

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

June 30, 1947

Gulf Oil Corporation
601 Danforth Street
Portland, Maine

Attention: Mr. Walter H. Tholts

Gentlemen:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine at ten-thirty o'clock in the forenoon on Thursday, July 3, 1947, relating to your appeal under the Zoning Ordinance concerning construction of service station building and installation of gasoline tanks at 431 Brighton Avenue.

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

Yours truly,

BOARD OF APPEALS

Edward T. Colley, Chairman

cc: Nathan W. Thompson, Esq.
85 Exchange Street
Portland, Maine

CITY OF PORTLAND, MAINE
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BOARD OF APPEALS
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TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, at ten-thirty o'clock in the forenoon on Thursday, July 3, 1947, concerning the appeal under the Zoning Ordinance of Beulah G. Swends and Marion E. Thompson, owners of property at 431 Brighton Avenue, relating to construction of service station building, installation of gasoline tanks at that address, as (See attached copy of notice for further details). The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, at ten-thirty o'clock in the forenoon on Thursday, July 3, 1947, concerning the appeal under the Zoning Ordinance of Beulah G. Swends and Marion E. Thompson, owners of property at 431 Brighton Avenue, relating to construction of service station building, installation of gasoline tanks at that address, as (See attached copy of notice for further details). Appeals after the usual appeal procedure. According to Section 6 of the Ordinance, applying to Residence C Zones, such uses are excluded and there is no provision for Board of Appeals specific powers to authorize them.

BOARD OF APPEALS

The appellants give the following reasons for their appeal: "An exception is necessary in this case to permit a 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 17B of the Zoning Ordinance which provides that the Board of Appeals, in an exercise of its powers, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values; that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS
Edward T. Colley, Chairman

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

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 forenoon on Thursday, July 3, 1947, concerning the appeal under the Zoning Ordinance of Bessie G. Symonds and Marian 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.

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 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 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 which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall prevent any building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS
Edward T. Colley, Chairman

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

June 23, 1947

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The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine at ten-thirty o'clock in the forenoon on Thursday, July 3, 1947, concerning the appeal under the Zoning Ordinance of Bessie G. Symonds and Marian E. 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.

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

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

BOARD OF APPEALS
Edward T. Colley, Chairman

AP 431 Brighton Avenue,
Corner of Stevens Ave.
(2 permits, 1 for service station and 1 for tanks)-I

May 24, 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 them.

You have indicated your desire to seek a variance or exception from the Board of Appeals, and there is, accordingly, enclosed herewith 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 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 Zone--and 134 feet frontage on Stevens Avenue--about 34 feet into the Residence C Zone.

Apparently both zone lines outlining the corner run through existing lots. On Brighton Avenue there is sufficient frontage of the lot provided 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 under the Local Business Zone rule.

On Stevens Avenue, however, judging from the land map, the zone line divides through its depth a small lot 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 16B of the Zoning Ordinance.

This may become important to the appeal proceedings because under the Local Business Zone rule the Board of Appeals are given specific authority to grant 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.

CC: Edward T. Gignoux, Assistant Corporation Counsel



(1) LOCAL BUSINESS ZONING
APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class

Portland, Maine, May 23, 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect ~~or alter~~ the following building structure equipment 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 431 Brighton Avenue Within Fire Limits? no Dist. No. _____
Owner's name and address Gulf Oil Corp., 601 Danforth Street Telephone 3-5456
Lessee's name and address _____ Telephone _____
Contractor's name and address not let Telephone _____
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Service Station No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ _____

General Description of New Work

To construct 1 story brick building 51'x35' as per plan.

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

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.

Details of New Work

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing lumber—Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
Oil 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

Gulf Oil Corp.

APPROVED:

Signature of owner: W. H. Thibault

INSPECTION COPY



FILL IN COMPLETELY AND SIGN WITH INK

PERMIT ISSUED

Permit No. 1592
OCT 10 1934

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

Portland, Maine, Oct 10 1934

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 431 Brighton av. Use of Building Res

Name and address of owner Samuel J. Symonds, Seaman Ward 8

Contractor's name and address F. Carnes 112 Union Telephone 3-7858

General Description of Work

To install Oil burner

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

IF HEATER, POWER BOILER OR COOKING DEVICE

Is heater or source of heat to be in cellar? Yes If not, which story _____ Kind of Fuel Oil

Material of supports of heater or equipment (concrete floor or what kind) concrete

Minimum distance to wood or combustible material, from top of boiler or casing top of furnace, P.C. and 10/11/34
from top of smoke pipe _____, from front of heater _____ from sides or back of heater _____

IF OIL BURNER

Name and type of burner Standard A Labeled and approved by Underwriters' Laboratories? Yes

Will operator be always in attendance? No Type of oil feed (gravity or pressure) Press

Location oil storage Basement No. and capacity of tanks 1-275 gal

Will all tanks be more than seven feet from any flame? Yes How many tanks fireproofed? _____

Amount of fee enclosed? _____ (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

INSPECTION COPY

Signature of contractor F. Carnes

Ward 8 Permit No. 34/1592
 Location 431 Brighton Ave
 Owner Samuel J. Symonds
 Date of permit 10/12/34
 Notif. closing-in _____
 Inspn. closing-in _____
 Final Notif. _____
 Final Inspn. 12/10/34, O.T. Ode,
 Cert. of Occupancy issued Special

will make feed line rigid, etc.

