

192 BRACKETT STREET

CITY OF PORTLAND, MAINE

MEMORANDUM

TO: Mr. Robert Pierce
FROM: Fire Prevention Bureau
SUBJECT: 192 Brackett St.

DATE: 9/7/78

Approval is hereby given for a building permit
from this Department subject to the following requirements/reasons:

- 1) Two additional exits shall be provided, one from each area leading directly to the outside.
- 2) The partition between the storage area and the repair area shall have a fire rating of at least one hour including fire doors with self-closers.
- 3) Emergency lighting shall be provided for all exits and paths to reach same.
- 4) A manual alarm system shall be provided, a pull station shall be placed at each exit of each floor and a horn and light combination for each floor. Additional sounding devices may be needed.

Lt. James P. Collins
Fire Prevention Bureau

CITY OF PORTLAND, MAINE

MEMORANDUM

TO: Mr. Adolph Marino

DATE: 2/1/79

FROM: Fire Prevention Bureau

SUBJECT: 192 Brackett St.

(manual alarm system)

Approval is hereby given for a building permit
from this Department subject to the following requirements/reasons:

- 1) The sounding devices shall be combination horn and light (flashing light).
- 2) Pull stations shall be lock down type and shall be placed at all exits on all floors.
- 3) Wiring below an eight foot level shall be protected either by conduit or placing wires inside the walls.



Lt. James P. Collins
Fire Prevention Bureau



APPLICATION FOR PERMIT

PERMIT ISSUED

FEB 5 1979

CITY of PORTLAND

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION _____ PORTLAND, MAINE, Jan. 24, 1979

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 **192 Brackett St.** Fire District #1 #2

1. Owner's name and address **Pierce Furniture same** Telephone

2. Lessee's name and address

3. Contractor's name and address **Marino Elec. 68 Taft St.** Telephone **774-3129**

4. Architect

Proposed use of building **furniture store** Specifications

Last use

Material

Other buildings on same lot

Estimated contractual cost \$

Fee \$ **15.**

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION

This application is for: **@ 775-5451 To install fire alarm system in the whole building - "Firelight" system three - 4 in. horns**

Dwelling

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

Stamp of Special Conditions

Sent to Fire Dept. **1-24-79**
 Rec'd from Fire Dept. _____

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 connection to be made to public sewer?

Has septic tank notice been sent?

Height average grade to top of plate

Size, front

Material of foundation

Kind of roof

No. of chimneys

Framing Lumber—Kind

Size Girder

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

O.C. centers: 1st floor

Maximum span: 1st floor

If one story building with masonry walls, thickness of walls?

IF A GARAGE

No. cars now accommodated on same lot

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE

BUILDING INSPECTION—PLAN EXAMINER

ZONING:

BUILDING CODE: **James A. Allen**

Fire Dept.: **James A. Allen**

Health Dept.:

Others:

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.**

Signature of Applicant **Adolph Marino** Phone #

Type Name of above **Adolph Marino** 1 2 3 4

Other

and Address

FIELD INSPECTOR'S COPY

NOTES

2-7-79 will be checked by fire Dept since
it was requested by them

Permit No. 79/60
Location 193 Brackbill St.
Owner Ernest Sturman
Date of permit 1-27-79
Approved 2-5-79 Joe Alton

Two columns of horizontal lines for notes, with a large 'X' drawn across the left column.

CITY OF PORTLAND, MAINE

MEMORANDUM

TO: Mr. Adolph Marino

DATE: 2/1/79

FROM: Fire Prevention Bureau

SUBJECT: 192 Brackett St.

(manual alarm system)

Approval is hereby given for a building permit
from this Department subject to the following requirements/reasons:

- 1) The sounding devices shall be combination horn and light (flashing light).
- 2) Pull stations shall be lock down type and shall be placed at all exits on all floors.
- 3) Wiring below an eight foot level shall be protected either by conduit or placing wires inside the walls.

