

Appeal 627-633 Brighton Ave.

July 25, 1955

Barnett I. Shur, Corporation Counsel

Warren McDonald, Inspector of Buildings

Use of premises at 627-633 Brighton Ave., corner of Edgeworth Ave. for the sale of used cars and zoning appeal relating thereto

Whether or not you will want to do anything about the question prior to the public hearing on the zoning appeal I do not know, but it is noted that Mr. Lanigan's appeal seeks only the right to use the entire two lots for the sale of used cars.

It is common knowledge of the neighborhood out there that the sale of used cars is a fairly recent development. For several years Mr. Lanigan has been using these two lots which are in a Residential Zone for the parking of motor trucks, various kinds of self-propelled vehicles and automobiles in violation of the Zoning Ordinance.

Up to now he has been continuing that practice on the back part of the lot and only the frontage along Brighton Ave. has contained one or two rows of used cars obviously for sale.

It is interesting to note that, apparently after he received Mr. Donovan's letter, the used cars were taken off of this lot and some of them were displayed in front of the garage buildings. Happening by there yesterday I noted that he had put at least one row of used cars back on these two lots.

WMcD/B

Inspector of Buildings

July 13, 1955

Hymn Jacobson, Esq.,
119 Exchange St.

Copy to Mr. Robert D. Lanigan
623 Brighton Ave.
Corporation Counsel

Dear Mr. Jacobson:

As you are aware, we are unable to issue a certificate of occupancy for use of the premises at 627-633 Brighton Avenue, corner of Edgeworth Avenue, for the sale of used cars because such a use is not allowable in the Residence C Zone where the property is located. Since the owner wishes to exercise his appeal rights concerning this matter, we are enclosing an outline of the appeal procedure and are certifying the case to the Corporation Counsel for action. In order for the appeal to be considered at the next public hearing to be held by the Board of Zoning Appeals, it is important that the appeal be filed at the latest by Friday, July 15, 1955.

Very truly yours,

Albert J. Sears
Deputy Inspector of Buildings

AJS/B

Enc: Outline of appeal procedure

P.S. Although in your letter it is stated that the property involved is located at 627-644 Brighton Avenue, it is evident that the latter figure must be in error and therefore it has been changed to agree with the legal numbering of the lot involved.

JACOBSON AND JACOBSON
ATTORNEYS AND COUNSELLORS AT LAW
119 EXCHANGE STREET
PORTLAND 3, MAINE

ERAS JACOBSON
IRVING JACOBSON
HELVIN JACOBSON

SUITE 800 802
TELEPHONE 2-3731

July 11, 1955

Mr. Warren MacDonald
Inspector of Buildings
Portland, Maine

Dear Mr. MacDonald: Re: Robert Lanigan
Premises - 627-644 Brighton Ave.
Portland, Maine 633

In accordance with the instructions from your
Mr. Albert Sears, we wish to supplement our
letter of today and request the issuance of
a certificate of occupancy for the use of the
premises at 627-644 Brighton Avenue to Robert
Lanigan, which premises is to be used for the
sale of used cars.

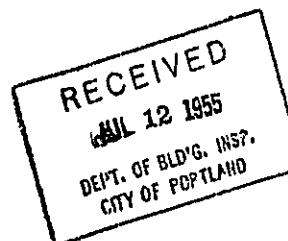
Very truly yours,

JACOBSON AND JACOBSON

By: 

HJ:efc

cc: Corporation Counsel
cc: Robert Lanigan



JACOBSON AND JACOBSON
ATTORNEYS AND COUNSELLORS AT LAW
112 EXCHANGE STREET
PORTLAND 3 MAINE

July 11, 1955

ELIAS JACOBSON
HYMAN JACOBSON
HELVIN JACOBSON

SUITE 500 502
TELEPHONE 2-3731

Mr. Warren MacDonald
Inspector of Buildings
Portland, Maine

Dear Mr. MacDonald:

Please be advised that this office represents Robert Lanigan of 1889 Congress Street, Portland, Maine, in connection with his desire to operate a used car lot at 627-644 Brighton Ave. We understand that the zoning ordinances presently prohibits the use of the said premises for the desired purpose.

The lots in question adjoin the premises owned by Mr. Lanigan on Brighton Ave., which premises are used as a garage and automobile repair shop. We further understand that the City Council recently refused to extend the zoning area to cover the lots in question for commercial or business use, although the change was recommended by the City Planning Board.

We are advised by your office that the request will be automatically denied by your office and the necessary steps will be taken for an appeal to the Board of Zoning Appeals for permission to use the property for the desired purpose. We would appreciate it if such steps were taken and the necessary application forwarded to this office in behalf of Mr. Lanigan.

We might add that Mr. Lanigan intends to use the premises only for the sale of used cars and not for any other purpose such as repairs or graveyard, so called, for derelict cars.

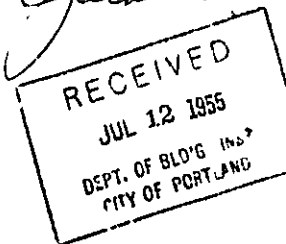
Very truly yours,

JACOBSON & JACOBSON

By: *Hyman Jacobson*

HJ:sc

cc: Corporation Counsel
Robert Lanigan



CITY OF PORTLAND, MAINE
BOARD OF APPEALS

July 19, 1955

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, July 29, 1955 at 10:30 a. m. to hear the appeal of Robert McAvoy requesting an exception to the Zoning Ordinance to cover erection of an all-metal roof sign, 27 feet by 4 feet, on the building at 1051-1053 Brighton Avenue.

This permit is presently not issuable under the Zoning Ordinance because the sign, proposed to have an area in excess of 36 square feet, would be closer than 100 feet to the Residence Zone lying in the rear of this property and because the sign would be over and upon a roof which is less than 20 feet in height above the grade of the public sidewalk, contrary to Section 15C of the Zoning Ordinance applying to the Local Business Zone.

