

800-870 CHARLES STREET

SHAW-WALKER
STUDIO 18



APPLICATION FOR PERMIT

Class of Building or Type of Structure _____

Portland, Maine, Jan. 21, 1955

PERMIT ISSUED
00085

JAN 21 1955

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~construct~~ demolish ~~the following structure~~ ~~in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:~~

Location 866 Congress St. Within Fire Limits? yes Dist. No. _____
Owner's name and address Charles J. Peters Telephone _____
Lessee's name and address John Donnelly & Sons, 73 Main St., So. Portland Telephone _____
Contractor's name and address _____ Telephone _____
Architect _____ Specifications _____ Plans no 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 \$ _____ Fee \$ 1.00

General Description of New Work

To demolish billboard 50' x 12'.

HEATING
REQUIREMENT IS WAIVED

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

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 _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber—Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. 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? _____

APPROVED:

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

Charles J. Peters
John Donnelly & Sons

Signature of owner by: James J. Donnelly

INSPECTION COPY

NOTES

2-1-55 Billboard down
Post left 11-

Permit No. 55/58
Location 866 Congress St
Owner John D. Sullivan
Date of permit 1/21/55
Notif. closing in
Inq. closing in
Final Notif.
Final Insp.
Cert. of Occupancy issued
Staking Out Notice
Form Check Notice

City of Portland, Maine
Board of Appeals

—ZONING—

October 27, 1950

*Instantiated
12/1/50* 50/123

To the Board of Appeals:

Your appellant, United Neon Display, who is the lessee of property at 866-870 Congress Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit for erection of two display boards, 11' x 25' to be located in the form of a V on the premises at 866-870 Congress Street is not issuable because this property is located in a Limited Business Zone where, according to Section 5A of the Zoning Ordinance, a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and further because the proposed signs would be closer than 100' to the Apartment House Zone running along Crescent Street at the rear of the property, contrary to Section 15C of the Ordinance.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

United Neon Display
Appellant
by R. W. Goring

After public hearing held on the 1st day of December, 1950, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Edward F. Colley
William C. Frost
William H. Kelt
John W. Lake
Gerald A. Cole
BOARD OF APPEALS

DATE: December 1, 1950

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF JOHN NAPPI

AT 866-870 Congress Street

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

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

Record of Hearing:

No opposition

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

November 7, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, November 17, 1950 at 10:30 a. m. to hear the appeal of United Neon Display requesting exception to the Zoning Ordinance to permit erection of two display boards, 11' x 25', to be located in the form of a V on the premises at 866-470 Congress Street.

This permit is presently not issuable because this property is located in a Limited Business Zone where a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and further because the proposed signs would be closer than 100' to the Apartment House Zone running along Crescent Street at the rear of the property.

This appeal is taken under Section 13E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to protecting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS

Edward T. C.

Chairman

M
No objection
until 7:30
Monday

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer to file
866-870 Congress Street CITY OF PORTLAND, MAINE
Department of Building Inspection

FU

October 24, 1950

Mr. John Nappi
231 Forest Avenue
United Neon Display
74 Elm Street

Copy to: Mark Barrett
Assistant Corporation Counsel

Gentlemen:

C
O
P
Y
We are unable to issue a permit for erection of two display boards 11'x25' to be located in the form of a V on the vacant lot at 866-870 Congress Street because the property is located in a Limited Business Zone, where, according to Section 5A of the Zoning Ordinance applying to such zones, a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and because the proposed signs would be closer than 100' to the Apartment House Zone running along Vescent Street at the rear of the property, contrary to Section 15C of the Zoning Ordinance.

While an appeal taken out by a former owner of the property for a single sign 15' x 25' was sustained several months ago, the fact that there are to be two signs instead of one and that they are to be located in a different position on the lot is too wide a departure from the conditions under which the former appeal was granted to make it valid for us to issue a permit on the basis of the former appeal for the signs which you propose. Therefore it is necessary that authorization be secured from the Board of Appeals for the new arrangement before a permit may be issued.

We understand that the owner wishes to exercise his appeal rights and accordingly we are enclosing for each of you an outline of the appeal procedure and are certifying the case to the Assistant Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

Warren McDonald
Inspector of Buildings

LJS/G

Enclosure to each addressee: Outline of appeal procedure

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

November 21, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, December 1, 1950 at 10:30 a. m. to hear the appeal of United Neon Display requesting exception to the Zoning Ordinance to permit erection of two display boards, 11' x 25', to be located in the form of a V on the premises at 866-870 Congress Street.

