Committee - over 8" in least dimension - 1-5
Area of sign - 24" x 36" + 36" x 36" + 36" x 36"
Area of existing signs - 1-5
Material - 1-5
Design - 1-5
Facing adjoining Residence Zone - 1-5
Flashing or Steady light - 1-5
If on State road - check with State - 1-5

Attached Sign -

Height above level of roof - 1-5

Detached or pole sign -

Height - 1-5
Required yards (single pole OK - 2 poles a structure) 40"
setback
Corner clearance - 1-5
Footing - 1-5
Certificate of Design - 1-5

Projecting Sign -

Clearance 10' - 1-5
Bonded - 1-5
Height - 1-5
Written Consent - 1-5
Projection over sidewalk (18" from curb) - 1-5



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

1072

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION

PORTLAND, MAINE, Sept. 27, 1977

PERMIT ISSUED

NOV 28 1977

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 with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 1281 Congress St. Fire District #1 ☐ #2 ☐
1. Owner's name and address Louis Grassi - same Telephone
2. Lessee's name and address Coyne Sign Co. 66 Cove St. Telephone 774-4330
3. Contractor's name and address Specifications Plans No. of sheets
4. Architect No. families
Proposed use of building VARIETY STORE No. families
Last use
Material No. stories Heat Style of roof Roofing
Other buildings on same lot Fee \$ APPEAL
Estimated contractual cost \$ 12.40 pd
11-23-77

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 1 signs, one pole type 4 x 6
one to be attached to ~~side~~ belt type

Stamp of Special Conditions

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.

Appeal is filed on 11-17-77

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 ☐ 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 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? . . .

APPROVALS BY:

DATE

MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER

Will work require disturbing of any tree on a public street? . . .

ZONING: 11-23-77

BUILDING CODE: O.K. 2.8. 11-23-77

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? . . .

Fire Dept.:

Health Dept.:

Others:

Signature of Applicant

Robert W. Pearl

Phone # same

Type Name of above Robert Pearl

1 ☐ 2 ☐ 3 ☒ 4 ☐

Other

and Address

FIELD INSPECTOR'S COPY

3 X 10

NOTES

17-13-77 Not up yet - WSR
 2-27-78 Sign up - 14 from Bldg -
 Remained other Sign - u -

Permit No. 97/1072
 Location 1281 Congress St.
 Owner Steve Knauer
 Date of permit 9-27-77
 Approved 11-28-77 Note: 4x10 - see wall line

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

Alvin d.
5/3/75

VARIANCE APPEAL

(cor. Edwards St.)

C. Clifford Allen, owner of property at 1279-1287 Congress St., under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: the erection of a detached pole sign 4' x 6' advertising goods by trade name on the premises at the store at the above named location. This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) The sign is to be an accessory to a retail store on the lot, which is non-conforming in the R-5 Residential Zone in which the property is located; such an extension of lawful non-conforming use being forbidden. (Section 602.17B). (2) The sign, which is to be located about 2' back from both Congress St. and Edwards St. would be an unlawful encroachment within the corner clearance area contrary to Section 602.19M which requires that no obstruction more than 3½" high be located within a triangle formed by the street lines of intersecting sts. and a line connecting points on the st. lines 25' from the corner.

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

C. Clifford Allen
APPELLANT

DECISION

After public hearing held May 3, 1973, the Board of Appeals finds that all of the above conditions do not exist with respect to this property and that a variance should not be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should not be granted in this case.

[Signature]
[Signature]
Jacqueline Cohen
Board of Appeals

Re: 1279-1287 Congress St.
(cor. Edwards St.)

April 3, 1973

C. Clifford Allen
6 Frances Street
Portland, Maine

cc to: Corporation Counsel
Coyne Sign Co.
66 Cove Street
Att: Joe Coyne

Dear Sir:

Building permit for erection of a detached pole sign
4' x 6' advertising goods by trade name on the premises of the
store at the above named location is not issuable under the
Zoning Ordinance for the following reasons:

(1) The sign is to be an accessory to a retail store on the
lot, which is non-conforming in the R-5 Residential Zone in which
the property is located; such an extension of lawful non-conforming
use being forbidden. (Section 602.17B)

(2) The sign, which is to be located about 2' back from both
Congress St. and Edwards St. would be an unlawful encroachment
but within the corner clearance area contrary to Section 602.19M
which requires that no obstruction more than 3 1/2' high be located
within a triangle formed by the street lines of intersecting streets
and a line connecting points on the street lines 25' from the corner.