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 where necessary 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 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

K

City of Portland, Maine
Board of Appeals
—ZONING—

Denied
8/3/51
51/74

..... July 19, 19 51

To the Board of Appeals:

Your appellant, Mark C. Ashley, who is the tenant of property at 1065 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 to cover establishing a small vehicle about 5' x 7' as a temporary stand for preparing and sale of food at 1045-1071 Brighton Avenue, corner of Taft Avenue is not issuable under the Zoning Ordinance because this stand will be closer than 125' to a residence zone, contrary to Section 15B of the Zoning Ordinance.

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 where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Mark C. Ashley

By William E. Fisher
Appellant Attorney

After public hearing held on the 3rd day of August, 19 51
~~the Board of Appeals for the said exception is~~

Since an exception to the Zoning Ordinance must be by unanimous vote of the Board of Appeals, and since the vote was as follows, this appeal must be denied:

<u>OPPOSED</u>	<u>INFAVOR OF</u>
Mrs. Frost	Mr. O'Erion
Mr. Colley	Mr. Getchell
Mr. Luthe	

It is, therefore, determined that exception to the Zoning Ordinance may not be permitted in this specific case.

Helen C. Frost
Chairman, Board of Appeals

BOARD OF APPEALS

178

Board of Appeals
1045-1071 Brighton Avenue
August 3, 1951

DATE: August 3, 1951

HEARING OF APPEAL UNDER THE ZONING ORDINANCE OF MARK C. ASHLEY

AT 1045-1071 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	
Mrs. Frost	()	(x)	
Mr. Getchell	()	(x)	
Mr. Colley	()	(x)	
Mr. Luthé	()	(x)	
Mr. O'Brion	(x)	()	
	()	()	
	()	()	
	()	()	
	()	()	

Record of Hearing:

No opposition

178

1008 Brighton Ave
Portland Me.

Dear Sirs -

In reply to appeal of Mark C. Achley to open a Food Van on Brighton Ave. I would like to say we havnt any objection.

We have known the above for several years and we know nothing against his character.

He always has seemed a kind and generous person always willing to help others

Bessie B. Gray.

SAMUEL WEISMAN AND SON

Distributor of



Family of Foods

HOME OFFICE
411 WOODFORD ST.
PORTLAND, ME.
TEL. 3-3564

WAREHOUSE
1040 BRIGHTON AVE.
PORTLAND, ME.

July 20/58

MASTERMIX MAYONNAISE • SANDWICH SPREAD
TARTAR SAUCE • SALAD DRESSING • POTATO CHIPS
HORSE RADISH • SWEET MUSTARD PICKLE
SWEET RELISH

City Council
Board of Appeal
Dear Sirs:

Being a property owner and directly across the street, I have no objection what ever to Frank Ashley intentions. As a matter of fact it is already a business area, and there is no reason why his appeal should not be granted.

Yours Very Truly
Samuel Weisman

City Council:
Board of Appeal.

Aug 1, 1951

Dear Sir:

Mark Cuddy worked for our
Market two years as a meat
cutter. During that time I
found him conscientious honest
and best of character. I would
highly recommend him to be
successful in any type business
he chooses.

I have no objections to
his starting a lunch counter.
next to our super market
Sincerely,
John C. Peck

MRS. TOM ALLEN
1002 BRIGHTON AVENUE
PORTLAND 6, MAINE

City of Portland Maine
Board of Appeals -
Helen C. Frost - Chairman -

Madam: - Referring to appeal
of Mark C. Ashley requesting
privilege to establish a small
vehicle to prepare and sell food
on Brighton Avenue, will say
that I have no objection to
above request being granted -

Sincerely -
Henrietta K. Allen

Aug. 2 - 1951

A. I. Dale
1034 Brighton Ave
Portland, Maine

WHICH IT MAY CONCERN:

I have received your notice from the board of appeal, and have no objections to Mark C. Ashley establishing a small vehicle as a mobile canteen stand for preparing and serving food at 1045 - 1071 Brighton Ave. corner of Taft Ave.

Sincerely;

A. I. Dale
Mary L. Dale

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

July 31, 1951

The Board of Appeals will hold a public hearing
in the Council Chamber, City Hall, Portland, Maine on
Friday, August 3, 1951 at 10:30 a. m. to hear your
appeal under the Zoning Ordinance.

Please to present or be represented at this
hearing.

BOARD OF APPEALS

Helen C. Frost

Chairman

W. McDONALD
INSPECTOR OF BUILDINGS

Reply to 1045-1071
AP 1047 Brighton Avenue-I
Corner of Taft Avenue

CITY OF PORTLAND, MAINE

Department of Building Inspection

July 19, 1951

Mr. Mark C. Ashley
8 Cabot Street
Messrs. Joseph & Lawrence Barber
1065-Brighton Avenue

Copy to: Corporation Counsel

Gentlemen:

A building permit intended to cover establishing a small vehicle about 5' x 7' as a temporary stand for preparing and sale of food at 1045-1071 Brighton Avenue, corner of Taft Avenue is not issuable under the Zoning Ordinance because, while the stand would be in a Local Business Zone, the location of it would be closer than 125' to a residence zone, contrary to Section 15B of the Zoning Ordinance.

Mr. Ashley, who proposes to operate the stand on land owned by Joseph and Lawrence Barber says that you desire to seek an exception from the Board of Appeals; so, there is enclosed to each of you an outline of the appeal procedure. It is usually preferred by the Corporation Counsel of the City, with whom the appeal is actually filed, that the owner of a property file the appeal, but Mr. Ashley can find out about that when he goes to the Corporation Counsel's office for that purpose.

