

259-267 BRIGETON AVENUE



SPRINKLER

Full cut #920R - Half cut #920R - Thin cut #920R - Full cut #920R



APPLICATION FOR PERMIT

PERMIT ISSUED

APR 1 1981

B.O.C.A. USE GROUP
B.O.C.A. TYPE OF CONSTRUCTION 228

ZONING LOCATION PORTLAND, MAINE, March 31, 1981

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 263 Brighton Avenue Fire District #1 #2 Telephone 773-0883

1. Owner's name and address .. James Iannetta - same Telephone ..

2. Lessee's name and address Telephone .. 657-3862

3. Contractor's name and address .. A. R. DeRice - Spiro Rd. Gray, Me. Telephone ..

4. Architect Specifications Plans No. of sheets ..

Proposed use of building .. Office & Dwelling with 2nd story addition .. No. families ..

Last use .. same No. families ..

Material No. stories Heat Style of roof Roofing ..

Other buildings on same lot Fee \$.. 37.00

Estimated contractual cost \$ 7,500

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION

This application is for: @ 775-5431

Dwelling Ext. 234

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

To construct 2nd story addition, 12' x 22' as per plans. 1 sheet of plans.

Stamp of 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

DETAILS OF NEW WORK

Is any plumbing involved in this work? ... yes Is any electrical work involved in this work? no

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

BUILDING INSPECTION—PLAN EXAMINER

ZONING:

BUILDING CODE:

Fire Dept.:

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?

Signature of Applicant .. Andrew DeRice Phone # .. same

Type Name of above ... A. R. DeRice Bldgs. 1 2 3 4

Andrew DeRice Other

and Address

FIELD INSPECTOR'S COPY

2A

C

Permit No. 81/228
Location 263 Douglas Ave.
Owner James Dean
Date of permit 3.31-81
Approved 4-1-81

NOTES

~~4-1-81. WIP - will need elec permit - material on site
5-21-81 work complete~~

6/7/77

From the desk of —
A. Allan Soule

263 Brighton Ave

Bob —

O.K. to issue

L



APPLICATION FOR PERMIT

PERMIT ISSUED
JUN 8 1977

B.O.C.A. USE GROUP
B.O.C.A. TYPE OF CONSTRUCTION 0456
ZONING LOCATION PORTLAND, MAINE, June 7, 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 263 Brighton Ave. Fire District #1 #2
1. Owner's name and address Richard Sittinger - same Telephone
2. Lessee's name and address Maine Sign & Display - 29 Portland St. Telephone 773-9714
3. Contractor's name and address Specifications Plans No. of sheets
4. Architect No. families 1
Proposed use of building dwelling Roofing
Last use same Style of roof
Material No. stories Heat
Other buildings on same lot
Estimated contractual cost \$ Fee \$ 10.20

FIELD INSPECTOR—Mr. Marge GENERAL DESCRIPTION
This application is for: @ 775-5451 SIGN
Dwelling Ext. 234 Permit to erect in front of dwelling
Garage 1 sheet of plans.
Masonry Bldg.
Metal Bldg.
Alterations
Demolitions
Change of Use
Other
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 Kind of heat fuel
No. of chimneys Material of chimneys of lining Corner posts Sills
Framing Lumber—Kind Dressed or full size? Size Max. on centers
Size Girder Columns under girders O. C. Bridging in every floor and flat roof span over 8 feet.
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 height?
If one story building with masonry walls, thickness of walls?

