

595  
509-605 BRIGHTON AVENUE



# APPLICATION FOR PERMIT

B.O.C.A. USE GROUP .....

B.O.C.A. TYPE OF CONSTRUCTION .....

ZONING LOCATION \_\_\_\_\_ PORTLAND, MAINE, July 8, 1980

*[Handwritten signature]*

To the DIRECTOR 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 **595-605 Brighton Ave.** Fire District #1  #2

1. Owner's name and address **Brighton Realty 640 Brighton Ave.** Telephone **772-7431**

2. Lessee's name and address .....

3. Contractor's name and address **undecided** Telephone .....

4. Architect .....

Proposed use of building **Dentist offices** No. of sheets .....

Last use .....

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

Other buildings on same lot .....

Estimated contractual cost \$ **4,500** Fee \$ **21.00**

### FIELD INSPECTOR—Mr. \_\_\_\_\_ GENERAL DESCRIPTION

This application is for: **@ 775-5451 Ext. 234 To construct 35'x50' bldg. to be used for doctor's offices as per plan**

Dwelling .....

Garage .....

Masonry Bldg. .... **Permit for foundation only**

Metal Bldg. .... Stamp of Special Conditions

Alterations .....

Demolitions .....

Change of Use .....

Other .....

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

PERMIT IS TO BE ISSUED TO 1  2  3  4

Other: .....

### DETAILS OF NEW WORK

Is any plumbing involved in this work? .....

Is connection to be made to public sewer? .....

Has septic tank notice been sent? .....

Height average grade to top of plate .....

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

Material of foundation Thickness, top botto. 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? .....

APPROVALS BY: \_\_\_\_\_ DATE \_\_\_\_\_

### MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER .....

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

ZONING: .....

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto

BUILDING CODE: .....

are observed? .....

Fire Dept.: .....

**yes**

Health Dept.: .....

Others: .....

Signature of Applicant *[Handwritten Signature]* Phone # .....

Type Name of above **Frank Crozier** 1  2  3  4

Other and Address .....

FIELD INSPECTOR'S COPY

LAPSED  
VOID

NOTES

Permit No. \_\_\_\_\_  
Location \_\_\_\_\_  
Owner \_\_\_\_\_  
Date of permit \_\_\_\_\_  
Approved \_\_\_\_\_

589-605 Brighton Ave.  
cor. 2-8 Columbia Rd.

Sept. 23, 1977

RMR, Inc.  
P.O. Box 899  
Scarborough, Me.

Building permit to erect a double faced detached pole sign 67"x85" with the top 24' above the ground with steady lighting and non-rotating at the above named location is not issuable under the Zoning Ordinance for the following reasons.

1. The property is located in a B-1, Business Zone where detached signs are not allowable under Sec. 602.16.4.a.
2. This sign will be located within the corner clearance area contrary to Sec. 602.19.M which requires that no obstruction more than 3½' high be located within a triangle formed by a line intersecting the street lines of the intersecting street at points 25' from the corner.

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office, Room 113, City Hall to file the appeal on forms which are available here. A fee of \$5. for a Space and Bulk Appeal shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter, then consider this letter as a matter of formality. Sec.602.24.C.3.b.1

Very truly yours,

Malcolm G. Ward  
Plan Examiner

MGW:k

CHECK LIST FOR SIGNS

Date -

9/21/47

Checked By

MAG. CO.

Location - 589-605 BRIGHTON AVE

602.16.11A COR. 2-8 COLUMBIA ST.

Zone Location - B-1

Fire Zone - 11

Sign & Review Committee - over 8" in least dimension - NO

Area of sign - 40' x 40'

Area of existing signs - 48' x 8' - 300' x 40'

Material - PLASTIC & METAL

Design -

Facing adjoining Residence Zone - NO

Flashing or Steady light -

If on State road - check with State -

Attached Sign -

Height above level of roof -

Detached or pole sign -

602.16.11A Height - 24'

Required yards (single pole OK - 2 poles a structure) 40"

602.19.1A setback

Corner clearance -

Footing -

Certificate of Design -

Projecting Sign -

Clearance 10' -

Bonded -

Height -

Written Consent -

Projection over sidewalk (18" from curb) -

**CITY OF PORTLAND, MAINE  
SITE PLAN REVIEW**

**Processing Form**

110

Applicant RMR, Inc. (7-11)  
PO Box 899 - Scarborough, Maine  
 Mailing Address  
Convenience Store  
 Proposed Use of Site  
23,886 sq. /ft. 2141 sq. ft.  
 Acreage of Site / Ground Floor Coverage

Date 9-21-77  
 Address of Proposed Site 589-605 Brighton Ave. cor. 2-8 Columbia Rd.  
184-B-3, 4 65  
 Site Identifier(s) from Assessors Maps  
B-1  
 Zoning of Proposed Site

Site Location Review (DEP) Required: ( ) Yes ( ) No  
 Board of Appeals Action Required: ( ) Yes ( ) No  
 Planning Board Action Required: ( ) Yes ( ) No

Proposed Number of Floors 1  
 Total Floor Area 2141

Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: 9-23-77

**BUILDING DEPARTMENT SITE PLAN REVIEW**  
 (Does not include review of construction plans)

- Use does NOT comply with Zoning Ordinance
  - Requires Board of Appeals Action
  - Requires Planning Board/City Council Action

Explanation \_\_\_\_\_  
 Use complies with Zoning Ordinance — Staff Review Below

Zoning: \_\_\_\_\_  
 SPACE & BULK,  
 as applicable

|                        | DATE | ZONE LOCATION | INTERIOR-OR-CORNER LOT | SET-BACK-AREA (REAR) | USE | SEWAGE DISPOSAL | REAR YARDS | SIDE YARDS | FRONT YARDS | PROFESSIONS | HEIGHT | LOT AREA | BUILDING AREA | AREA PER FAMILY | WIDTH OF LOT | LOT FRONTAGE | OFF-STREET PARKING | LOADING BAYS |
|------------------------|------|---------------|------------------------|----------------------|-----|-----------------|------------|------------|-------------|-------------|--------|----------|---------------|-----------------|--------------|--------------|--------------------|--------------|
| COMPLIES               | ✓    | ✓             | ✓                      | ✓                    | ✓   | ✓               | ✓          | ✓          | ✓           | ✓           | ✓      |          |               |                 |              |              |                    | ✓            |
| COMPLIES CONDITIONALLY |      |               |                        |                      |     |                 |            |            |             |             |        |          |               |                 |              |              |                    |              |
| DOES NOT COMPLY        |      |               |                        |                      |     |                 |            |            |             |             |        |          |               |                 |              |              |                    |              |

REASONS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*[Signature]*  
 SIGNATURE OF REVIEWING STAFF/DATE  
 BUILDING DEPARTMENT — ORIGINAL

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

RECEIVED SEP 21 1977

Applicant BRENT FAULEY  
 Mailing Address PO Box 804 - Scarborough, Maine 083-2344  
 Proposed Use of Site Convenience Store  
 Acreage of Site / Ground Floor Coverage 23,885 sq. ft. / 2141 sq. ft.