It is to be borne in mind that permits for temporary stands such as this, whether supported upon wheels or not, may be only issued, irrespective of zoning requirements, after approval by the Municipal Officers, and when issued, allows maintenance of the stand for not more than six months in any calendar year. Mr. Ashley assures me that such a period would care for the proposition for this year at any rate, but I am not prepared to say, if the zoning appeal should be granted, whether or not the privilege granted by the Zoning Board of Appeals would hold over to next year should another application for temporary stand for 1952, be filed.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/G

Enclosure to each addressee: Outline of appeal procedure

C
O
P
Y

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

July 24, 1951

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, August 3, 1951 at 10:30 a. m. to hear the appeal of Myron Finkelman requesting exception to the Zoning Ordinance to permit construction of one-story masonry motor vehicle service station building about 29' x 45' at 66 Bedford Street.

This permit is presently not issuable because this property is located in an Apartment House Zone where such a use of land and buildings is not permissible.

This appeal is taken under Section 181 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

Helen C. Frost

Chairman

M

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

July 24, 1951

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, August 3, 1951 at 10:30 a. m. to hear the appeal of Mark C. Ashley requesting exception to the Zoning Ordinance to permit establishing a small vehicle 5' x 7' as a temporary stand for preparing and sale of food at 1045-1071 Brighton Avenue, corner of Taft Avenue.

This permit is presently not issuable under the Zoning Ordinance because this stand will be closer than 125' to a Residence Zone contrary to Section 15E of the Zoning Ordinance.

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 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

Helen C. Frost

Chairman

M

(L) LOCAL BUSINESS ZONE

APPLICATION FOR PERMIT



Class of Building or Type of Structure _____

Portland, Maine, July 18, 1951

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~structure~~ ~~structure~~ the following ~~building~~ structure ~~erect~~ 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 1045 107 Brighton Avenue, Co. 1st Within Fire Limits? no .. Dist. No.

Owner's name and address Joseph & Lawrence Barbour, 1065 Brighton Avenue Telephone

Lessee's name and address Mark C. Ashley, 8 Cabot Street Telephone none

Contractor's name and address

Architect

Specifications .. Plans yes .. No. of sheets 1

Proposed use of building portable stand .. No. families ..

Last use

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

Other building on same lot Drilling accessory bldg

Estimated cost \$

Fee \$ 10.25

General Description of New Work

To maintain portable stand 4' 6" x 6' 8" on above property. Stand is on wheels.

Ref 8/8/51

Permit denied 8/3/51

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** Mark C. Ashley

Details of Now 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 .. 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

APPROVED:

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 ..

Joseph & Lawrence Barbour

INSPECTION COPY

Signature of owner by:

Mark C. Ashley

NOTES

Permit No. 511
15/10/51

Permit No. *511*
 Location *1047 1/2 3rd St. S. E.*
 Owner *Shirley C. Colby*
 Date of permit *1/15/51*
 No. of occupancies *1*
 Initial inspection *1/15/51*
 Final No. of occupancies *1*
 Final inspection *1/15/51*
 Cert. of Occupancy issued

No.	Description	Remarks
1	Room 1047 1/2 S. E.	Inspected on 1/15/51
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Inspector *[Signature]* *15/10/51*

1065-1071
AP 1067 Brighton Avenue-I
Corner of Taft Avenue

July 19, 1951

Mr. Mark C. Ashley
8 Cabot Street
Messrs. Joseph & Lawrence Barber
1065 Brighton Avenue

Copy to: Corporation Counsel

Gentlemen:

A building permit intended to cover establishing a small vehicle about 5' x 7' as a temporary stand for preparing and sale of food at 1065-1071 Brighton Avenue, corner of Taft Avenue is not issuable under the Zoning Ordinance because, while the stand would be in a Local Business Zone, the location of it would be closer than 125' to a residence zone, contrary to Section 15N of the Zoning Ordinance.

Mr. Ashley, who proposes to operate the stand on land owned by Joseph and Lawrence Barber, says that you desire to seek an exception from the Board of Appeals; so, there is enclosed to each of you an outline of the appeal procedure. It is usually preferred by the Corporation Counsel of the City, with whom the appeal is actually filed, that the owner of a property file the appeal, but Mr. Ashley can find out about that when he goes to the Corporation Counsel's office for that purpose.

It is to be borne in mind that permits for temporary stands such as this, whether supported upon wheels or not, may be only issued, irrespective of zoning requirements, after approval by the Municipal Officers, and when issued, allows maintenance of the stand for not more than six months in any calendar year. Mr. Ashley assures us that such a period would care for the proposition for this year at any rate, but I am not prepared to say, if the zoning appeal should be granted, whether or not the privilege granted by the Zoning Board of Appeals would hold over to next year should another application for temporary stand for 1952, be filed.

Very truly yours,

Warren McDonald
Inspector of Buildings

WCD/G

Enclosure to each addressee: Outline of appeal procedure

Inquiry 1065 Brighton Ave.

ATH
RMT
PH
JMS
HL
ES

December 13, 1945

Mr. E. M. Palmer
8 Josslyn Street
Sagecroft Village
Portland, Maine

Subject: Inquiry as to allowable use under the
Zoning Ordinance of property at about 1065
Brighton Avenue and also in Sagecroft Village

Dear Sir:

Mr. Sears has told you that the zoning ordinance will not allow a grocery store on Brighton Avenue at this location because the property is located in a General Residence C Zone where such a use is not allowable.

Another inquiry which you have made here is: "Is such a building (grocery store) allowed inside Sagecroft Village reservation?" All of Sagecroft Village is located in a General Residence C Zone where such a use is not allowable under the Zoning Ordinance. There is a question, however, as to the Federal Government owned property being under the control of the Zoning Ordinance. When the dwellings were built, no building permit was required and the Federal Government was not bound by the Zoning Ordinance, but it was the policy of the Bureau in charge of such developments to comply with local Zoning Ordinance as closely as possible. Whether or not this situation has changed since the Village came under the direction of the City appointed local committee, I do not know. I suggest that you consult this committee and see if there is any chance of locating the grocery store in the reservation and what they feel is their duty with regard to the Zoning Ordinance. No doubt the decision would be theirs, and I should think that they would feel bound by the zoning provisions, being a City Committee, whether they are legally bound or not.