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

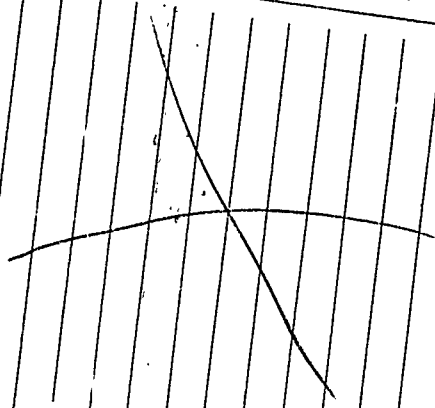
DATE Will work require disturbing of any tree on a public street? ..
APPROVALS BY: BUILDING INSPECTION—PLAN EXAMINER Will there be in charge of the above work a person competent
ZONING: to see that the State and City requirements pertaining thereto
BUILDING CODE: are observed?
Fire Dept.:
Health Dept.:
Others:
Signature of Applicant Phone # same
Type Name of above Jack Reckitt 1 2 3 4
Other
and Address

FIELD INSPECTOR'S COPY

Permit No. 77/0456
Location 263 Burlington Ave.
Owner Richard J. Sattler
Date of permit 6-7-77
Approved 6-8-77 Sign 2x7

NOTES

6-16-77 Sign erected - size is more like
3' x 6" - with minimum clearance of 2 sq. ft. - 10'





APPLICATION FOR PERMIT

B.O.C.A. USE GROUP
 B.O.C.A. TYPE OF CONSTRUCTION
 ZONING LOCATION R-3 PORTLAND, MAINE, 4/1/77

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 .. 263 Brighton Ave. Fire District #1 , #2
 1. Owner's name and address .. Richard Sittinger, D.C. Telephone 773-0333 ..
 2. Lessee's name and address Telephone
 3. Contractor's name and address .. Me. Sign & Display, 29 Portland St. Telephone 773-9714 ..
 4. Architect Specifications Plans No. of sheets .. 1 ..
 Proposed use of building No. families
 Last use No. families
 Material .. plywood .. stories Heat Style of roof Roofing
 Other buildings on same lot Fee \$.. 11.20 ..
 Estimated contractual cost \$.. 400. (12 sq. ft.) ..

FIELD INSPECTOR—Mr.
 This application is for:
 Dwelling @ 775-5451
 Garage Ext. 234
 Masonry Bldg.
 Metal Bldg.
 Alterations
 Demolitions
 Change of Use
 Other Sign

GENERAL DESCRIPTION APPRAL FEE NO. 5/24/77
To erect ground sign, 2 poles in ground,
5'6"x28" plywood, 8' above ground, 10'
from sidewalk.
 Stamp of 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

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

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

APPROVALS BY: Will work require disturbing of any tree on a public street? ..
 BUILDING-INSPECTION—PLAN EXAMINER DATE
 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 .. Jack Reckitt Phone # ... 773-9714 ..
 Type Name of above .. Jack Reckitt 1 2 3 4
 Other
 and Address

FIELD INSPECTOR'S COPY

500 rd,
5/24/77

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

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

Richard Sittinger, owner of property at 259-267 Brighton Ave., cor:
1-5 Orland St.

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:
erection of a detached sign, 5'6" x 28" in front yard of dwelling

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.

(Mrs.) Mary C. Sittinger
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.

119-5-4
207 Brighton Ave + 1-15-0 on land 5x
267-267
Richard Luttinger
119-5-4

CHECK LIST FOR SIGNS

Character: ~~Don't~~ ~~Prohibit~~ 0
75 174324 SE
801 ~~Prohibit~~
AT 1110

Date - April 8, 1977
Checked By Allen

Location -

- Zone Location - R3
- Fire Zone - No
- Sign & Review Committee - over 8" in least dimension - No
- Area of sign - 12' x about 13' - Home occupation allowed 20'
- Area of existing signs - None
- Material - Plywood
- Design -
- Facing adjoining Residence Zone -
- Flashing or Steady light - No
- If on State road - check with State -

Attached Sign -

Height above level of roof -

Detached or pole sign -

- Height - 5' 4"
- Required yards (single pole OK - 2 poles a structure) 40" setback
- Corner clearance -
- Footing -
- Certificate of Design -

Projecting Sign -

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

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, June 1, 1977 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.