NOTE: This hearing was originally scheduled for November 17, 1950, but, lacking a quorum, the Board of Appeals had to reassign it to December 1, 1950.

This permit is presently not issuable because this property is located in a Limited Business Zone where a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and further because the proposed signs would be closer than 100' to the Apartment House Zone running along Crescent Street at the rear of the property.

This appeal is taken under Section 18E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS

Edward T. Colley

Chairman

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

November 7, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, November 17, 1950 at 10:30 a. m. to hear the appeal of United Neon Display requesting exception to the Zoning Ordinance to permit erection of two display boards, 11' x 25', to be located in the form of a V on the premises at 866-270 Congress Street.

This permit is presently not issuable because this property is located in a Limited Business Zone where a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and further because the proposed signs would be closer than 100' to the Apartment House Zone running along Crescent Street at the rear of the property.

This appeal is taken under Section 13E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS

Edward T. Colley

Chairman

M



214
CITY OF PORTLAND
LIMITED BUSINESS ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Billboard

Portland, Maine, October 4, 1950

PERMIT ISSUED

00024

APR 5 1951

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~and occupy~~ the following building structure ~~and occupy~~ 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 870 Congress Street Within Fire Limits? no Dist. No. _____
Owner's name and address John Nappi, 231 Forest Avenue Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address United Neon Display, 74 Elm Street Telephone 2-0695
Architect _____ Specifications _____ Plans yes No. of sheets 1
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 \$ _____ Fee \$ 1.00

General Description of New Work

To erect two billboards 11' x 25' as per plan. (not electric)

Permit Issued with Memo

By 12/1/50

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

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber—Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. 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? _____

APPROVED:

with Memo by C.J.D.

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

John Nappi

Signature of owner by: P.C.H. Smith

Permit No. 581 24
Location 870 Congress St.
Owner John Nappi
Date of permit 1/5/58
Notif. closing in _____
Inspn. closing in _____
Final Notif. _____
Final Inspn. 2-2-57. 263
Cert. of Occupancy issued None

NOTES

Memorandum from Department of Building Inspection, Portland, Maine

216-870 Congress Street—Erection of two billboards for John Mappi
by United Neon Display—1/5/51

Building permit for erection of a V shape sign with area of each face about 11' x 25' on the vacant lot at 270 Congress Street is issued herewith based on revised plan filed January 4, 1951. We suggest that, instead of the concrete piers being made level as indicated on the plan, the tops be sloped slightly upward from the edges of the piers to the steel beams supporting the sign so that any noise will run off instead of standing on the piers.

AJF/G

CC: Mr. John Mappi
231 Forest Avenue

(Signed) Warren McDonald
Inspector of Buildings

870 Congress Street-I

December 5, 1935

United Neon Display
74 Elm Street
Portland, Maine

Copy to: Mr. John Nappi
231 Forest Avenue
Attn: Mr. Donald Skillings

Gentlemen:

The Board of Zoning Appeals voted to grant Mr. Nappi's appeal with relation to the V-shaped sign at 870 Congress Street, but under the Building Code it is necessary for the Board of Municipal Officers of the City (also personnel as the City Council) to approve the permit before it may be issued. The Board of Municipal Officers does not have its regular meeting until Wednesday evening December 6. We have the informal advice from several members of the Board that the Board is likely to approve the permit as subject to full compliance with all terms of the Building Code. In the meantime a few matters as to details of construction are called to your attention with the thought that you can get them straightened out and be in position for us to issue the permit should the Board approve it.

The plan shows that the tops of the piers will be at least 6" above the surface of the ground, and it is to be borne in mind that this 6" is to be above the highest portion of the ground around such pier, since the sign is proposed on a fairly steep slope.

The plan also shows that the 4x6 uprights, apparently of ordinary lumber, are to be embedded in the concrete piers used for foundation. While I can find no distinct prohibition against such an arrangement in the Building Code, it is not very good practice from the standpoint of good and permanent maintenance to bury the wooden posts in the concrete piers. One reason is that moisture from rain or snow or sleet is likely to work its way into the pier and rot the wooden posts down out of sight where the weakness cannot be known until failure occurs. If you intend to bury the wooden posts in the concrete, we shall have to have some detailed plan as to how you intend to prevent moisture from working down and reaching the posts through the concrete or through any cracks between the posts and the concrete piers. If you favor this method of construction, it may be possible for you to provide satisfactory metal flashing well attached to the posts and so arranged on the top of the pier that the moisture will run down over the metal flashing and land on the ground rather than down through the pier.

