



# APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. #1

Portland, Maine, May 19, 1954

PERMIT ISSUED

MAY 21 1954

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 54/567 pertaining to the building or structure comprised in the original application 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 1236-1240 Congress St. Within Fire Limits? no Dist. No. .....  
Owner's name and address George K. Rogers, 398 Brighton Ave. Telephone .....  
Lessee's name and address Thompson's Point Realty Co., Thompson's Point Telephone .....  
Contractor's name and address ..... Telephone .....  
Architect ..... Telephone .....  
Proposed use of building ..... Plans filed yes No. of sheets 1  
Last use ..... No. families .....  
Increased cost of work ..... No. families .....  
Additional fee 50

## Description of Proposed Work

To change location of sign on lot as per plan filed today.

## Details of New Work

Thompson's Point Realty Co.

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....  
Height average grade to top of plate ..... Height average grade to highest point of roof .....  
Size, front ..... depth ..... No. stories ..... solid or filled land? ..... earth or rock? .....  
Material of foundation ..... Thickness, top ..... bottom ..... cellar .....  
Material of underpinning ..... Height ..... Thickness .....  
Kind of roof ..... Rise per foot ..... Roof covering ..... Thickness .....  
No. of chimneys ..... Material of chimneys ..... of lining .....  
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 .....  
Approved: ..... Thompson's Point Realty Co.

Signature of Owner: 3/1/54

Approved: 5/21/54

Inspector of Buildings

INSPECTION COPY

C-10-154-SC-Mark



# APPLICATION FOR PERMIT

Class of Building or Type of Structure sign

Portland, Maine, March 16, 1954

PERMIT ISSUED

00567

MAY 6 1954

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 1236-1240 Congress St. Within Fire Limits? no Dist. No.       

Owner's name and address George K. Rogers, 398 Brighton Ave. Telephone       

Lessee's name and address Thompson's Point Realty Co., Thompson's Point Telephone 2-5424

Contractor's name and address G. D. B. & Co. 55 Congress Telephone       

Architect        Specifications        Plans yes No. of sheets 2

Proposed use of building        No. families       

Last use        No. families       

Material        No. stories        Heat        Style of roof        Roofing       

Other buildings on same lot none

Estimated cost \$        Fee \$ 2.00

## General Description of New Work

To erect wood sign on vacant lot as per plan.

Permit Issued with Letter

Appeal Sustained conditionally 4/2/54

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 Thompson's Point Realty Co.

## Details of New Work

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

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

Has septic tank notice been sent?        Form notice sent?       

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

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

Material of foundation        Thickness, top        bottom        cellar       

Material of underpinning        Height        Thickness       

Kind of roof        Rise per foot        Roof covering       

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

Framing lumber—Kind        Dressed or full size?       

Corner posts        Sills        Girt or ledger board?        Size       

Girders        Size        Columns under girders        Size        Max. on centers       

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

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

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

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

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

## If a Garage

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

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

APPROVED:

## Miscellaneous

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

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

George K. Rogers  
Thompson's Point Realty Co.

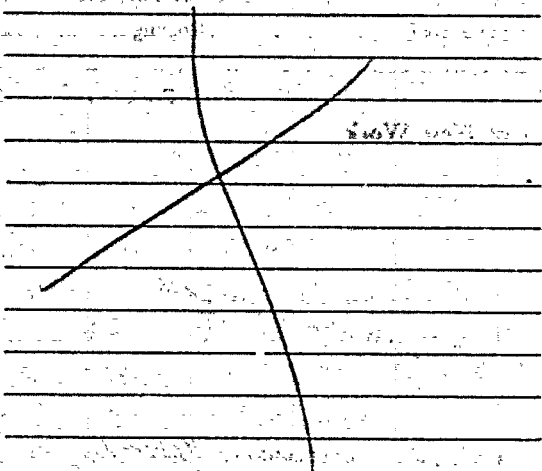
Signature of owner by: W. J. Russell

INSPECTION COPY

NOTES

5-7-54 Not started *IV*  
 5-14-54 Same *IV*  
 5-19-54 *IV*

6-1-54 Sign erected.  
 footing covered with  
 dirt - can't check. *IV*



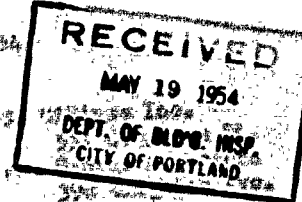
Permit No. 54/5627  
 Location 1236-1240 Congress St.  
 Owner W. H. Smith & Co. Inc.  
 Date of permit 5/6/54  
 Notif. closing-in \_\_\_\_\_  
 Inspn. closing-in \_\_\_\_\_  
 Final Notif. \_\_\_\_\_  
 Final Inspn. \_\_\_\_\_  
 Cert. of Occupancy issued \_\_\_\_\_  
 Staking Out Notice \_\_\_\_\_  
 Form Check Notice \_\_\_\_\_