Richard Sittinger, owner of property at 259-267 Brighton Ave., cor. 1-5 Orland St., 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 erection of a detached sign 5'6" x 28" in front yard of dwelling at above-named location. This permit is not allowable under the Zoning Ordinance because Sec. 602.16A.1a of the Ordinance applying to the R-3 Residence Zone in which the property is located specifies a maximum of 2 sq.ft. allowable for home occupation signs.

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

Jacqueline Cohen
Secretary

Gloria Burns - 257 Brighton Ave.
Elizabeth F. Sheriff - 25 Orland St.
Thomas F. & Claire J. Foley - 18 Orland St.
Michael J. Flaherty & Rita D. Merrill - 7 Deblois St.
Robert L. & Nancy A. Piccone - 10 Orland St.
Marjorie Brownstone - 260 Brighton Ave.



Maine Sign and Display

29 Portland Street
Portland, Maine 04101
Phone 773-9714

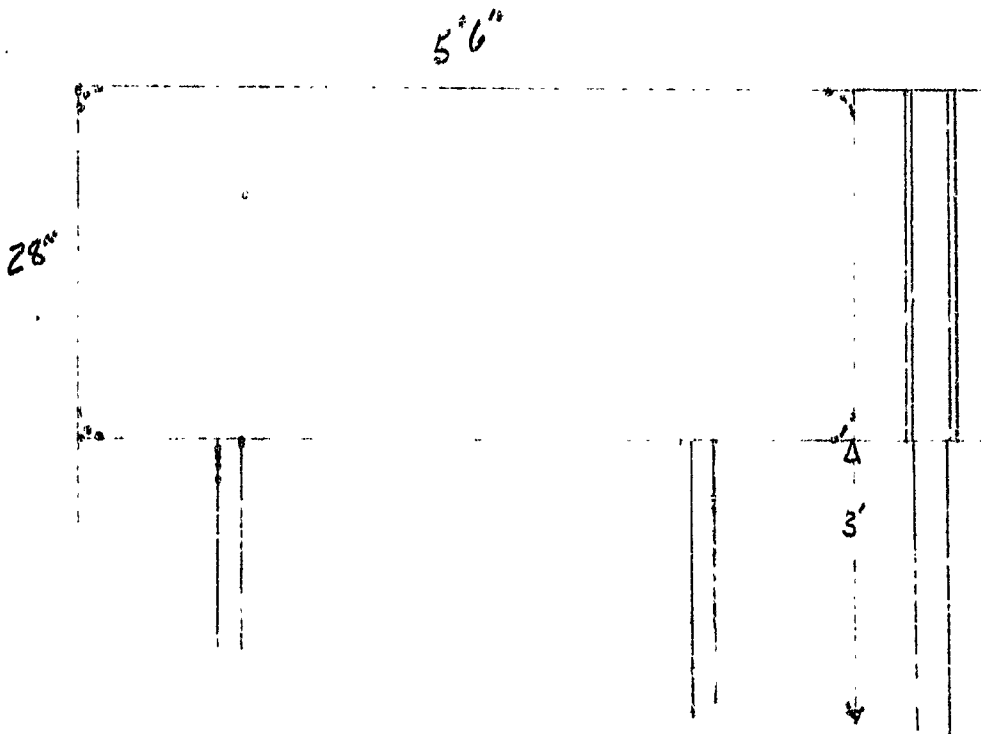
April 1, 1977

Permit request ground sign

Sign customer: Richard Sittinger, L.C. 773-0833

" location: 263 Brighton ave 5'-04" above ground 10' from walk

Construction: 2-3/4" plywood panels mounted on two 2x4s 3' in ground



259-267 Brighton Ave., cor. 1-15 Orland St.

June 3, 1977

Mr. Richard Sittinger
263 Brighton Avenue
Portland ME 04102

Dear Sir

Following is the decision of the Board of Appeals
regarding your petition to erect a detached sign 5'6"x28"
in the front yard of dwelling at the above-named loca-
tion.

Please note your appeal was denied.