Another good way is to bury a structural steel member such as an I-beam or an H-beam in the concrete piers to project up above the top of the pier far enough so that the wooden posts may be thoroughly bolted and thus spliced onto the metal member to resist the wind load.

It is also to be borne in mind that these piers have to be formed out and the concrete poured into the forms rather than to just excavate a hole in the ground and pour the concrete into it.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/G

City of Portland, Maine
IN BOARD OF MUNICIPAL OFFICERS
December 6, 1950

ORDERED:

That the building permit to cover erection of a "V"-shaped advertising sign (each side of the V 11' x 25') on the vacant land owned by John Nappi at 370 Congress Street, the sign to be erected by United Neon Display, be and hereby is approved as per Section 103c of the Building Code, but subject to full compliance with all terms of the Building Code applying thereto.

CC: Mark Barrett
Assistant Corporation Counsel

Lyman S. Moore
City Manager

AP 866-870 Congress Street-I

October 24, 1950

Mr. John Nappi
231 Forest Avenue
United Neon Display
74 Elm Street

Copy to: Mark Barrett
Assistant Corporation Counsel

Gentlemen:

We are unable to issue a permit for erection of two display boards 11'x25' to be located in the form of a V on the vacant lot at 866-870 Congress Street because the property is located in a Limited Business Zone, where, according to Section 5A of the Zoning Ordinance applying to such zones, a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and because the proposed signs would be closer than 100' to the Apartment House Zone running along Crescent Street at the rear of the property, contrary to Section 15C of the Zoning Ordinance.

While an appeal taken out by a former owner of the property for a single sign 15' x 25' was sustained several months ago, the fact that there are to be two signs instead of one and that they are to be located in a different position on the lot is too wide a departure from the conditions under which the former appeal was granted to make it valid for us to issue a permit on the basis of the former appeal for the signs which you propose. Therefore it is necessary that authorization be secured from the Board of Appeals for the new arrangement before a permit may be issued.

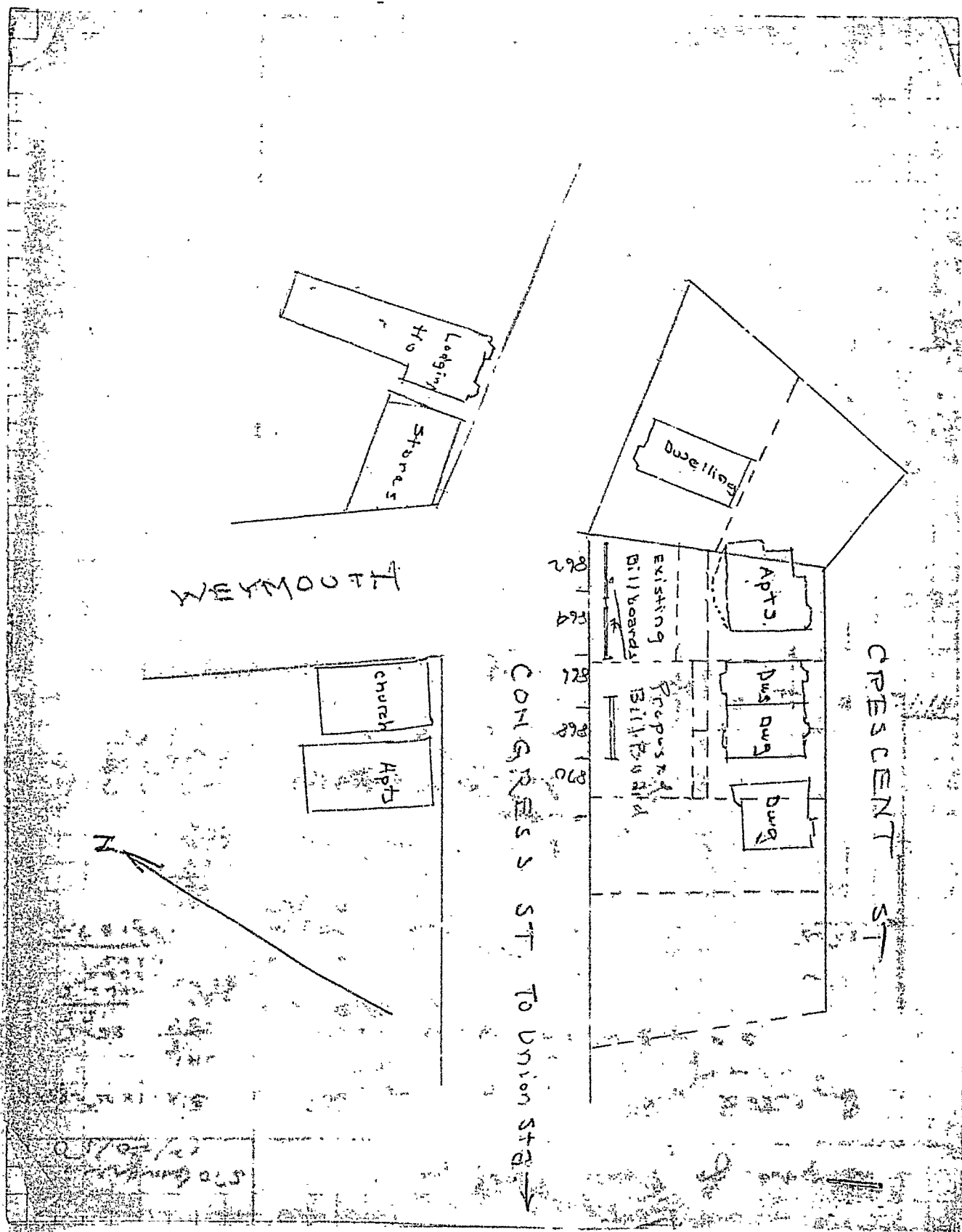
We understand that the owner wishes to exercise his appeal rights and accordingly we are enclosing for each of you an outline of the appeal procedure and are certifying the case to the Assistant Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

