

699-717 BRIGHTON AVENUE

STANDARD

CITY OF PORTLAND, MAINE
MEMORANDUM

FILE
G.L.
ADDRESS

TO: R. Lovell Brown, Building Inspector
FROM: Harry E. Cummings, Chairman of the Planning Board
SUBJECT: Proposed Zone Change - Vicinity of 669-717 Brighton Avenue

DATE:
August 4, 1969

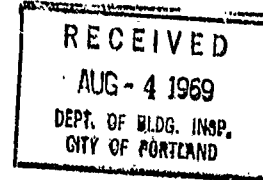
On July 18, 1969, the Planning Board voted to recommend to the City Council that 5.86 acres of land in the vicinity of 669-717 Brighton Ave. be rezoned from R-3 Residence to R-6 Residence in order to allow such land to be used for the development of a campus type, two year business school.

One objection to the rezoning was raised by a group of citizens, that there was a possibility of apartment building construction or other R-6 uses not so desirable as a school if the school failed to materialize as proposed. The members of the Board shared their concern and inasmuch as conditions could not be placed upon the rezoning, the Board respectfully request that if the rezoning is approved by the City Council, that you notify them of any request for a building permit or other indication that the land is to be but to use other than that of a school and campus for the Andover School of Business.

Under such circumstances it will then be the intention of the Planning Board to initiate proceedings to rezone the area to R-3.

Harry E. Cummings
Harry E. Cummings

lmd



65/9

719 Brighton Ave.

March 13, 1968

Marber Realty Company
518 Forest Avenue

cc to: Corporation Counsel

Gentlemen:

A double faced detached sign 4' x 8' advertising "house lots" has been erected at the above named location which the Marber Realty Company is the owner without a permit in violation of Section 301.1 and 301.2.2 of the City of Portland Building Code.

This sign is also in violation of Section 16-A-8a and Section 21 of the Zoning Ordinance referring to the R-3 Residence Zone in which this property is located.

It is therefore necessary that this sign be removed at once and certainly before April 3, 1968.

Now that this violation has been brought to your attention it is hoped that we may have your cooperation so that further action by this department will not be necessary.

Very truly yours,

A. Allan Soule
Acting Building Inspector

AAS:m



R3 RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure _____

Portland, Maine, Dec. 19 1961

PERMIT ISSUED
00050
JAN 18 1962
CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish 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 About 659 Brighton Ave. (669-725) Within Fire Limits? _____ Dist. No. _____

Owner's name and address Marber Realty Co. 518 Forest Ave. Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address owners Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 1

Proposed use of building _____ No. families _____

Last use _____ No. families _____

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

Other buildings on same lot _____

Estimated cost \$ _____ Fee \$ 2.00

General Description of New Work

To erect 4' wide x 8' high detached two-faced sign as per plan.

Appeal Sustained conditionally *1/11/62*

Permit Issued with Letter

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** Marber Realty Company

Details of New Work

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

Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____

Has septic tank notice been sent? _____ Form notice sent? _____

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

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

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

Kind of roof _____ Rise per foot _____ Roof covering _____

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

Framing Lumber—Kind _____ Dressed or full size? _____ Corner posts _____ Sills _____

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

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 6 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:

with letter by AJS

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

Marber Realty Company

CS 301

INSPECTION COPY

Signature of owner

Marber Realty Company

AP-669-725 Brighton Avenue
Jan. 18, 1962

Marber Realty Company
518 Forest Avenue

Gentlemen:

Your appeal under the Zoning Ordinance regarding a double-faced detached sign advertising the development of the area in which it is located at the above named location was sustained by the Board of Appeals subject to the condition that it shall be located about 40 feet back from the street line instead of at the five foot setback requested. Since the sign in its present position meets this condition, it may be left where it is. Related permit for the sign is therefore issued herewith on the condition that as soon as weather conditions permit it will be straightened up and set more securely in the ground.

Very truly yours,

Albert J. Seard
Building Inspection Director

AJS:in

AP- 669-725 Brighton Avenue

Dec. 7, 1961

Harber Realty Company
518 Forest Avenue

cc to: Corporation Counsel

Gentlemen:

Building permit for erection of a double-faced detached sign 4 feet by 8 feet with top about 7 feet above the ground, to advertise the development of the area in which it is located, is not issuable under the Zoning Ordinance for the following reasons:

1. The area of the sign is in excess of the maximum of 15 square feet permitted for a sign of this nature by Section 16-A-8b applying to the R-3 Residence Zone in which the property is located.
2. The sign is to be located only about 5 feet back from the street line of Brighton Avenue and thus would be an unlawful encroachment upon the 40-foot setback area required by Section 21 for that part of Brighton Avenue where the property is located.