James P. Collins
W. James P. Collins
Fire Prevention Bureau



APPLICATION FOR PERMIT
 DEPARTMENT OF BUILDING INSPECTIONS SERVICES
 ELECTRICAL INSTALLATIONS

1-25-79

Date 23 219 1979
 Receipt and permit number _____

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: 192 Brackett St.
 OWNER'S NAME: C.A. Pierce ADDRESS: _____ FEES _____

OUTLETS:
 Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL _____

FIXTURES: (number of)
 Incandescent _____ Fluorescent _____ (not strip) TOTAL _____
 Strip Fluorescent _____ ft. _____

SERVICES:
 Overhead _____ Underground _____ Temporary _____ TOTAL amperes _____

METERS: (number of) _____

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 5100

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: 5100

INSPECTION:
 Will be ready on 1-26-79 1979; or Will Call _____
 CONTRACTOR'S NAME: A.W. Sewell
 ADDRESS: Scarborough
 TEL.: _____
 MASTER LICENSE NO.: _____
 LIMITED LICENSE NO.: _____

SIGNATURE OF CONTRACTOR:
James A. Sewell

INSPECTOR'S COPY — WHITE
 OFFICE COPY — CANARY
 CONTRACTOR'S COPY — GREEN



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Sept. 20, 19 78
 Receipt and Permit number A 12969

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: 192 Brackett Street
 OWNER'S NAME: Pierce Furniture ADDRESS: same

	FEES
OUTLETS:	
Receptacles <u>✓</u> Switches <u>✓</u> Plugmold _____ ft. TOTAL <u>1-30</u>	<u>3.00</u>
FIXTURES: (number of)	
Incandescent _____ Fluorescent _____ (not strip) TOTAL	
Strip Fluorescent _____ ft.	
SERVICES:	
Overhead <u>xx</u> 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) <u>2</u>	<u>4.00</u>
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 <u>3</u>	<u>1.50</u>
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>12.90</u>

INSPECTION:

Will be ready on _____, 19 ____; or Will Call xx
 CONTRACTOR'S NAME: Marin Electric
 ADDRESS: 68 Taft Ave.
 TEL.: 774-3128
 MASTER LICENSE NO.: 2299 SIGNATURE OF CONTRACTOR:
 LIMITED LICENSE NO.: _____ *Jeanette A. Marin*
for Adolph Marin

INSPECTOR'S COPY — WHITE
 OFFICE COPY — CANARY
 CONTRACTOR'S COPY — GREEN

192 Brackett Street

Mr. Robert D. Pierce
34 Alpine Road
Portland, Maine

cc: Fire Department
cc: F. W. Cunningham
85 W. Commercial St.

Dear Mr. Pierce:

A Building Permit is issued herewith to construct an addition 50x30, as per plans, to the above building subject to the enclosed memo from the Fire Department, plus the following Building Code requirements.

Please find enclosed Statement of Design to cover the 4x3x5/16th lintel on the 3 ft. 6 in. span.

Where the new concrete wall abutts the existing foundation, at least half inch bolts a foot or more long should be provided to tie on to the new foundation.

The brick veneer is to be tied to the woodwork using ties which weigh no less than 48 lbs. per thousand and are to be installed at intervals of not exceeding 16 inches vertically, and 2 feet horizontally.

Very truly yours,

E.S.S. R.L.S.
Earle E. Smith
Building Inspection Supervisor

ESS/r

Enclosure

Applicant: ROBERT D. PIERCE Date: 6/20/78
Address: 192 BRACKETT ST.
Assessors #: 56-C-8

CHECK LIST AGAINST ZONING ORDINANCE

✓ Date - EXISTING

✓ Zone Location - R-1

✓ Interior or corner lot -

~~40 ft. setback area (Section 21)-~~

✓ Use - RETAIL FURN. SALES & REPAIR
30' x 50' ADDITION

Sewage Disposal -

✓ Rear Yards - 20' - NOT REQ.

602.853 ✓ Side Yards - 3'-3' - 3'-10' MIN.

Front Yards -

Projections -

Height - 1 STORY

Lot Area - 4800[±]

Building Area - 1500[±] EXIST. PROP. 1210 - 2710[±]

Area per Family -

Width of Lot -

Lot Frontage

✓ Off-street Parking - NONE REQ. LESS 3000[±]

✓ Loading bays - NONE REQ.

Site Plan -

Shoreland Zoning -

Flood Plains -

30 x 50 = 1500
22 x 55 = 1210
2710

150'

38' - 40'

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Mr. Robert Picette
FROM: Fire Prevention Bureau
SUBJECT: 132 Brackett St.

DATE: 9/7/78

Approval is hereby given for a building permit
from this Department subject to the following requirements/reasons:

- 1) Two additional exits shall be provided, one from each area leading directly to the outside.
- 2) The partition between the storage area and the repair area shall have a fire rating of at least one hour including fire doors with self-closers.
- 3) Emergency lighting shall be provided for all exits and paths to reach same.
- 4) A manual alarm system shall be provided, a pull station shall be placed at each exit of each floor and a horn and light combination for each floor. Additional sounding devices may be needed.