NOTES

- 1. End of heat Steam
- 2. Label ✓
- 3. Anti-siphon ✓
- 4. Oil storage ✓
- 5. Tank distance ✓
- 6. Vent pipe ✓
- 7. Fill pipe ✓
- 8. Gauge ✓
- 9. Rigidity ✓
- 10. Foot safety ✓
- 11. Pipe sizes & material ✓
- 12. Control valve ✓
- 13. Air pit vent ✓
- 14. Tap, control ✓
- 15. Instruction ✓

*Feed line loose from burner stand & foundation walls
 12/19/34. Am Carver*



APPLICATION FOR PERMIT

Permit No. 5227
PERMIT ISSUED

Class of Building or Type of Structure Third Class **DEC 8 1927**
Portland, Maine, December 8, 1927

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 431 Brighton Avenue Ward 8 Within Fire Limits? No Dist. No. _____
Owner's or Lessee's name and address George H. McIniff, 431 Brighton Ave. Telephone _____
Contractor's name and address David J. Sullivan 10 Montic St. Telephone 33729
Architect's name and address _____
Proposed use of building Dwelling house No. families 2
Other buildings on same lot none

Description of Present Building to be Altered

Material Wood No. stories 2 1/2 Heat Steam & Hot Water Style of roof _____ Roofing _____
Last use Dwelling house No. families 2

General Description of New Work

To replace one boiler

**CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED,
NOTIFICATION BEFORE LATING
OF CHANGING IS WAIVED.**

Details of New Work

Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof _____
To be erected on solid or filled land? _____ on _____ or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Roof covering _____
No. of chimneys no Material of chimneys _____ of lining _____
Kind of heat Steam Type of fuel Coal Distance, heater to chimney 30'
If oil burner, name and model _____
Capacity and location of oil tanks _____
Is gas fitting involved? _____ Size of service _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Material columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O.C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.
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 _____
Total 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 above work require removal or disturbing of any shade tree on a public street? no
Plans filed as part of this application? no No. sheets _____
Estimated cost \$150. Fee \$ 75
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

George H. McIniff

Signature of owner _____

INSPECTION COPY



Location, ownership, and detail must be correct, complete and legible. Separate application required for every building.

APPLICATION FOR PERMIT TO BUILD A PRIVATE GARAGE

Portland, Me., April 21, 1923 19

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 8

Name of owner is? George H McDuffee Address 431 Brighton Avenue

Name of mechanic is? owner Address _____

Proposes occupancy of building (purpose)? Private garage for two

cars only, and no space to be let.

Not nearer than two feet from any lot line, will not obstruct windows of adjoining property.

A Pyrene fire extinguisher to be kept in garage.

Size of building, No. of feet front? 18ft; No. of feet rear? 18ft; No. of feet side? 18ft

No. of stories? 1

No. of feet in height from the mean grade of street to the highest part of the roof? 12ft

Floor to be? cinder

Will the roof be flat, pitch, mansard, or hip? pitch Material of roofing? asphalt

Will there be a chimney? no Will the flues be lined? _____ No stoves to be used.

Will the building conform to the requirements of the law? yes

Will the building be as good in appearance as other surrounding buildings? yes

Have you or any person acting for you previously applied for a permit to build a private garage? no

If so, state the particulars _____

Estimated Cost,

\$ 200.

Signature of owner or authorized representative,

George H McDuffee

Address,

431 Brighton Ave



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Oct. 29, 19 85
 Receipt and Permit number D-05157

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

OWNER'S NAME: John Shelley ADDRESS: Hannaford Cove, Cape Eliz

OUTLETS: 2nd floor kitchen FEES
 Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL 1-30 3.00

FIXTURES: (number of)
 Incandescent XX Fluorescent _____ (not strip) TOTAL 1-10 3.00
 Strip Fluorescent _____ ft.

SERVICES:
 Overhead _____ Underground _____ Temporary _____ TOTAL amperes _____ ..

METERS: (number of) _____ ..

