

350-354 BAXTER BOULEVARD

SHAW-WALKER
8203-1B

(RAA) RESIDENCE ZONE - AA

APPLICATION FOR PERMIT



Class of Building or Type of Structure Sign
Portland, Maine, March 3, 1949

PERMIT ISSUED

APR 6 1949

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~alter or repair~~ install the following ~~building~~ structure ~~erected~~ erected 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 350-354 Baxter Boulevard Within Fire Limits? Dist. No.
 Owner's name and address The Minat Corp., 220 Cumberland Avenue Telephone 4-8013
 Lessee's name and address Telephone
 Contractor's name and address Owners Telephone
 Architect Specifications Plans yes No. of sheets 1
 Proposed use of building Sign No. families
 Last use No. families
 Material No. stories Heat Style of roof Roofing
 Other buildings on same lot none
 Estimated cost \$ Fee \$ 1.00

General Description of New Work

To erect detached sign ~~2x4x6x6x6~~ 4' x 6'. Face to be ~~wood~~ masonry masonite 4x4 uprights.

Permit Issued with Memo

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 The Minat Corp. 4/1/49

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
 Struts (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?

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

APPROVED:

The Minat Corp.

Signature of owner by:

INSPECTION COPY

AP 350-354, Baxter Boulevard-1

March 9, 1949

The Minat Corporation
220 Cumberland Avenue
Portland, Maine

Subject: Application for building permit to cover erection
of detached sign on one of the vacant lots at 350-354,
Baxter Boulevard, and proposed zoning appeal relating
thereto

Gentlemen:

Permit for the above work is not issuable under the Zoning Ordinance because the property is in a Residence AA Zone where Sections 13-A and 15-A-7 provide that such a sign is not an allowable use if it exceeds eight square feet in total area--the sign which you propose would have twenty-four square feet of area.

You have indicated your desire to seek a variance from the Board of Appeals, and there is enclosed, therefore, an outline of the appeal procedure.

It is noted that you evidently propose to develop this block bounded by Clifton Street, Hersey Street, Baxter Boulevard and Vannah Avenue as eight lots. This question has nothing to do with the above application for permit for a sign or the appeal relating thereto, I am wondering if you will be able to keep within the provisions of the Zoning Ordinance (Section 13-II) relating to area of lot per family, in the case of each of these lots.

This Section provides: No dwelling house shall be erected on a lot containing less than 6,000 square feet unless such lot is of record on January 1, 1946. None of the eight lots appears to have as much as 6,000 square feet in it, and a hurried check in the Assessor's Office seems to show that not more than three or four of the lots have the same boundaries as existed on January 1, 1946.

Also it appears that the lots which you have numbered 118 and 55 do not have the minimum width of 60 feet stipulated by Section 13-I applying to Residence AA Zone, although it appears that No. 55 may be all right if the lot lines as now indicated are the same as the lines of the same lot on January 1, 1946. Apparently Lot 118 represents a subdivision of a much larger lot of record on January 1, 1946.

Very truly yours,

WRD/G

Inspector of Buildings

Enclosure: Outline of the appeal procedure

CC: Edward T. Signour
Assistant Corporation Counsel

Arthur T. Row, Jr.
Director of Planning Board

Memorandum from Department of Building Inspection, Portland, Maine

350-354 Baxter Boulevard, corner of Vannah Avenue--Erection of detached
sign for and by the Minat Corporation--4/6/49

As per action of the Board of Appeals, building permit for the
above sign is issued herewith subject to the action that the sign shall
remain in place no longer than eighteen months from April 1, 1949.