Warren McDonald
Inspector of Buildings

AJS/G

Enclosure to each addressee: Outline of appeal procedure



Design for John Nappi

570 Congress
12/20/50

Lightest wt 6" I-beam average thickness
max of flange = .5716" = .034 in.
 $S = 4.3 + 0.5$ each piece
 $1.67 \times 1.67 \times 5 \times 150 = 2100$

$$8525 \times 15.5 = 132,137$$

$$2 \times (8+16) \times 2100 = 100,400$$

$$31,737$$

$$31,737 \times 12 = 380,844$$

1.58

$$31,737 \times 12 = 18.96 \text{ mgs}$$

$$S \text{ of } 2-6" \text{ I-beam} = 8.6$$

$$31,737 \times 12 = 1.22 \times 12 = 14.64$$

$$31 \times 11 \times 15 = 8525$$

$$\begin{array}{r} 341 \\ 25 \\ \hline 1705 \\ 682 \\ \hline 8525 \end{array}$$

$$132,137.5$$

$$\begin{array}{r} 2100 \\ 24 \\ \hline 8400 \\ 42 \\ \hline 58400 \end{array}$$

$$\begin{array}{r} 2 \overline{) 31.737} \\ 13 \overline{) 15.868} \\ 1.22 \end{array}$$



City of Portland, Maine
Board of Appeals

--ZONING--

June 27, 19 50

Sustained
7/14/50 *50/75*

To the Board of Appeals

Your appellant, Mrs. Violet D. Davidson, who is the owner of property at 870 Congress Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to cover construction of an outdoor advertising sign, about 25' long and 15' high on the premises at 870 Congress Street is not issuable under the Zoning Ordinance because this property is located in a Limited Business Zone where, according to Section 5A of the Ordinance, such a sign advertising goods or services other than those offered by an occupant of the premises is not allowable; also because proposed sign would be closer than 100' to the Apartment House Zone, running along Crescent Street, contrary to Section 15C of the ordinance.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Violet D. Davidson
By Henry H. Doyle, her atty.
Appellant

After public hearing held on the 14th day of July, 1950, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Edward D. Colley
William H. O'Brien
Helen C. Frost
John W. Lake
James V. Moore
BOARD OF APPEALS

DATE: July 17, 1950

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MRS. VIOLET D. DAVIDSON

AT 870 Congress Street

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

Board of Appeals

VOTE

Municipal Officers

	Yes	No
Mr. Colley	(x)	()
Mr. O'Brien	(x)	()
Mrs. Frost	(x)	()
Mr. Lake	(x)	()
Mr. Moore	(x)	()
	()	()
	()	()
	()	()
	()	()