We understand that you would like to exercise your appeal rights concerning these discrepancies. Accordingly we are certifying the case to the Corporation Counsel, at whose office appeals are filed.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

Granted Conditionally
62/1 1/11/62

DATE: January 11, 1962

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MARBER REALTY COMPANY
AT 669-725 Brighton Avenue

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

BOARD OF APPEALS

VOTE

	Yes	No
Franklin G. Hinckley	(4)	()
Ralph L. Young	(2)	()
Harry M. Swartz Frederick Nelson	(2)	()

Record of Hearing:

Opposed: Walter Murrell, Esquire for Mr. Pendexter
Mr. Coggiano
Mr. George Fogg

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

VARIANCE APPEAL

December 28, 1961

Marber Realty Company

_____, owner of property at 669-725 Brighton Avenue
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit:

Erection of a double-faced detached sign 4 feet by 4 feet with top about 7 feet above the ground, to advertise the development of the area in which it is located. This permit is presently not issuable for the following reasons: (1) The area of the sign is in excess of the maximum of 15 square feet permitted for a sign of this nature by Section 16-A-8b applying to the R-3 Residence Zone in which the property is located. (2) The sign is to be located only about 5 feet back from the street line of Brighton Avenue and thus would be an unlawful encroachment upon the 40-foot setback area required by Section 21 for that part of Brighton Avenue where the property is located.

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

Marber Realty Co
Melvin Newman Court Street
APPELLANT

DECISION

After public hearing held January 11, 1962, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case, provided such sign shall be located approximately 40 feet back from the line of Brighton Avenue.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case, provided such sign shall be located approximately 40 feet back from the line of Brighton Avenue.

Franklin G. Hillier
[Signature]
[Signature]
BOARD OF APPEALS

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

January 8, 1962

Marber Realty Company
518 Forest Avenue
Portland, Maine

Gentlemen:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, January 11, 1962, at 4:00 P. M. to hear your appeal under the Zoning Ordinance.

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

ALBERT J. SEARS
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE
Department of Building Inspection

AP- 669-725 Brighton Avenue Dec. 7, 1961
cc to: Corporation Counsel

Farber Realty Company
518 Forest Avenue

Gentlemen:

Building permit for erection of a double-faced detached sign 4 feet by 8 feet with top about 7 feet above the ground, to advertise the development of the area in which it is located, is not issuable under the Zoning Ordinance for the following reasons:

1. The area of the sign is in excess of the maximum of 15 square feet permitted for a sign of this nature by Section 16-A-8b applying to the R-3 Residence Zone in which the property is located.
2. The sign is to be located only about 5 feet back from the street line of Brighton Avenue and thus would be an unlawful encroachment upon the 40-foot setback area required by Section 21 for that part of Brighton Avenue where the property is located.

We understand that you would like to exercise your appeal rights concerning these discrepancies. Accordingly we are certifying the case to the Corporation Counsel, at whose office appeals are filed.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

COPY

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

December 29, 1961

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, January 11, 1962, at 4:00 P. M. to hear the appeal of Marber Realty Company requesting an exception to the Zoning Ordinance to permit erection of a double-faced detached sign 4 feet by 8 feet with top about 7 feet above the ground on the property at 669-725 Brighton Avenue to advertise the development of the area in which it is located.

This permit is presently not issuable for the following reasons: (1) The area of the sign is in excess of the maximum of 15 square feet permitted for a sign of this nature by Section 16-A-8b applying to the R-3 Residence Zone in which the property is located. (2) The sign is to be located only about 5 feet back from the street line of Brighton Avenue and thus would be an unlawful encroachment upon the 40 foot setback area required by Section 21 for that part of Brighton Avenue where the property is located.

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

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 the Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

S



R3 RESIDENCE ZONE
 CITY OF PORTLAND, MAINE
 DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

Location:
 About 659 Brighton Ave.