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 \$15.00 for a Variance
Appeal 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 a matter of formality.

Very truly yours,

A. Allan Soule
Assistant Director

AAS/c

Portland, Maine
May 3, 1973

City Of Portland, Maine
Board Of Appeals

Dear Sirs:

I am the resident and owner of the property located at 6 Edwards St. this is a corner lot situated at the corner of Edwards & Congress St. Mr. Allen's business is on the opposite corner.

My parlor picture window faces the site of the proposed 4' x 6' sign, a distance of approximately 65 feet.

I object to the erection of this sign for the following reasons:

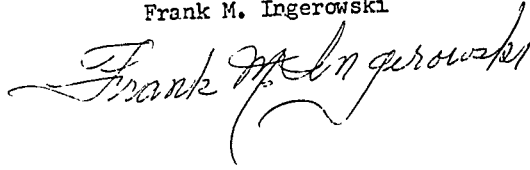
1. The sign will be a ^{is} nuisance and a source of irritation to me and my family. It will obstruct my present view of the street and cause a penetrating glare when illuminated. It will hurt property values.
2. It is non conforming with the City's Zoning laws, Section 602.17B and Section 602.29M.
3. I contend that Mr. Allen's business now has sufficient signs, namely 1 large illuminated sign attached to the store front; 1 sandwich type sidewalk sign and many neon signs displayed in the windows.

There is no disputing the fact that an over abundance of advertising signs and creeping commercialism lowers residential property values, this being a R5 Zone. Myself and other home owners struggle and sacrifice to buy and maintain our property; in many cases it represents the biggest investment of money and a life time of endeavor. It is only natural to protect our interests. We depend upon the good judgement of the Board of Appeals in considering this fact.

I therefore respectfully request that the Board of Appeals deny Mr. Allen's application for this sign. In the event that his application is approved I ask for the right of appeal.

Respectfully,

Frank M. Ingerowski

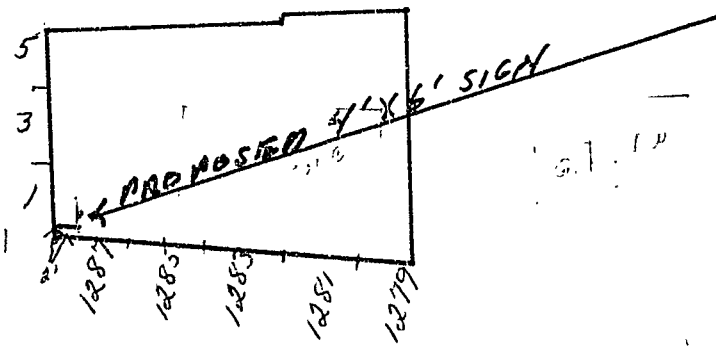


EDWARDS ST.

FRANCES ST.

DW.

2
6
4
2



CONGRESS ST.

April 25, '73
Portland, Me

William B. Kirkpatrick
Chairman of Board of Appeals
Room 209, City Hall
City of Portland, Maine

Dear Sir:-

We, Hazel G. & Gladys V. Milne would
be glad to have Mr. Clifford Allen
be allowed to have the erection of a
detached side sign 4' x 6' for ad-
vertising goods by trade name.

Thank you

Sincerely yours

Gladys V. Milne
Hazel G. Milne



RS RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine,

March 29, 1973

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 1281 Congress St. Within Fire Limits? _____ Dist. No. _____
Owner's name and address: Y C. Clifford Allen, 6 Frances St. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Coyne Sign Co. 66 Cove St. Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building Variety store 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 erect a single pole sign - 4'x6' - non flashing -non rotating as per plan
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.