Date 9-21-77  
 Address of Proposed Site 589-605 Brighton Ave. cor. 2-8 Columbia  
 Site Identifier(s) from Assessors Maps 144-2-2-1-1-1  
 Zoning of Proposed Site B-1

Site Location Review (DEP) Required: ( ) Yes ( ) No  
 Board of Appeals Action Required: ( ) Yes ( ) No  
 Planning Board Action Required: ( ) Yes ( ) No

Proposed Number of Floors 1  
 Total Floor Area 2141

Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: 9-23-77

PLANNING DEPARTMENT REVIEW

(Date Received) \_\_\_\_\_

- Major Development — Requires Planning Board Approval: Review Initiated
- Minor Development — Staff Review Below

|                        | LOADING AREA | PARKING | CIRCULATION PATTERN | ACCESS | PEDESTRIAN WALKWAYS | SCREENING | LANDSCAPING | SPACE & BULK OF STRUCTURES | LIGHTING | CONFLICT WITH CITY PROJECTS | FINANCIAL CAPACITY | CHANGE IN SITE PLAN        |
|------------------------|--------------|---------|---------------------|--------|---------------------|-----------|-------------|----------------------------|----------|-----------------------------|--------------------|----------------------------|
| APPROVED               | ✓            | ✓       |                     |        | ✓                   |           |             | ✓                          | ✓        | ✓                           | ✓                  | NA                         |
| APPROVED CONDITIONALLY |              |         |                     |        |                     | ✓         | ✓           |                            |          |                             |                    | CONDITIONS SPECIFIED BELOW |
| DISAPPROVED            |              |         | ✓                   | ✓      |                     |           |             |                            |          |                             |                    | REASONS SPECIFIED BELOW    |

REASONS: DUE TO CONSIDERATIONS OF PEDESTRIAN SAFETY AND VEHICULAR CIRCULATION ON BRIGHTON AVE., THIS PLAN IS DISAPPROVED. THE PLAN MAY BE REVISED SHOWING ACCESS FROM COLUMBIA RD.  
 (Attach Separate Sheet if Necessary) ONLY TO RESOLVE THESE PROBLEMS.

Jacques O'Brien 11/10/77  
 SIGNATURE OF REVIEWING STAFF/DATE  
 PLANNING DEPARTMENT COPY

**CITY OF PORTLAND, MAINE**  
**SITE PLAN REVIEW**  
 Processing Form

110

Applicant: INS. (7-11) 549-505 Brighton Site 2-21-77  
Scarborough, Maine cor. 2-3 Columbia  
 Mailing Address: Convenience Store Address of Proposed Site: 124-3, A.A.  
 Proposed Use of Site: 2141 sq. ft. Site Identifier(s) from Assessors Maps: B-1  
 Acreage of Site: 1/4 Ground Floor Coverage: \_\_\_\_\_ Zoning of Proposed Site: \_\_\_\_\_  
 Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors: \_\_\_\_\_  
 Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area: \_\_\_\_\_  
 Planning Board Action Required: ( ) Yes ( ) No  
 Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: 9-21-77

**FIRE DEPARTMENT REVIEW** 9/21/77  
 (Date Received)

|                        | ACCESS TO SITE | ACCESS TO STRUCTURES | SUFFICIENT VEHICLE TURNING ROOM | SAFETY HAZARDS | HYDRANTS | SIAMASE CONNECTIONS | SUFFICIENCY OF WATER SUPPLY | OTHER |                            |
|------------------------|----------------|----------------------|---------------------------------|----------------|----------|---------------------|-----------------------------|-------|----------------------------|
| APPROVED               | ✓              | ✓                    | ✓                               |                | ✓        |                     | ✓                           |       | CONDITIONS SPECIFIED BELOW |
| APPROVED CONDITIONALLY |                |                      |                                 |                |          |                     |                             |       |                            |
| DISAPPROVED            |                |                      |                                 |                |          |                     |                             |       | REASONS SPECIFIED BELOW    |

REASONS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Attach Separate Sheet if Necessary)

*Capt. H. Ryan*

SIGNATURE OF REVIEWING STAFF/DATE  
 FIRE DEPARTMENT COPY



Applicant: (7-11) R.M.R., INC.

Date: 9/21/97

Address: 589-605 BRIGHTON AVE. COR. 2-8 COLUMBIAN RD.  
Parcels: 24-13-3, 4, 5

**PROPOSED ZONING, PERMITS, AND CONDITIONS**

- ✓ Use - NEW
- ✓ Use Location - B-1
- ✓ Is corner or corner lot -
- ✓ Is ~~an~~ setback area (Section 21) -
- ✓ Use - 7-11 CONVENIENCE STORE
- ✓ Sewage Disposal - NONE
- ✓ Rear Yards - 20' - 25' MIN.
- ✓ Side Yards - 10' - 10' MIN.
- ✓ Front Yards - 7' - 15' MIN.
- ✓ Projections - NONE
- ✓ Height - 12' MAX - 35' MAX.
- Lot Area - 23,886  $\text{sq ft}$
- Building Area - 2141  $\text{sq ft}$
- Area per Family -
- Width of Lot -
- Lot Frontage -
- ✓ Off-street Parking - 9' - 0 REQ.
- ✓ Loading Bays - NONE REQ.
- ✓ Site Plan - YES

8467  
7235  
8061

2154.54

July 29, 1977

589-605 Brighton Ave., corner Columbia Road

Arthur Serunian  
450 Baxter Boulevard  
Portland, Me., 04103

Dear Mr. Serunian:

In reply to your question, the property at the above named location is zoned B-1 Business, as such would allow a retail grocery store.

Very truly yours,

A. Allan Soule  
Asst. Director

AAS:m

Re: 589-605 Brighton Ave.