INSPECTION COPY

COMPLAINT NO. 61/59

Date Received August 25, 1961

Location About 659 Brighton Ave. (669-725) Use of Building _____ Telephone _____

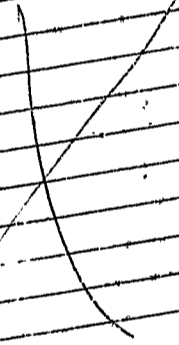
Owner's name and address Marber Realty Co., 518 Forest Ave. Telephone _____

Tenant's name and address _____ Telephone _____

Complainant's name and address _____ Telephone _____

Description: A two-faced detached sign about 4' x 8' with top about 7' above the ground has been erected within the limits of Jeanne Street.

NOTES: 8/25/61 - Letter to Owner
11/2/61 - Second letter to owner agp
12/19/61 application filed and appeal filed today. PH



FU - 9/6/61. NFC

Cplt. 61/59 - About 659 Brighton Avenue

August 25, 1961

Harbor Realty Company
Att. Lewis Bernstein
518 Forest Avenue

cc to: Corporation Counsel

Dear Mr. Bernstein:

Confirming my telephone conversation with Mr. Bernstein, I wish to make clear the application of Zoning Ordinance requires to any detached sign erected to advertise your Brighton Hois development. Since the sign in question has an area of about 32 square feet, about twice the area of 15 square feet allowed by Section 16-A-8b of the Ordinance for a sign advertising a development project, approval of the Board of Appeals is necessary before its erection. The sign will also need to be located on a part of the development property and at least 40 feet back from the street line of Brighton Avenue in order to comply with other requirements of the Ordinance. Either or both of these requirements may also be appealed if desired.

In order to get appeal proceedings started, it is necessary that an application for a permit for erection of the sign be filed together with a plot plan indicating location of sign as regards street and property lines. It will then be possible for a certification letter on which an appeal can be based to be written. As you have been informed by the Corporation Counsel, the sign is unlawfully located in its present position. Therefore, unless use of the sign is to be abandoned, it is important that no time be lost in taking the necessary steps to secure the approval of the Board of Appeals for erection of the sign in another location on your property.

Very truly yours,

AJS/JG

Albert J. Sears
Building Inspection Director

Brighton Ave

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Robert W. Donovan, Assistant Corporation Counsel

DATE: August 22, 1961

FROM: Albert J. Sears, Building Inspection Director

SUBJECT: Unlawful detached sign erected within limits of Jeanne Street

The Marber Realty Company, developers of property back of Brighton Avenue at this location have recently erected a sign 4 feet by 8 feet with top about 7 feet above the ground to advertise the development. This sign has been located about 3 feet in from the line of Brighton Avenue and within the limits of Jeanne Street about 3 feet inside its easterly boundary.

Because the sign is greater than 20 square feet in area with its greatest dimension more than 5 feet, a permit, which was not secured, is required from this department for its erection. However, I have no right to grant a permit for its erection in its present location.

Because I doubt if the Zoning Ordinance or Building Code has control over signs located within the limits of a street, I am turning the matter over to you for whatever legal action may be advisable to secure its removal.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

Cplt. 61/59 - About 659 Brighton Ave.

Nov. 2, 1961

Harber Realty Company
Att: Lewis Bernstein
518 Forest Avenue

cc to: Corporation Counsel

Dear Mr. Bernstein:

In spite of my letter to you of August 25, 1961 outlining the steps needing to be taken to correct the violation of the Zoning Ordinance involving the detached sign erected on the property of the Harber Realty Company on Brighton Avenue, you have failed to take any action in this direction. Under these circumstances, unless the sign has been removed or application for permit for erection of the sign has been filed and zoning appeal filed before November 15, 1961, I shall find it necessary without further notice to you to recommend to the Corporation Counsel that legal action be instigated to compel compliance with Zoning Ordinance regulations.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

AP- 669-725 Brighton Avenue
Sept. 7, 1961

Marber Realty Company
518 Forest Avenue

cc to: Corporation Counsel

Gentlemen:

Permit for erection of a temporary detached sign approximately 4 feet by 8 feet with top about 7 feet above the ground advertising a development project on the property at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The sign is in excess of the maximum of 15 square feet permitted by Sec. 8-b of the Ordinance for a sign to be erected for such a purpose.
2. The sign is to be erected about 15 feet back from the street line of Brighton Avenue and hence will be an unlawful encroachment upon the 40 foot setback required for this part of Brighton Avenue by Sec. 21 of the Ordinance.