7. Approved Congress St.  
corner of Small St.

May 5, 1954

Copies to:

Mr. J. Russell, Jr.  
Thompson's Point Realty Co.  
Thompson's Point



Dear Mr. Russell:

Congress St

We are looking for a permit for erection of directional sign on <sup>16</sup> Congress St. property at 1236-1238 Congress St. corner of Small St., based on the plan filed past may by Mr. Althaus, whose meaning it is understood is to erect the sign, and subject to the following conditions:

The sign, owned by Thompson's Point Realty Co., directly across Small St. is to be removed before any work is started upon the erection of new sign. This is in accordance with the condition attached by the Planning Board of April 1954.

The <sup>17</sup> ~~existing~~ steel channels shown as supports for the sign support of the sign on <sup>18</sup> ~~existing~~ standard channels and are to be fire's and secured to the <sup>19</sup> ~~existing~~ concrete floor. It seems apparent that these steel channels extend from the foundation plate to the very top of the sign. The elevation view on the plan does not clearly so indicate. It is important that they be

Very truly yours,

George C. Smith  
Inspector of Buildings

Boon Appliance Works - Sole Inc

AP 1236-1240 Congress St.,  
corner of Sewall St.

May 5, 1954

Mr. W. T. Russell, Jr.  
Thompson's Point Realty Co.  
Thompson's Point

Copies to: C. DiBiase Inc.  
551 Congress St.  
Mr. George K. Rogers  
398 Brighton Ave.

Dear Mr. Russell:

We are issuing, herewith, building permit for erection of directional sign on Mr. Roger's property at 1236-1240 Congress St., corner of Sewall St., based on the plan filed yesterday by Mr. DiBiase, whose company it is understood is to erect the sign, and subject to the following conditions:

The sign, owned by Thompson's Point Realty Co., directly across Sewall St. is to be removed before any work is started upon the erection of the new sign—this in accordance with the condition attached by the Zoning Board of Appeals.

The 8-inch steel channels shown as uprights for the main support of the sign are to be standard channels and are to be firmly anchored to the supporting concrete piers. It seems apparent that these steel channels are to extend from the foundation piers to the very top of the main sign, but the elevation view on the plan does not clearly so indicate. It is important that they do.

Very truly yours,

Warren McDonald  
Inspector of buildings

WMC/1/B

OK  
MTC  
6-1-54

*Guide to form*  
AP 1236-1240 Congress St.

April 8, 1954

Mr. W. T. Russell, Jr.  
Thompson's Point Realty Co.  
Thompson's Point  
Mr. George K. Rogers  
398 Brighton Ave.

Gentlemen:

We have been notified by the Zoning Board of Appeals that your appeal relating to the construction and erection of a directional sign at 1236-1240 Congress St. has been granted, but on the condition that the directional sign already erected on the property across the street from the proposed location shall be removed before erection of the new sign is commenced.

Of course, no work is to be done upon the erection of the new sign until you have the permit card in your possession. That we may be in position to issue a permit under Building Code, please have the sign across the street completely removed and notify this office when that has been accomplished; and also have prepared a more detailed plan of the sign and its frame, supports and foundations than is afforded in the very neat sketch filed with the application for the permit. That you may have the same information furnished to us, it is suggested that the design plan be blueprinted and that one print be filed here with your application for the permit.

The design plan should show the size, spacing and spans of all framing members, the material of face and how fastened, of course, the size and nature of the supporting posts and the material, size and depth of foundations. The sketch indicates that the base of the sign would be about four feet above the street level. As to structural design we are also interested in the height of the base of the sign above the grade of the ground where it will be.

The sketch indicates that the base member of the superstructure will be 4x6, and that it will be supported upon three posts of angle iron without giving the size or thickness of the angles.

Presumably the foundation is to be of concrete. If so, these piers should extend no less than four feet below the finished grade of the ground beneath the sign and no less than six inches above that grade. The piers should be at least 8 inches square or 8 inches in diameter at the surface of the ground and at least 10 inches at the bottom of the pier.

The entire structure should be designed <sup>not only</sup> to support its weight including ice coating, but to resist a wind pressure from either side of 10 pounds per square foot.