Et. James P. Collins
Fire Prevention Bureau



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP ... MERCANTILE
B.O.C.A. TYPE OF CONSTRUCTION TYPE 4 - B. Unused

SEP 21 1978

ZONING LOCATION B-1 079 POK. AND, MAINE June 15, 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 192 Brackett Street Fire District #1, #2
1. Owner's name and address Robert D. Pierce, 34 Alpine Road Telephone 797-2306
2. Lessee's name and address
3. Contractor's name and address Pending F. W. Cunningham-85 W. Commercial Telephone 773-0245
4. Architect Specifications Plans 04104 No. of sheets
Proposed use of building No. families
Past use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot 208.00 fee not
Estimated contractual cost \$ 52,000 Fee \$ 2.00 paid
appeal fee 8.24-78

FIELD INSPECTOR - Mr. Marge GENERAL DESCRIPTION

This application is for: @ 773-5451
Dwelling Ext. 234
Garage
Masonry Bldg.
Metal Bldg.
Alterations
Demolitions
Change of Use
Other

To construct addition 50 x 22 30
as per plans, 1 sheet of plans.
Addition to be erected to already
existing store Stamp of Special Conditions

This application is preliminary to not within the rules of zoning appeal. In the event the appeal is sustained, the applicant will furnish complete information, estimated cost and pay legal fee. Appeal sustained 5-13-78

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 sewer?
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: Will there be in charge of the above work a person competent
BUILDING CODE: to see that the State and City requirements pertaining thereto
Fire Dept. are observed?
Health Dept.
Others:

Signature of Applicant Robert D. Pierce, Phone # same
Type Name of above Robert D. Pierce 1 2 3 4
Other
and Address

FIELD INSPECTOR'S COPY

NOTES

9-19-78 did - start - d - get

10-4-78 permit in - will be back filled

11-3-78 foundation capped in -

No construction yet - is pretty up

New brick raised on existing bldg

1-17-79 Still Spacing up - is most

done elec work - wiring lights in

rest of bldg is install in New Add

same with the fire alarm - just get

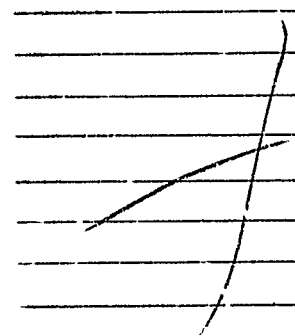
The doors to be placed

soon -

3-8-79 Completed -

C.O.D to be mailed -

Permit No. 78/0790
 Location 1937 Granddall St.
 Owner Granddall Service
 Date of permit 6-16-78
 Approved 9-11-78 Adaptation



192 Brackett Street

July 17, 1978

Robert D. Pierce
34 Alpine Road
Portland, Maine

cc: F. W. Cunningham
85 West Commercial St.
Portland, Maine

Dear Mr. Pierce:

Following is the decision of the Board of Appeals regarding your petition to permit construction of a 30' x 50' addition on the rear of the existing building at the above named location. Please note that your appeal was granted.

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
Building Inspection Supervisor

MGW/s

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Robert D. Pierce

B. Property Location 192 Brackett Street

C. Applicant's Interest in Property:

- Owner
 Tenant
 Other _____

D. Property Owner Robert D. Pierce

E. Owner's Address 34 Alpine Road

F. Zone (Circle One):

- R-1 R-2 R-3 R-5 R-6 R-4
R-P B-1 B-2 B-3 A-B
I-P I-I I-2 I-2b I-3 I-3b I-4
RPZ W-1

G. Site Plan Approval required _____

H. Present Use of Property store

I. Section(s) to Which Variance Related 602.8.C.2

J. Reasons Why Permit Cannot be Issued the distance between

the proposed addition and the left side lot line will be 3' rather than 10' minimum required.

K. Requested Variance Would Permit construction of a 30' x 50'

addition on the rear of the existing building.

L. Notice Sent to _____ Adjacent Property Owners

Appearances

A. Those Advocating Variance

ROBERT D. PIERCE

B. Those Opposing Variance

PAUL GORDWIN 36 PINE ST

(Attachments, As Necessary)

III. Exhibits (Any documents, photos, plans, further findings of fact, etc. presented to the Board as part of its records)

LETTERS PHOTO PLAN.