MOTORS: (number of)
 Fractional _____
 1 HP or over _____

RESIDENTIAL HEATING:
 Oil or Gas (number of units) _____
 Electric (number of rooms) _____

COMMERCIAL OR INDUSTRIAL HEATING:
 Oil or Gas (by a main boiler) _____
 Oil or Gas (by separate units) _____
 Electric Under 20 kws _____ Over 20 kws _____

APPLIANCES: (number of)
 Ranges _____ Water Heaters _____
 Cook Tops _____ Disposals _____
 Wall Ovens _____ Dishwashers _____
 Dryers _____ Compactors _____
 Fans _____ Others (denote) _____
 TOTAL _____

MISCELLANEOUS: (number of)
 Branch Panels _____
 Transformers _____
 Air Conditioners Central Unit _____
 Separate Units (windows) _____
 Signs 20 sq. ft. and under _____
 Over 20 sq. ft. _____
 Swimming Pools Above Ground _____
 In Ground _____
 Fire/Burglar Alarms Residential _____
 Commercial _____
 Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____
 over 30 amps _____
 Circus, Fairs, etc. _____
 Alterations to wires _____
 Repairs after fire _____
 Emergency Lights, battery _____
 Emergency Generators _____

INSTALLATION FEE DUE: _____
 FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE: _____
 FOR REMOVAL OF A "STOP ORDER" (304-16.b)
 TOTAL AMOUNT DUE: 6.00

INSPECTION:
 Will be ready on ready, 19 85; or Will Call _____
 CONTRACTOR'S NAME: William Wilson
 ADDRESS: 16 ALBA St.
 TEL: 773-1981
 MASTER LICENSE NO.: 03413 SIGNATURE OF CONTRACTOR: William Wilson
 LIMITED LICENSE NO.: _____

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



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date June 2, 1987
 Receipt and Permit number D 10735

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
 OWNER'S NAME: Steve Parker ADDRESS same

OUTLETS:		
Receptacles _____	Switches _____	Plugmold _____ ft. TOTAL _____
FIXTURES: (number of)		
Incandescent _____	Flourescent _____ (not strip)	TOTAL _____
Strip Flourescent _____	ft. _____	_____
SERVICES:		
Overhead <input checked="" type="checkbox"/> _____	Underground _____	Temporary _____ TOTAL amperes <u>200</u> .. <u>3.00</u>
METERS: (number of) <u>2</u>		<u>1.00</u>
MOTORS: (number of)		
Fractional _____		_____
1 HP or over _____		_____
RESIDENTIAL HEATING:		
Oil or Gas (number of units) _____		_____
Electric (number of rooms) _____		_____
COMMERCIAL OR INDUSTRIAL HEATING:		
Oil or Gas (by a main boiler) _____		_____
Oil or Gas (by separate units) _____		_____
Electric Under 20 kws _____	Over 20 kws _____	_____
APPLIANCES: (number of)		
Ranges _____	Water Heaters _____	
Cook Tops _____	Disposals _____	
Wall Ovens _____	Dishwashers _____	
Dryers _____	Compactors _____	
Fans _____	Others (denote) _____	
TOTAL _____		_____
MISCELLANEOUS: (number of)		
Branch Panels _____		_____
Transformers _____		_____
Air Conditioners Central Unit _____		_____
Separate Units (windows) _____		_____
Signs 20 sq. ft. and under _____		_____
Over 20 sq. ft. _____		_____
Swimming Pools Above Ground _____		_____
In Ground _____		_____
Fire/Burglar Alarms Residential _____		_____
Commercial _____		_____
Heavy Duty Outlets, 220 Vc't (such as welders) 30 amps and under _____		_____
over 30 amps _____		_____
Circus, Fairs, etc. _____		_____
Alterations to wires _____		_____
Repairs after fire _____		_____
Emergency Lights, battery _____		_____
Emergency Generators _____		_____
	INSTALLATION FEE DUE:	_____
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT	DOUBLE FEE DUE:	_____
FOR REMOVAL OF A "STOP ORDER" (304-16.b)	TOTAL AMOUNT DUE:	<u>5.00 min</u>

INSPECTION:
 Will be ready on 6/2 p.m., 1987; or Will Call _____
 CONTRACTOR'S NAME: Henry Gagne
 ADDRESS: 650 East Bridge St. Westbrook 04092
 TEL.: 797-3472
 MASTER LICENSE NO.: 3013 SIGNATURE OF CONTRACTOR: Henry Gagne
 LIMITED LICENSE NO.: _____

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

ELECTRICAL INSTALLATIONS —

Permit Number 18735
Location 431 13th St
Owner Steve Korman
Date of Permit 6/2/87
Final Inspection 6/3/87
By Inspector J. Williams
Permit Application Register Page No. 151

INSPECTIONS: Service 200 amp by Russo
Service called in 6/3/87
Closing-in _____ by _____

PROGRESS INSPECTIONS: 6/3/87 / _____
/ _____
/ _____
/ _____
/ _____

DATE:	REMARKS:

CODE
COMPLIANCE
COMPLETED
6/3/87 DR.

Inspection Services
Samuel P. Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

October 4, 1991

Steve Parker
431 Brighton Ave
Portland, ME

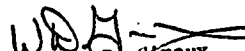
Re: 431 Brighton Ave

Dear Sir:

This letter is in reference to your property at 431 Brighton Avenue in Portland. It is necessary that you apply for a conditional use appeal to the Board of Appeals to authorize the day care facility for 12 children.

Prior to the public hearing on November 14th, you will stop using the garage for a business. This garage can only be used as accessory to the principal dwelling on the property. Failure to comply with these requests will result in my referral of the issues to the city's corporation counsel.

