

June 30, 1947

Gulf Oil Vorporation COL Danforth Street Portland, Huino

Attention: Mr. Walter H. Twoits

Gentlement

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine at Menthirty o'clock in the forences on Thursday, July 3, 1947, relating to your appeal under the Zoning Ordinance monocraing construction of service station building and installation of gasoline terms at All Brighton Avenue.

Please be present or be represented at this nouring in support of your appeal.

Yours truly,

BOARD OF APPEALS

Edward T. Colley, Chairman

ec: Nathan W. Encapeon, Esq. 85 Excharge Street Fortland, Maine

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TO THOM IT MAY CONCERN:

The Beard or Appeals will bold a public hearing in the Council Chi Distriction to will send, risine at ten-thirty of plock in the Consider the special way of the special under the Zoring Transcript of the Special under the Zoring Transcript to U. Special and carrier to Theopen, owners of property of A31 Brighton Avenue, relating to construction of service to the transcript of the Special Charles of the agreed, where the mentag Ordinassis of the sutrict, Dynamus because thend Maries & Bearing of property at 1312 In abtenuating - 1 mark for this distriction of an environment of the contraction of new Corvine Correspond in installation of granting takes at that corvined correspond to the corresponding to Section 6, appeals after the angle appeal procedure. According to Section 6, of the Ordinasse, any virg to Assaclate Course, and uses are excluded and there is in provisitions to the course to such or a course to such

TO ARD OF APPORT The appellants give the following reason. Çar their appeal: 🚉 exception to necessary in this first to collect Continuous plants and so, property and to avoid confliction on can be of inter without sub-stantially departing from the intent and purpose of the Zoning Ordinance."

This appeal is taken under Section 17b of the Jonian Ordinance which provides that the Board of appeals, a mar/hous vice of the members, may permit exceptating in specific and/do as to grant residently use of property there beceesery ... avoid confiscation and vishout sybstenticity deserting from the interpretation of the Loning Ordinance, subjust always to the rule year said Board shall give one consideration to properties multichealth, askety convenience and willfare, enough the the most appropriate use of land and conserving property volumes that it shall permit no build a or use injurious, noximus, affiguive or detrimental to a neighborne a, and that it shall prescribe empropriate conditions and safeguards in each

full persons interested either for or aminst this appeal will be burn at the above time and place, this notice of required public bearing arrying been sent to the owners of property within 500 feet of the property misos in question as required by law.

> W.RU OF APPLIALS Edward T. Colley, Chairman

CITY OF FORTLAND, MAINE BOARD OF APPEALS

June 23, 1947

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine at ten-thirty o'clock in the ferencen on Thursday; July 3, 1947, concerning the appeal under the Zoning Ordinance of Bessie G. Symonds and darian L. Thompson, owners of property at 431 Brighton Avenue, relating to construction of service station building (Service Garage) and installation of gasoline tanks at the above address. line tanks at the above address.

This permit is not issuable under the Zoning Ordinance because the property is located mostly in a Local Business Zone and partly in a Residence C Zone. According to Section 6% of the Zoning Ordinance, applying to Local Business Zones, filling stations and services are contained by the Read of vice garages are excluded except as authorized by the Board of appeals after the usual appeal procedure. According to Section 9% of the Ordinence, applying to Residence C Zones, such uses are excluded and there is no provision giving the Board of appeals specific reverse to sutherize them. powers to authorize them.

The appellants give the following reasons for their appeal: "An exception is necessary in this case so as to grant reasonable use of property and to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance."

This appeal is taken under Section 17E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous voto of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid configuration and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consider tion to promoting public health, safety, convenience and welfere, encouraging the most appropriouse of land and conserving property values, that it shall per the building or use individues navious offensive or detriment. injurious, noxious, offensive or detrimen a neighborhood, and that it shall prescribe appropriate condit. s 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 APPLALS Edward T. Colley, Chairman

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

June 23, 1947

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This permit is not issuable under the Zoning Ordinance because the property is located mostly in a Local Business Zone and partly in a Residence C Zone. According to Section 64 of the Zoning Ordinance. Applying to Local Business Zones, filling stations and service garages are excluded except as authorized by the Board of appeals after the usual appeal procedure. According to Section 94 of the Ordinance, applying to Residence C Zones, such uses are excluded and there is no provision giving the Board of Appeals specific powers to authorize them.

The appellants give the following reasons for their appeal: "An exception is necessary in this case so as to grant reasonable use of property and to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance."

This appeal is taken under Section 17E of the Zoning Ordinance that provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific c ses so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS Edward T. Colley, Chairman AP 431 Brighton Averue, Corner of Stevens Ave. (2 permits, 1 for service station and 1 for tanks)-I

May 34, 1947

Gulf Oil Corporation 601 Danforth Street Portland, Maine Subject: Applications for building permits to cover construction of service station building (Service Garage) and for installation of gasoline tanks at 431 Brighton Avenue, corner of Stevens Avenue

Gentlemen:

Building permits for the above work are not issuable under the Zoning Ordinance because the property is located mostly in/Local Business Zone and partly in a Residence C Zone. According to Section 6A of the Zoning Ordinance, applying to Local Business. Zones, filling stations and service garages are excluded except as authorized by the Board of Appeals after the usual appeal procedure. According to Section 9A of the Ordinance, applying to Residence C Zones, such uses are excluded and there is a provision giving the Board of Appeals specific powers to authorize tom.

You have indicated your desire to seek a variance or exception from the Board of Appeals, and there is, accordingly, enclosed herowith an outline of the appeal procedure. I am told that the best time to file such an appeal at the office of Corporation Counsel is in the afternoon and that such an appeal should be entered in the name of the party who actually holds title to the property and should be signed by that party or his authorized agent.

An unusual situation exists here in that the zone lines in the Local Business Zone at the corner and the Residence C Zone are located 100 feet from Erighton Avenue and 100 feet from Stevens avenue. Thus the area actually in the Local Business Zone while not precisely a rectangle, is approximately 100 feet at each dimension. Apparently you propose to have about 110 feet frontage on Brighton Avenue--10 feet into the Residence C Zoney-and 134 feet frontage on Stores avenue--about 34 feet into the Residence C Zoney.

Apparently both zone lines outliving the corner run t rough existing lots. On Brighton Avenue there is sufficient frontage of the lotprovided in the Local Business Zone so that the allowances of the Zoning Ordinance in case a zone line divides a lot are sufficient toplace the entire frontage on Brighton Avenue under the Local Business Zone rule.