We understand that you would like to exercise your appeal rights concerning this discrepancy. Accordingly we are certifying the case to the Corporation Counsel, to whose office in Room 208, City Hall, you should go to file the appeal.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m



R3 RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure _____

Portland, Maine, August 31, 1931

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish 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 669-725 Brighton Ave. Within Fire Limits? _____ Dist. No. _____
 Owner's name and address Marber Realty Co., 518 Forest Ave. Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address owners Telephone 2-5439
 Architect _____ Specifications _____ Plans yes No. of sheets 1
 Proposed use of building _____ No. families _____
 Last use _____ No. families _____
 Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____ Fee \$ 2.00
 Estimated cost \$ _____

General Description of New Work

To erect (1) double-faced detached post sign 4' x 8' with top 7' above ground.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owners

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
 Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
 Has septic tank notice been sent? _____ Form notice sent? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing Lumber—Kind _____ Dressed or full size? _____ Corner posts _____ Sills _____
 Size Girder _____ Columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
 Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
 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

Marber Realty Company

By: John B. Bennett, Treas.

APPROVED:

CS 301

INSPECTION COPY

Signature of owner _____

17



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, Sept. 19, 1957

PERMIT ISSUED

614.1
SEP 20 1957

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, 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 717 Brighton Ave. Within Fire Limits? NO Dist. No. 4-8013

Owner's name and address The Minat Corp. 34 Preble St. Telephone 4-8013

Lessee's name and address _____ Telephone _____

Contractor's name and address GWEX Telephone _____

Architect _____ Telephone _____

Proposed use of building _____ Specifications _____ Plans _____ No. of sheets _____

Last use _____ Office _____ No. families _____

Material frame No. stories 1 Heat _____ Style of roof _____ No. families _____

Other building on same lot _____ Roofing _____

Estimated cost \$ _____ Fee \$.50

General Description of New Work

To demolish 1-story frame office.

No sewer connections.

Land to be used for building purposes.

ENADICATION LETTER 9/19/57

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and .. the name of the heating contractor. **PERMIT TO BE ISSUED TO** owner

Details of New Work

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

Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____

Has septic tank notice been sent? _____ Form notice sent? _____

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

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

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

Material of underpinning _____ Height _____ Thickness _____

Kind of roof _____ Rise per foot _____ Roof covering _____ Kind of heat _____ fuel _____

No. of chimneys _____ Material of chimneys _____ of lining _____ Corner posts _____ Sills _____

Framing Lumber—Kind _____ Dressed or rull size? _____ Size _____ Max. on centers _____

Kind and thickness of outside sheathing of exterior walls? _____

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:

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

The Minat Corp.

INSPECTION COPY

Signature of owner by:

[Signature]

F.M

Permit No. 57/1444
Location 717 Brighton Ave
Owner The Mineral Corp.
Date of permit 9/23/57
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
Staking Out Notice _____
Form Check Notice _____

NOTES

1-2-57 Completed
A

City of Boston
Department of Public Works
Division of Street Maintenance
Permit No. _____
Location _____
Owner _____
Date of permit _____
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
Staking Out Notice _____
Form Check Notice _____

City of Boston
Department of Public Works
Division of Street Maintenance
Permit No. _____
Location _____
Owner _____
Date of permit _____
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
Staking Out Notice _____
Form Check Notice _____

WFM



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, March 29, 1954

00331
MAR 29 1954

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ ~~alter~~ ~~repair~~ ~~or~~ ~~to~~ ~~do~~ all the following building ~~work~~ ~~or~~ ~~work~~ ~~or~~ ~~work~~ ~~or~~ ~~work~~ 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 669-715 Brighton Ave. 160-F-3 Within Fire Limits? no Dist. No. _____
Owner's name and address Marber Realty Co., c/o Lewis Bernstein, 518 Forest Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Lucien Bourque, Biddeford Telephone _____
Architect _____ Specifications _____ Plans no No. of sheets _____
Proposed use of building _____ No. families _____
Last use brick shed No. families _____
Material wood No. stories 1 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ 50

General Description of New Work

To demolish 1-story former shed used for bricks.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owners

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
Has septic tank notice been sent? _____ Form notice sent? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ cellar _____
Material of underpinning _____ Height _____ thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ eat _____ fuel _____
Framing lumber—Kind _____ Dressed or fu. _____
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 ratters: 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:

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

Marber Realty Co.