Sincerely,


William D. Giroux
Zoning Administrator

cc: Joseph E. Gray, Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Mark Mitchell, Code Enforcement Officer

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

No. _____

Please Read
Application And
Notes, If Any,
Attached

This is to certify that Stev & Cindy B. Parker
has permission to change of use from 2 family to 2 family with nursery school
AT 431 Brighton Avenue

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

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 or part thereof is lathed or otherwise closed-in.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name _____

not approved
applicant never supplied
applicant information
Director - Building & Inspection Services
4-16-92

PENALTY FOR REMOVING THIS CARD

Permit # _____ City of _____ **BUILDING PERMIT APPLICATION** Fee 25.00 Zone _____ Map # _____ Lot# _____
 Please fill out any part which applies to job. Proper plans must accompany form. \$50.00 Appeal Fee
(12-19-91)

Owner: Steve & Cindy L. Parker Phone # 773-8084
 Address: 431 Brighton Ave. Portland, Maine 04102
 LOCATION OF CONSTRUCTION 431 Brighton Avenue
 Contractor: _____ Sub: _____
 Address: _____ Phone # _____
 Est. Construction Cost: _____ Proposed Use: Nursery School/2 family Zoning: R-5
 Past Use: 2 family
 # of Existing Res. Units _____ # of New Res. Units _____
 Building Dimensions L _____ W _____ Total Sq. Ft. _____
 # Stories: _____ # Bedrooms _____ Lot Size: _____
 Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____
 Explain Conversion: to change use from 2 family to 2 family w/nursery school
CONDITIONAL USE APPEAL 10 copies submitted

For Official Use Only	
Date: <u>November 18, 1991</u>	Subdivision: _____
Inside Fire Limits: _____	Name: _____
Bldg Code: _____	Lot: _____
Time Limit: _____	Ownership: _____ Public _____ Private _____
Estimated Cost: _____	

Foundation:
 1. Type of Soil: _____
 2. Set Backs - Front _____ Rear _____ Side(s) _____
 3. Footings Size: _____
 4. Foundation Size: _____
 5. Other: _____

Floor:
 1. Sills Size: _____ Sills must be anchored.
 2. Girder Size: _____
 3. Lally Column Spacing: _____ Size: _____
 4. Joists Size: _____ Spacing 16" O.C.
 5. Bridging Type: _____ Size: _____
 6. Floor Sheathing Type: _____ Size: _____
 7. Other Material: _____

Exterior Walls:
 1. Studding Size _____ Spacing _____
 2. No. windows _____
 3. No. Doors _____
 4. Header Sizes _____ Span(s) _____
 5. Bracing Yes _____ No _____
 6. Corner Posts Size _____
 7. Insulation Type _____ Size _____
 8. Sheathing Type _____ Size _____
 9. Siding Type _____ Weather Exposure _____
 10. Masonry Materials _____
 11. Metal Materials _____

Interior Walls:
 1. Studding Size _____ Spacing _____
 2. Header Sizes _____ Span(s) _____
 3. Wall Covering Type _____
 4. Fire Wall if required _____
 5. Other Materials _____

Ceiling:
 1. Ceiling Joists Size: _____
 2. Ceiling Strapping Size _____ Spacing _____
 3. Type Ceilings: _____
 4. Insulation Type _____ Size _____
 5. Ceiling Height: _____

Roof:
 1. Truss or Rafter Size _____ Span _____
 2. Sheathing Type _____ Size _____
 3. Roof Covering Type: Asph/Flt Insulation 00.02

Chimneys:
 Type: _____ Number of Fire Places _____

Heating:
 Type of Heat: _____

Electrical:
 Service Entrance Size: 100 Smoke Detector Required Yes _____ No _____

Plumbing:
 1. Approval of soil test if required Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flushes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____