Another inquiry is: "Could the former garage on Brighton Avenue used as a fire station for Sagecroft Village, be used for a grocery store. The Ordinance requires that a permit be secured from this department. The building could legally be converted to a grocery store. Such a permit could be issued under the Zoning Ordinance because a grocery store is not an allowed use in the General Residence C Zone where the property is located. That the permit would be of a variance application filed to secure such a change of use, I do not know.

Very truly yours,

Inspector of Buildings

McD/S

CC: Carlsten G. Laag, Chairman
Portland Housing Authority of Sagecroft Village
536 Congress Street

CITY BLANK

ZONE RC

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

FIRE DIST. Nr

By Telephone

DATE 12/12/45

LOCATION About 1065 Brighton Ave. OWNER

MADE BY W. M. Palmer

ADDRESS 8 Josselyn Street, Sagamore Village TEL. 2-8230

PRESENT USE OF BUILDING

CLASS OF CONSTRUCTION

NO. OF STORIES

REMARKS: Location on Brighton Ave between Sagamore
Village + City Home. Edwin Smith, City Clerk,
knows something about this situation.

INQUIRY: 1- Is a building for a grocery store allowable
at this locⁿ?

2- Is it in a building to be built inside the
Sagamore Village reservations allowable?

3- Could the former garage on Brighton Avenue
converted for use as a fire station for Sagamore
Village be used for grocery store purposes.

ANSWER: 1- No, not an allowable use in R.C. zone
where property is located.

2- Do not know whether zoning law regulations
control such a use on property owned by Federal
Government.

3- Do not know what rights building has
for such a use.

Would have M&S, give answer.

DATE OF REPLY 12/12/45

REPLY BY A. J. Sears

See letter 12/13/45

WMA

September 28, 1942

KNOW ALL MEN BY THESE PRESENTS, that W. E. Rogers, a building contractor of Gardiner, Maine, being engaged in construction of a housing development owned by the Federal Government in the vicinity of Brighton Avenue and Taft Avenue in the City of Portland, Maine, by these presents stands firmly bound to the City of Portland in the sum of One Thousand Dollars(\$1000.). The condition of this bond is that, if said W. E. Rogers shall remove or shall cause to be removed within 14 days after the completion of said Federal Housing Development a certain 1,000-gallon tank and 5-gallon pump in connection therewith for the storage and handling of gasoline, and a certain 850-gallon tank and pump in connection therewith for storage and handling of Diesel engine oil (all of this equipment being allowed in a General Residence-C Zone under Section 11-c of the Zoning Ordinance of said city as a non-conforming temporary use incidental to and reasonably required for the development of the neighborhood involved), then this bond shall be void, otherwise it shall be in full force and effect.

And said W. E. Rogers in consideration of this allowance of said Zoning Ordinance in this connection, and in consideration of the permit to install said gasoline and oil storage and handling equipment, hereby bargains, sells and conveys to said City of Portland, said tanks, pumps, piping and other necessary appurtenances in connection therewith, in event said equipment shall remain in or upon said premises more than 14 days after said Federal Housing Development is completed.

Witness:

September 23, 1948

KNOW ALL MEN BY THESE PRESENTS, that W. E. Rogers, a building contractor of Gardiner, Maine, being engaged in construction of a housing development owned by the Federal Government in the vicinity of Brighton Avenue and Taft Avenue in the City of Portland, Maine, by these presents stands firmly bound to the City of Portland in the sum of Five Hundred Dollars (\$500.). The condition of this bond is that, if said W. E. Rogers shall remove or shall cause to be removed within 14 days after the completion of said Federal Housing Development a certain temporary one-story garage about 14 feet by 24 feet and a certain temporary one-story office and storage building about 12 feet by 23 feet erected on the Barber property at 1041-1071 Brighton Avenue (both buildings being allowed in a General Residence-C Zone under Section 11-c of the Zoning Ordinance of said city as non-conforming temporary buildings incidental to and reasonably required for the development of the neighborhood involved), then this bond shall be void, otherwise it shall be in full force and effect.

And said W. E. Rogers in consideration of this allowance of said Zoning Ordinance in this connection, hereby bargains, sells and conveys to said City of Portland, said temporary garage and said temporary office and storage building in event these two buildings shall remain upon said premises more than 14 days after said Federal Housing Development is completed.

Witness:



GENERAL RESIDENCE ZONE PERMIT ISSUED
APPLICATION FOR PERMIT

Class of Building or Type of Structure Gasoline Installation Diesel Oil Permit No. 1942

To the INSPECTOR OF BUILDINGS, PORTLAND, ME. Portland, Maine, September 26, 1942

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 1061 Brighton Avenue Within Fire Limits? NO Dist. No. _____

Owner's or lessee's name and address W. F. Rogers, 1061 Brighton Ave. Telephone _____

Contractor's name and address Owner (Gardiner, Maine) Telephone _____

Architect _____ Plans filed YES No. of sheets 1

Proposed use of building _____ No. families _____

Other buildings on same lot _____

Estimated cost \$ EST 1,000. Fee \$ 15 00

Description of Present Building to be Altered

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

Last use _____ No. families _____

General Description of New Work

To install one 1,000 gallon tank and one 1/2 gal. pump for gasoline, private use, new installation tank will be at least No. 12 gauge, coated with asphaltum, will be at least three feet below grade, minimum diameter of piping tank to pump 2 1/2"

To install one 250 gal. Diesel Oil tank, tank will be at least No. 16 gauge, coated with asphaltum, will be at least 3' below grade, minimum diameter of piping tank to pump 2 1/2"

Installation and use of this equipment is to be for a temporary period as a non-conforming use incident to and reasonably required for the development of the neighborhood involved, in connection with the construction of a housing development owned by the Federal Government in the vicinity of Brighton Avenue and Tact Avenue. The permit for installation of this equipment is issued to cover its use for a period extending not more than fourteen (14) days after and beyond the date of completion of said Federal Housing Development. Accompanying this application is a bond and bill of sale executed by the owner of the equipment as required under Section 11 of the Zoning Ordinance.