Very truly yours

A. Allan Soule
Assistant Director

AAS:cm

259-267 Brighton Ave.,
cor. 1-15 Orland St.

April 13, 1977

Mr. Richard Sittinger
263 Brighton Avenue
Portland ME 04102

Dear Sir

A Building Permit to erect a detached sign 5'6" x 28" in the front yard of the dwelling at the above-named location is not issuable as this sign will have a square foot area of about 13 sq. ft. instead of the 2 sq. ft. allowed for home occupation, under Section 602.16.A.1.a. of the Zoning Ordinance applying to the R-3 Residence Zone in which the property is located.

We understand you would like to exercise your appeal rights in this matter. Accordingly, you or your representative should come to this office, Room 113, City Hall to file the Appeal on forms which are available here. A fee of \$5 shall be paid at this office at the time the appeal is filed.

If fee has been paid and an appeal filed, prior to this letter, then consider this letter a matter of formality.
(Sec. 602.24.C.3.b.1.)

Very truly yours

A. Allan Soule
Assistant Director

AAS:cm

CITY OF PORTLAND, MAINE
BOARD OF APPEALS
SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Richard Sittinger

B. Property Location 259-267 Brighton Ave., cor: 1-5 Orland St.

C. Applicant's Interest in Property:

Owner
 Tenant
 Other

D. Property Owner -same-

E. Owner's Address _____

F. Zone (Circle One):

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

G. Site Plan Approval Required _____

H. Present Use of Property Dwelling

I. Section(s) to Which Variance Related 602.16.A.1.a

J. Reasons Why Permit Cannot be Issued A detached sign of 5'6" x 28" has a 13 sq.ft. area in excess of the 2 sq.ft. allowed for home occupation under Sec. 602.16A.1.a. of the Ordinance applying to R-3 Residence Zone.

K. Requested Variance Would Permit 5'6" x 28" Detached Sign
in front yard of Dwelling.

L. Notice Sent to 6 Adjacent Property Owners

Those Advocating Variance

DR. RICHARD SITTINGER

B. Those Opposing Variance

MARCY PIERCE - 10 OCEANO ST.
EDWARD STREET - 75 OCEANO ST.
RITA FRANKLIN - 14 OCEANO ST.
DON MARY WILLIAMS - BROAD ST.

(Attachments, As Necessary)

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

✓ SANBORN MAP OVERLAY, PHOTO

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 [Section 602.24C 3.b.(1) (a)]

() 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

Ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to 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

3 - NO ESKIN, HANES, SELTZER
1 - YES - MURPHY

Reasons _____

V. Specific Relief Granted

After a public hearing held on _____, 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) _____

(X) 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

W. L. Edelman Chairman
Thomas J. Hingley
M. J. ...
John ...

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

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

Paul F. Munroe, owner of property at 41-45 Mallily Rd.

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 one story 29'x24' attached garage on the right side of existing dwelling at the above location which is not issuable under the Zoning Ordinance because the distance between the proposed garage and the side lot line will be about 6' rather than the 8' min. required by Sec. 602.4.B.2 of the Ordinance applying to the R-3, Residential 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.

Paul F. Munroe
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 June 1, 1977 at 3:30 p.m. The 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.

Paul F. Munroe, owner of property at 41-45 Mallily Rd. under the provisions of Section 602.24C. of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit: construction of a one story 29'x24' attached garage on the right side of existing dwelling at the above location which is not issuable under the Zoning Ordinance because the distance between the proposed garage and the side lot line will be about 6' rather than the 8' min. required by Sec. 602.4.B.2 of the Ordinance applying to the R-3, Residential 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.