On Stevens Avenue, however, judging from the lend map, the zone line divides through its depth a small/having 44 foot frontage on Stevens Avenue and this small lot has less than the 20 foot frontage in the Local Business Zone to enjoy the allowances of the Ordinance so that the rules of the Local Business Zone would extend 20 feet into the Residence C Zone. See Section 168 of the Zoning Ordinance.

This may become important to the appeal proceedings because under the Local Business. Zone rule the Board of Appeals are , iven specific authority to great the uses desired, but under Residence C rules no such specific authority is indicated.

Very truly yours,

WMcD/J

Inspector of Buildings

Enclosure: Outline of appeal procedure.



(I) LOCAL PROPERTY TO THE APPLICATION FOR PERMIT

Class of B	uilding or Type of Str			
	,	aine, May 23, 1947		
To the INSPECTOR OF I	BUILDINGS, PORTLAND,	, ME.		
accordance with the Laws of the if any, subquitted herewith and	y applies for a permit to the State of Maine, the Build the following specifications	erect olgen and Zoning Ordinancs o s:	the following buttaing str of the City of Portland, pla	ns and specifications,
Location A31 Brighto	on Avenue	Within 1	Fire Limits?no)1st. No
Owner's name and address.	Gulf Oil Cor	p., 601 Danforth Street	tTele	phone 3-51350
Lessee's name and address			Tele	plione
Contractor's name and add	dressnot_let_		Tele	phone
Architect		Specifications	Pians_ _7/08	No. of sheets 1
Proposed use of building_	Service	Station	No. far	nilies
Last use			No. far	nilies
Material No.	storiesHeat	Style of roof	Roofing	
Other buildings on same lo	ot		1994	'(() ;
Estimated cost \$			the Fee	= \$
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	1		AA Cylinson	CHILLIAN .
1 A	. / }	Marine Ma	M^{VV}	•
16)		NAS V	/ ('	~
This application	is preliminary to	get settled the questi	ion of zoning appe	al. In
i event the appeal	is sustained the a	Spbricant Arri interen	complete informat	ion, the
estimated cost an	id will pay legal i	ree.		
				7
the heating contractor.	Γ	Details of New Work		
		Is any electrical v	vork involved in this wo	ork?
Is any plumbing work in	volved in this work:	Height average grade	to highest point of roc	f
Height average grade to	top of plate	stories solid or filled land	4? earth or	rock?
Size, front	_depthNo.	Stories Solid of lined land	ui,taitii Oi	
Material of foundation_				
		Thickness, topbotton	ncellar	
Material of underpinning	g	Thickness, topbotton	Thickness_	
Kind o roof	gRise per foot_	Thickness, topbotton Height Roof covering	Thickness_	
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Signature of owner By:

INSPECTION COPY

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

	the state of the s
To the INSPECTOR OF BUILDINGS, PORTI	AND, ME, Portland, Maine, DCT 10 1934
The undersigned hereby applies for a accordance with the Laws of Maine, the Buil Location 4-31 Buglita ac	permit to install the following heating, cooking or power equipment in ding Code of the City of Portland, and the following specifications:
Name and address of owner Janual). Symonds, Serm Ward 8
Contractor's name and address 7. Ca	Leves 112 Unity Toppanione 3:7858
To install bel less	neral Description of Work OR CLOSING IN SECTION BEFORE DESCRIPTION OF THE PROPERTY OF THE PRO
Material of supports of heater or equipment (co	OWER BOILER OR COOKING DEVICE State Cooking Device
from top of smoke pipe, from f	rial, from top of boiler or casing top of furnace, P.C. part 1971
, T	IF OIL BURNER
Will all tanks be more than seven feet from any	Type of oil feed (gravity or pressure) No. and capacity of tanks. 1-275 gal dame? Use How many tanks fireproofed?
Amount of fee enclosed?(\$1.00 for obtilding at same time.)	one heater, etc., 50 cents additional for each additional heater, etc., in same
INSPECTION COPY	Signature of contractor T. Carney

will make feed line? -Symunds Date of permit 10/10/84 Notif. closing-in Inspn. closing-in Final Notif. Cert. of Occupancy issued NOTES Jank distance 📆 Fill pipe & Gaugo Rigidi 11. Pino sizos & material Instruction of 1 teed line loose from 6 un -atand & fromdeto walls 12/19/34. Am Carnes



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

-DEC-8 Mills.

the INSPECTOR OF B				tbar 9, 1927
	•	*		•
The undersignd here ecordance with the Laws o ry, submitted herewith un	by applies for a per of the State of Main d the following spe	mit to crost-alter instal e, the Building Code of cifications:	ll the following bu the City of Portla	ilding structure equipment in nd, plans and specifications, if
ocation 431 Figure	Aventa	Ward8	Within Fire Limits	?Dist. No
wner's or Less es name a	and address. Georg	e H. McInffijo, 451	Brighton Ave.	Telephone
ontractor's name and addr	ress Tayla J	. Salliyon 1/0 Monl	toa St.	Telephone F3729
rchitect's name and address	S			Ţħ.
				No. families 8
-				
_	Description of	of Present Building	to be Altered	
				No. familiès 8
ast use				No. lammes
To reglace		al Description of Ne	ew Work	CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAVED, OTTIFICATE ON BEFORE LATHING OF CLOCKICAN IS WALVED,
		Details of New Wo	ork	
				ghest point of roof
o be erected on solid or fi	lled land?		ear or rock?	
laterial of foundation		Thickness,, top		.bottom
				Thickness
Kind of roof		Roof cove	ring	
vo. of chimneys	Material of chin	oneys		of lining
				ater to chimney 30"
f oil burner, name and mo	odel			
s gas fitting involved?		Size	or service	
		•		
Corner posts	SillsGi	rt or ledger board?		. Size
Corner postsSuder gi	SillsGi irders carrying partitions) d corner posts all or	rt or ledger board?	Ma: 6x8 or larger. Brid	Size
Corner postsSuder gi	SillsGi irders carrying partitions) d corner posts all or1st floor	rt or ledger board? Size	Ma: 6x8 or larger. Brid	Size
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Material columns under gi Studs (outside walls and o span over 8 feet. Sills and Joists and rafters: On centers: Maximum span: If one story building with No cars now accommodat Total number commercial o Will automobile revairing Will above work require re Plans filed as part of this Estimated cost \$150.	SillsGi irders carrying partitions) d corner posts all or 1st floor 1st floor masonry walls, thick ted on same lot cars to he accommode be done other than removal or disturbing application? f the above work a p	Size 2x4-16" O. C. Girders of the piece in cross section. 2nd 2nd 2nd 2nd 3nd If a Garage Size In piece in cross section. 2nd Miscellaneous 3 of any shade tree on a mo	Ma: 6x8 or larger. Brid, 3rd, 3rd, 3rd, to be accommod bitually stored in the public street? x	Size



Location, ownership, and detail must be correct, complete and fegible. Separate applie cation required for every building.