December 21, 1971

Mobil Oil Co.  
48 S. Main St.  
So. Portland, Maine

Gentlemen:

Your appeal having been denied on the 16th of this month we would like to return your plans and specifications to you. These plans may be picked up at this office anytime between 8 A.M. and 4 P.M. Monday thru Friday.

Very truly yours,

A. Allan Soule  
Assistant Director

AAS/c

587-625 BRIGHAM AVE.  
1 STORY SERVICE STATION

1-29-71 19.6.00

CHECK LIST AGAINST ZONING ORDINANCE

✓ Date - NEW

→ Zone Location - B-1

Interior or corner Lot -

✓ 40 ft. setback area (Section 21) - NO

→ Use - SERVICE STATION

✓ Sewage Disposal - 178.0

✓ Rear Yards - 20' - 20' REQ.

✓ Side Yards - 69' - 69' - 10' - 10' REQ.

✓ Front Yards - 15' - 15' REQ.

✓ Projections - NONE

✓ Height - 1 STORY - 3.5' REQ.

Lot Area - 25346 sq'

Building Area - 2040 sq'

~~Area per Family -~~

Width of Lot - 218.3

Lot Frontage - 218.3

Off-street Parking - 5 SPACES 14 SPACES - 3' 89

B1 BUSINESS ZONE

# APPLICATION FOR PERMIT



Class of Building or Type of Structure \_\_\_\_\_  
Portland, Maine, Nov. 23, 1971

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 4-Brummas Pt. 589-605 Brighton Ave Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
 Owner's name and address Arthur Serunian, Jr., 19 Clifton St. Telephone \_\_\_\_\_  
 Lessee's name and address Mobil Oil Co, 48 S. Main St., S. Portland Telephone \_\_\_\_\_  
 Contractor's name and address \_\_\_\_\_ To be decided \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 9  
 Architect \_\_\_\_\_ No. families 1 plot plan \_\_\_\_\_  
 Proposed use of building Gasoline Service station No. families 3  
 Last use concrete dwelling No. families \_\_\_\_\_  
 Material block No. stories 1 Heat hot air Style of roof pitch Roofing asphalt shingles  
 Other buildings on same lot no Fee \$ \_\_\_\_\_  
 Estimated cost \$ \_\_\_\_\_

### General Description of New Work

To ~~demolish~~ demolish existing  $2\frac{1}{2}$  story frame dwelling at 4 Columbia Rd.  
 $2\frac{1}{2}$  story dwelling at 60, Brighton Ave.  
 To construct one story concrete block service station. - ME 68' x 30', as per plans

Appeal Denied 12/16/71

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** Lessee

### Details of New Work

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes  
 Is connection to be made to public sewer? yes 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 \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 No. of chimneys \_\_\_\_\_ Material of chimney \_\_\_\_\_ of lining \_\_\_\_\_ Sills \_\_\_\_\_  
 Framing Lumber—Kind \_\_\_\_\_ Dressed or \_\_\_\_\_ size? \_\_\_\_\_ Corner posts \_\_\_\_\_  
 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 \_\_\_\_\_ 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? \_\_\_\_\_  
 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

Mobil Oil Co.

APPROVED:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CS 301

INSPECTION COPY

Signature of owner

By:

Walter Berg

589-505 Brighton Avenue

Dec. 1, 1971

Arthur Serunian, Jr.  
19 Clifton Street,

cc to: Mobil Oil Company  
48 Main Street  
South Portland

cc to: Corporation Counsel

Dear Mr. Serunian:

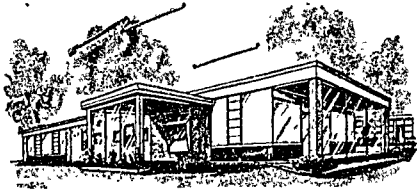
Building permit to construct a 1-story concrete block service station 68' x 30' at the above named location is not issuable under the Zoning Ordinance because this use is not allowable in the B-1 Business Zone in which this property is located unless authorized by the Board of Appeals (Section 602.8.A.12.b). The detached rotating pole sign about 12' x 5' with the top 14' above the ground is not allowable under Section 602.16.4.a of the Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a conditional use appeal shall be paid at the time the appeal is filed.

Very truly yours,

Malcolm G. Ward  
Plan Examiner

MGW:m,



# DEERING SAVINGS AND LOAN ASSOCIATION

563 BRIGHTON AVENUE . PORTLAND, MAINE

December 15, 1971

Mr. William B. Kirkpatrick, Chairman  
Board of Appeals - Room 209  
City of Portland  
Portland, Maine

Dear Mr. Kirkpatrick:

On behalf of the Deering Savings & Loan Association, I must apologize for not making the public hearing on the appeal of Arthur Serunian, Jr. on property at 589-605 Brighton Avenue, Portland. We have a new branch opening today from 4-7 P. M. and it requires my presence.

The Association does want to go on record of opposing the proposed service station. We feel that the traffic situation at Rosemont Corner is already more congested than is desirable for the safety of both the motorist and the pedestrian alike. Adding a service station in this location will even further create a traffic problem. We are also concerned about the crossing at Columbia Road and Brighton Avenue for school children. Already a hazard, we can see even more danger of the children trying to maneuver between filling station driveways and a five way corner.

Finally we are concerned for the abutting owners and the property value loss if this station is permitted. These people purchased their homes knowing that the zoning code of Portland was set up and designed to protect the value in their home. To allow this variance destroys the whole purpose for which zoning was created. If there was public need or if no other alternative use of the site was present, we could see the exception but at the present, we can not see a need for another service station nor do we feel the property could not be used for other purposes allowed within the zoning area.

Respectfully yours,

*Nelson B. Haynes*  
Nelson B. Haynes  
Treasurer

CUSTOMER PARKING



DRIVE-IN SERVICE

589-605 Brighton Avenue

Dec. 1, 1971

Arthur Serunian, Jr.  
19 Clifton Street,

cc to: Mobil Oil Company  
48 Main Street  
South Portland

cc to: Corporation Counsel

Dear Mr. Serunian:

Building permit to construct a 1-story concrete block service station 68' x 30' at the above named location is not issuable under the Zoning Ordinance because this use is not allowable in the B-1 Business Zone in which this property is located unless authorized by the Board of Appeals (Section 602.8.A.12.b). The detached rotating pole sign about 12' x 5' with the top 14' above the ground is not allowable under Section 602.16.4.a of the Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a conditional use appeal shall be paid at the time the appeal is filed.