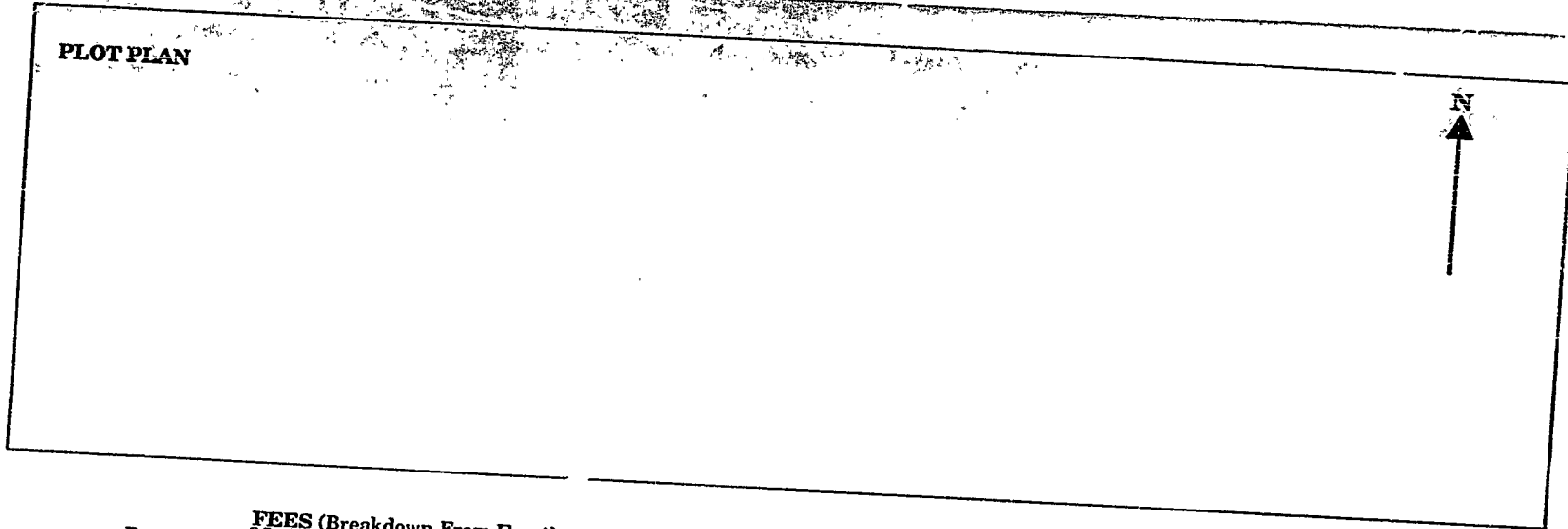
Swimming Pools:
 1. Type: _____
 2. Pool Size: _____ Square Footage _____
 3. Must conform to National Electrical Code and State Law.

Permit Received By Latini
 Signature of Applicant Steve Parker Date 11-18-91
 CEO's District: _____

White - Tax Assessor

CONTINUED TO REVERSE SIDE
 Ivory Tag - CEO

PLOT PLAN



FEES (Breakdown From Front)
 Base Fee \$ 25.00
 Subdivision Fee \$ _____
 Site Plan Review Fee \$ _____
 Other Fees \$ 50.00 Appeal Fee _____
 (Explain) _____
 Late Fee \$ _____

Type	Inspection Record	Date
_____	_____	____/____/____
_____	_____	____/____/____
_____	_____	____/____/____
_____	_____	____/____/____

COMMENTS Submitted 10 packets

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as has authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the code official or the code official's authorized representative shall have the authority to enter areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT [Signature] ADDRESS Same as above PHONE NO. _____
 RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE NO. _____

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 431 Brighton Ave		Owner: Stev Parker	Phone: 773-8084	Permit No: 941201
Owner Address: SAA Portland, ME 04102		Lease/Buyer's Name:	Phone:	Business Name:
Contractor Name: Steve LaBreque		Address:		Phone:
Past Use: 2-fam	Proposed Use: Same w/dormer	COST OF WORK: \$ 5,200.	PERMIT FEE: \$ 45.00	PERMIT ISSUED NOV - 4 1994 Zoning: CBL CITY OF PORTLAND 177-CR009
Proposed Project Description: Construct dormer (Only side to be dormered)		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group Type: 5 DOCA 93 Signature: <i>[Signature]</i>	
Signature:		Signature: <i>[Signature]</i>		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____
Permit Taken By: Mary Gresik		Date Applied For: 27 Oct 94		

- This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.

PERMIT ISSUED WITH REQUIREMENTS

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT *[Signature]* Stev Parker ADDRESS: _____ DATE: 27 Oct 94 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

CEO DISTRICT **5**
[Signature]
M.A. ROWE

Action:
 Approved
 Approved with Conditions
 Denied
 Date: 10/28/94

Zoning Appeal
 Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied
 Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review

City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 431 Brighton Ave		Owner: Steve Parker	Phone: 773-8084	Permit No: 941201
Owner Address: SAA Portland, ME 04102	Lease/Buyer's Name:	Phone:	Business Name:	
Contractor Name: Steve LaBrecque	Address:	Phone:		
Past Use: 2-2as	Proposed Use: Same w/dormer	COST OF WORK: \$ 5,200.	PERMIT FEE: \$ 45.00	<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED NOV - 4 1994 CITY OF PORTLAND </div>
		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: 5	
		Signature: _____	Signature: <i>[Signature]</i>	
Proposed Project Description: Construct dormer (Only side to be dormered)		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zoning Approval:
Permit Taken By: Mary Grassie		Date Applied For: 27 Oct 94		<input type="checkbox"/> Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> major <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>

- The permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: **11/25/94**

PERMIT ISSUED WITH REQUIREMENTS

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner, or that I am authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws, rules and regulations. I certify that the code official's authorized representative shall have been notified and shall enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT: *[Signature]* **Steve Parker** ADDRESS: _____ DATE: **27 Oct 94**

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: _____ PHONE: _____

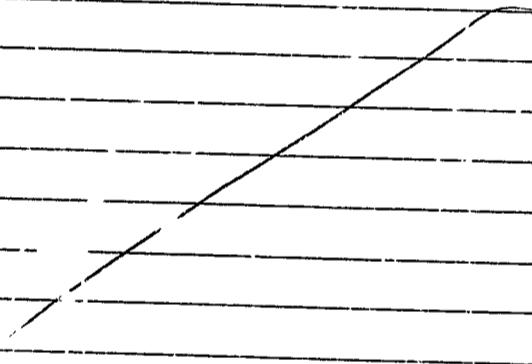
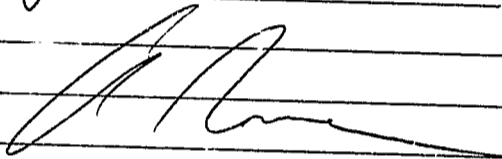
GEO DISTRICT **5**

[Signature]

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

COMMENTS

1/3/94 We were not called for framing, etc.
Work completed w/ only final inspection.