APPLICATION FOR FERMIT TO BUILD A PRIVATE GARAGE

Portland, Me., April 21,1923

TO THE

INSPECTOR OF BUILDINGS

The undersigned hereby applies for a permit to build, according to the following Specifications:-

Location	431 Brighton Avenue	Fire Districts	no	Ward	
	George H McDuffee				
Name of mechanic	is? owner	Address			
Proposes occupancy	of building (purpose)? Privat	te garage for two			
cars only, and no s					
Not nearer than tw	o feet from any lot line, will not obs	truct windows of adjoining	ig proj	erty.	
Size of building, N	nguisher to be kept in garage. To, of feet front?; No.				
No. of feet in heig	ht from the mean grade of street to	the highest part of the ro	of?	12ft	
Will the roof be flowed will the building of Will the building the Will the building the Have you or any property of the parameters.	at, pitch, mansard, or hip?	tch Materials be lined? we yes rrounding buildings? ied for a permit to build a	No.	f roofing?stoves to be t	nsphelt
Estimated Cost,	Signature of owner or authorized representative,	. 1	fm n	D.J.	



APPLICATION FOR PERMIT

DEPARTMENT OF BUILDING INSPECTIONS SERVICES ELECTRICAL INSTALLATIONS

	Receipt and Permit number
To the CHIEF ELECTRICAL INSPECTOR,	Portland, Maine:
The undersigned leveby applies for a pers	nit to make electrical installations in accordance with the laws of
Maine, the Portland Electrical Ordinance, the	National Electrical Code and the following specifications:
OWNER'S NAME: John Shelley	on Avenue ADDRESS: Hannaford Cove, Cape Eliz
	2nd floor kitchen / FEES
OUTLETS:	
Receptacles Switches	Plugmold ft. TOTAL 1-30 3.00
Incandescent <u>xx</u> Flourescent	(not strip) TOTAL 1-10
SERVICES: ft	
	Promise to the months.
METERS: (number of)	Temporary TOTAL amperes
MOTORS: (number of)	
1 HP or over	
RESIDENTIAL HEATING:	
Electric (number of rooms)	
C JMMERCIAL OR INDUSTRIAL HEATING	G;
Oil or Gas (by a main boiler)	- *******
Oil or Gas (by separate units)	
Electric Under 20 kws Ov	er 20 kws
APPLIANCES: (number of)	
Ranges	Water Heaters
Cook Tops	Disposals
Wall Ovens	Dishwashers
Dryers	
Fans	Others (denote)
MISCELLANEOUS: (number of)	
Runnel Danels	
Transformers	
Air Conditioners Central Unit	
Senarate Unite (uri	adaura)
Signs 20 sq. ft. and under	
Cver 20 sg. 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	
r spairs after fire	
Entergency Lights, battery	
Emergency Generators	
FOR ADDITIONAL WORK NOT ON ORIGIN	INSTALLATION FEE DUE:
FOR REMOVAL OF A "STOP ORDER" (304	NAL PERMIT DOUBLE FEE DUE:
TOR REMOVAL OF A STOP ORDER" (304	TOTAL AMOUNT DIE: 6,00
	TOTAL AMOUNT DUE: 6.00
INSPECTION:	
	19_; or Will Call
CONTRACTOR'S NAME: William	Wildon
ADDRESS: 36 ALba	**=====
TEL.: 773-198	
MASTER LICENSE NO.: 03413	
LIMITED LICENSE NO.:	Dein M. Wilson
Attaches to the second	- July Comment

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

Serviceby	Permit Number 05157 Permit Number 05157 Location 431 Backfides. Owner 3 Raddy Date of Permit 10-28-8 Finai Inspection 11-31-8 By Inspector 28-8 Permit Application Register Page No.
CODE	ALATIONS - ST ST ST ST ST ST ST ST ST ST



APPLICATION FOR PERMIT

DEPARTMENT OF BUILDING INSPECTIONS SERVICES **ELECTRICAL INSTALLATIONS**

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: 431 Brighton Avenue ADDRESS OWNER'S NAME: Steve Parker FEES **OUTLETS:** Switches ____ Plugmold ____ ___ ft. TOTAL Receptacles FIXTURES: (number of) ___ (not strip) TOTAL _ Flourescent ____ Incandescent ___ _ ft. Strip Flourescent _ SERVICES: Overhead X Underground Temporary TOTAL amperes 200 METERS: (number of) 2 3.00 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) Water Heaters Ranges Disposals Cook Tops Dishwashers Wall Ovens Compactors Dryers Others (denote) Fans 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/Purglar Alarms Residential ______Commercial _____ _ Heavy Duty Outlets, 220 Vc1t (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 FEL DUE: FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE: FOR REMOVAL OF A "STOP ORDER" (304-16.b) TOTAL AMOUNT DUE: 5.00 min hanry Gagne , 19_; or Will Call INSPECTION: Will be ready on _ CONTRACTOR'S NAME: 650 East Bridge St. Westbrook 04092 ADDRESS: TEL.: SIGNATURE OF CONTR MASTER LICENSE NO .: LIMITED LICENSE NO .:

> INSPECTOR'S COPY -OFFICE COPY --- CANARY

CONTRACTOR'S COPY - GREEN

INSPECTIONS: Service 200 May by Waso Permit Date of Permit Nappection Service called in 6/3 / Application Register Page No.	ELECTRICAL INSTALLATIONS— Permit Number 1735
DATE: REMARKS:	
	·



Inspection Services Samuel P. Hoffses Chief

Fluningand Urban Development Joseph E. Gray Jr. Director

CITY OF PORTLAND

October 4, 1991

Steve Parker 431 Brighton Ave Portland, ME

Re: 431 Brighton Ave

Dear Sir:

This letter is in reference to your property at 45% Benighton Avenue: Um Portland. It is necessary that you apply for a conformal use appeal to the Board of Appeals to authorize the day care famillity flow 12 a illidment

Prior to the public hearing on November 14th, you will stup usuing time garage for a business. This garage can only be used as anguerrary to the artificipal dwelling on the property. Failure to comply with these requests will result in my referral of the issues to the city's corporation commissed.