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for Space and Bulk variances as contained in Section 602.24C 3.b.(1) (a) through (e)

A. The parcel is exceptional due to physical characteristics or topographic features which amount to more than a mere inconvenience

Yes/Agreement with statement

No/Disagreement with statement

Reasons _____

B. If yes, the unique physical conditions: (Check One)
Sec. 602.24C 3.b.(1) (b)

Existed at the time of the enactment of the provision from which a variance is sought; or

Were caused by natural forces; or

Were the result of governmental action

...tinent ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to the same provisions (Sec. 602.24C 3.b. (1) (c)

- Yes/Agreement with statement
 No/Disagreement with statement

Reasons _____

D. As evidenced by affirmative answers to either IV. A. or IV. C. above, the variance will not create a special privilege for the applicant. Sec. 602.24C 3.b. (1) (d)

- Yes/Agreement with statement
 No/Disagreement with statement

Reasons _____

E. The variance will not adversely affect neighborhood property in the same zone and will not be detrimental to the general public health and safety Sec.602.24C 3.b. (1) (e)

- Yes/Agreement with statement
 No/Disagreement with statement

Reasons _____

V. Specific Relief Granted

After a public hearing held on 7/13/78, the Board of Appeals finds that: (Check One)

- Approval - All of the conditions required by Sec. 602.24C 3.b.(1) exist with respect to this property, as evidenced by affirmative responses to all statements set forth in IV. A. through IV. E above, and that a space and bulk variance be granted in this case.

Conditions of Approval (If any) _____

Disapproval - All conditions required by Sec.602.24C 3.b. (1) do not exist with respect to this property, as evidenced by one or more negative responses to statements set forth in IV. A. through IV. E. above, and that a space and bulk variance should not be granted in this case.

VI. Signatures of Board

James O. Malley Chairman
J. Morrell Kelly
W. Earle E. Skelton
James E. Kelly
Thomas Murphy

192 Brackett Street

June 22, 1978

Robert D. Pierce
34 Alpine Road
Portland, Maine

cc: F. W. Cunningham
85 West Commercial St.
Portland, Me.

Dear Mr. Pierce:

Building Permit to construct a 30' x 50' addition on the rear of the existing building, at the above named location, is not issuable under the Zoning Ordinance because the distance between the proposed addition and the left side lot line will be about 3' rather than the 10' minimum required by Section 602.8.C.2 of the Ordinance applying to the B-1 Business Zone in which this property is located.

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 or forms which are available here. A fee of \$5.00 for a Space & Bulk 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.C.3.b.1.

Very truly yours,

Malcolm G. Ward
Building Inspection Supervisor

MGW/r

pd.
6-16-78

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

SPACE AND BULK VARIANCE (OTHER THAN FOR DWELLING UNIT CONVERSIONS)

Robert D. Pierce, owner of property at 192 Brackett Street

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

Portland, hereby respectfully petitions the Board of Appeals to permit: construction of a 30' x 50' addition on the rear of the existing building not issuable under the Zoning Ordinance because the distance between the proposed addition and the left side lot line will be about 3' rather than the 10' minimum required by Section 602.8.C.2 of the Ordinance applying to the B-1 Business Zone in which this property is located.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(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.

R.D. Pierce
APPELLANT

602.24 C(3)(b)(1) Space and Bulk Variances other than for Dwelling Unit Conversions.

- (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 Space and Bulk Variance appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, July 13, 1978 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property directly abutting, and directly across a street or alley from the subject property as required by Ordinance.

Robert D. Pierce, owner of property at 192 Brackett Street, under the provisions of Section 602.24 C of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit construction of a 30' x 50' addition on the rear of the existing building, at the above named location, not issuable under the Zoning Ordinance because the distance between the proposed addition and the left side lot line will be about 3' rather than the 10' minimum required by Section 602.8.C.2 of the Ordinance applying to the B-1 Business Zone in which this property is located.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C (3)(b)(1) of the Zoning Ordinance have been met.

James F. O'Malley
Secretary

Dudley Weed Drug- 46 Pine St. 04102
O.J. Porter Co. - 58 Pine St. 04102
City of Portland, School Dept., - 107 Elm St.
Raymond W. & Yvonne M. Rivers- 3 Donald St. 04102
Katherine R. Ward- 189 Brackett St. 04102
Charles B. Turner- 183 Brackett St. 04102

Consumers Fire & Safety Equipment

COMPLETE LINE OF INDUSTRIAL SAFETY & FIRE EQUIPMENT

181 BRACKETT STREET • PORTLAND MAINE 04102 • 207-772-2511

July 13, 1978

CITY OF PORTLAND
BOARD OF APPEALS
City Hall
389 Congress Street
Portland, Maine 04111

Dear Sirs:

Re: PIERCE FURNITURE COMPANY
192 Brackett Street
Portland, Maine 04102

We wish to voice our approval to the anticipated addition to the
building.