Storage to be applied for

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

Owner of property Barber

Is any plumbing work involved in this work? _____

Is any electrical work involved in this work? _____ Height average grade to top of plate _____

Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof _____

To be erected on 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 _____ Type of fuel _____ Is gas fitting involved? _____

Framing lumber—Kind _____ Dressed or full size? _____

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

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

Signature of owner W. F. Rogers

INSPECTION COPY _____

Ray Savage



FILL IN COMPLETELY AND SIGN WITH INK

PERMIT ISSUED

Permit No. 1132
AUG 12 1941

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, August 12, 1941

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 1065 Brighton Avenue Use of Building Dwelling No. Stories 1 1/2 ~~Existing~~ Existing

Name and address of owner of appliance Mrs. Lawrence A. Barber, 1055 Brighton Avenue

Installer's name and address William J. McGrink, 227 Cumberland Avenue Telephone 3-5501

General Description of Work

To install ~~water~~ steam heating system in place of existing hot air heat

IF HEATER, POWER BOILER OR COOKING DEVICE

Is appliance or source of heat to be in cellar? yes If not, which story _____ Kind of Fuel coal

Material of supports of appliance (concrete floor or what kind) concrete

Minimum distance to wood or combustible material, from top of appliance or casing top of furnace, 2'
from top of smoke pipe 18" from front of appliance 4' from sides or back of appliance 4'

Size of chimney flue 12x14 Other connections to same flue none

IF OIL BURNER

Name and type of burner _____ Labeled and approved by Underwriters' Laboratories? _____

Will operator be always in attendance? _____ Type of oil feed (gravity or pressure) _____

Location oil storage _____ No. and capacity of tanks _____

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

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

Signature of Installer William J. McGrink

INSPECTION COPY

NOTIFICATION BEING RELAYED
ON CLOSING IN IS WAIVED
CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

998984

Permit No.

41/1143

Location

1065 Brighton Ave.

Owner

Mrs. Lawrence A. Barber

Date of Permit

8/12/41

Post Card sent

Notif. for insp.

None

Approval Taken

7/8/41. C.D.G.

Oil Burner Check List (date)

1. Kind 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. Need safety
11. Pipe sizes and material
12. Control valve
13. Ash pit vent
14. Temp. or pressure safety
15. Instruction card
- 16.

NOTES

spec. section of glass surface
 high covering of porous
 material, etc.

9/22/41. W. M. Smith will
 change covering surface with
 12" W. Smith pipe etc
 9/8/41. Above now OK. etc



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date 2/15/85, 19__
 Receipt and Permit number 00385

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: 1071 Brighton Avenue
 OWNER'S NAME: Burger King ADDRESS: _____

OUTLETS: TReceptacles located on prep board	FEES
Receptacles _____ Switches _____ Plugmold _____ ft TOTAL 1-30	3.00
FIXTURES: (number of)	
Incandescent _____ Fluorescent _____ (not strip) TOTAL	
Strip Fluorescent _____ ft	
SERVICES:	
Overhead _____ Underground _____ Temporary _____ TOTAL amperes	
METERS: (number of)	
MCTORS (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 ... LOUBLE FEE DUE. _____
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) ... _____
 TOTAL AMOUNT DUE: 5.00 min.

INSPECTION:
 Will be ready on _____, 19__; or Will Call _____
 CONTRACTOR'S NAME: Richard Knedler
 ADDRESS: PO Box 3041 Portland 04104
 TEL: _____
 MASTER LICENSE NO.: 3848 SIGNATURE OF CONTRACTOR: Richard Knedler
 LIMITED LICENSE NO.: _____

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

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP
B.O.C.A. TYPE OF CONSTRUCTION 000, 69

JAN 29 1986

ZONING LOCATION PORTLAND, MAINE . Jan. 21, 1986

City Of Portland

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications

LOCATION . . . 1071 Brighton Avenue
1 Owner's name and address Burger King - same Fire District #1 #2
2 Lessee's name and address Telephone 773-3097
3 Contractor's name and address Me. Mobile Message 17 Elm St. Gorham Telephone 839-3569

Proposed use of building . . . restaurant No of sheets
Last use same No families
Material No stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$

FIELD INSPECTOR--Mr Appeal Fees \$
@ 775-5451 Base Fee 10.00
Late Fee
TOTAL \$

To set 4' x 8' temporary portable sign to be used from Jan. 21 to Feb. 21, 1986 1st time for sign this year.

Stamp of Special Conditions

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

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
Sills (outside walls and carrying partitions) 2x4-16" O C Bridging in every floor and flat roof span over 8 feet
Joists and rafters 1st floor 2nd 3rd roof
On centers 1st floor 2nd 3rd roof
Maximum span 1st floor 2nd 3rd roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

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

APPROVALS BY DATE
BUILDING INSPECTION- PLAN EXAMINER
ZONING 01/23/86
BUILDING CODE
Fire Dept.
Health Dept
Other

MISCELLANEOUS

Will work require disturbing of any tree on a public street?
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant Phone # same
Type Name of above Tim Olmsted for 1 2 3 4
Me. Mobile Message Other
and Address

FIELD INSPECTOR'S COPY APPLICANT'S COPY OFFICE FILE COPY

Signature of Field Inspector: J. M. Carroll

Permit No 86/69
Location Hill Street
Owner George D. ...
Date of permit 1/21-86
Approved 1-29-86
Dwelling Single
Garage None
Alteration

NOTES

(The notes section contains a large handwritten 'X' across the lines.)