Jacqueline Cohen
Secretary

Roaks Seven Acre Greenhouses, Inc. - 963 Washington Ave.
Warren B & Eleanor R Lowell - 49 Mallily Rd.
Chris I. & Frances C. Olsen - 37 Mallily Rd.
Pauline F & Roger C. Strout - 48 Mallily Rd.
Herbert H. & Maureen McBride - 38 Mallily Rd. - returned 5-23-77

CITY OF PORTLAND, MAINE
BOARD OF APPEALS
SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Paul F. Munroe

B. Property Location 41-45 Malilly Rd.

C. Applicant's Interest in Property:

Owner
 Tenant
 Other

D. Property Owner Paul F. Munroe

E. Owner's Address 45 Malilly Rd.

F. Zone (Circle One):

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

G. Site Plan Approval Required no

H. Present Use of Property dwelling

I. Section(s) to Which Variance Related 602.4.B.2

J. Reasons Why Permit Cannot be Issued distance between proposed garage and the side lot line will be about 6' rather than the 8' min. required by Sec. 602.4.B.2 of the Ordinance applying to the R-3 Residential Zone in which this property is located.

K. Requested Variance Would Permit 29'x24' attached garage

L. Notice Sent to _____ Adjacent Property Owners

II. Appearances

A. Those Advocating Variance

PAUL F. MONROE

B. Those Opposing Variance

NONE

(Attachments, As Necessary)

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

PHOTO, SANSHED MAP, SKETCH OF PROPOSED CONSTRUCTION
NEARBY OF SITE

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for single 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 [Section 602.24C 3.b.(1) (a)]

- () Yes/Agreement with statement
- (x) 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

C. Pertinent 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 JUNE 1, 1977, 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 3.5.(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

Walter Eskola Chairman
James Mungler
Robert W. Smith
John D. ...



CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

Location
263 Brighton Ave.

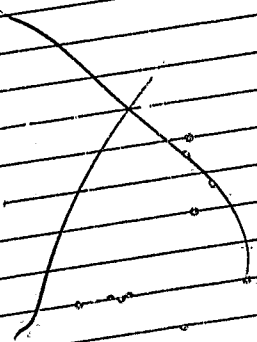
Map.
COPY
COMPLAINT NO. 77/8

Date Received March 30, 1977

Location 263 Brighton Ave. Ireland St Use of Building _____ Telephone _____
 Owner's name and address Donato Protenno - 751 Main St Telephone _____
 Tenant's name and address DR Sittlinger 263 Brighton Ave Telephone _____
 Complainant's name and address neighbor Telephone _____
 Description: Sign too large - R-3 Zone

NOTES: 331-77

~~_____~~ Home occupation for
 lamp and doctor's office issued 2-3-70 - sign for home
 occupation in R-3 zone - Sec. 602.16A.1.2 says only 2 sq ft
 allowed for this type sign -
 spoke to Dr. Sittlinger, the new owner, about the sign which
 is about 4ft x 2ft. He will want to appeal it - and will
 take out a permit. - m S Allow Soule to take it from here.





APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Jan. 21, 1976, 19__
 Receipt and Permit number A 11802

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: 263 Brighton Ave.
 OWNER'S NAME: Dan Profenno ADDRESS: _____

OUTLETS: (number of)

Lights	_____	rearranging not altering wiring	FEES
Receptacles	_____		
Switches	_____		
Plugmold	_____ (number of feet)		
TOTAL	<u>30-60</u>		

FIXTURES: (number of)

Incandescent	_____	
Fluorescent	_____ (Do not include strip fluorescent)	
TOTAL	_____	
Strip Fluorescent, in feet	_____	

SERVICES:

Permanent, total amperes	_____	
Temporary	_____	

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 (total number of 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	_____	
Signs	_____	
Fire/Burglar Alarms	_____	
Circus, Fairs, etc.	_____	
Alterations to wires	_____	
Repairs after fire	_____	
Heavy Duty, 220v outlets	_____	
Emergency Lights, battery	_____	
Emergency Generators	_____	

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT	INSTALLATION FEE DUE:	_____
FOR REMOVAL OF A "STOP ORDER" (304-16.b)	DOUBLE FEE DUE:	_____
FOR PERFORMING WORK WITHOUT A PERMIT (304-9)	TOTAL AMOUNT DUE:	<u>5.00</u>

INSPECTION: We'll be ready on _____, 19__; or Will Call

CONTRACTOR'S NAME: Mancini
 ADDRESS: 179 Sheridan

TEL.: 2436
 MASTER LICENSE NO.: _____
 LIMITED LICENSE NO.: _____

SIGNATURE OF CONTRACTOR: [Signature]

INSPECTOR'S COPY

iak

MEMORANDUM FROM DEPARTMENT OF BUILDING INSPECTION, PORTLAND, MAINE

October, 1970

Locations: 263 Brighton Ave.