Very truly yours,

Fred B. Fuller
President

FBF/vm

DUDLEY-WEED DRUG CO., INC.

46 PINE STREET

773-3841

PORTLAND

⁴⁴⁹ 632 FOREST AVENUE PLAZA

774-2679

MAINE



"If It's Drugs You Need

Call Dudley-Weed"

July 13, 1978

City of Portland,
Board of Appeals-

Gentlemen:

Dudley-Weed Drug Co., Inc., one of the abettors of C. A. Pierce Co.,
has no objection to the plan of C. A. Pierce Co. to build an addition
to its existing building.

Very truly yours

Gerald H. Roche

Dudley-Weed Drug Co., Inc.

46 Pine Street

Portland, Me. 04102

July, 13, 1978

To Whom it may Concern :

I, Mrs. Jora L. Brown of 203 Brackett Street
Portland, Maine. Do heartily approve of the
Improvement of which Mr. Robert Pierce of 198
Brackett St, is asking for a permit to do. as a
close Neighbor and Tax payer.

Mr. Pierce's Store is always kept clean, and
a delightful spot and an addition to Brackett St,
and the Neighborhood,

Signed
Jora L. Brown



APPLICATION FOR PERMIT TO ERECT
SIGN OVER PUBLIC SIDEWALK OR STREET

PERMIT ISSUED

APR 10 1976

0267

CITY of PORTLAND

Portland, Maine, March 30, 1976 19

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect the following described sign extending over a public sidewalk or street in accordance with the Building Code of the City of Portland, and the following specifications:

Location 192 Brackett St. Within Fire Limits? _____ Dist. No. _____
 Owner of building to which sign is to be attached Robert & Donald Pierce 192 Brackett St.
 Name and address of owner of sign same
 Contractor's name and address Coyne Sign Co. 56 Cove St. Telephone 772-4144
 When does contractor's bond expire? Dec. 31, 1976

Information Concerning Building

No. stories 2 Material of wall to which sign is to be attached brick

Details of Sign and Connections

Building owner's consent and agreement filed with application yes
 Electric? yes Vertical dimension after erection 4' Horizontal 6'
 Weight 100# lbs., Will there be any hollow spaces? no Any rigid frame? yes
 Material of frame angle iron No. advertising faces 2 material plastic
 No. rigid connections 2 Are they fastened directly to frame of sign? yes
 No. through bolts 2 Size 3/8 x 5" Location, top or bottom both
 No. guys 2 material steel cable Size 3/16
 Minimum clear height above sidewalk or street 10'
 Maximum projection into street 6'

Signature of contractor

Shunt O'Neil

Fee \$ 7.40

INSPECTION COPY

o.k. E.R. 4/15/76

Appeal sustained 4-14-76

WRITTEN CONSENT AND AGREEMENT RELATING TO A CERTAIN SIGN PROPOSED
TO BE ERECTED PROJECTING OVER A PUBLIC SIDEWALK FROM THE
PREMISES AT 192 Brackett Street IN PORTLAND, MAINE

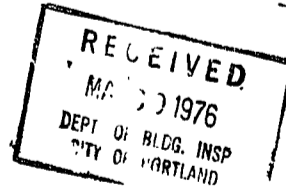
Robert D. & Donald R. Pierce being the owners of the premises at 192 Brackett Street in Portland, Maine hereby gives consent to the erection of a certain sign owned by Pierce Furniture projecting over the public sidewalk from said premises as described in application to the Inspector of Buildings of Portland, Maine for a permit to cover erection of said sign;

And in consideration of the issuance of said permit Robert D. & Donald R. Pierce, owners of said premises, in event said sign shall cease to serve the purpose for which it was erected or shall become dangerous and in event the owner of said sign shall fail to remove said sign or make it permanently safe in case the sign still serves the purpose for which it was erected, hereby agrees for himself or itself, for his heirs, its successors, and his or its assigns, to completely remove said sign within ten days of notice from said Inspector of Buildings that said sign is in such condition and of order from him to remove it.

In Witness whereof, the owner of said premises has signed this consent and agreement this 29 th day of March 1976 .