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date June 13 19 86
 Receipt and Permit number D-25902

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: 1050 Brighton Avenue

OWNER'S NAME Brighton Inn ADDRESS same

	FEES
OUTLETS:	
Receptacles _____ Switches _____ Plugmold _____ ft TOTAL _____	
FIXTURES: (number of)	
Incandescent _____ Fluorescent _____ (not strip) TOTAL _____	
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 (note) _____	
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 ar ps _____	
Circus, Fairs, etc _____	
Alterations to wires _____	2.00
Repairs after fire <u>XX</u> _____	
Emergency Lights, battery _____	
Emergency Generators _____	

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

TOTAL AMOUNT DUE 5.00

INSPECTION Will be ready on _____ or Will Call XX
 CONTRACTOR'S NAME Alan Eger Elec
 ADDRESS: Box 238 Gorham
 TEL.: 854-4846
 MASTER LICENSE NO. 4590 SIGNATURE OF CONTRACTOR [Signature]
 LIMITED LICENSE NO. _____

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

ELECTRICAL INSTALLATIONS -

Permit Number 2590E
 Location 1959 Bryn Mawr Ave
 Owner City of Phila Pa
 Date of Permit 06/13/86
 Final Inspection _____
 By Inspector W. G. Kelly
 Permit Application Register Page No. 1153

INSPECTIONS: Service _____ by _____
 Service called in _____
 Closing-in _____ by _____

PROGRESS INSPECTIONS.

_____	/	_____	/
_____	/	_____	/
_____	/	_____	/
_____	/	_____	/
_____	/	_____	/
_____	/	_____	/

DATE.	REMARKS.

C/13/86

Say it
with
Light

Artercraft Sign Co.

DESIGNERS & MANUFACTURERS OF
Neon Electric Signs . Plastic Signs
INSIDE Sales and Service OUTSIDE

COMMERCIAL SIGN WORK

OFFICE AND SHOP
2812 Acushnet Ave. New Bedford, Mass.

Gold - Truck
Glass - Office
Lettering
Walls
and
Billboards

PROPOSITIONS, DESIGNS AND ESTIMATES
SUBMITTED ON REQUEST
ON SINGLE AND QUANTITY LOTS

Telephone 2-1017
MAURICE POYANT, PROP.

August 16, 1955
Please file with Tastic Freez roof
sign -
Boughton Ave
appl.
and cert
mechanic
RECEIVED
AUG 18 1955
DEPT OF BLDG. INSP.
CITY OF PORTLAND
8/19/55

Mr. Warren McDonald Inspector of buildings
c/o Dept. of Building Inspection
Portland, Maine

Dear Mr. McDonald,

In reference to your letter of August 9th, please be advised that we want to construct our sign, for the Tastee Freez location, subject to compliance with the building code of the city of Portland.

When our sign design was made it was for a typical location such as that shown on the set of blueprints, drawn up by Mr. Ralph H. Syverson, which I believe you have seen for approval.

The front, rear, left and right elevation of the sign, shown on sheet #2 of the said blueprints, you will note that the sign is to be erected on both flat and cantilevered sections of the roof.

Contained in the "Instruction to Bidders" (accompanying said blueprints) Section D - Steel and Miscellaneous metal Data, Paragraph 2., Structural steel. Article C. Channel for sign support to be 4" - 5.4# channel lag screwed to roof joists 48" o.c. This is to be provided by contractor and we will erect our sign on said supports.

In the construction of our sign the uprights from the roof will extend in one length to the top members of the sign frame. The angle iron which we intend to use for this purpose and for the framework of said sign is to be 2" by 2" by 1/2". Minimum tensile strength of said angle iron is 60,000 lbs. per square inch, weight per foot is 3.19#. The chain to be used is 4-0. Safe load used singly is 1500 lbs. We shall use it at 45 degree angles, one on each side of sign, safe load will then be approximately 2250 lbs. Chain will be attached from the top of the sign at three different points to the roof on both sides.

Number 24 gauge galvane 1 sheet metal will be used for the faces and sides of the sign. Turnbuckles used will be 3/8 by 6" - 220# safe load each, lag screws used will be 3/8 by 1" - 820 # safe load each.

Although we will not provide the 4" - 5.4# channel iron used for sign support, here are the specs; Maximum bending stress, is 18,000 lbs. per sq. inch, flange is 1.58 wide, web thickness is .180.



Artcraft Sign Co.

DESIGNERS & MANUFACTURERS OF
Neon Electric Signs . Plastic Signs
INSIDE *Sales and Service* OUTSIDE

COMMERCIAL SIGN WORK

OFFICE AND SHOP
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and
Billboards

QUESTIONS, DESIGNS AND ESTIMATES
SUBMITTED ON REQUEST
ON SINGLE AND QUANTITY LOTS

Telephone 2-1017
MAURICE FOYANT, PROP.

Page II

Please be advised that all welding on said sign will be done at our plant, although our trucks are completely equipped with electric power plants and welding equipment, there will not be any need for any welding in the Portland city limits.

We feel quite sure that the sign we intend to construct for Mr. McAvoy will meet with your requirements, however, if you have any objections to any of the materials listed above, please inform us as soon as possible, as to the changes that you may desire. In other words Mr. McDonald we don't exactly relish the thought of traveling 163 miles with our sign, only to have you, or one of your assistants, condemn it. Therefore, we are awaiting your word of approval, before embarking on this venture. Please advise.

Yours truly,
Artcraft Sign Co.

James Fonseca Jr.
James Fonseca Jr.

JF/dk

August 9, 1955

AP 1051-1053 Brighton Avenue--Proposed roof sign

Copies to Mr. Robert McAvoy
34 Leonard St.
Mr. McAvoy for his proprietary Co.
Mr. Fred I. Merrill
22 Somerset St. So. Portland
Mr. Wm. B. Millward
Birch Knolls, Cape Elis.

Mr. James Fonseca, Jr.
Aircraft Sign Co.,
2812 Acushnet Ave.
Navy Bedford, Mass.

Dear Mr. Fonseca:

Mr. McAvoy's zoning appeal relating to the proposed roof sign has been granted subject to compliance with the Building Code, and he has filed application for the required building permit to cover erection of the sign by Mr. Merrill, contractor. With the application he has filed your letter to him of July 18 with the paper tracing design plan attached.