Sincerely,

Giroux Zoning Administrator

cc: Joseph E. Gray, Director of Planning and Urinan Dewellogment P. Samuel Hoffses, Chief of Imspection Services Mark Mitchell, Code Enforcement Officer

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, if Any, Attached

BUILDING INSPECTION

No.

	PERMIT	
This is to certify thatStev & C	indy En Parker	
has permission to change of use 431 Brighton Avenue	from Family 1 - 2 - 1 - 1	nursery school
AI		
the City of Portland regula	persons, firm or corporation visions of the Statutes of Mai ting the construction, mainte application on file in this de	me and of the Ordinances o
Apply to Public Works for street line and grade if nature of work requires such information.	Notification for inspection must be given and written permission procured before this building of part thereof is lathed or otherwise classed-in.	A certificate of occupancy must be procured by owner before this building or part thereof is occu- pied.
OTHER REQUIRED APPROVALS ire Dept.		• • • • • • • • • • • • • • • • • • • •
lealth Dept.	- Marcollow	1
Appeal Board	0-120 - 1 24	
Other	- precent the	ver supplied
Department Name	NAITY FOR PERSONNELLE DIR	ector - Building & Inspection Services
The second of the second of the second tensor and the second second of the second of t	enalty for removing this car	De moustwell
1	The second secon	7070

\$50.00 Appeal Fee BUILDING PERMIT APPLICATION Fee 25.00 City of_ Please fill out any part which applies to job. Proper plans must accompany form. Steva & Cindy L. Parker Phone # 773-8084 431 Brighton Ave. Portland, Maine 04102 For Official Use Only Date November 18, 1991 LÒCATION OF CONSTRUCTION 431 BrightoNAAvenue Inside Fire Limita ** Phone #_ Est. Construction Cost: Proposed Use: Nursery School/2 family Zoning:
Past Use: 2 family R-5 Street Frontage Provided: Provided Setbacks: Front Past Use: # of Existing Res. Units_ # of New Res. Units Required:

Zoning Board Approval: Yes No
Planning Board Approval: Yes No
Variance Review Required: Building Dimensions I Total Sq. Ft. Conditional Use:
Shoreland Zoning Yes_ Site Plan Condominium Conversion Floodplain Yes_ Explain Conversion to change use from 2 family to 2 family w/nursery school Other. Explain Conversion CONDITIONAL USE APPEAL 10 copies submitted 1. Type of Soil:
2. Set Backs - Front
3. Footings Size: Ceiling Joists Size:
 Ceiling Strapping Size
 Type Ceilings: 4 Jusulation Type 5. Ceiling Height: 4. Foundation Size: 5. Other 1. Truss of Rafter Size
2. Sheathing Type
3. Roof Covering Type Floor: 1. Sills Size: Sills must be anchored. 2. Girder Size: Chimneys: 3. Lally Column Spacing: 4. Joists Size: Number of Fire Places Spacing 16" Q.C. Heating: 5. Bridging Type:
6. Floor Sheathing Type:
7. Other Material: Type of Heat: Service Entrates SizOI battimer Smoke Det eter Required Plumbing: Exterior Walls: Approval of soil test if required
 No. of Tubs or Showers
 No. of Flushes 1. Studding Size 2. No. windows 3. No. Doors 4. Header Sizes 4. No. of Lavatories 5. Bracing 5. No. of Other Fixtures Swimming Pools: 6. Corner Posts Size 7. Insulation Type Size 8. S' a thing Type Size Pool Size:
 X Square Footage
 Rust conform to National Electrical Code and State Law. 9. Siding Type
10. Masonry Materials
11. Metal Materials Weather Exposure Permit Received By Latini Interior Walls: 1. Studding Size Signature of Applicant 2. Header Sizes_ 3. Wall Covering Type CEO's District 4. Fire Wall if required
5. Other Materials CONTINUED TO REVERSE SIDE White - Tax Assessor Ivory Tag - CEO

PLOT PLAN		And the second of the second	
			N A
Base Fee \$ 25.0 Subdivision Fee \$	S (Breakdown From Front)	Inspection 1	Record
Site Plan Review I Other Fees \$_50	Fee \$	Туре	Date
(Explain) Late Fee \$			//
OMMENTS	Submitted 10 packets		/
	CEF	TIFICATION	
by certify that I am the owner of te make this application as h	of record of the named present.		
nable hour to enforce the provi	e code official or the code official's authorizes of the code(s) applicable to such permissions of the code(s) applicable to such permissions.	roposed work is authorized by the owner of record and to to all applicable laws of this jurisdiction. In addition, if a sed representative shall have the authority to enter area nit.	nat I have been authorized by to permit for work described in the s covered by such permit at ar
10		ource	
TURE OF APPLICANT NSIBLE PERSON IN CHARGE OF WO	ADDRESS	PHONE	

Location of Construction: 431 Brighton Ave	Owner:	orker	Phone: 773-8084	Permit No:
Owner Address: SAA Ptld, ME 04102	Leasee/Buyer's Name:	Phone:	BusinessName:	941201
Contractor Name: Steve LaBreque	Address:	Thon	e:	Permit Issued:
Past Use:	Proposed Use:	COST OF WOR	K: PERMIT FEI \$ 45.00	
2-fam	Same	FIRE DEPT.	Approved INSPECTION	
	w/dormer	Signature:	Denied Use Group 93 Signature: 7	CITY OF TEXTOGOR
Proposed Project Description:		PEDESTRIAN A	CTIVITIES DISTRICT	
Construct dormer (Only side	to be dormered)		Approved Appn ved with Conditions: Denied	Special Zage or Reviews: Shoreland Wetland Flood Zone
		Signature:	Date:	☐ Subarvision
Permit Taken By: Mary Gresik	Date Applied For:	27 Oct 94		☐ Site Plan maj ☐ minor ☐ mm
 Building permits are void if work is no tion may invalidate a building permit 	started within six (6) months of the date and stop all work	e of issuance. Palse informa-		☐ Interpretation ☐ Approved ☐ Denied
			_	Wistoric Preservation Not in District or Landmark
		ı	WITH DEST ISSUES	Does Not Require Review Requires Review
		t	PERMIT ISSUED VITH REQUIREMENT	Does Not Require Review Requires Review Action:
	CERTIFICATIO	N	PERMIT ISSUED VITH PEGUIREMENT	☐ Appoved
I here oy cerufy that I am the owner of recor authorized by the owner to make this applie if a permit for work described in the applie areas covered by such permit at any reason	n of the named property, or that the propertion as his authorized agent and I agreation issued, I certify that the code office	N osed work is authorized by the e to conform to all applicabl cial's authorized representati	ne owner o ^r record and that I e laws of this jurisdiction. I ve shall have the authority	have been D Approved with Conditions addition, D Denied
authorized by the owner to make this applie if a permit for work described in the applie areas covered by such permit at any reason	n of the named property, or that the propertion as his authorized agent and I agreation issued, I certify that the code officable hour to enforce the provisions of the	N osed work is authorized by the to conform to all applicable ial's authorized representation code(s) applicable to such	ne owner of record and that I e laws of this jurisdiction. I we shall have the authority permit	have been Denied Conditions Denied
authorized by the owner to make this applic	n of the named property, or that the propertion as his authorized agent and I agreation issued, I certify that the code officable hour to enforce the provisions of the	N osed work is authorized by the e to conform to all applicable cial's authorized representation to code(s) applicable to such	ne owner o ^r record and that I e laws of this jurisdiction. I ve shall have the authority	have been Denied Conditions Denied