Very truly yours,

Malcolm G. Ward  
Plan Examiner

MGW:m



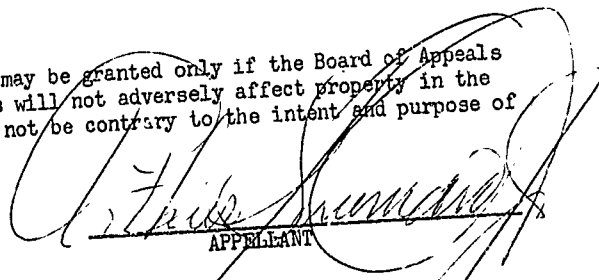
#150d 11/24/71

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL

Arthur Serunian, Jr., owner of property at 589-605 Brighton Ave.  
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland,  
hereby respectfully petitions the Board of Appeals to: permit construction of a  
1-story concrete block service station 68'x30'; to erect a detached rotating pole  
sign about 12'x5' with the top 14' above the ground. These permits are presently  
not issuable under the Zoning Ordinance (Section 602.8.A.12.b and Section 602.16.4.a.)  
because the service station is not an allowable use in the B-1 Business Zone in  
which the property is located and the detached pole sign is not allowable.


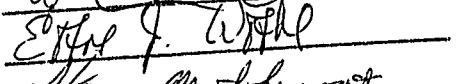

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals  
finds that such use of the premises will not adversely affect property in the  
same zone or neighborhood and will not be contrary to the intent and purpose of  
the Ordinance.

  
APPELLANT

DECISION

After public hearing held December 16, 1971, the Board of Appeals finds that  
such use of the premises will not adversely affect property in the same zone or  
neighborhood and will not be contrary to the intent and purpose of the Ordinance.

It is, therefore, determined that permit should not be issued in this case.

  
  
  
BOARD OF APPEALS

Thurs Dec 9, 1971  
8 Columbia Terr  
Portland me 04103  
Dear Sir I am writing  
you this letter because  
I am not able to, at-  
tend the meeting, or the  
called hearing as you  
state in your letter to  
me of Dec. 6, 7, I gave  
my auto to my niece  
as I have no license  
to drive now on acc.  
of my legs age. If this  
appeal is for that big  
house on the corner of  
Columbia Terr Road &  
Brighton ave, who I  
think it is, do not grant  
a license to him Arthur  
Lermonan or any else  
for some of my folks, all  
gone but I have live here  
over

2751 years come  
May 1 - 1972 I am  
the oldest person, live  
ing around here  
This is an answer  
to your letter to me  
of Dec, 6, 1971 which  
you can't do use for  
me that, some per-  
son believe has tried  
before to do the same  
thing with the same  
property. P. S. there  
are enough 700 ma-  
ny Service Stations  
around the corner now  
Martin H. Norton

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

December 6, 1971

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 20' City Hall, Portland, Maine on Thursday, December 16, 1971 at 4:00 p.m. to hear the appeal of Arthur Serunian, Jr. requesting an exception to the Zoning Ordinance to permit to construct a 1-story concrete block service station 68' x 30' at 589-605 Brighton Avenue.

This permit is presently not issuable under the Zoning Ordinance because this use is not allowable in the B-1 Business Zone in which this property is located unless authorized by the Board of Appeals (Section 602.8.A.12.b). The detached rotating pole sign about 12' x 5' with the top 14' above the ground is not allowable under Section 602.16.4.a of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning 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 ft. of the premises in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

3 Colonial Road  
Portland, Maine 04102  
December 14, 1971

December 6, 1971

City of Portland  
Board of Appeals  
Att: W.B.Kirkpatrick

ring in Room  
ember 16, 1971  
an, Jr. re-  
permit to  
on 68' x 30'

Dear Mr. Kirkpatrick,

I am opposed to the appeal of Arthur Serunian, Jr. to construct service station at 589-605 Brighton Ave. Traffic conditions are serious already and I have difficulty in getting out of my driveway now.

I also feel that it will cause congestion which will affect pedestrian traffic. This would involve not only many adults who walk to the intersection but school children of all ages. I feel that this should not be allowed.

the Zoning  
he B-1 Business  
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detached rotating  
the ground is  
dinance.

e Zoning  
granted only  
he premises will  
r neighborhood  
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at this appeal  
notice of  
owners of  
ion as required

Yours truly,

*Lew J. Mitchell*

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

December 6, 1971

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, December 16, 1971 at 4:00 p.m. to hear the appeal of Arthur Serunian, Jr. requesting an exception to the Zoning Ordinance to permit to construct a 1-story concrete block service station 68' x 30' at 589-605 Brighton Avenue.

This permit is presently not issuable under the Zoning Ordinance because this use is not allowable in the B-1 Business Zone in which this property is located unless authorized by the Board of Appeals (Section 602.8.A.12.b). The detached rotating pole sign about 12' x 5' with the top 14' above the ground is not allowable under Section 602.16.4.a of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning 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 ft. of the premises in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

December 6, 1971

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, December 16, 1971 at 4:00 p.m. to hear the appeal of Arthur Serunian, Jr. requesting an exception to the Zoning Ordinance to permit to construct a 1-story concrete block service station 68' x 30' at 589-605 Brighton Avenue.

This permit is presently not issuable under the Zoning Ordinance because this use is not allowable in the B-1 Business Zone in which this property is located unless authorized by the Board of Appeals (Section 602.8.A.12.b). The detached rotating pole sign about 12' x 5' with the top 14' above the ground is not allowable under Section 602.16.4.a of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning 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 ft. of the premises in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

Mr. Henry McCullough  
27 Fleetwood Street  
Portland, Maine 04103

Dec. 11, 1971

Mr. William B. Kirkpatrick, Chairman  
City of Portland, Maine - Legal Dept.  
Board of Appeals,  
208 City Hall,  
Portland, Maine, 04111

Dear Mr. Kirkpatrick:

In reference to your notice dated Dec. 6, 1971,  
concerning the appeal of Mr. Arthur Serunian, Jr. who requests  
an exception to the zoning ordinance to permit to  
construct a 1-story concrete block service station 68' x 30'  
at 589-605 Brighton Avenue, said appeal to be heard at  
public hearing on December 16, 1971.

Inasmuch as it is impossible for either Gloria J.  
McCullough or me to appear at above public hearing, we  
wish this letter to be entered in the records as  
opposing this appeal.