Record of Hearing:

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to File AP870 Congress Street-I

CITY OF PORTLAND, MAINE
Department of Building Inspection

FU

June 27, 1950

Mrs. Violet E. Davidson
c/o Henry N. Taylor, Esq.
477 Congress Street
Portland, Maine

Copy to:
✓ Mark Barrett
Assistant Corporation Counsel

Dear Mrs. Davidson:

As explained to Mr. Taylor, your attorney, the building permit intended to cover construction of an outdoor advertising sign, about 25' long and 15' high on your land at 870 Congress Street, is not issuable under the Zoning Ordinance because your property is located in a Limited Business Zone where, according to Section 5A of the Ordinance applying to such zones, such a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and because the proposed sign would be closer than 100' to the Apartment House Zone running along Crescent Street at the rear of your property, contrary to Section 15C of the Zoning Ordinance.

Mr. Taylor has indicated that you desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/G

Enclosure: Outline of appeal procedure

C
O
P
Y

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

July 3, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber City Hall, Portland Maine on Friday, July 14, 1950 at 10:30 a. m. Daylight Saving Time to hear the appeal of Mrs. Violet B. Davidson requesting exception to the Zoning Ordinance to permit construction of an outdoor advertising sign, about 25' long and 15' high on the premises at 870 Congress Street.

This permit is presently not issuable under the Zoning Ordinance because this property is located in a Limited Business Zone where, according to Section 5A of the Ordinance such a sign is not allowable, unless such sign sign is advertising goods or services offered by an occupant of the premises.

This appeal is taken under Section 18E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive, or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS

Edward T. Colley

Chairman



(B) LIMITED BUSINESS ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Billboard

Portland, Maine, June 26, 1950

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 870 Congress Street Within Fire Limits? _____ Dist. No. _____
Owner's name and address Violet D. Davidson, 79 George Street Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address _____ Telephone _____
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of ~~building~~ Billboard No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot none
Estimated cost \$ _____ Fee \$ _____

General Description of New Work

To erect billboard approximately 25' x 15'.

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

Appeal sustained 7/14/50

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

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber—Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. 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? _____

APPROVED:

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

Violet D. Davidson

INSPECTION COPY

Signature of owner by:

Violet D. Davidson
477 Congress St.

NOTES

*See later permit
Work not done under this
permit*

Permit No.	501
Location	810 Congress St.
Owner	Michael D. Davidson
Date of permit	1/50
Notif. closing-in	
Inspn. closing-in	
Final Notif.	
Final Inspn.	
Cert. of Occupancy issued	

Refer to permit

870 Congress Street-I

July 19, 1950

Mrs. Violet E. Davidson
c/o Henry H. Taylor, Jr.
477 Congress Street
Portland, Maine

Dear Mrs. Davidson:

We have been advised by the Board of Appeals that your zoning appeal relating to the construction of an outdoor advertising sign at 870 Congress Street has been sustained.

That clears the matter as far as the Zoning Ordinance is concerned, but the requirements of the Building Code are now to be satisfied. That means that you should have a plan of the proposed sign made by someone accustomed to making plans in the usual way, and these should be filed with the final application for the permit, the building permit fee paid so that we may be in position to check the proposition against the Building Code.

The plans must include a location plan accurately to scale showing the plan view of the land (looking down upon it) and the location of the sign with relation to the street line of Congress Street and with relation to the side property lines. The plans should also contain detailed design plans showing the foundation of masonry ^{posts} extending no less than 4' below the ground, the size of the masonry piers and the supports and frame of the sign as well as the material of face all in detail in the usual manner. These details are to comply with Section 211c of the Building Code with which the one who makes your plans should familiarize himself.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCD/G

P. S. Your rights under the Zoning appeal will become void if the work is not started within six months of July 14, 1950. The plans should be filed as blueprints with all information on them printed from the original.

City of Portland, Maine

IN BOARD OF MUNICIPAL OFFICERS

July 17, 1950

ORDERED :

That a building permit to cover construction of a certain outdoor advertising sign about 15' x 25' on the land of Violet E. Davidson at 870 Congress Street, be and hereby is approved as per Section 103c of the Building Code and subject to full compliance with all terms of the Building Code applying thereto.

CC: Lyman S. Moore
City Manager

Mark Barrett
Assistant Corporation Counsel

(This is same job for which zoning appeal
was sustained on June 14.)