NO CONTRACTOR OF THE PARTY OF T

Location of Construction: 431 B.:Ighton Ave	Owner: Seev Park	Pho	ne: 773-8084	Perm9N41201
Owner Address: SAA Frid, ME 04102	Leasee/Buyer's Name:	Phone: Bus	inessName:	
Contractor Name: Steve Japanegue	Address:	Phone:		PPERMITTALSSUED
ast Use;	Proposed Use:	COST OF WORK: \$ 5.200.	PERMIT FEE: \$ 45.00	NOV - 4 1994
2-fag	Same	FIRE DEPT. Approv	ed INSPECTION:	1-11
	w/dormer	☐ Denied	BOCA 93 , 01	CITY OF PORTLAND
roposed Project Description:		Signature: PEDESTRIAN ACTIV	Signature: The Signature: TIFS DISTRICT (FU.D.)	Zoning Approval:
Countract dormer (Only side	to be dormered)	Action: Approv	ed with Conditions:	Special Zone or Review Shoreland Wetland Flood Zone
ermit Taken By:	Date Applied For:	Strudente:	Date:	☐ Subdivision
Many Gresika	Date Applied For.	7 Oct 4		☐ Site Plan maj ☐ minor ⊆ n
 B 3 permits do not include plumb Buttuing permits are void if work is not 	t started within six (6) months of the day, of			Zoning Appeal Variance Miscellaneous Conditional Use
 B 3 permits do not include plumb 	oing, septic or electrical work. It started within six (6) months of the day of	issuance l'alse n ma-	PERMIT	☐ Variance ☐ Miscellaneous ☐ Conditional Use ☐ Interpretation ☐ Approved ☐ Denied ☐ Wateric Preservation ☐ Not in District or Landma
 B 3 permits do not include plumb Buttoing permits are void if work is not 	oing, septic or electrical work.	issuance l'alse n ma-	PERMIT ISSUED	☐ Variance ☐ Miscellaneous ☐ Conditional Use ☐ Interpretation ☐ Approved ☐ Denied ☐ Wateric Preservation ☐ Not in District or Landma
B 3 permits do not include plumb Buttung permits are void if work is not tion may invalidate a building permit a	oing, septic or electrical work. I started within six (6) months of the dais of and stop all work CERTIFICATION	issuance i alse m ma-	PEAMIT ISSUED TH RECUIREMENTS	☐ Variance ☐ Miscellaneous ☐ Conditional Use ☐ Interpretation ☐ Approved ☐ Denied ☐ What in District or Landman ☐ Does Not Require Revieu ☐ Requires Review Action:
B 3 permits do not include plumb Buttong permits are void if work is not tion may invalidate a building permit a substitution of the substitution	CERTIFICATION d of the named property, or that the propose attion as his authorized agent and I agree to attion issued I certify that the code official	issuance take in ma-	PERIMIT ISSUED THE RECURRENCENTS have bee	☐ Variance ☐ Miscellaneous ☐ Conditional Use ☐ Interpretation ☐ Approved ☐ Denied ☐ Wot in District or Landma ☐ Does Not Require Revieu ☐ Requires Review Action: ☐ Approved ☐ Approved ☐ Denied ☐ Denied
B 3 permits do not include plumb Buttong permits are void if work is not tion may invalidate a building permit a strong permit as a building permit as a bui	CERTIFICATION d of the named property, or that the propose attion as his authorized agent and I agree to attion issued I certify that the code official	issuance take in ma-	have bee	☐ Variance ☐ Miscellaneous ☐ Conditional Use ☐ Interpretation ☐ Approved ☐ Denied ☐ Wot in District or Landma ☐ Does Not Require Revieu ☐ Requires Review Action: ☐ Approved ☐ Approved ☐ Denied ☐ Denied
B 3 permits do not include plumb Building permits are void if work is not tion may invalidate a building permit a I hereby certify that I am the owner of record authorized by the owner to make this applic if a pennit for work described in the applic areas covered by such permit at any reasons	CERTIFICATION d of the named property, or that the propose cation as his authorized agent and 1 agree to atlon issue. I certify that the code official able hour to enforce the provisions of the c	d work is authorized by the owr contorm to all applicable law authorized representative shall ode(s) applicable to such perm	have bee litioi nter a	□ Variance □ Miscellaneous □ Conditional Use □ Interpretation □ Approved □ Denied □ Not in District or Landma □ Does Not Require Revieu □ Requires Review Action: □ Approved □ Denied □ Denied
B 3 permits do not include plumb Buttong permits are void if work is not tion may invalidate a building permit a I hereby certify that I am the owner of record authorized by the owner to make this applic if a pennit for work described in the applic areas covered by such permit at any reasons	CERTIFICATION d of the named property, or that the propose ation as his authorized agent and I agree to ation issued I certify that the code official able hour to enforce the provisions of the certify that the code official able hour to enforce the provisions of the certify that the code official able hour to enforce the provisions of the certify that the code official able hour to enforce the provisions of the certify that the code official able hour to enforce the provisions of the certify that the code official able hour to enforce the provisions of the certify that the code official able hour to enforce the provisions of the certification.	d work is authorized by the owr contorm to all applicable law authorized representative shall ode(s) applicable to such perm	have bee	□ Variance □ Miscellaneous □ Conditional Use □ Interpretation □ Approved □ Denied □ Not in District or Landma □ Does Not Require Revieu □ Requires Review Action: □ Approved □ Denied □ Denied
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					Туре	Inspection Re	cord	ъ.
				Foundation: _				Date
				Framing:				
				Plumbing:				
				Final:				
				Offici.				