Wkcd/7

(Signed) Warren McDonald
Inspector of Buildings

X

*Sustained
Conditionally
4/1/49
49/23*

City of Portland, Maine
Board of Appeals

—ZONING—

To the Board of Appeals:

March 11, 19 49

Your appellant, The Minat Corporation, who is the owner of property at 350-354 Baxter Boulevard, 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 17, Paragraph E of the Zoning Ordinance,

Building permit to cover erection of detached sign on one of the vacant lots at 350-354 Baxter Boulevard is not issuable under the Zoning Ordinance because the property is in a Residence AA Zone where Sections 13-A and 15-A-7 provide that such a development sign is not an allowable use if it exceeds eight square feet in total area and proposed sign will have twenty-four square feet of area.

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 and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

The Minat Corporation

By *Mitchell*
Appellant

X

49/23

City of Portland, Maine
Board of Appeals
—ZONING—

Decision
1st day of April, 1949
owner of property at

Public hearing was held on the
on petition of The Minet Corporation
350-354 Baxter Boulevard
the Zoning Ordinance relating to this property,
seeking to be permitted an exception to the regulations of

Building permit to cover erection of detached sign on one of the vacant
lots at 350-354 Baxter Boulevard is not issuable under the Zoning
Ordinance because the property is in a Residence AA Zone where Sections
13-A and 15-A-7 provide that such a development sign is not an allowable
use if it exceeds eight square feet in total area and proposed sign will
have twenty-four square feet of area.

The Board finds that an exception is necessary in this case to grant reasonable
use of property and can be granted without substantially departing from the
intent and purpose of the Zoning Ordinance for a period of eighteen (18) months
from the date of this order.

It is, therefore, determined that exception to the Zoning Ordinance may
in this specific case, for a period of eighteen (18) months from the date of this order,
be permitted

John K. Giddell
B. M. Walcott
William A. O'Brien
John W. Lake
Edward D. Colley

Board of Appeals

X

49/23

DATE: April 1, 1949

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF THE MINAT CORPORATION
AT 350-354 BAXTER BOULEVARD

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

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Getchell	(x)	()	
Mr. O'Brien	(x)	()	
Mr. Colley	(x)	()	
Mr. Holbrook	(x)	()	
Mr. Lake	(x)	()	
	()	()	
	()	()	
	()	()	

CONDITION: FOR EIGHTEEN (18) MONTHS FROM THIS DATE.

Record of hearing:

Arthur Cope for Minat Corporation
Mrs. Charles Crute, Codman Street, opposed
and representing other neighbors.
No serious but objected to any infringement
of Zoning Laws.

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

49/23

March 22, 1949

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 1, 1949 at 10:30 a. m. to hear the appeal of the Minc Corporation requesting exception to the Zoning Ordinance to permit erection of temporary detached sign on one of the vacant lots at 350-354 Baxter Boulevard.

This permit is presently not issuable because this property is located in a Residence AA Zone where sections 13-A and 15-A-7 provide that such a temporary development sign is not an allowable use and exceeds eight square feet in total area and proposed sign will have twenty-four square feet of area.

This appeal is taken under Section 17E 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 intent 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
Robert L. Gutchell
Chairman

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CITY OF PORTLAND, MAINE
BOARD OF APPEALS

March 28, 1949

The Minat Corporation
220 Cumberland Avenue
Portland, Maine

Gentlemen:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 1, 1949 at 10:30 a. m. to hear your appeal requesting exception to the Zoning Ordinance to permit erection of sign on the premises at 350-354 Baxter Boulevard. Please be present or be represented at this hearing in support of your appeal.

Very truly yours,
Robert L. Getchell
Chairman

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

49/23

March 22, 1949

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BOARD OF APPEALS

Robert L. Gutchell

Chairman

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4963

WARREN McDONALD
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE

On reply refer
to file AP 350-354 Baxter Boulevard-Department of Building Inspection

FU

March 9, 1947

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Very truly yours,

(Signed) WARREN McDONALD
Inspector of Buildings

WMCD/G

Enclosure: Outline of the appeal procedure

CC: Edward T. Gignoux
Assistant Corporation Counsel

Arthur T. Row, Jr.
Director of Planning Board

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