Appeal Denied 5/3/73

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 a ' 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

APPROVED:

CS 301

INSPECTION COPY

Signature of owner

C. Clifford Allen

outside advertising/1971
skyline signs

illuminated



A bold new shape
for the Look of the 70s in
illuminated Skyline
Signs. In any installation
—rigid, center pole or
boom (4 x 6 foot size
only)—the keystone at
the top gives greater
visual prominence
to dealer privilege copy

B January 1971

<i>14' Pole</i> Skyline Boom Sign Code: V001 Size 4' wide, 6' high Pack 1 Price 183 00 F O B : Knoxville Tenn Skyline Rigid Sign Code: V002 Size 4' wide, 6' high Pack 1 Price 189 00 F O B : Knoxville Tenn	Skyline Rigid Sign Code: V003 Size 5' wide 7-1/2' high Pack: 1 Price: 257 00 F O B : Lima, Ohio Skyline Center Pole Sign Code: V004 Size: 5' wide, 7-1/2' high Pack 1 Price: 256 00 F O B : Lima, Ohio	Skyline Rigid Sign Code: V005 Size 6' wide, 9' high Pack 1 Price: 357 00 F O B : Lima, Ohio Skyline Center Pole Sign Code: V006 Size: 6' wide, 9' high Pack 1 Price: 364 00 F O B : Lima, Ohio
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replacement faces

**Privilege Panel for
Code V001 and V002**
Code: V011
Size 4' wide 2' high
Pack 2
Price 10 50 ea
F O B : Knoxville Tenn

**Trade-mark Panel for
Code V001 and V002**
Code: V012
Size: 4' wide, 4' high
Pack 2
Price 24 25 ea
F O B : Knoxville, Tenn

**Privilege Panel for
Code V003 and V004**
Code: V013
Size 5' wide 2-1/2' high
Pack 2
Price 18 00 ea
F O B : Lima, Ohio

continued on back

outside advertising/1971
skyline signs

illuminated

replacement faces

Trade-mark Panel for
Code V003 and V004
Code: V014
Size: 5' wide, 5' high
Pack: 2
Price: 35.00 ea.

Privilege Panel for
Code V005 and V006
Code: V015
Size: 6' wide, 3' high
Pack: 2
Price: 33.00 ea.

Trade-mark Panel for
Code V005 and V006
Code: V016
Size: 6' wide, 6' high
Pack: 2
Price: 63.00 ea.

F. O. B. Lima, Ohio

Specifications

Sign	Lamps	Ballasts	Elec. Load	Net Wt.	C. P. Pole Size
4' x 6'—V001	6-F48T12HO/Sign WH	1-Advance 868-A40	430VA	182#	—
4' x 6'—V002	6-F48T12HO/Sign WH	1-Advance 868-A40	430VA	183#	—
5' x 7-1/2'—V003	7-F60T12HO/Sign WH	1-GE-6G-3809 1-GE-6G-3804	586VA	240#	—
5' x 7-1/2'—V004	7-F60T12HO/Sign WH	1-GE-6G-3809 1-GE-6G-3804	586VA	250#	5" to 10" 6"10' to 18'
6' x 9'—V005	9-F72T12HO/Sign WH	1-GE-6G-3787 1-GE-6G-3809	805VA	350#	—
6' x 9'—V006	9-F72T12HO/Sign WH	1-GE-6G-3787 1-GE-6G-3809	805VA	370#	6" to 10" 8"10' to 18'

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

April 23, 1973

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, May 3, 1973 at 4:00 p.m. to hear the appeal of C. Clifford Allen requesting an exception to the Zoning Ordinance to permit the erection of a detached pole sign 4' x 6' advertising goods by trade name on the premises of the store at 1279-1287 Congress St. (Cor. Edwards St.).

This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) The sign is to be an accessory to a retail store on the lot, which is non-conforming in the R-5 Residential Zone in which the property is located; such an extension of lawful non-conforming use is forbidden. (Section 602.17B). (2) The sign, which is to be located about 2' back from both Congress St. and Edwards St. would be an unlawful encroachment within the corner clearance area contrary to Section 602.19M which requires that no obstruction more than 3 1/2' high be located within a triangle formed by the street lines of intersecting streets and a line connecting points on the street lines 25' from the corner.

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

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 ft. of the property in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick
Chairman

April 27, 1973

C. Clifford Allen
6 Frances St.
Portland, Maine

May 3, 1973

cc to: Coyne Sign Co.
66 Cove St.
Att: Joe Coyne

1279-1287 Cong St. Cor. Edwards St.