Nie.

CONDITION OF APPROVAL OR DENIAL:

- 1. Before concrete for foundation is placed, approvals from Public Works and Inspection Service must be obtained. (a 24 hour notice is required prior to inspection).
- 2. Precaution must be taken to protect concrete from freezing.
- 3. It is strongly recommended that a register land surveyor check all foundation forms before concrete is placed.
- A.4. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hr., including fire doors with selfclosers.
- K.5. Each apartment shall have access to (2) separate, remote and approved means of egress. A single exit is acceptable when its exits directly from the apartment to the building exterior with no constraint stations to other apartment units.
- 6. The boiler shall be protected by enclosing with one (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. Sprinkler piping serving not more than six sprinklers may be connected to a domestic water supply system having a capacity sufficient to provide 0.15 gallons per minute, per square foot of floor throughout the entire area. An indication shut-off valve shall be installed in an accessible locations between the sprinkler and the connection to the domestic water supply. Minimum pipe size shall be 3/4 inch copper or 1 inch steel. Maximum coverage area of a residential sprinkler is 144 sq. ft. per sprinkler.
- 7. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of special knowledge or separated tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118mm, above the floor. All egress or rescue windows from sleeping room must have minimum net clear a ring height dimension shall be 24 inches (610 mm). The minimum net clear opening width sq.ft.
 - 8. This permit does not preclude the applicant from obtaining any license needed from the City Clerk's office.

19. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the building code 912.3. (BOCA National Building Code 1993), and NFPA 101 Chapter 18 & 19. (smoke detect as shall be installed and maintained at the following locations):

In the immediate vicinity of bedrooms;
 In all bedrooms;

3. In each story within a dwelling unit, including basements.

10. Private garages located beneath habitable rooms in occupancies in 1.4.6 R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by for the long and floor/ceiling assembly which are constructed with not less than 1-10-11-10. resisting rating. Private garages attached side-by-side to rooms in ' a alwae occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the ga sine. (Chapter 4 section 407.0 of the BOCA/1993)

11. Guardrails & Handrails - A guardrail system is a system of building corpor is located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Croup 42", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.

12. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10, section & subsections 1023. & 1024.0 of the City's building code. (The &CCA National Buildi g Code/1993)

413: Stair construction in Use Group R-3 & R-4 is a minimum of 9" tread and 8-1/4" maximum rise.

&14. Headroom in habitable space is a minimum of 7'6".

15. The minimum headroom in all parts of a stairway shall not be less than 80 inches.

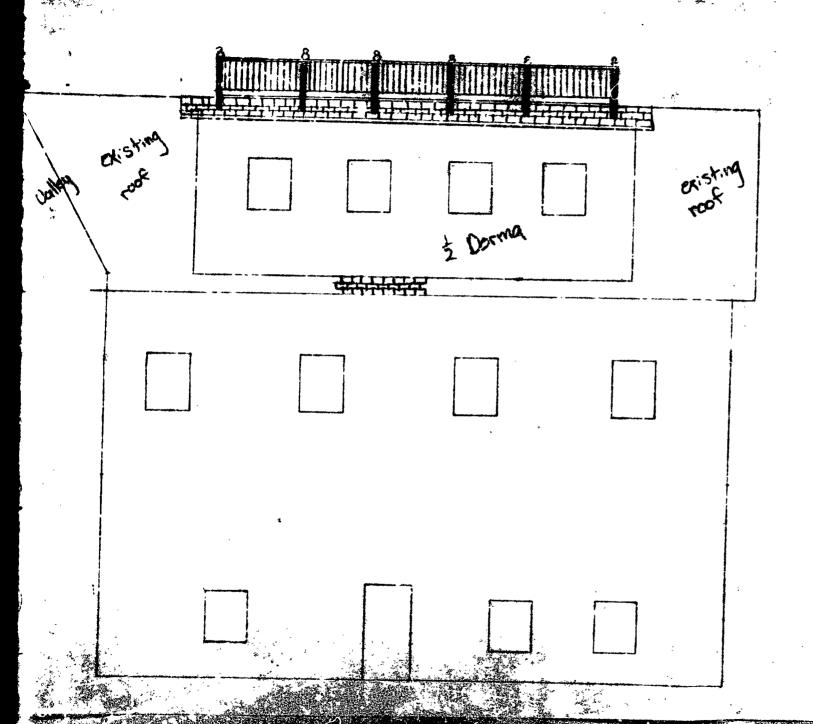
K 16. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.

17. Section 25-135 of the Municipal Code for the City of Portland states "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".

18. The builder of a facility to which Section (594 C of the Maine State Human Rights Act, Title 5 MRSA refers, shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.

Chief of Inspections

/dmm 01/14/94(redo w/additions)



deck dimensions 8'x20'

deck joists 2x6

deck ballisters 3" o.c.

dorma wells 2x4 triple top plate rafters 2x8
collor ties 2x4
pitch 3½/12
3" T+G fir floor
dorma dimensions 8'x7' x 22'
1' overhong all 3 sides
1x8 facia trim
1x4 crown molding
cedar siding 3" to weather

for Stev Parker

i Incomé CITY OF PORTLAND, MAINE BOARD OF APPEALS

November 21, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hell, Portland, Maine on Friday, December 1, 1950 at 10:30 s. m. to hear the appeal of Bessie G. Symonds and Marian E. Thompson requesting exception to the Zoning Ordinance to permit erection of motor vehicle service station building, about 451 x 291 and installation of gasoline tanks, pumps and piping on the lots at 431 Brighton Avenue, and including the lot at 245-247 Stevens

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

This permit is presently not is mable because this property is located mostly in a Local Business Zone where such a use is not permitted unless first authorized by the Board of Appeals.

This opposit is taken under Section 18E of the Zor ...ig 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 and without substantially departing from the intent end purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfere, 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. 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Edward T. Colley

Chairman

CITY OF PORTLAND, MINE board of afplals

Hoverber 7, 1950

TO WHOM IT MAY CONCERNS

The Board of Appeals will hold a public her ring in the Council The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, November 17, 1950 at 10:30 a.m. to hear the appeal of Bessie G. Symonds and Marian E. Thompson requesting exception to the Zoning Ordinance to permit construction of motor vehicle service station building about 45' x 29', one-story high, and installation of gasoline tanks, purps and ciping on the lots at 431 Brighton Avenue, troluding lot at 245-247 Stevens Avenue.

This permit is presently not issuable because this property is located mostly in a Local Business Zone and partly in a Residence C Zone, and such a use is not permitted in a Local Business Zone unless first authorized by the Board of Appeals.