Before tanks and piping are covered from view, installer is required to notify the **Fire Dept. Headquarters** of readiness for inspection and to refrain from covering up until approved by the **Fire Dept. Headquarters**

These tanks of ⁽¹⁾500 gallons capacity are required to be of steel or wrought iron no less in thickness than # 12 gauge; and before installation are required to be protected against corrosion, even though galvanized, by two coats of tar, asphaltum, or other suitable rust-resisting paint, and special protection wherein corrosive soil such as cinders or the like.

Pipe lines connected to underground tanks, other than tubing and except fill lines and test wells, must be provided with double swing joints arranged to permit the tank to settle without impairing the efficiency of the pipe connections.

Owner and installer will have to bear the responsibility for the structural capacity of the tank to support loads from above such as heavy motor trucks.

If tank will be so located as to be subjected to the action of tide water or "ground" water, adequate anchorage or weighting must be provided to prevent "floating" when tank is empty or nearly so.

CITY OF PORTLAND, MAINE
CODE REQUIREMENTS OF BUILDING INSPECTION DEPARTMENT
FOR MECHANICAL INSTALLATIONS

LOCATION 263 BRIGHTON AVE.

DATE 10/8/70

Permit to install OIL FIRED HOT WATER HEATING SYSTEM & TANK at the above named location

is being issued provided installation follows all the requirements and recommendations of the City of Portland Building Code, the National Fire Protection Association (NFPA) and the American Gas Association (AGA).

City of Portland Building Code Chapter #8 9 (20)
N.F.P.A. Section #13 (31) 54 58 72 82 86A (89M) 90B
91 96 204 211
A.G.A. Volume ASA 221.30

Special Notes:

Malcolm S. Ward
Building Inspection Department



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, October 4, 1970

PERMIT ISSUED

OCT 8 1970

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 263 Brighton Ave. Use of Building Doctor's office & apt. No. Stories New Building
 Name and address of owner of appliance Dr. Donald Profenno, 263 Brighton Ave. Existing
 Installer's name and address Caron & Waltz, 416 Preble St., So. Portland Telephone 799-2228

General Description of Work

To install oil-fired forced hot water heating system in place of gas-fired warm air heat
 American Standard F3

IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? no
 If so, how protected? Kind of fuel? oil
 Minimum distance to burnable material, from top of appliance or casing top of furnace 26" From sides or back of appliance 10" with shield
 From top of smoke pipe 18" From front of appliance 4" Other connections to same flue none
 Size of chimney flue 8x8 If gas fired, how vented? none Rated maximum demand per hour
 Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

IF OIL BURNER

Name and type of burner American Standard Labeled by underwriters' laboratories? yes
 Will operator be always in attendance? Does oil supply line feed from top or bottom of tank?
 Type of floor beneath burner concrete Size of vent pipe 1 1/2" 1 1/2"
 Location of oil storage basement, outside Make Number and capacity of tanks 1-500 gal.
 Low water shut off underground How many tanks enclosed? No.
 Will all tanks be more than five feet from any flame? yes Total capacity of any existing storage tanks for furnace burners none
 Sent to Fire Dept. 10/7/70
 Rec'd from Fire Dept. 10/7/70

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath?
 If so, how protected? Height of Legs, if any
 Skirting at bottom of appliance? Distance to combustible material from top of appliance?
 Front front of appliance From sides and back From top of smokepipe
 Size of chimney flue Other connections to same flue Forced or gravity?
 Is hood to be provided? If so, how vented? Rated maximum demand per hour
 If gas fired, how vented?