Type	Inspection Record	Date
Foundation:	_____	_____
Framing:	_____	_____
Plumbing:	_____	_____
Final:	_____	_____
Other:	_____	_____

BUILDING PERMIT REPORT

DATE: 31/00T/94 Address 431 Brighton Ave.

REASON FOR PERMIT: To Construct an 8x20' Dormer

BLDG. OWNER: Stev Parker

CONTRACTOR: Steve LaBregue APPROVED:

PERMIT APPLICANT: *4 *5 *7 *9 *11 *13 *14 *16 DENIED:

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.
- *4. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hr., including fire doors with selfclosers.
- *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 communications 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 opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm) and a minimum net clear opening of 5.7 sq.ft.
8. This permit does not preclude the applicant from obtaining any license needed from the City Clerk's office.

9. 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 915.3. (BOCA National Building Code 1993), and NFPA 101 Chapter 18 & 19. (smoke detectors shall be installed and maintained at the following locations):

1. In the immediate vicinity of bedrooms;
2. In all bedrooms;
3. In each story within a dwelling unit, including basements.

10. Private garages located beneath habitable rooms in occupancies in Use Groups R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above 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 garage side. (Chapter 4 section 407.0 of the BOCA/1993)

11. Guardrails & Handrails - A guardrail system is a system of building components 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 Group 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 BOCA National Building Code/1993)

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

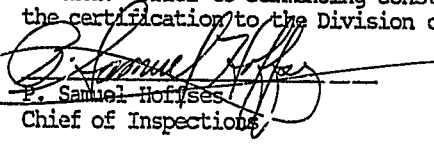
14. Headroom in habitable space is a minimum of 7'6".

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

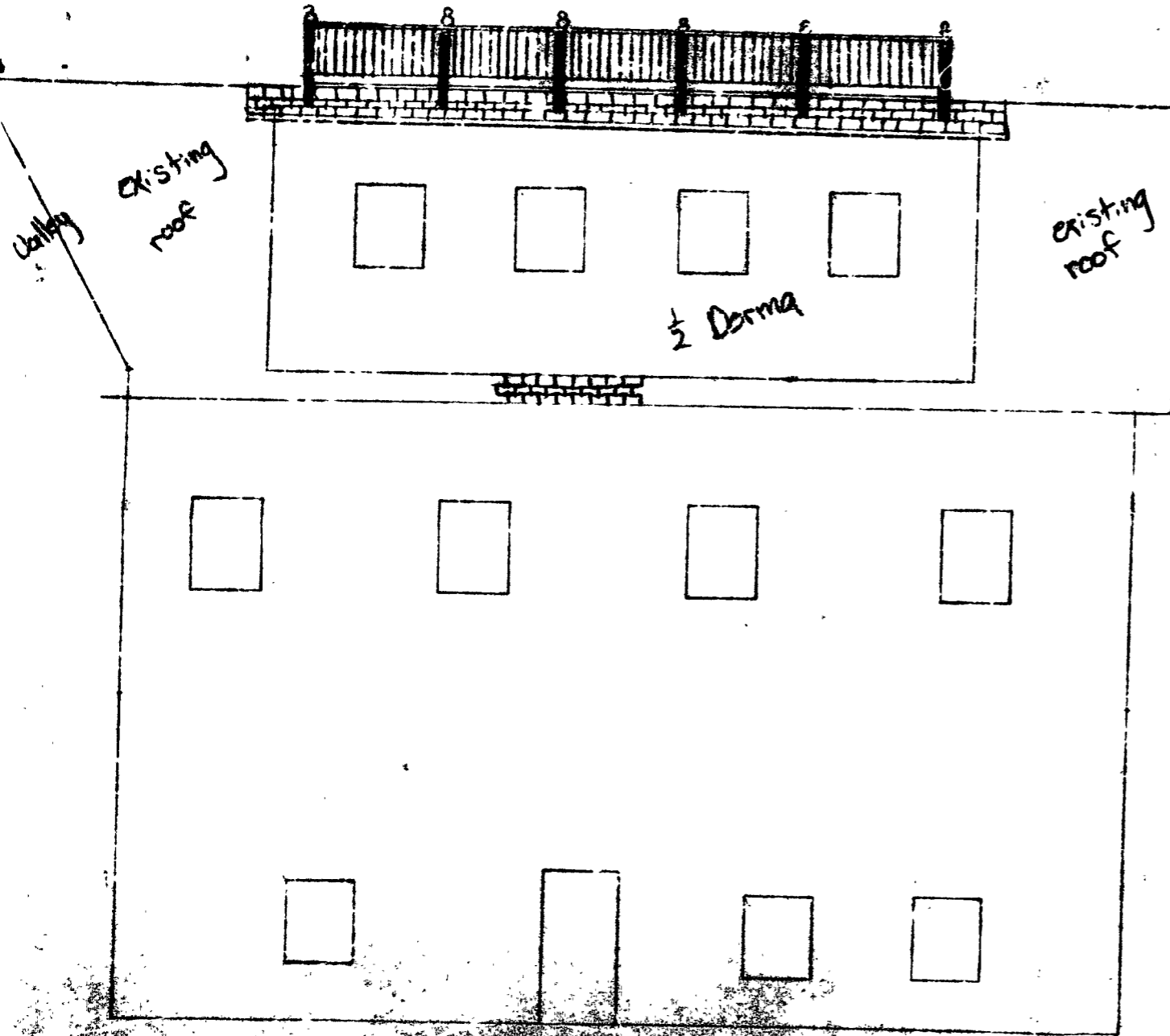
16. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.