This appeal is taken under Section 181 of the Zoning Ordinance which provides that the Board of Apperls, by unanimous vote of its members, may permit exceptions in specific cases so as to grent reasonable use of property and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and consequing appropriate values, that it shall require to building and conserving property values, that it shall permit no building or use injurious, rocious, offensive or detrirental to a neighborhood, and that it shall prescribe appropriate roaditions and safeguards in each case,

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

BOARD OF APPEALS

Edward T. Colley

Chairmon



APPLICATION FOR PERMIT

Portland Maine	
Tur ttuite, induite	e, Sept. 29, 1950
To the INSPECTOR OF BUILDINGS, FORTLAND, ME.	
if any, submitted nerewith and the journing specifications.	and an accommendation of the City of Portland, plans and specifications,
t 127 Brighton Avenue	
Owner's name and address Bessie G. Saymonds,	431 Brighton Avenue Telephone
Prospective purchases based on the corp., 601	Lai Brighton Avenue Telephone Telephone Telephone
Contractor's name and address & **********************************	Telephone
Architect	Specification yes Dians yes No. of sheets
Proposed use of building Service Stati	ion No. families No. families
Last use	No. families
MaterialNo. storiesHeat	Style of roofRoofing
Other buildings on same lot	**************************************
Estimated cost \$	Fee \$
General Des	scription of New Work
To construct 1-story concrete block so	ervice station 44' 8" x 29'.
423-431 Brighton - are	1776 15 (Desire Thombson (Kur)
245-247 Sterens are	177 c 12- Marin Enterment The
	ervice station 44 8" x 291. Lymondo 1776113 Berse & Flomban (1745) 177612 Warin & Flomban (1745) 2 micas Found, yarman
	gulfoil - Worthen.
	0 0
This application is preliminary to get the appeal is sustained, the appl cost and will pay legal fee.	t settled the question of coning appeal. In event licant will furnish complete information, the estimate
the heating contractor.	
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Is any plumbing work involved in this work?	Is any electrical work involved in this work?
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inspection copy

r L L Artial Brighton Avenus-I (Freliminary for filling station)

October 5, 1950

Bessie C. Symonds
421. Brighton Avenua
Marien E. Thompson
Frince's Foint
Yarmouth, Yains
Gulf Cil Corporation
Attn: Mr. Worthed
601 Janforth Street

Copy to: Eark Earrott Assistant Corporation Counsel

Door Mondamos & Gentlemon:

wilding permit for which Gulf fil forporation has applied to cover construction of motor vehicle service station building (Service Garage) about 45° x 29°, one story high, and for installation of gasoline tanks, pumps and piping, on the lots at 423-431 Brighten Avenue, corner of Stevens Avenue, roported to be exceed by Bassie G. Tymonds and including the lot at 245-247 stevens Avenue, reported to be exceed by Farier E. Thompson, is not insuff under the Zenig Ordinance because the property is located mostly in a local cusiness Zene and purity in a Tesidence of Zene, iterating to Section 6A of the Tening ordinance, applying to Local Business Zenes, filling stations are excluded except as authorized by the Beard of the Beard of Apreals after the usual appeal procedure. According to Section 10% of the Ordinance, applying to Residence C Zenes, such uses are excluded and there is no provision giving the Beard of Apreals specific powers to authorize them.

Culf Cil Turporation, so prespective purchaser, has expressed a desire on the part of the owners of the land to neek an exception from the Board of Appeals. Therefore, there is enclosed to each of you an outline of the appeal procedure.

Very truly yours,

Warren Hollonald Inspector of Buildings

WMcD/O

Enclosure to each addresses: Outline of appeal procedure

Mark:

This same matter was up before in 1947 by the same parties, but the appeal was withdrawn. The former file is attached hereto for your convenience. Will you be kind crough to return it when you have finished with it?

Warren McDonald

(L) LOCAL RUSINESS ZONE



APPLICATION FOR PERMIT

Class of Building or Type of Structure Installation Portland, Maine, May 23, 1947

TAILS FO	Portland, Main	ie, May 23, 1947	
To the INSPECTOR OF BU	ILDINGS, PORTLAND,	MAINE	
The undersigned hereby	applies for a permit to e the State of Maine, the	r akekanzpain demobis h insl Building Code and Zoning (all the following building structure equipment Ordinance of the City of Portland, plans and
Location431 Brighton	Avenue	Within F	ire Limits?no Dist. No
			estTelephone3-5656
Lessee's name and address	Marie		Telephone
Contractor's name and address	sunexist		Telephone
Architect		Specifications	Plans with bldg no of sheets 2
Proposed use of building			No. families
			No. families
			Roofing
			- Control of the cont
Estimated cost \$,,,	Fee \$
•		scription of New Wo	· · · · · · · · · · · · · · · · · · ·
			-
for waste oil			pumps, 1-550 gallong tank asphaltum, bear Underwriters
Label, size of pi	ping from tank to	pump 15"	
			,
			s)
		lation of heating apparatus	which is to be taken out separately by and in
the name of the heating contract			į
		ils of New Work	į
			ork involved in this work?
			to highest point of roof
Size, front depth	No. stories	solid or filled land?	earth or rock?
Material of foundation	Thi	ickness, topbotto	mcellar
Material of underpinning)	Height	Thickness
			Kind of heat
			?
Corner postsSil	lsGirt or	ledger board?	Size
Girders Size	Columns unde	r girders Size	
Studs (outside walls and carry	ying partitions) 2x4-16	"O. C. Bridging in every f	loor and flat roof span over 8 feet.
Joists and rafters:	1st floor	, 2nd, 3	rd, roof
On centers:			rd, roof
Maximum span:	1st floor	, 2nd, 3	rd, roof
If one story building with ma	sonry walls, thickness	of walls?	height?
		If a Garage	
No. cars now accommodated a	on same lot to be	•	commercial cars to be accommodated
			tored in the proposed building?
ROVED:			Miscellaneous
**************************************			ing of any tree on a public street?
eliappappane, siteren - senerappatensenasterrellas annonan	***************************************	Will there be in charge	of the above work a person competent to a
lantificant toak da boaren armajtoirifia. Esticategialispiantifisialisfisteristisselles armainisteristeristeri		see that the State and	City requirements pertaining thereto are
(((***************************************	observe. ?y.es	;
	'	· ·	Gudf Oil Corp.
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INSPECTION COPY