Yours very truly,  
Henry H. McCullough  
Gloria J. McCullough



EDMUND G. RUSSELL, JR., D.M.D.  
495 WOODFORD STREET  
PORTLAND, MAINE 04103

December 14, 1971

City of Portland, Maine  
Board of Appeals  
Attention of W.B. Kirkpatrick

Dear Sir:

I wish to go on record as being opposed to the Appeal of Arthur Serunian, Jr. to construct a Service Station at 589-605 Brighton Ave. I believe that this would add to the already very bad traffic situation and would affect bad crossing conditions for pedestrians especially school children.

I am unable to attend the scheduled meeting but do want to express my opposition.

Yours truly,

*Edmund G. Russell, Jr.*  
Edmund G. Russell, Jr., D.M.D.

**Mobil Rectangular Sign  
Internally Illuminated Revolving Pedestal Type**

**Description:** Embossed plastic faced aluminum framed sign mounted on a pedestal pole with a mechanism in its base for rotating the sign at 6 R.P.M. Illumination provided by internal fluorescent lamps.

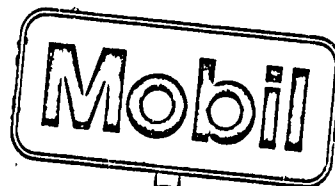
**Colors:** Mobil Graphics of approved colors, Century Red "M", Century Blue "M", "B", "I" and "P" back-ground white.

**92" - 0" Size**

**Actual Size:** 72" 1-1/2" wide x 5' 2-1/2" high  
Drawing: 1014

**Standard Pole:** 8" diameter (pipe) x 14' 0" high pedestal pole with rotator mechanism.

**Alternate Poles:** From 14' - 0" to 25' 0" height are available on special orders.



RECEIVED

NOV 23 1971

DEPT. OF BLDG. INSP.  
CITY OF PORTLAND



BI BUSINESS ZONE

# APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, Nov. 23, 1971

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 589-605 Brighton Ave. Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
 Owner's name and address Arthur Serunian, Jr 19 Clifton St. Telephone \_\_\_\_\_  
 Lessee's name and address Mobil Oil Co., 48 S. Main St., S. Portland Telephone \_\_\_\_\_  
 Contractor's name and address To be decided Plans \_\_\_\_\_ Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ No. of sheets \_\_\_\_\_  
 Proposed use of building Gasoline service station No. families \_\_\_\_\_  
 Last use \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ No. families \_\_\_\_\_  
 Material \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_ Fee \$ \_\_\_\_\_  
 Estimated cost \$ \_\_\_\_\_

## General Description of New Work

To erect single detached pole sign - 12' 1 1/2" x 5' 2 1/2" - 14 ft. high, rotating

~~Appeal Denied~~ 12/16/71

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 Lessee**

## 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 \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation \_\_\_\_\_ solid or filled land? \_\_\_\_\_  
 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 full size? \_\_\_\_\_ Max. on centers \_\_\_\_\_  
 Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_  
 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? \_\_\_\_\_  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? \_\_\_\_\_ yes \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CS 301

INSPECTION COPY

Signature of owner By: Walter Berg

Mobil Oil Co.

#15 pd 3/23/67  
Denied 3/30/67  
67/1

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL

Arthur A. Serunian, Jr., owner of property at 589-605 Brighton Ave.  
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respect-  
fully petitions the Board of Appeals to: construct a one-story masonry service station 30'x63'.  
This permit is presently not issuable under the Zoning Ordinance because: (1) The service  
station use is not allowable in the B-1 Business Zone in which the property is located only by  
appeal under Section 8-A-12b of the Ordinance; (2) The 27-foot high rotating, detached sign  
is not allowable under provisions of Section 16-A-4 of the Ordinance.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that such use  
of the premises will not adversely affect property in the same zone or neighborhood and will not be  
contrary to the intent and purpose of the Ordinance.

Arthur A. Serunian, Jr.  
APPELLANT

DECISION

After public hearing held March 30, 1967, the Board of Appeals finds that such use of the  
premises will ~~not~~ adversely affect property in the same zone or neighborhood and will ~~not~~ be  
contrary to the intent and purpose of the Ordinance.

It is, therefore, determined that permit should not be issued in this case.

Frank D. Bradley  
Harold M. Stewart  
Edith J. Perry  
BOARD OF APPEALS

503 WOODFORD STREET • PORTLAND, MAINE 04103

Board of Appeals  
City of Portland, Maine  
Attention: Franklin G. Hinckley, Chairman  
City Hall, Portland, Maine

Dear Mr. Hinckley:

I shall not be able to attend  
the hearing on Thursday, March 30, 1967  
concerning the construction of a service  
station at 589-605 Brighton Avenue. I  
should like to go on record as being  
opposed to such a construction. The  
intersection of Brighton Avenue, Woodford  
Street, Columbia Road and Colonial Road  
is a hazardous one now. Another station  
in that vicinity would only increase this  
hazard.

Very truly yours,

*Hope D. Greeley*  
Mrs. Heroy L. Greeley

March 28, 1967

Mr. Franklin M. Hunkley  
Chairman Board of Appeals  
Portland, Me.

12 Day St.  
Portland, Me.  
March 28, 1967

My Dear Sir:

In regarding an appeal of Mrs. Arthur L. Linn, Jr.  
regarding a one-story massing permit on the  
premises at 589-605 Brighton Ave. I am writing for  
the purpose to enter our formal protest against  
granting such request.

We wish to enter a protest at this time  
due to the fact that the south side of our property  
abundantly 55' at 12 Day St. abutting the north side  
of said property 589 Brighton Ave.

We offer a few reasons for our objection. This type of  
business would be detrimental such as increase in  
fire hazard being dispersed. Motor running day &  
night, also cause it a added fire hazard to  
residential property, let alone an added traffic  
hazard in Round Square.

It is our hope you and your Board will deny  
this request like other zoning Board have done in  
the past.

Yours very truly,  
Harry B. Stubbins

Appeal 589-605 Brighton ave  
Cov. Columbia Rd

3/30/67

123

Edgewood Ave ✓  
1-37

Mackinac Ave St  
1-15 ✓  
2-32 ✓

Westminster Ave  
1-47 ✓  
2-44 ✓

Hastings St  
1-35 ✓  
2-36 ✓

Columbia Rd  
5-47 ✓  
2-48 ✓

Colonial Rd  
1-35 ✓  
2-36 ✓

Forestwood St  
1-35  
2-28 ✓

Rosemont Ave  
1-25 ✓  
2-32 ✓

Nolcott St ✓  
1-15

Woodford St  
483-523 ✓  
488-524 ✓

Montrose Ave  
11-121 ✓

Brighton Ave  
553-633 ✓  
548-638 ✓

Jay St - Entire ✓

Columbia Ter. all  
Entire ✓

A.P.- 589-605 Erighton Ave.  
Corner of Columbia Ave.