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 4594 C of the Maine State Human Rights Act, Title 5 MRSAs 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.


P. Samuel Hoffses
Chief of Inspections

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



deck dimensions 8'x20'
 deck joists 2x6
 deck balusters 3" o.c.

dormer wells 2x4 triple top plate
 rafters 2x8
 collar ties 2x4
 pitch 3 1/2/12
 3/4" T+G fir floor
 dormer dimensions 8'x7'x22'
 1' overhang all 3 sides
 1x8 fascia trim
 1x4 crown molding
 cedar siding 3" to weather

for Steu Parker

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

November 21, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, December 1, 1950 at 10:30 a. m. to hear the appeal of Bessie G. Symonds and Marian E. Thompson requesting exception to the Zoning Ordinance to permit erection of motor vehicle service station building, about 45' x 29', and installation of gasoline tanks, pumps and piping on the lots at 431 Brighton Avenue, and including the lot at 245-247 Stevens Avenue.

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

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

This appeal is taken under Section 12E 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 and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

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

BOARD OF APPEALS

Edward T. Colley

Chairman

M

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

November 7, 1959

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, November 17, 1959 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, pumps and piping on the lots at 431 Brighton Avenue, including 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 18A 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 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 200 feet of the premises in question as required by law.

BOARD OF APPEALS

Edward T. Colley

Chairman



(L) LOCAL BUSINESS ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure _____

Portland, Maine, Sept. 29, 1950

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect ~~the following building~~ the following building ~~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 431 Brighton Avenue Within Fire Limits? no Dist. No. _____

Owner's name and address Bessie G. Seymonds, 431 Brighton Avenue Telephone _____

Prospective purchaser _____ Telephone _____

Contractor's name and address Gulf Oil Corp., 601 Danforth Street Telephone _____

Architect _____ Specifications yes Plans yes No. of sheets 7

Proposed use of building Service Station No. families _____

Last use _____ No. families _____

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____

Other buildings on same lot _____

Estimated cost \$ _____ Fee \$ _____

General Description of New Work

To construct 1-story concrete block service station 44' 8" x 29'.
 423-431 Brighton Ave 177C113 Bessie G. Seymonds
 245-247 Stevens Ave 177C12 Main E. Thompson (444)
 Prince's Point, Yarmouth, Me.
 Gulf Oil - Worthen.

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

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.

Details of New Work

Is any plumbing work involved in this work? _____ Is any electrical work involved in this work? _____

Height average grade to top of plate _____ Height average grade to highest point of roof _____

Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____

Material of foundation _____ Thickness, top _____ bottom _____ cellar _____

Material of underpinning _____ Height _____ Thickness _____

Kind of roof _____ Rise per foot _____ Roof covering _____

No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____

Framing lumber—Kind _____ Dressed or full size? _____

Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____

Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____

On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____

Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

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

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____

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

Miscellaneous

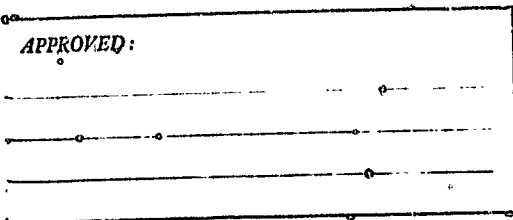
Will work require disturbing of any tree on a public street? no

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

Bessie G. Seymonds
Gulf Oil Corp.