James E. Pierce
Witness

Robert D. Pierce
Owner
Donald R. Pierce



192 Brackett Street

April 15, 1976

Robert & Donald Pierce
192 Brackett Street
Portland, ME 04102

cc: Coyne Sign Company
66 Cove Street
Portland, ME 04101

Following is the decision of the Board of Appeals regarding your petition to erect a double faced 6' x 4' projecting sign at the above named location. Please note that your appeal was granted.

Your permit will be issued as soon as it receives approval from our Plan Examiner.

Very truly yours,

A. Allan Soule
Assistant Director

AAS/mt

192 Brackett Street

April 1, 1976

Robert & Donald Pierce
192 Brackett Street
Portland, ME 04102

cc: Coyne Sign Company
66 Cove Street
Portland, ME 04101

Building permit to erect a double faced 6' x 4' projecting sign at the above named location, is not issuable under the Zoning Ordinance for the following reasons.

1. The property is located in a B-1 Business Zone, where projecting signs are not allowable under Section 602.16.4.a.
2. This sign will face an adjacent Residential Zone, contrary to Section 602.16.4.a.

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 \$5.00 for a Space & Bulk 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.C.3.b.1)

Very truly yours,

Malcolm G. Ward
Plan Examiner

mgw/mc

April 13, 1976

Gentlemen,

Audley-wheel Drug Co.,
Inc. has absolutely no ob-
jection to the proposed
overhead sign of C.A. Pierce
Co.

Sincerely,

Audley-wheel Drug Co.,
Inc.

By - Gerald H. Rofe

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

SPACE AND BULK VARIANCE (OTHER THAN FOR DWELLING UNIT CONVERSIONS)

Robert & Donald Pierce, owner of property at 192 Brackett Street

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

Portland, hereby respectfully petitions the Board of Appeals to permit: the erection of a double faced 6' x 4' projecting sign at the above named location. This permit is not issuable under the Zoning Ordinance for the following reason: 1) The property is located in a B-1 Business Zone, where projecting signs are not allowable under Section 602.16.4.a. 2) This sign will face an adjacent Residential Zone, contrary to Section 602.16.4.a.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(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.

Robert D. Pierce
APPELLANT

602.24 C(3)(b)(1) Space and Bulk Variances other than for Dwelling Unit Conversions:

- (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 Space and Bulk Variance appeal will be heard at a public hearing in Room 209 City Hall, Portland, Maine on Wednesday, April 14, 1976, at 3:00 p.m. This notice of required public hearing has been sent to the owners of property directly abutting, and directly across a street or alley from the subject property as required by Ordinance.

Robert & Donald Pierce, owners of property at 192 Brackett Street, under the provisions of Section 602.24.C of the Zoning Ordinance of the City of Portland, hereby respectfully petition the Board of Appeals to permit the erection of a double faced 6' x 4' projecting sign at the above named location. This permit is not issuable under the Zoning Ordinance for the following reasons. 1) The property is located in a B-1 Business Zone, where projecting signs are not allowable under Section 602.16.4.a. 2) This sign will face an adjacent Residential Zone, contrary to Section 602.16.4.a.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24.C.3.b.1 of the Zoning Ordinance have been met.

Jacqueline Cohen
Secretary

148-190 Brackett St. / City of Portland
194-202 Brackett St., cor. 46-52 Pine St. / Dudley Weed Drug Co., 46 Pine
56 Pine St. / O. J. Porter Co., 58 Pine Street
189 Brackett St. / Robert W. & Katherine R. Ward, 189 Brackett St.
191-195 Brackett St., cor. 42-44 Pine St / Raymond & Yvonne Rivers, 44 Pine

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

SPACE & BULK VARIANCE APPEAL

Findings of Fact

The applicant is Robert & Donald Pierce and he is interested in the property located at 192 Brackett Street as owner. The owner of the property is same and his address is same. The property is located in a B-1 Zone. The present use of the property is furniture store.

The applicant respectfully petitions the Board of Appeals for a variance from the provision of Section 602.16.4.a of the Ordinance to permit the erection of a double faced 6' x 4' projecting sign at the above named location.

Further Findings of Fact

Appearances

The names and addresses of those appearing in support of the application are: Robert Pierce

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, drawing, map, overlay, letter from Gerald H. Rolfe (favorable)

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: _____

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 of the following: _____

SPECIFIC RELIEF GRANTED

After a public hearing held on _____, 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 space & bulk 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.

In favor W. Earle Eskilson

James F. O'Malley

Thomas J. Murphy

Gail D. Snow

Opposed Jacqueline Cohen