Cong. St. $\leftarrow$ 1227 - 1329

1236 - 1336

Craigie St. $\leftarrow$ 1 - 41

2 - 32

100

Edwards St. $\leftarrow$ 1 - 43

2 - 44

Scott St. $\leftarrow$ (8^{one side} - 42)

Francis St. $\leftarrow$ 1 - 47

2 - 48

Whitney Ave. $\leftarrow$ 2 - 44

1 - 31

Swall St. $\leftarrow$ 2 - 16

1 - 23

Davis St. $\leftarrow$ 1 - 31

2 - 32

Powland St. $\leftarrow$ 1 - 31

2 - 32

Mitten St. $\leftarrow$ 1 - 33

2 - 34

Jacobs St. $\leftarrow$ 2 - 32

OVER

1279-1287 Congress St. 1st Edgemoor St.

1227 Grace & Jane - 38 Laurel St.

1235 Thomas & Betty Miller - 115 Congress St.

1239-1241 Margaret H. Jones - Supr

1242-1244 Thomas & William H. Jones

1244-1249 Lane - 309 Congress St.

1246-1248 Richard M. & Anne J. Brown - 1238 Congress St.

1269-1277 Clifford & Josephine E. Allen - 6 Francis St.

1279-1281 Lane

L-1281-1282 Park Lane - 272 St. John St.

1283-1297 Frank M. & Mary T. Dzubinski - 6 Edwards St.

1301 Joseph L. & Elizabeth A. Compton - 1301 Congress St.

1303-1307 Michael J. & Mary Ann - 1305 " "

1307-1311 Picarella B. Lawrence - 3 Craigie St.

1312-1321 Geo. J. & John M. Farley - 1312 Congress St.

1325 Cinderella M. Polucci - 1325 Congress St.

1327-1329 Ryan L. & Elizabeth G. Smith - 1329 Congress St.

1336-1340 Chas. J. Rogers - 30 St. Andrews Rd.

1241-1256 Geo. H. & Margaret Rogers - 398 Brighton Ave.

1257-1260 Walter R. Foster - 1260 Congress St.

1266-1268 Lane

1274-1280 Hering Mrs. F. + VFW C. of P.

1289-1290 Guy & Eleanor M. Farley - 1290 Congress St.

1292-1294 Lane

R-1296-1308 C. M. Power Co. - Bldg 1801 - City

1296-1308 Supr

1296-1476 "

Crane St.

1-7 Dup

9-11 George L. & Margaret M. Conroy - 11 Crane St.
13-17 George J. & Helen M. Munn - 15 " "
19-21 Anthony J. & Shirley B. Munn - 21 " "
23-27 John M. & Catherine M. Munn - 25 " "
29-31 Bernard A. Halberg - 29 Crane St.
33-35 Joseph R. Munn - 35 " "
37-41 John L. & Florence L. Brown - 39 Crane St.

2-10 Dup

12-14 Thomas R. & Audrey S. Ring - 13 Crane St.
16-18 Francis H. Putnam - 15 " "
20-22 Eugene & Sharon G. Gault - 21 " "
24-26 Patrick Gault - 23 Crane St.

Edwards St.

1-5 C. Clifford & Joan M. Miller - dup

7-11 Clyde W. & Mary E. Hoag - 9 Edwards St.
13-17 Roger & Carolyn M. Milner - 15 " "
19-23 Thomas & Mary M. Bice - 23 " "
25-29 Clifford & M. Miller - 29 Edwards St.
31-35 Albert & M. Miller - 33 " "
37-39 Peter & M. Miller - 39 Edwards St.
41-43 William J. & Katherine L. Frazier - 43 " "

2-10 Frank M. & Mary L. Ingerson - 6 Edwards St.

12-16 Albert J. Hester - 16 Edwards St. (Dup)

18-20 Stanley E. & M. Hester - 20 Edwards St.

22-26 Marie L. Hester - 24 Edwards St.

Edward St (cont)

32-35 Thomas M. Standley - 32 Edward St
34-36 George M. Standley - 34 " "
38-40 Margaret Standley - 40 " "
42-44 Same

Scott St

8-10 Joseph P. Standley - 48 W. Putney Ave
14-18 Joseph P. Standley - 18 Scott St
24-30 Grace Standley - 46 Francis St
34-42 Supr

Francis St

1-11 Supr
13-15 "
17-19 "
21-23 "
25- "
27 Catherine M. Standley - 29 Francis St
29-31 Same
33-35 Richard M. Standley - 33 Francis St
37-39 Richard M. Standley - 37 Francis St
41-43 Philip Joseph Standley - 43 Francis St
45-47 Supr
49-51 "
10-16 James Val Carol M. Standley - 16 Francis St
18-20 Arthur E. Standley - 20 " "
22-24 Germaine J. Standley - 24 Francis St
26-28 Supr
30-32 "
34-36 "
38-40 "
42-44 "
46-48 "

Whitney Ave.