Signature of owner by: Walter W. Marman, Esq.

INSPECTION COPY

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

September 19, 1957

The Minat Corporation
34 Preble St.

Gentlemen:

With relation to permit applied for to demolish a building or portion of building at 717 Brighton Ave. it is unlawful to commence demolition work until a permit has been issued from this department.

Section 6 of the ordinance for rodent and vermin control provides: "It shall be unlawful to demolish any building or structure unless provision is made for rodent and vermin eradication. No permit for the demolition of a building or structure shall be issued by the Building Inspector until and unless provisions for rodent and vermin eradication have been carried out under supervision of a pest control operator registered with the Health Department.

The building permit for demolition cannot be issued until the provisions of this section have been satisfied. It is the obligation of owner or demolition contractor or both to take up with the Health Department the matter of complying with this section, being prepared to inform that department what registered pest control operator is to be employed.

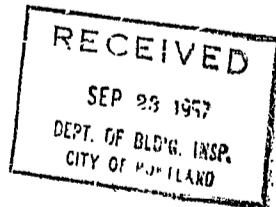
Very truly yours,

Walter McDonald
Inspector of Buildings

WMcD/H

Eradication of this building has been completed.

Charadey and
9-20-57 *JW*



25-7-54



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, March 29, 1954

PERMIT ISSUED
00330
MAR 29 1954

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~construct~~ demolish ~~the following building structure~~ 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 669-715 Brignior Ave. (R3-A-1) Within Fire Limits? no Dist. No. _____

Owner's name and address Harber Realty Co., c/o Lewis Bernstein, 518 Forest Ave. Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address Lucien Bourque, Biddeford Telephone _____

Architect _____ Specifications _____ Plans no No. of sheets _____

Proposed use of building _____

Last use brick sheds No. stories 1 Heat _____ Style of roof _____ No. of gables _____

Material wood No. stories 1 Heat _____ Style of roof _____ No. of gables _____

Other buildings on same lot _____ Roof _____

Estimated cost \$ _____

General Description of New Work

To demolish 1-story former shed used for bricks.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owners

Details of New Work

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

Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____

Has septic tank notice been sent? _____ Form notice sent? _____

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

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

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

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:

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

Harber Realty Co.

Signature of owner by: Lucien Bourque

INSPECTION COPY

Permit No. 54/330
Location 669-715 Brighton Ave
Owner Manner Realty Co
Date of permit 3/29/54
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. 4/13/54 WJM
Cert. of Occupancy issued _____
Staking Out Notice _____
Form Check Notice _____

NOTES

4/13/54 work completed

FILED
BOSTON, MASS.
APR 1 1954



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, March 29, 1954

PERMIT ISSUED
MAR 30 1954
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 669-715 Brighton Ave. 18-B-34 Within Fire Limits? no Dist. No. _____
 Owner's name and address Marber Realty Co., c/o Lewis Bernstein, 518 Forest Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address Lucien Boucque, Biddeford Telephone _____
 Architect _____ Specifications _____ Plans no. _____ No. of sheets _____
 Proposed use of building _____ No. families _____
 Last use brick shed No. families _____
 Material wood No. stories 1 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$.50

General Description of New Work

To demolish 1-story former shed used for bricks.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** Marber Realty Co.

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
 Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
 Has septic tank notice been sent? _____ Form notice sent? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 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:

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

Marber Realty Co.

Signature of owner by: Marber Realty Co.

INSPECTION COPY

Permit No. 54/329
Location 669-715 Brighton Ave.
Owner Marber Realty Co.
Date of permit 3/29/54
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. 4/13/54 WJM
Cert. of Occupancy issued _____
Staking Out Notice _____
Form Check Notice _____

NOTES

4/13/54 Work completed WJM

1-19

Permit No. 52/1442
 Location 717-741 Brighton Ave
 Owner The Mindk Corp.
 Date of permit 9/8/52
 Notif. closing-in _____
 Inspn. closing-in _____
 Final Notif. _____
 Final Inspn. 1-19-53 wgn
 Cert. of Occupancy issued _____

NOTES

1-19-53 Work completed & signed

City of Boston
 Department of Public Works
 Division of Building Inspection
 150 State Street, Boston, Mass. 02109
 Form No. 108 (REV. 1-1-52)

Division of Building Inspection
 150 State Street, Boston, Mass. 02109

717-741 Brighton Avenue

8/12/52 WMcD

July 22, 1952

Mr. Mitchell Cope
c/o The Minat Corporation
220 Cumberland Avenue
Portland, Maine

Dear Mr. Cope:

Strictly speaking the building permit which you secured on March 17 to cover demolition of two large sheds at 717-741 Brighton Avenue has lapsed, our inspector having reported that no work has been done on the project for more than three months since the permit was issued.