March 10, 1967

Mr. Arthur A. Serunian  
19 Clifton Street

cc to: Shell Oil Co., Att: Harold Moorden  
5 Central Ave., So. Portland  
cc to: Corporation Counsel

Dear Mr. Serunian:

We are unable to issue a permit for construction of a 1-story masonry service station, 30' x 63' at the above named location for the following reasons:

1. Service station use is allowable in a B-1 Business Zone in which this property is located, only conditionally by the Board of Appeals under Section 8-A-12b of the Zoning Ordinance.
2. The 27 foot high rotating, detached sign is not allowable under provisions of Section 16-A-4 of the ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 shall be paid at this office at the time the appeal is filed.

Very truly yours,

Gerald R. Mayberry  
Director of Building & Inspection Services

GR:m



LOCATION 5796 W. Brighton Ave.  
Car. Columbia Rd. DATE 2/28/67

PERMIT  \_\_\_\_\_  
INQUIRY \_\_\_\_\_  
COMPLAINT \_\_\_\_\_

Appeal

3/1/67

order:

Please check  
& write appeal letter  
this had quite a  
history in the G.L.  
H.C.

3/10/67

Please process for  
appeal  
W. H. M.

Appeal denied  
3/30/67

A.P.- 589-605 Erighton Ave.  
Corner of Columbia Ave.

March 10, 1967

Mr. Arthur A. Serunian  
19 Clifton Street.

cc to: Shell Oil Co., Att: Harold Roerden  
5 Central Ave., So. Portland  
cc to: Corporation Counsel.

Dear Mr. Serunian:

We are unable to issue a permit for construction of a 1-story masonry service station, 30' x 63' at the above named location for the following reasons:

1. Service station use is allowable in a B-1 Business Zone in which this property is located, only conditionally by the Board of Appeals under Section 8-A-12b of the Zoning Ordinance.
2. The 27 foot high rotating, detached sign is not allowable under provisions of Section 16-A-4 of the ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 shall be paid at this office at the time the appeal is filed.

Very truly yours,

Gerald E. Mayberry  
Director of Building & Inspection Services

GEM:m



# APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class  
Portland, Maine February 28 1967

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 589-605 Brighton Ave. Co. Columbia Rd. Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Arthur A. Serunian, 19 Clifton St. Telephone \_\_\_\_\_  
Lessee's name and address Shell Oil Company 5 Central Ave. So. Portland Telephone 772-1921  
Contractor's name and address not let Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans ye No. of sheets 1  
Proposed use of building Service Station No. families \_\_\_\_\_  
Last use \_\_\_\_\_ No. families \_\_\_\_\_  
Material Co. C. blk. No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ \_\_\_\_\_ Fee \$ \_\_\_\_\_

## General Description of New Work

To construct 1-story concrete block "service station" 30' x 63' as per plans.

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

*It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO* owners-Shell Oil Company 3/30/67.

## 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 \_\_\_\_\_ at least 4 below grade \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of foundation concrete No. stories \_\_\_\_\_ 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? \_\_\_\_\_

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

CS 201

INSPECTION COPY

Signature of owner by: Arthur A. Serunian

Shell Oil Company

# APPLICATION FOR PERMIT



Class of Building or Type of Structure Second Class  
Portland, Maine, December

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair in accordance with the Laws of the State of Maine, the Building specifications, if any, submitted herewith and the following

existing structure equipment  
the City of Portland, plans and

Location 589-605 Brighton Ave. & 2-8 C

Owner's name and address Arthur A Se

Proposed Owner Shell

Contractor's name and address

Architect

Proposed use of build

Last use

Material

Buildings on same lot

Estimated cost \$

Min Fire Limits: \_\_\_\_\_  
St. \_\_\_\_\_

Central Ave. South Portland

Specifications \_\_\_\_\_ Plans \_\_\_\_\_

Service Station

No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_

Dist. No \_\_\_\_\_

Telephone \_\_\_\_\_

Telephone \_\_\_\_\_

Telephone \_\_\_\_\_

No. of sheets \_\_\_\_\_

No. families \_\_\_\_\_

No. families \_\_\_\_\_

Roofing \_\_\_\_\_

Fee \$ \_\_\_\_\_

## General Description of New Work

To construct 1-story concrete block service station 57' x 29' as per plans.

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

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

## 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, where 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

APPROVED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Shell Oil Company

*[Signature]*

AP - 559-605 Brighton Avenue,  
corner Columbia Road

December 8, 1968

Mr. Arthur A. Serunian, Jr.,  
19 Clifton Street

of Shell Oil Co.  
5 Central Ave., So. Portland, Me.  
Gas Corporation Counsel

Dear Mr. Serunian:

Building permit for construction of a one story masonry service station approximately 29' x 57' at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The service station use is not allowable in the B-1 Business Zone where the property is located without authorization of the Board of Appeals, as provided by Section B-A-12b of the Ordinance.
2. The light pole proposed close to Columbia Road would be an unlawful encroachment upon the 10 foot side yard required by Section B-C-b-2.
3. The pole sign and light poles close to Brighton Avenue would be unlawful encroachments upon the 15 foot front yard required by Section B-C-b-3.
4. The rotating detached pole sign is not allowable under the provisions of Section 16-A-4 because detached signs are not allowable in the B-1 Zone, and the proposed sign would face the adjoining lot at the rear, which is in a Residential Zone, at some time during its rotation, contrary to the provisions of this section.
5. The proposed pylon signs above the roof of the building are not allowable because roof signs are not permissible in the B-1 Zone under Section 16-A-4 of the Ordinance.

We understand that you would like to exercise your appeal rights concerning these discrepancies. Accordingly we are certifying the case to the Corporation Counsel. Accordingly you should come to this office and file the appeal.

Very truly yours,

Albert J. Sears  
Director of Building Inspection

AJR/h

~~Submitted~~ 12/17/64  
12/1/30 Denied

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

VARIANCE APPEAL

December 4, 1964

corner Columbia Road

Arthur A. Sorunian, Jr.

owner of property at 589-605 Brighton Ave.