Signature of owner by: [Signature]

INSPECTION COPY



Permit No. 501
Location: 431 Brighton Ave.
Owner: Shell Oil Corp.
Date of permit: 1/15/51
Notif. closing-in _____
Inspn. closing-in _____
Final Notif _____
Final Inspn. _____
Cof. of Occupancy issued _____

NOTES

4-11-51
James S. Conroy
James S. Conroy

421 Brighton Avenue-1
(Preliminary for filling station)

October 5, 1950

Bessie G. Symonds
421 Brighton Avenue
Marion E. Thompson
Prince's Point
Yarmouth, Maine
Gulf Oil Corporation
Attn: Mr. Worthen
601 Vanforth Street

Copy to: Mark Barrett
Assistant Corporation Counsel

Dear Madames & Gentlemen:

Building permit for which Gulf Oil Corporation 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 Brighton Avenue, corner of Stevens Avenue, reported to be owned by Bessie G. Symonds and including the lot at 245-247 Stevens Avenue, reported to be owned by Marion E. Thompson, is not feasible 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 10A 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.

Gulf Oil Corporation, as prospective purchaser, has expressed a desire on the part of the owners of the land to seek 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 McDonald
Inspector of Buildings

WMCD/G

Enclosure to each addressee: 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 enough to return it when you have finished with it?

Warren McDonald

(1) LOCAL BUSINESS ZONE

APPLICATION FOR PERMIT



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

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect a new building~~ install the following building structure equipment 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 431 Brighton Avenue Within Fire Limits? no Dist. No.
Owner's name and address Gulf Oil Corp., 601 Danforth Street Telephone 3-5656
Lessee's name and address Telephone
Contractor's name and address ~~not a lot~~ Telephone
Architect Specifications Plans with bldg. No of sheets 2
Proposed use of building No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ Fee \$

General Description of New Work

To install 3-2000 gallon gasoline tanks and 4 electric pumps, 1-550 gallon tank for waste oil

Tanks to be buried at least 3' below grade, coated with asphaltum, bear Underwriters' Label, size of piping from tank to pump 1 1/2"

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.

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
If one story building with masonry walls, thickness of walls? height?

If a Garage

No. cars now accommodated on same lot, to be accommodated number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVED:
[Signature lines]

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 observe? yes

Gulf Oil Corp.

Signature of owner By: W. H. White

INSPECTION COPY

Permit No. 47/
Location 131 Brighton Ave.
Owner Gulf Oil Corp
Date of permit 8/2 1.
Notif. closing-in
Inspn. closing-in
Final Notif.
Final Inspn.
Cert. of Occupancy issued

NOTES

Done

*send to
Marian Thompson
with copy of
M. Thompson*

*with draw
with*

City of Portland, Maine
Board of Appeals

—ZONING—

June 11, 1947

To the Board of Appeals:

Your appellants Bessie G. Symonds and Marian E. Thompson, who are the owners of 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 Residence 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.

Bessie G. Symonds
Marian E. Thompson
Appellants

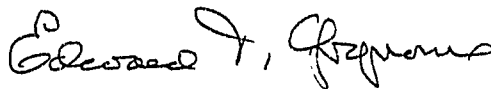
CITY OF PORTLAND
CORRESPONDENCE

CITY OF PORTLAND, MAINE
CORPORATION COUNSEL

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 Corporation Counsel

ETG:M
Enclosures

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

Planning Board
(with copy of decision)

City of Portland, Maine
Board of Appeals

—ZONING—

Decision

Public hearing was held on the 3rd day of July, 1947, on petition of Bessie G. Symonds and Marian E. Thompson, 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 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 Residence 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 therefore determined that exception to the Zoning Ordinance may be permitted~~

~~It is therefore determined that exception to the Zoning Ordinance may be permitted~~

Edw. J. Colley
Robert R. Galtier

J. P. Stannard
B. M. Hallbrook
Francis J. Deane

Board of Appeals

217 Stevens Avenue,
Portland 5, Maine.

June 30, 1947

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 school 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.

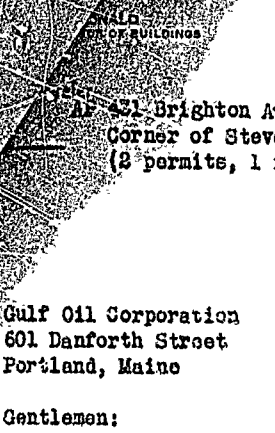
Yours truly,

H. S. Hodson
Helena O. Hodson

Herbert S and Helena O Hodson

COPY

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CITY OF PORTLAND, MAINE

431 Brighton Avenue,
Corner of Stevens Avenue
(2 permits, 1 for service station and 1 for tanks)-I

Department of Building Inspection

May 24, 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 no provision giving the Board of Appeals specific powers to authorize them.

You have indicated your desire to seek a variance or exception from the Board of Appeals, and there is, accordingly, enclosed herewith 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 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 Zone--and 134 feet frontage on Stevens Avenue--about 34 feet into the Residence C Zone.

Apparently both zone lines outlining the corner run through existing lots. On Brighton Avenue there is sufficient frontage of the lot provided 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 under the Local Business Zone rule.

On Stevens Avenue, however, judging from the land map, the zone line divides through its depth a small lot 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 16B of the Zoning Ordinance.

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

Very truly yours,
(Signed) WARREN HEDGECOCK
Inspector of Buildings

WHD/T

Enclosure: Outline of appeal procedure.
CC: Edward T. Gignoux, Assistant Corporation Counsel