We do not like to lapse this type of permit and we will not do so unless the job is delayed beyond August 12.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/B



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, March 15, 1952

PERMIT ISSUED
00285
MAR 17 1952
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~construct~~ demolish ~~in~~ the following building ~~structure~~ ~~erected~~ in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 737-741 Brighton Avenue Within Fire Limits? no Dist. No. _____
Owner's name and address The Minat Corp., 220 Cumberland Avenue Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address owner Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building _____ No. families _____
Last use _____ sheds _____ No. families _____
Material wood No. stories 1 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$.50

General Description of New Work

To demolish 2 sheds, one 30' x 100' and the other 20' x 30'. No sewer connections.

See letter 7/22/52

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO The Minat Corp.**

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ soil 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 _____ Column 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:

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

The Minat Corp.

Signature of owner by: *[Signature]*

INSPECTION COPY

444
6 PM

Permit No. 63/285
 Location 717-741 Brighton Ave
 Owner The Mind Corp
 Date of permit 3/17/52 ✓
 Notif. closing-in _____
 Inspn. closing-in _____
 Final Notif. _____
 Final Insp. _____
 Cert. of Occupancy issued _____

NOTES

6-9-52 - Work up started at 10 AM
 7-21-52 - Same. W. J. G. J.
 J. J. G. J. 7-31-52

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Memorandum from Department of Building Inspection, Portland, Maine

AP 719 Brighton Avenue - Permit for Sign for and
by the Minat Corp. - 4/11/52

FU - PH - 3/4/53

April 11, 1952

The Minat Corp.
220 Cumberland Avenue
Portland, Maine

Gentlemen:-

Permit for the above sign has been approved by the Zoning Board of Appeals,
but only upon the condition that the sign shall be removed before April 4th, 1953.

WMcD/G
Encl: Permit and copy of application

(Signed) Warren McDonald
Inspector of Buildings

*Put with
file copy*

AP 719 Brighton Avenue

March 17, 1952

The Minat Corp.
220 Cumberland Avenue
Portland, Maine

Copy to Corporation Counsel

Gentlemen:

Building permit for construction of a detached sign 4'x6' (presumably to advertise the development of the area for new homes) 5' from the side property line and with one end of the sign directly on the street line, on the vacant lot at 719 Brighton Avenue is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 15A of the Ordinance, such a sign for the sale or use of a lot or building shall not exceed a total area of eight square feet.

You have indicated your desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/B

Enc: Outline of appeal procedure

City of Portland, Maine
Board of Appeals
—ZONING—

*Sustained
Conditionally
4/4/52* 52/17

March 19, 19 52

To the Board of Appeals:

Your appellant, The Minat Corporation, who is the owner of property at 719 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 18, Paragraph E of said Zoning Ordinance.

Building permit for construction of detached sign, 4' x 6', to advertise the development of the area for new homes to be located 5' from the side property line and with one end of sign directly on the street line on the vacant lot at 719 Brighton Avenue is not issuable under the Zoning Ordinance because this property is located in a Residence C Zone where, according to Section 15A, such a sign for the sale or use of a lot or building shall not exceed a total area of eight square feet.

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

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

*The Minat Corp
Ray M. Lynn*
Appellant

After public hearing held on the 4th day of April, 19 52 the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance for a period not exceeding one year from the date hereof.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case for a period not exceeding one year from the date hereof.

William H. Lenth
William C. French
John W. Deke
Edward J. Colley
William H. Griffin
BOARD OF APPEALS

ZONING
Board of
City of

DATE: April 4, 1952

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF THE MINAT CORPORATION
AT 719 Brighton Avenue
Public hearing on above appeal was held before the Board of Appeals.

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Luthe	(x)	()	FOR A PERIOD NOT EXCEEDING ONE YEAR FROM THE DATE HEREOF.
Mr. Colley	(x)	()	
Mrs. Frost	(x)	()	
Mr. Lake	(x)	()	
Mr. O'Brion	(x)	()	
	()	()	
	()	()	

Record of Hearing:

No opposition

McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to file AP 719 Brighton Avenue

FU

CITY OF PORTLAND, MAINE

Department of Building Inspection.