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: construction of a one story masonry service station approximately 29' x 57' at the above location. This permit is presently not issuable under the Zoning Ordinance because: (1) The service station use is not an allowable use in the B-1 Business Zone as provided by Section 8-A-12b of the Ordinance; (2) The light pole proposed close to Columbia Road would be an unlawful encroachment upon the 10 foot side yard required by Section 8-C-b-2; (3) The pole sign and light poles close to Brighton Avenue would be unlawful encroachments upon the 15 foot front yard required by Section 8-C-b-3; (4) The rotating detached pole sign is not allowable under the provisions of Section 16-A-4 because detached signs are not allowable in the B-1 Zone, and the proposed sign would face the adjoining lot at the rear, which is in a Residential Zone, at some time during its rotation, contrary to the provisions of this section; (5) The proposed pylon signs above the roof of the building are not allowable because roof signs are not permissible in the B-1 Zone under Section 16-A-4 of the Ordinance.

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.

*Arthur A. Sorunian, Jr.*  
APPELLANT

DECISION

After public hearing held December 17, 1964, the Board of Appeals finds that all of the above conditions do not exist with respect to this property and that a variance should not be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should not be granted in this case.

*Frank G. Hill*  
*Harry M. Adams*  
*John J. Jones*  
BOARD OF APPEALS

AP- 589-605 Brighton Ave., corner of Columbia Road

Jan. 27, 1961

Mr. Arthur A. Serudian, Jr.,  
19 Clifton Street

cc to: Shell Oil Company  
5 Central Ave., S. Portland  
cc to: Corporation Counsel

Dear Mr. Serudian:

Building permit for construction of a one story masonry service station approximately 29 feet by 44 feet at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The service station use is not allowable in the E-1 Business Zone where the property is located without authorization of the Board of Appeals, as provided by Section 8-A-12b of the Ordinance. *OK*
2. The building is to be located only about 12 feet from the rear lot line instead of a rear yard depth of 20 feet being provided as required by Section 8-C-b-1 because the rear lot line abuts a Residence Zone. *Omit*
3. The ~~two~~ light poles proposed close to Columbia Road are unlawful encroachments upon the 10 foot side yard required by Section 8-C-b-2. *would be OK*
4. The pole sign and light poles close to Brighton Avenue are unlawful encroachments upon the 15 foot front yard required by Section 8-C-b-3. *would be OK*
5. The rotating detached pole sign is not allowable under the provisions of Section 16-A-4 because detached signs are not allowable in the E-1 Zone, and the proposed sign would face the adjoining lot at the rear, which is in a Residential Zone, at some time during its rotation, contrary to the provisions of this section. *OK*
6. The proposed pylon signs above the roof of the building are not allowable because roof signs are not permissible in the E-1 Zone under Section 16-A-4 of the Ordinance. *OK*
7. The doors to toilet rooms in end of building toward Columbia Road are not allowable because they will face other than the main business street and will be closer than 60 feet to the Residence Zone at the rear of the lot, contrary to the provisions of Section 18-D of the Ordinance. *Omit*

We understand that you would like to exercise your appeal rights concerning these discrepancies. 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  
Director of Building Inspection

AJS:m



*St. Ansgar Ev. Lutheran Church*

14 SHERMAN STREET 8 PORTLAND, MAINE

REV. ALFRED A. FANT, *Pastor*  
100 GLENWOOD AVENUE  
PORTLAND, MAINE  
*Telephone SP 4-8710*

March 11, 1961

Franklin G. Hinckley, Chairman  
Board of Appeals  
City of Portland, Maine

Re: Arthur A. Serunian, Jr.

Dear Sir:

The Board of Administration of St. Ansgar Ev. Lutheran Church met Tuesday evening, March 7, 1961, and took under advisement your letter of March 6, 1961 stating the appeal and request of Arthur A. Serunian, Jr., to wit: request an exception to the Zoning Ordinance to permit construction of a one-story masonry service station, approximately 29 feet by 44 feet, on the premises at 589-605 Brighton Avenue.

A motion was made and seconded to oppose such aforementioned appeal and request of Arthur A. Serunian, Jr., because it would adversely affect our property located directly across the street at 507 Woodfords Street and corner of Columbia Road, at which location our new church building is to be erected in the very near future.

This motion was carried unanimously by the Board when it came to a vote. We represent over 200 people in our congregation.

This letter is being brought to you at the public hearing in the Council Chamber at City Hall, Portland, Maine on Thursday, March 16, 1961, at 4:00 P.M. by members of our Board of Administration.

Respectfully,

*Alfred A. Fant*  
Secretary of the Board



New Service Station at 589-605 Brighton Ave. 1/26/61

- 1- Zoning:- Service Station use not allowable unless authorized by Board of Appeals. - Appeal necessary? -
- Space & Bulk Requirements:-
- Rear Yards:- A rear yard of 20' required because abutting residence for rear yard. Only about 12' shown.
  - Side Yards:- 2 light poles unlawful encroach?
  - Front Yards:- Pole signs & lights unlaw. encro.?
  - Height: OK
  - Off-street parking:- Show off-street parking space and compliance with requirements of Sect. I-1 + 2 + 3?
  - Off-street loading:- Not req. so OK
  - Access:- OK. Sect 16-A-4
  - Signs:- Sect 16-A-4
    - a- Pole sign not allowable + since it is rotating w/d & c. - adjoining lot in Residence zone at some point of its travel.
    - b- Roof sign not permissible. c. ✓?
    - c- Area of signs =
 

|                          |           |
|--------------------------|-----------|
| 1- Pole sign = 8' dia    | 50 sq ft  |
| - Roof sign = 2(6 x 9) = | 108 sq ft |
| Wall sign = 2 x 9        | 18 sq ft  |
| 20 sq' allowed so OK.    | 176       |

- Exceptions:-
- Sections 18-D - Toilet room doors face side structure. ✓?
  - Section 20-B - Extension of use not more than 30' into Res. zone OK
- Sidewalk Ordinances:- Approval of Traffic Engineer of entrances required.