When the design plan was made, it was evidently for a typical location without any particular reference to the location and shape of Mr. McAvoy's roof. While your design shows the sign on a perfectly flat roof, the architectural plan shows the sign on a sloping roof, and the support nearer the replica of the cone would actually be on a cantilevered section of the roof.

Assuming that it is Mr. McAvoy's responsibility to have determine the location and strength of roof supports, it is suggested that he have his architect show the intended location of the sign on the roof in relation to the framing members which will be called upon to support it and satisfy himself that the unreinforced roof framing will carry not only the weight of the sign, which is not great, but also the wind load on either face, which is considerable because the top of the sign will apparently be five or six feet above the surface of the roof. The design of these fastenings and supports, as well as that of the frame of the sign and the uprights which go down to the roof, should be based on a wind load of 20 pounds per square foot on the face of the sign.

Apparently your firm is responsible for the design of the sign frame itself, the uprights down to the roof and perhaps the channel (also not indicated) which is apparently to spread the load on the roof. By the way, this channel seems to be shown below the roof surface, a situation which is not fully understood.

Presumably you have a copy of your design plan. It is necessary for you to check it over in the light of the above wind load requirement and to have your designer, whose qualifications should be indicated thereon, attach to the revised plan his signed statement of design (blank enclosed). If he is uncertain about our requirements, he will be safe in using a stress of 20,000 pounds per square inch for steel. The plan does not show clearly whether the uprights from the roof are to extend in one length from the roof to the top member of the sign frame, but should be made to do so. Incidentally, some rough figures indicate that the center upright would be inadequate on the basis that it is to be a 2x2 1/4 inch angle.

We all realize what a difficult thing it is to embark on such an enterprise as this, and it is hoped that you will do everything possible to work together with Mr. McAvoy's architect and contractor to the end that we may be able to issue the permit soon.

Conseca, Jr. -----2

August 9, 1955

Your design plan indicates considerable welding, all of which presumably will be done at your plant. All such welding done outside of the Portland area is allowed only if covered by the following certification in writing, which should be signed by yourself or some other responsible executive of your Company and sent to Mr. McElroy to be filed with the revised plan when received:

"Shop welding of steel work in connection with ^{the} ~~a~~ roof sign to be furnished to Mr. Robert McElroy for erection at 1031-1053 Brighton Ave., in the City of Portland, Me., has been designed and has been performed according to the procedure and by properly qualified welders as set forth in the Code in qualification procedures established by the American Welding Society."

Any welding to be performed within the Portland area must be done by an operator holding an effective welder's license or certificate from this department.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/B

Say it
with
Light

Artercraft Sign Co.

DESIGNERS & MANUFACTURERS OF
Neon Electric Signs . Plastic Signs
INSIDE Sales and Service OUTSIDE

COMMERCIAL SIGN WORK

OFFICE AND SHOP
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Gold - Truck
Glass - Office
Lettering
Walls
and
Billboards

QUESTIONS, DESIGNS AND ESTIMATES
SUBMITTED ON REQUEST
ON SINGLE AND QUANTITY LOTS

Telephone 2-1017
MAURICE POYANT, PROP

July 18, 1955

Mr. Robert McAvoy
34 Leonard Street
Portland, Me.

Dear Mr. McAvoy;

Enclosed you will find a pencil sketch of the Taste Freez sign that we will build for erection on your building at 1051-1053 Brighton Avenue. The sketch contains the information requested by the building inspector, Mr. Warren McDonald. You may present this information along with the photograph I mailed you during your appeal for a variance.

Also enclosed, you will find one of the mailing circulars that we are using at present. I would suggest that you show this pamphlet to Mr. McDonald and acquaint him with some of the many signs that we have and still are erecting through out the Southern section of New England. There is a brief history of the shop contained in the circular;--- if Mr. McDonald seeks more qualifications, we can supply written testimonials from many satisfied customers who took the time to write them.

Please notify me of the date and time of the appeal hearing and don't to call if you need more specific information.

Very truly yours

James
James Fonseca

RECEIVED
JUL 25 1955
DEPT. OF BLD'G INSP
CITY OF PORTLAND

July 6, 1955

AP 1051-1053 Brighton Ave.—Proposed metal roof sign
and zoning appeal relating thereto

Copies to: Mr. Fred I. Merrill
22 Somerset St.
So. Portland

Mr. Robert McAvoy
34 Leonard St.

Corporation Counsel

Dear Mr. McAvoy:—

Building permit for the erection of an all-metal roof sign 27 feet by 4 feet on the roof of the building which you have under construction at 1051-1053 Brighton Ave., is not issuable under the Zoning Ordinance because the proposed sign, to have an area in excess of 36 square feet, would be closer than 100 feet to the Residential Zone which lies in the rear of your property and because the sign would be over and upon the roof which is less than 20 feet in height above the grade of the public sidewalk in front of the proposed building—contrary to Sect. 15C of the Ordinance applying to the Local Business Zone where your property is located.

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

WMD/O
Enclosure: Outline appeal procedure

P. S. Please do overlook the remark expressed in my letter of June 30th that, even though your appeal should be successful, we still will be unable to issue the permit until we have a detailed plan of all structural parts of the sign, its supports and the members of the building required to support the sign — the entire design to answer up to a wind load of at least 20 pounds per square foot on both front and back of the sign.

Presumably this sign is coming from away, and we are having considerable difficulty with the manufacturers of signs outside of this area because they appear unwilling to produce authentic engineering figures as to the construction, frame and support of their signs. If your appeal should be successful, you should start at once working with the manufacturer of the sign to get his cooperation. It would be a good plan to show the sign manufacturer this part of this letter.

June 30, 1955

1051-1053 Brighton Ave.—Proposed roof sign on ice cream stand under construction and application of the Zoning Ordinance thereto

Robert McAvoy
34 Leonard St.
Mr. Fred I. Merrill
22 Somerset St.
South Portland, Me.