AP870 Congress Street-1

June 27, 1950

Mrs. Violet D. Davidson
c/o Henry M. Taylor, Esq.
477 Congress Street
Portland, Maine

Copy to:
Mark Barrett
Assistant Corporation Counsel

Dear Mrs. Davidson:

As explained to Mr. Taylor, your attorney, the building permit intended to cover construction of an outdoor advertising sign, about 25' long and 15' high on your land at 870 Congress Street, is not issuable under the Zoning Ordinance because the property is located in a Limited Business Zone where, according to Section 5A of the Ordinance applying to such zones, such a sign advertising goods or services other than those offered by an occupant of the premises is not an allowable use; and because the proposed sign would be closer than 100' to the Apartment House Zone running along Crescent Street at the rear of your property, contrary to Section 15C of the Zoning Ordinance.

Mr. Taylor has indicated that you desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMd/G

Enclosure: Outline of appeal procedure

PERMIT # 02649		TOWN OF Portland BUILDING PERMIT APPLICATION		MAP #	LOT#
Please fill out any part which applies to job. Proper plans must accompany form.					
Owner:	Church of Christ 867 Congress St. 926-8822				
Address:	867 Congress St. Portland 04102				
LOCATION OF CONSTRUCTION	867 Congress St.				
CONTRACTOR:	Self SUBCONTRACTORS:				
ADDRESS:					
Est. Construction Cost:	2,000	Type of Use:	Church		
Past Use:					
Building Dimensions L x W x H	Sq. Ft.	# Stories	Lot Size		
Is Proposed Use	Seasonal	Condominium	Apartment		
Conversion - Explain: To expand Fellowship room in basement.					
COMPLETE ONLY IF THE NUMBER OF UNITS WILL CHANGE as per 2 sets of plans					
Residential Buildings On Lot	# Of New Dwelling Units				
Foundation:	1. Type of Soil: _____ 2. Set Backs - Front _____ Rear _____ Side(s) _____ 3. Footings Size: _____ 4. Foundation Size: _____ 5. Other: _____				
Floor:	1. Sills Size: _____ Sills must be anchored. 2. Girder Size: _____ 3. Lally Column Spacing: _____ Size: _____ 4. Joists Size: _____ 5. Bridging Type: _____ Size: _____ Spacing 16" O.C. 6. Floor Sheathing Type: _____ Size: _____ 7. Other Material: _____				
Exterior Walls:	1. Studding Size _____ Spacing _____ 2. No. windows _____ 3. No. Doors _____ 4. Header Sizes _____ 5. Bracing: Yes _____ No _____ Span(s) _____ 6. Corner Posts Size _____ 7. Insulation Type _____ Size _____ 8. Sheathing Type _____ Size _____ 9. Siding Type _____ Weather Exposure _____ 10. Masonry Materials _____ 11. Metal Materials _____				
Interior Walls:	1. Studding Size _____ Spacing _____ 2. Header Sizes _____ Span(s) _____ 3. Wall Covering Type _____ 4. Fire Wall If required _____ 5. Other Materials _____				
Roof:	1. Truss or Rafter Size _____ Span _____ 2. Sheathing Type _____ Size _____ 3. Roof Covering Type _____ 4. Other _____				
Chimneys:	Type: _____ Number of Fire Places _____				
Heating:	Type of Heat: _____				
Electrical:	Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____				
Plumbing:	1. Approval of soil test if required Yes _____ No _____ 2. No. of Toilets or Showers _____ 3. No. of Fixtures _____ 4. No. of Lavatories _____ 5. No. of Other Fixtures _____				
Swimming Pools:	1. Type: _____ 2. Pool Size: _____ x _____ Square Footage _____ 3. Must conform to National Electrical Code and State Law.				
Zoning:	District: _____ Special Provisions Required: _____ Provided: _____ Required Setbacks: Front _____ Side _____ Review Required: _____ Zoning Board Approval: Yes _____ No _____ Date: _____ Planning Board Approval: Yes _____ No _____ Date: _____ Conditional Use: _____ Variance _____ Site Plan _____ Shore and Floodplain Lgmt. _____ Special Exception _____ Other (Explain): _____ Date Approved: _____				
Permit Received By	Latini				
Signature of Applicant	John L. Forter Date 9/21/89				
Signature of CEO	(S)mw Date _____				
Inspection Dates	_____				
White-Tax Assessor	Yellow-GPCOG	White Tag -CEO	© Copyright GPCOG 1987		