- 1-7 Margaret H. Rogers - 393 Brighton Ave
9-13 Chas. E. & Sharon E. Rogers - 7 Whitney Ave
15-17 Wm. M. & Tracy E. Harding - 15 Whitney Ave
19-21 Capt. W. Allen News - 19 " " "
23-25 Middle. Hill Matts - 23 Broad St - So. Portland
27-31 Margaret Molly McFarland - 31 Whitney Ave
3-12 Hup
14-16 Harry B. & Carolyn J. Fisher - 16 Whitney Ave
18 Fernand L. & Yolande B. de Rochelle - 18 " "
22-24 Helen E. Richardson - 22 Whitney Ave
26 John J. O'Farley - 26 " " "
28-32 Ralph M. & Sandra M. Burton - 32 Whitney Ave
34-36 Thomas H. Falpy - 36 Whitney Ave
38-40 Kathleen M. Hinds - 40 " " "
42-44 Stanley E. & Alyce Herbert - 44 Whitney Ave

Small St.

- 1-7 Geo. R. & Yvonne H. Rogers - 393 Brighton Ave
9-11 Same
13-23 Emmanuel Christian Church, Inc. - Small St.
~~25-31 Hup~~
~~33-35~~
190-A-3 Chas. H. Rogers - 9-11 Strandster Rd
10-12 Same
14-16 Hup

Danvers St.

1-5 Walter R. Frost - 15 1/8 Congress St.
7-11 Joseph J. & Yvette J. Doyle - 7 Danvers St.
13-15 Same
17 Stephen E. & Maryanne Conley - 17 Danvers St.
21-31 Huber
2-8
10-18 Rose M. Sylvester - 18 Danvers St.
20-24 Louis M. & Loretta J. Howard - 20 Danvers St.
26-32 Huber

Powderland St.

1-7 Guy W. & Eleanor M. Farley - 129 1/2 Cong. ~~St.~~
9 - Huber
13-15 Theodore L. & Jessie K. Russell - 15 Powderland St.
17-19 Peter H. & Linda M. Kotsimpos - 17 Powderland St.
21-23 Daniel J. McWalter, Jr. - 21 Powderland St.
25-27 Arthur E. Garner - 25 Powderland St.
29-31 Alice H. Gaydon - 29 Powderland St.
3-8 Westwood Baptist Assoc. - 1374 Congress St.
14 Andrew McFate - 666 Alder Ave.
26-28 Alfred H. & Sylvia Saunders - 28 Powderland St.
30-32 Same

Milton St.

1-7 Lucy Cobb - 1310 Congress St.
9-11 Ed. Casey - 15 Milton St.
13-15 Same
17-19 Stephen H. & Jeanne L. Silverman - 19 Milton St.

Mutton St (cont)

21-23 Margaret L. Becker & Helen W. Schjeld
23 Mutton St
25-29 Maria R. & Ralph L. Thacker - 29 Mutton St
31-33 Patricia H. & Peter J. Shiffin - 31 Mutton St
2-8 Alice M. Wescott - 2 Mutton St
10-18 Anne M. Robinson et al - 16 Mutton St
20-22 Edward J. Sullivan - 20 " "
24-26 Mary Jo & Peter Jo. Mappa - 24 Mutton St
28-30 Chas. W. & Jennie M. Allen - 28 Mutton St
32-34 Theodore James & Ellen B. Valger -
32 Mutton St

Lassell St

2-8 Jeannette M. Brunelle - 2 Lassell St
10-12 Gertrude M. Butler - 10 " "
16 Ernest F. & Athia C. Placy - 16 " "
20-22 David Alan Mitchell - 22 Lassell St
24-26 Hup
28-30 Mary M. Mayfield - 30 Lassell St
32-34 Lewis M. Fajard et al - 440 Forest Ave

Calhoun St

9-13 Stephen W. & Lillian M. Flowers - 13 Calhoun St