March 17, 1952

The Minat Corp.
220 Cumberland Avenue
Portland, Maine

Copy to Corporation Counsel ✓

Gentlemen:

Building permit for construction of a detached sign 4'x6' ~~intentionally~~ to advertise the development of the area for new homes, 5' from the side property line and with one end of the sign directly on the street line, on the vacant lot at 719 Brighton Avenue is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 15A of the Ordinance, such a sign for the sale or use of a lot or building shall not exceed a total area of eight square feet.

You have indicated your desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/B

Enc: Outline of appeal procedure

C
O
P
Y

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

March 25, 1952

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 4, 1952 at 10:30 a. m. to hear the appeal of The Minet Corporation requesting exception to the Zoning Ordinance to permit construction of detached sign, 4' x 6', to advertise the development of the area for new homes to be located 5' from the side property line and with one end of sign directly on the street line on the vacant lot at 719 Brighton Avenue.

This permit is presently not issuable because this property is located in a Residence C Zone where, according to Section 15A, such a sign for the sale or use of a lot or building shall not exceed a total area of eight square feet.

This appeal is taken under Section 18E 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

H. Merrill Luthe

Chairman

(16) 29.1 (41)
Appeal of Minut Corp. at 717 Brighton Ave.

Brighton Ave.

- 669-715 Harbor Realty Co. - 27A Exchange St.
- 717-741 Lucas Truck Co. - 745 Brighton Ave.
- 743-799 Mary G. Humbert - 21 Deibel St.
- 670-678 George G. & Doris H. Fogg - 674 Brighton Ave.
- 680-694 Vito & Maria A. Caggiano - 686 Brighton Ave.
- 696-702 Veronica M. Frank - 700 Brighton Ave.
- 704-734 Dup. (Caggiano)
- 742-744 Walter O. & Caroline B. Emery - 744 Brighton Ave.
- 748-770 Frank J. Starbird - 407 Caprice St.

Lucas - W. (Off Caprice St.)

- 36-40 George H. & Pauline M. Stines - 38 Lucas St.
- 42-54 Calista Poma - 48 Lucas St.
- 58-68 Walter O. & Caroline Emery - 744 Brighton Ave.
- 38-43 Charles J. Patis - 32 Vesey St.
- 45 Mary C. & Anna P. Holmes - 77 Woodford St.
- 47-53 Dup. (Holmes)
- 55-67 Dup. (Caggiano)

Harvey St.

- 1-11 Margaret H. Berg - 1 Harvey St.
- 12-15 Lloyd N. Maloney NR - 114 St. George St. Hook No. 114 St. George St.
- 17-21 Harold C. Michelson NR - B. D. "R. St. P. Island, Wm.
- 23-27 (Charles J. Patis) Dup

Cobb St.

Assessor's Lot 300, 224a - E - 17 to 21 - City of Portland

49/5

City of Portland, Maine
Board of Appeals

-ZONING-

Decision

Public hearing was held on the 14th day of January, 1949,
on petition of Marber Realty Company, owner of property at
669-715 Brighton Avenue, seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

Application for locating one-story frame office building on premises at 669-715
Brighton Avenue is not issuable because the proposed use of it as an office
building in connection with development of a considerable tract of land is
not an allowable use in the Residence C Zone where the property is located. How-
ever, Section 14-D of the Ordinance provides that the Board of Appeals may permit
a non-conforming temporary building or use of a building incidental to and
reasonably required for the development of a neighborhood for such an initial period
as the Board may deem appropriate upon application accompanied by a bond and bill
of sale to the City of Portland in case the building is not removed prior to the
expiration of the permit.

The Board finds that an exception is necessary in this case to grant reasonable
use of property where required for the development of a neighborhood and that
it can be granted without substantially departing from the intent and purpose
of the Zoning Ordinance, provided that the proposed office building shall be
located behind the barn now situated on said premises and that appellant file
bond and bill of sale to the City of Portland in the event the building is not
removed from these premises prior to July 5, 1950.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted
in this specific case; provided that the proposed office building shall be located behind the barn
Robert P. Plummer now situated on said
John W. Lake premises and that
Edward J. Colley appellant file bond and
B. William Hallworth bill of sale to the City of
Portland in the event the
building is not removed from
these premises prior to July 5,
Board of Appeals 1950.