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Tank to be buried at least 7ft 3" below grade; coated with asphaltum; bears
 Und. Lab.

Amount of fee enclosed? 10.00 belated fee (\$2.00 for one heater, etc., \$1.00 additional for each additional heater, etc., in same building at same time.)

APPROVED:

10/7/70 for Dr. Profenno
 10/8/70 OK M&W

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

Caron & Waltz

By:

Signature of Installer

Lead H. Jewell

PC

CS 300

INSPECTION COPY

Permit No. 70/1215
 Location 263 Brighton Ave
 Owner Dr. Donald P. Johnson
 Date of permit 10/8/70
 Notif. closing-in _____
 Inspn. closing-in _____
 Final Notif. _____
 Final Inspn. _____
 Cert. of Occupancy issued _____

NOTES

11/10/70 NOT COMPLETED
 11/16/70 " " MISC
 12/3/70 NO MEANS FOR GARGING
 TANK CALLED CARON SURETY SAID
 THEY WILL CALL WHEN RECTIFIED
 4/29/71 R.R. MISC.

PERMIT TO INSTALL PLUMBING

15358

PERMIT NUMBER

Date Issued: 7/2/65
PORTLAND PLUMBING INSPECTOR
 By: E. R. Goodwin
 APPROVED FIRST INSPECTION
 Date: 7/6/65
ERNOLD R. GOODWIN
 By: Plumbing Inspector
 APPROVED FINAL INSPECTION
 Date: 7/6/65
ERNOLD R. GOODWIN
 CHIEF PLUMBING INSPECTOR
 COMMERCIAL
 RESIDENTIAL
 SINGLE
 MULTI FAMILY
 NEW CONSTRUCTION
 REMODELING

Address: 263 Brighton Avenue
 Installation For: Walter McLean
 Owner of Bldg: Walter McLean
 Owner's Address: 263 Brighton Avenue
 Plumber: Portland Gas Light Co Date: 6/25/65

NEW	REPL	PROPOSED INSTALLATIONS	NUMBER	FEE
		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS		
		HOT WATER TANKS	1	2.00
		TANKLESS WATER HEATERS		
		GARBAGE GRINDERS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS (Conn. to house drain)		
			TOTAL	2.00

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

PERMIT TO INSTALL PLUMBING PERMIT NUMBER 1791

Date Issued **10/14/70**
 Portland Plumbing Inspector
 By **ERNOLD R. GOODWIN**

App. First Insp.
 App. Final Insp.

- Date _____
 By _____
- Type of Bldg.
 Commercial
 Residential
 Single
 Multi Family
 New Construction
 Remodeling

Address **243 Brighton Ave.**
 Installation For:
 Owner of Bldg: **Dr. Donald Profano**
 Owner's Address: **243 Brighton Ave.** Date: **10/14/70**
 Number **Caron & Walter Inn** NO FEE

NEW	REPL			
		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS	FLOOR	SURFACE
		DRAINS		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		1 2.00
		GARBAGE DISPOSALS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS		
		AUTOMATIC WASHERS		
		DISHWASHERS		
		OTHER		
			TOTAL	1 2.00

Building and Inspection Services Dept., Plumbing Inspection

PERMIT TO INSTALL PLUMBING

10688

PERMIT NUMBER

Date Issued 9-22-61
 PORTLAND PLUMBING INSPECTOR

Address 263 Brighton Avenue
 Installation For: J. Walter McLean
 Owner of Bldg. J. Walter McLean
 Owner's Address: 263 Brighton Avenue
 Plumber: E. H. Cunningham Company Date: 9-22-61