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Permit No. 47/				Z\$.	·
Location 431 Bughton are					***
Owner Tulf oil corp				7 % -	on.
Date of permit \$/2	 		- 44 (ā. j
Notif. closing-in					- 22
Inspn. closing-in			. ,		ĝ
Final Notife					<u>-</u>
Final Inspn.					7
Cert, of Occupancy issued			· · · · · · · · · · · · · · · · · · ·		i.
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, 1947

City of Portland, Maine Board of Appeals -ZONING-

June 11,

To the Board of Appeals:

Bessie G. Symonds and Your appellants Marian E. Thompson

are , who is the owners

property at 431 Brighton Avenue , 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 construction of service station building (Service Garage) and for installation of gasoline tanks at 431 Brighton Avenue, corner of Stevens Avenue, is not issuable under the Zoning Ordinance because the property is located mostly in a Local Business Zone and partly in a Residence C Zone. According to Section 6A of the Zoning Ordinance, applying to Local Business Zones, filling stations and service garages are excluded except as authorized by the Board of Appeals after the usual appeal procedure. According to Section 9A of the Ordinance, applying to Mesidence C Zones, such uses are excluded and there is no provision giving the Board of Appeals specific powers to authorize them.

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

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



To: Warren McDonald, Inspector of Buildings DATE: July 8, 1947

FROM: Edward T. Gignoux, Assistant Corporation Counsel.

Subject: Appeal - 431 Brighton Avenue

Enclosed herewith please find file in the appeal under the Zoning Ordinance of Bessie G. Symonds and Marian E. Thompson relating to construction of service station building at 431 Brighton Avenue.

It will be noted that, appellant having withdrawn its petition for an exception, the appeal is dismissed without prejudice.

Edward T. Gignoux Assistant Corporatic . Counsel

ETG:M Enclosures

cc: A. Edwin Smith
City Clerk
(with duplicate original appeal and decision)

Planning Board (with copy of decision)

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City of Portland, Maine Board of Appeals —ZONING—

Decision

Public hearing was held on the 3rd day of July , 19 47 , on petition of Bessie G. Symonds and Marian E. Thompsor , owners of property at 431 Brighton Avenue , seeking to be permitted an exception to the regulations of the Zoning Ordinance relating to this property.

Building permit to cover construction of service station building (Service Garage) and for installation of gasoline tanks at 431Brighton Avenue, corner of Stevens Avenue, is not issuable under the Zoning Ordinance because the property is located mostly in a Local Business Zone and partly in a Residence C Zone. According to Section 6A of the Zoning Ordinance, applying to Local Business Zones, filling stations and service garages are excluded except as authorized by the Board of Appeals after the usual appeal procedure. According to Section 9A of the Ordinance, applying to Fesidence C Zones, such uses are excluded and there is no provision giving the Board of Appeals specific powers to authorize them.

Appellant having withdrawn its petition to the Board of Appeals for an exception to the regulations of the Zoning Ordinance, the appeal is hereby dismissed without prejudice.

It is a the reference of the determined that exception to the Commerce of Ordinance on exercise continued to the Commerce of t

ingthis specific wase.

Board of Appeals

217 Stevens Avence, Portland 5, Maine,

Jung 30, 194%

Mr Edward T Colley Chairman Board of Appeals.

Dear Sir

We have noticed with concern the appeal of Bessie G Symonds and Marian E Thompson relating to the construction of a Service Station at 431 Brighton Avenue and, as owners of nearby property, we wish to protest. Such construction would, we believe, be detrimental to this neighborhood.

Diagonally across from the corner of this proposed construction there is a grade set of for very young pupils and a Service Station on this corner would, we believe, produce an extra hazard to the safety of these children. All other factors being equal, this in itself should be sufficient reason why this appeal should be denied.

We are writing this protest to you as it will be impossible for us to appear in person at the public hearing on Thursday, July $3rd_{\mathfrak{D}}$

Herbert S and Helena & Hodsdone

CITY OF PORTLAND, MAINE Corner of Stevens Avenepartment of Building Inspection

May 24, 1947

Gulf 011 Corporation 601 Danforth Street Portland, Maine

Brighton Avenue,

Subject: Applications for building parmits to cover con-struction of service station building (Service Garage) and for installation of gasoline tanks at 431 Brighton Avenue, corner of Stevens Avenue

Building permits for the above work are not issuable under the Zoning Ordinance because the property is located mostly in/local Business Zone and partly in a Residence According to Section 6A of the Zoning Ordinance, applying to Local Business Zones, filling atations and service garages are excluded except as authorized by the Board of Appendig after the usual appeal procedure. According to Section 9A of the Ordinance, conlying to Residence C Zones, such uses are evaluded and there is no provision giving the Board of Appeals specific powers to authorize them.

(2 permits, 1 for service station and 1 for tanks)-I

ou have indicated your desire to seek a variance or exception from the Board of Appeals, and there is, accordingly, enclosed herewith an ou line of the appeal procedure. I am told that the best time to file such an appeal at the office of Corporation Counsel is in the afternoon and that such an appeal should be entered in the name of the party who actually holds title to the property and should be signed by that party or his author-12ed agent.

An unusual situation exists here in that t' . some lines in the Local Business Zone at the corner and the Residence C Zone ere loogied 100 feet from Brighton Avenue and 100 feet from Stevens avenue. Thus the area actually in the Local Business Zone while not precisely a rectangle, is approximately 100 feet at each dimension. Apparently you propose to have about 110 feet frontage on Brighton Avenue--10 feet into the Residence C Zoney-and 134 feet frontage on Stevens Avenue -- about 34 feet into the Residence C Zoner

Apparently both zone lines outlining the corner run through existing lots. On Brighton Avenue thors is sufficient frontage of the lot wovided in the Local Business Zone so that the allowances of the Zoning Ordinance in case a zone line divides a lot are sufficient to Place the entire frontage on Brighton Avenue undor the Local Business

On Stevens Avenue, towover, judging from the land man, the zone line divides through its depth a small int 44 foot frontage on Stevens Avenue and this small lot has less than the 20 foot frontage in the Local Business Zone to enjoy the allowances of the Ordinance, so that the rules of the Local Business Zone would extend 200 feet into the Residence C Zone. See Section 16B of the Zoning Ordinance.

This may become important to the appeal proceedings because under the Local Busices Zone rule the Board of Appeals are . ivon specific authority to grant the uses desired, but under Residence C rules no such specific authority is indicated.

Very truly yours,

(Signer) VARIAN ESPORALD

Inspector of Buildings

Enclosure: Outline of appeal procedure.

MAOD/J

COR Edward T. Gignoux, Assistant Corporation Counsel