Copy to Mr. McAvoy for sign manufacturer

Gentlemen:

Building permit for erection of this 4 feet by 27 feet sign is not issuable under the Zoning Ordinance, though the property is in a Local Business Zone, because the sign, having an area of face in excess of 36 square feet, would be above a roof which is less than 20 feet in height above the grade of the sidewalk nearest the front of the proposed building, and because the sign would be located closer than 100 feet to the Residence Zone which lies in the rear of this property and 100 feet from Brighton Ave.—contrary to the provisions of Section 15C of the Ordinance applying in the Local Business Zone where the property is located.

This means that, unless you desire to resort to appeal for variance to the Zoning Board of Appeals, the sign would have to be reduced in size so that its area would not exceed 36 square feet, its least dimension of face would not exceed six feet, and the top of the sign would have a height of not more than 10 feet above the roof.

If you desire to resort to appeal, please notify this office whereupon you will be sent a certification letter with explanation as to how to proceed.

In any case there is not nearly enough information about the sign, its frame and supports and its exact location on the roof with the assurance that the roof as built will care for the weight and the wind load on the sign.

A copy of this letter is being sent to Mr. McAvoy so that he can give it to the manufacturer of the sign to have the manufacturer's designer provide a plan showing completely all details of the frame, bracing and supports of the sign (designed to carry at least 20 pounds per square foot wind load besides the weight) and showing in detail how the sign is to be supported upon the new roof framing and the assurance that that framing will fully support the load according to Building Code standards. The plan maker and designer should attach to a blueprint of the plan, which should be filed with the application and with all of the information on it printed from the original, his statement of design as called for by Section 104b of our Building Code, having filled-in the information on the certificate and signed it and shown some reference to his qualifications, such as a State license or the like. If the designer is in doubt as to the requirements of the Code as to allowable stresses, he will be safe to use the specifications of The American Institute of Steel Construction as to the steel, and allowable stress of 1100 pounds per square inch in the wood members of the building.

Very truly yours,

Warren McDonald
Inspector of Buildings

WHMcD/B

Artercraft Sign Co.

DESIGNERS & MANUFACTURERS OF
Neon Electric Signs . Plastic Signs
INSIDE Sales and Service OUTSIDE

COMMERCIAL SIGN WORK

OFFICE AND SHOP
2812 Acushnet Ave. New Bedford, Mass.

Gold - Truck
Glass - Office
Lettering
Walls
and
Billboards

June 24, 1955

DESIGNS AND ESTIMATES
FURNISHED ON REQUEST
WHOLE AND QUANTITY LOTS
Telephone 2-1017
MAURICE FOYANT, PROP.

Mr. R. McAvoy
34 Leonard St.
Portland, Maine

Dear Mr. McAvoy,

As agreed during phone conversation, we are submitting a pencil sketch of the Tastee Freez sign, that is, a standard sign erected at all Tastee Freez locations.

We had our photographer make up several extra prints of a sign at a Tastee Freez location. You will find a copy enclosed to better enable you to procure a permit.

Yours truly,
Artercraft Sign Co.

James Fonseca
James Fonseca Jr.

JK/dk

Granted F1155
Case

City of Portland, Maine
Board of Appeals
—ZONING—

July 13, 1955 *55/61*

To the Board of Appeals:

Your appellant, **Robert McAvoy**, who is the owner of property at **1051-1053 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 erection of all-metal roof sign, 27 feet by 4 feet, on the building at 1051-1053 Brighton Avenue is not issuable because the sign, proposed to have an area in excess of 36 square feet, would be closer than 100 feet to the Residence Zone lying in the rear of this property and because the sign would be over and upon a roof which is less than 20 feet in height above the grade of the public sidewalk, contrary to Section 15C of the Zoning Ordinance applying to the Local Business Zone.

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.

Robert F. McAvoy
Appellant

After public hearing held on the 29th day of July, 1955, 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.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Ben B. Nelson
Harry J. Torrey
Charles G. Linn
William H. O'Brien
John W. Lake
BOARD OF APPEALS

DATE: July 29, 1955

HEARING ON APPEAL UNDER THE Zoning Ordinance OF Robert McAvoy

AT 1051-1053 Brighton Avenue

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

Board of Appeals

VOTE

Municipal Officers

~~Edward S. Goddard~~
Ben B. Wilson
William H. O'Brien
Harry K. Torrey
John W. Lake
Carleton G. Lane

Yes	No
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Record of Hearing:

No Opposition

Mr. Army Appeal

PORTLAND, MAINE
PLANNING BOARD



NEAL W. ALLEN
CHAIRMAN
DWIGHT E. SARGENT
VICE-CHAIRMAN
ROBERT E. BRACKETT
HELEN C. FROST
HUBERT H. MAUCK

ROGER L. CREIGHTON
PLANNING DIRECTOR

July 29, 1955

To the Board of Appeals
City Hall
Portland, Maine

Gentlemen:

The Portland City Planning Board at its meeting of July 29, 1955, voted to bring the following items to the attention of the Board of Appeals:

1. The City Planning Board has consistently refused to recommend changes of zone from RESIDENCE to BUSINESS in Brighton Avenue between Edgeworth Street and the Maine Turnpike, on the ground that this area should develop for residential purposes and that Brighton Avenue should not become a commercialized street. The construction of the Chapman Supplementary School will increase the desirability of this area for residential purposes.
2. The Planning Board feels that the limitations on signs in the present ordinance is reasonable and desirable in view of the location of this business zone.

Respectfully submitted

For: Neal W. Allen, Chairman

By *[Signature]*
Roger L. Creighton
Planning Director

rlc:yds
cc: Mr. Warren McDonald
Director
Bldg Inspection

Mr. B. I. Shur
Corporation Counsel

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

July 26, 1955

Mr. Robert McAvoy
34 Leonard Street
Portland, Maine

Re: 1051-1053 Brighton Avenue

Dear Mr. McAvoy:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, July 29, 1955, at 10:30 a. m. to hear your appeal at the above address under the Zoning Ordinance.

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

BOARD OF APPEALS

Edward T. Colley

Chairman

K