By J. P. Welch
 APPROVED FIRST INSPECTION

Date Sept. 22-1961

By JOSEPH P. WELCH
 APPROVED FINAL INSPECTION

Date Sept. 25, 1961

By JOSEPH P. WELCH

- TYPE OF BUILDING
 COMMERCIAL
 RESIDENTIAL
 SINGLE
 MULTI FAMILY
 NEW CONSTRUCTION
 REMODELING

PROPOSED INSTALLATIONS	DATE		NUMBER	FEE
	NEW	REPL.		
SINKS				
LAVATORIES				
TOILETS				
BATH TUBS			1	\$ 2.00
SHOWERS			1	2.00
DRAINS				
HOT WATER TANKS				
TANKLESS WATER HEATERS				
GARBAGE GRINDERS				
SEPTIC TANKS				
HOUSE SEWERS				
ROOF LEADERS (Conn. to house drain)				

PORTLAND HEALTH DEPT. PLUMBING INSPECTION TOTAL ▶ \$ 4.00

CITY OF PORTLAND, MAINE

Application for Permit to Install Wires

Permit No. 58479
 Issued 11.29.70

Portland, Maine 1970

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

(This form must be completely filled out - Minimum Fee \$1.00)

Owner's Name and Address Donald R. Keenan Tel.
 Contractor's Name and Address Peter Letini Tel.
 Location 263 Brighton Ave Use of Building
 Number of Families Apartments Stores
 Description of Wiring: New Work Additions
 Alterations
 Number of Stories
 Pipe Cable Metal Molding BX Cable Plug Molding (No. of feet)
 No. Light Outlets 13 Plugs 7 Light Circuits 2 Plug Circuits 6 24
 FIXTURES: No. Fluor. or Strip Lighting (No. feet)
 SERVICE: Pipe Cable Underground No. of Wires 3 Size 2-4/8 & 2-2/0-200 200
 METERS: Relocated Added Total No. Meters
 MOTORS: Number Phase H. P. Amps Volts Starters
 HEATING UNITS: Domestic (Oil) No. Motors Phase H.P.
 Commercial (Oil) No. Motors Phase H.P.
 Electric Heat (No. of Rooms)
 APPLIANCES: No. Ranges 1 Watts Brand Feeds (Size and No.)
 Elec. Heaters Watts
 Miscellaneous Watts Extra Cabinets or Panels
 Transformers Air Conditioners (No. Units) Signs (No. Units)
 Will commence 1970 Ready to cover it 1970 Inspection \$19
 Amount of Fee \$
 Signed Peter Letini

DO NOT WRITE BELOW THIS LINE

SERVICE	METER	GROUND	
VISITS: 1	2	3	4
5	6	7	8
9	10	11	12

REMARKS:

INSPECTED BY [Signature] (OVER)

LOCATION Brighton Ave. 263
 INSPECTION DATE 2/11/70
 WORK COMPLETED 2/14/70
 TOTAL NO. INSPECTIONS 1
 REMARKS:

FEEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963

WIRING

1 to 30 Outlets \$ 2.00
 31 to 60 Outlets 3.00
 Over 60 Outlets, each Outlet05
 (Each twelve feet or fraction thereof of fluorescent lighting or
 any type of plug molding will be classed as one outlet).

SERVICES

Single Phase 2.00
 Three Phase 4.00

MOTORS

Not exceeding 50 H.P. 3.00
 Over 50 H.P. 4.00

HEATING UNITS

Domestic (Oil) 2.00
 Commercial (Oil) 4.00
 Electric Heat (Each Room)75

APPLIANCES

Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Built-in
 Dishwashers, Dryers, and any permanent built-in appliance — each
 unit 1.50

MISCELLANEOUS

Temporary Service, Single Phase 1.00
 Temporary Service, Three Phase 2.00
 Circuses, Carnivals, Fairs, etc. 10.00
 Meters, relocate 1.00
 Distribution Cabinet or Panel, per unit 1.00
 Transformers, per unit 2.00
 Air Conditioners, per unit 2.00
 Signs, per unit 2.00

ADDITIONS

5 Outlets, or less 1.00
 Over 5 Outlets, Regular Wiring Rates