City of Portland, Maine
Board of Appeals
--ZONING--

*Sustained
conditions etc.
2/4/49 49/5*

December 21, 19 48

To the Board of Appeals:

Your appellant, Marber Realty Company, who is the owner of property at 669-715 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.

Application for locating one-story frame office building on premises at 669-715 Brighton Avenue is not issuable because the proposed use of it as an office building in connection with development of a considerable tract of land is not an allowable use in the Residence C Zone where the property is located. However, Section 14-D of the Ordinance provides that the Board of Appeals may permit a non-conforming temporary building or use of a building incidental to and reasonably required for the development of a neighborhood for such an initial period as the Board may deem appropriate upon application accompanied by a bond and bill of sale to the City of Portland in case the building is not removed prior to the expiration of the permit.

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

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

MARBER REALTY COMPANY

BY *Harry H. Marcus, P.E.*
Appellant Harry H. Marcus, P.E.

119/5

February 4, 1949

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MARBER REALTY COMPANY
AT 669-715 Brighton Avenue

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

Present for City

Board of Zoning Appeals members:-

~~twix~~
January 14, 1949

VOTE

	Yes	No
Mr. Getchell	(x)	()
Mr. O'Erion	(x)	()
Mr. Colley	(x)	()
Mr. Lake	(x)	()
Mr. Holbrook	(x)	()
	()	()
	()	()
	()	()

Municipal Officers:-

City officials:-



49/5

THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK

WHEN WRITING ABOUT A POLICY ALWAYS GIVE THE NUMBER



FIRST POLICY ISSUED
FEBRUARY 1 1843

C. HERBERT BURPEE
MANAGER
MASONIC TEMPLE
415 CONGRESS STREET

PORTLAND 3, ME.
January 27, 1949

Barnett I. Shur,
Corporation Counsel
City of Portland, Maine
Legal Department

Dear Mr. Shur:

I have had an opportunity to talk with others who objected to the building placed on lot on Brighton Avenue by the Marber Realty Company. We have agreed that there is no objection to the removal of the building to a point behind the barn referred to.

Sincerely,

CHB/h

P. S. At this writing the removal of the barn has been completed.

More Than 100 Years of Service and Security

49/5
LAW OFFICES
FRANK P. PRETI
119 EXCHANGE STREET
SUITE 604
PORTLAND 3, MAINE

January 22, 1949.

City of Portland, Maine
Legal Department
Portland, Maine

Barnett I. Shur, Corporation Counsel.

Dear Sir: Re - Vito Caggiano

In behalf of Vito Caggiano of 686 Brighton Avenue, I am making reply to your letter of January 19th, and let me advise you, as Mr. Caggiano's agent, that he has no objection to the removal of the small building owned by the Marber Realty Company and being placed at a point behind the barn which now stands on their premises at Brighton Avenue so that the same is not visible from his home.

This, I understand, is also agreeable to Mr. Burpee, the other objector.

Very truly yours,

Frank Preti

49/5

January 19, 1949

Mr. C. Herbert Burpee
674 Brighton Avenue
Portland, Maine

Dear Mr. Burpee:

I have just been advised by Harry Marcus,
Attorney for the Marber Realty Company, that
both you and Mr. Gagliano have agreed that there
is no objection to the removal of the small building
to a point behind the barn.

Will you please confirm this understanding in
writing to this office.

Ver, truly yours,

Barnett I. Shur
Corporation Counsel

BIS:M

49/5

January 19, 1949

Mr. Vito Caggiano
686 Brighton Avenue
Portland, Maine

Dear Mr. Caggiano:

I have just been advised by Harry Marcus,
Attorney for the Marber Realty Company, that
both you and Mr. Burpee have agreed that there
is no objection to the removal of the small
building to a point behind the barg.

Will you please confirm this understanding
in writing to this office.

Very truly yours,

Barnett I. Shur
Corporation Counsel

BIS:M

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

49/5

January 10, 1949

Marber Realty Company
c/o Marcus & Marcus
97A Exchange Street
Portland, Maine

Gentlemen:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, January 14, 1949 at ten-thirty O'clock in the forenoon to hear your appeal under the Zoning Ordinance.

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

Very truly yours,

BOARD OF APPEALS

Robert L. Getchell

Chairman

M