IN BUSINESS ZONE

# APPLICATION FOR PERMIT



Class of Building or Type of Structure 2nd class  
Portland, Maine, January 25, 1961

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 589-605 Brighton Ave. & 2-8 Columbia Road Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_

Owner's name and address Arthur A Serunian Jr., 19 Clifton St. Telephone \_\_\_\_\_

Lessee's name and address Shell Oil Company, 5 Central Ave. South Portland Telephone \_\_\_\_\_

Contractor's name and address not let Telephone \_\_\_\_\_

Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 16

Proposed use of building Service Station No. families \_\_\_\_\_

Last use \_\_\_\_\_ No. families \_\_\_\_\_

Material No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_

Other buildings on same lot \_\_\_\_\_ Fee \$ \_\_\_\_\_

Estimated cost \$ \_\_\_\_\_

### General Description of New Work

To construct 1-story concrete block service station 43'8" x 28'8" as per plans.

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

Approval date 3/14/61

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**

### 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 sewerage? \_\_\_\_\_

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 \_\_\_\_\_ 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 wall? \_\_\_\_\_ 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

Shell Oil Company

APPROVED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by: Arthur A. Serunian Jr.  
Signature of owner

INSPECTION COPY

F. M.

October 21, 1964

Mr. Arthur A. Serunian, Jr.  
29 Clinton Street  
Ralph L. Serunian

Co. Shell Oil Co.,  
5 Central Ave.,  
So. Portland, Me.

Dear Mr. Serunian:

Enclosed please find copy of the decision of the Board of Appeals relating to your request to permit construction of a one-story masonry service station 29' x 57' at 589-603 Brighton Avenue.

It will noted that this appeal was denied.

Very truly yours,

Robert W. Donovan  
Assistant Corporation Counsel

h  
Enclosure (1)

DATE: December 17, 1964.

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Arthur A. Serunian, Jr.  
AT 589-605 Brighton Ave., corner Columbia Road

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

BOARD OF APPEALS

|                      | YES | VOTE | NO  |
|----------------------|-----|------|-----|
| Franklin G. Hinckley | ( ) |      | ( ) |
| Ralph L. Young       | ( ) |      | ( ) |
| Harry M. Shwartz     | ( ) |      | ( ) |

Record of Hearing

DEC 11 1964

December 10, 1964

Dear Mr. Hinkley:

It won't be possible for either me or my husband to attend the meeting which will take place in regard to the hearing on the appeal of Mr. Serunian to construct a filling station at the corner of the street on which we live.

We do, however, wish to express our viewpoints on the subject. We have nothing against Mr. Serunian personally, but feel that there is already enough congestion pinpointed in that area, aside from the fact that there are several stores already located there that have not taken care of the premises as well as they should. For example, I have had to call the Dept. of Public Works several times this past summer to ask them if they would assign a "Keep Portland Clean" container outside of Batchelder's Drug store. The customers that come out of there just throw all the wrappers from the candy, ice cream, cigarettes, potato chips etc., and it all blows down the street on our lawns. I shouldn't say all of it, as there is plenty of litter that remains there on the corner. People have made remarks to me, and we all feel that something should be done about it. I realize that this is not in your department, but thought it would be a good time to mention it, and perhaps you could be kind enough to contact the man in charge. . . . to have a container stationed at the corner of the street mentioned.

Thanking you for caring me out, as I might have never mentioned any of this had it not been for your letter of notice on the hearing. It seemed like an opportune time, so I took advantage of it.

Very truly yours,

*Mrs. Gemma Candemo*

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Chairman, Board of Appeals  
DATE: December 17, 1964  
FROM: Thomas F. Griffin, Jr., Acting Director of Public Works  
SUBJECT: Review of Plans for Gas Station - Columbia Road at Brighton Avenue

I have reviewed the plans for the proposed gasoline station at Columbia Road and Brighton Avenue.

No objectionable features were noted. I do believe the proposed station would improve traffic conditions at this corner, through improving sight distances.

  
TFG

hb

21 Westminster Ave.  
Portland, Maine  
Dec. 16, 1964

Mr. Franklin G. Hinkley  
Chairman, Board of Appeals  
City Hall  
Portland, Maine

Dear Mr. Hinkley:

I am writing to you relative to the public hearing to be held tomorrow, December 17, at the City Hall. My interest concerns the property at 59-605 Brighton Avenue.

My lot adjoins the property at 605 Brighton Avenue. This was formerly the residence of Judge Guy Sturgis. He kept this property in excellent condition as did Mrs. Sturgis after his death. As soon as this property was sold, it was apparent that there was no effort made to keep the buildings and yard in it's former good condition.

I do not feel that anyone who does not have the occasion to walk in the Rosemont Corner area knows the potential hazards of this section.

Two pedestrians have been killed at this corner since I lived in this section. Many cars go through the red light at this corner. A filling station would most certainly create more of a problem than we now have.

There are many small children in this area and while mine are now grown, I feel that we should give considerable thought to the fact that this is a junction for the school children and should be made as safe as possible for them.

I realize that there are many problems that must be solved at the Council meetings and that time is of the essence, but I also know that this time of the year with Christmas so near, makes it impossible for many to attend the meeting who would otherwise.

I am very much against a filling station being built in this location.

Sincerely,

*Georgia S. Jackson*  
Georgia S. Jackson

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

December 7, 1964

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Thursday, December 17, 1964 at 4:00 p.m. to hear the appeal of Arthur A. Serunian, Jr. requesting permission to construct a one story masonry service station approximately 29' x 57' at 589-605 Brighton Avenue, corner Columbia Road.

This permit is presently not issuable under the Zoning Ordinance because: (1) The service station use is not an allowable use in the B-1 Business Zone as provided by Section 8-A-12b of the Ordinance; (2) The light pole proposed close to Columbia Road would be an unlawful encroachment upon the 10 foot side yard required by Section 8-C-b-2; (3) The pole sign and light poles close to Brighton Avenue would be unlawful encroachments upon the 15 foot front yard required by Section 8-C-b-3; (4) The rotating detached pole sign is not allowable under the provisions of Section 16-A-4 because detached signs are not allowable in the B-1 Zone, and the proposed sign would face the adjoining lot at the rear, which is in a Residential Zone, at some time during its rotation, contrary to the provisions of this section; (5) The proposed pylon signs above the roof of the building are not allowable because roof signs are not permissible in the B-1 Business Zone under Section 16-A-4 of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning 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 Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

h

Chairman.

*As I will not be here after the 10th I desire to  
strongly disallow, Arthur A. Serunian Jr.'s request to construct  
a masonry service station at 589-605 Brighton Ave.  
St. Clifford Parker.*

*12.12.64  
R. Fossum out. Ave.*

*James M. Parker*