Very truly yours,

WKCJ/B

Warren McDonald, Inspector of Buildings

AP 1236-1240 Congress St.

March 17, 1954

Thompson's Point Realty Co.  
Att: Mr. W. T. Russell, Jr.  
Thompson's Point  
Mr. George K. Rogers  
398 Brighton Ave.

Copy to: Corporation Counsel

Gentlemen:-

Building permit intended to authorize construction of a directional sign on the vacant lot at 1236-1240 Congress St., corner of Sewall St.—the sign to be about 14 feet long, about 9 feet high with its top about 13 feet above the ground, and to designate the location of certain industries at Thompson's Point—is not issuable under the Zoning Ordinance because the property is in a Local Business Zone where such a sign is not allowable because it would not advertise goods or services offered by an occupant of the premises, according to Sect. 6A of the Ordinance; and because the sign would be closer than 100 feet to a Residence D Zone contrary to Sect. 15C of the Ordinance.

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

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMCD/G  
Enclosure: Outline of appeal procedure

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

*Sustained*  
*4/2/54*  
*(Conditionally)*  
*54/14*

To the Board of Appeals:

March 17, 1954, 19

Your appellant, George K. Rogers, who is the owner of property at 1236-1240 Congress Street, 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 intended to authorize construction of a directional sign on the vacant lot at 1236-1240 Congress Street, corner of Sewall St.—the sign to be about 14 feet long, about 9 feet high with its top about 15 feet above the ground, and to designate the location of certain industries at Thompson's Point—is not issuable under the Zoning Ordinance because the property is in a Local Business Zone where such a sign is not allowable because it would not advertise goods or services offered by an occupant of the premises, according to Section 6A of the Ordinance; and because the sign would be closer than 100 feet to a Residence D Zone contrary to Section 15C of the 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.

*George K. Rogers*  
Appellant

After public hearing held on the 2nd day of April, 1954, the Board of Appeals finds that 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, provided that the directional sign already erected on property across the street from this location shall be removed before erection of this new sign.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case, provided that the directional sign already erected on property across the street from this location shall be removed before erection of this new sign.

*William H. O'Brien*  
*John W. Loh*  
*Shirley E. Frost*  
*Edward J. Colby*  
*Harry K. Torrey*  
BOARD OF APPEALS



DATE: APRIL 2, 1954

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF GEORGE K. ROGERS  
AT 1236-1240 CONGRESS STREET

Public hearing on above appeal was held before the BOARD OF APPEALS

Board of Appeals

VOTE

Municipal Officers

WILLIAM H. O'BRIEN  
HELEN C. FROST  
JOHN W. LAKE  
EDWARD T. COLLEY  
HARRY K. TORREY

Yes	No
(✓)	( )
(✓)	( )
(✓)	( )
(✓)	( )
(✓)	( )
( )	( )
( )	( )
( )	( )

PROVIDED THAT THE DIRECTIONAL SIGN  
ALREADY ERECTED ON PROPERTY ACROSS  
THE STREET FROM THIS LOCATION SHALL  
BE REMOVED BEFORE ERECTION OF THIS  
NEW SIGN.

Record of Hearing:

OPPOSED:

Philip H. Manchester, owner of property at 11-13 Whitney Avenue  
letter in file

IN FAVOR OF:

Petition in file.

CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

March 23, 1954

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, April 2, 1954 at 10:30 a. m. to hear the appeal of George K. Rogers requesting an exception to the Zoning Ordinance to authorize construction of a directional sign on the vacant lot at 1236-1240 Congress Street, corner of Sewall Street,-- the sign to be erected by Thompson's Point Realty Co. will be about 14 feet long, about 9 feet high with its top about 13 feet above the ground, and will designate the location of certain industries at Thompson's Point.

This permit is presently not issuable under the Zoning Ordinance because the property is in a Local Business Zone where such a sign is not allowable because it would not advertise goods or services offered by an occupant of the premises, according to Section 6A of the Ordinance; and because the sign would be closer than 100 feet to a Residence D Zone contrary to Section 15C of the 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

William H. O'Brien

Chairman

*Mr. O'Brien  
Dear Sir. I am definitely opposed to this proposed sign.  
The zoning laws prohibit this sort of thing. If the laws are wrong,  
let's change them. W.R. Loo - 1268 Cong. St. Portland Me.*

*Mr. O'Brien: Dear Sir:  
During the lot of land on Congress St. adjoining Mr. Rogers' property, we are considering building a home and a garage. It is possible that we will have a sign on the lot. I am sorry that we are not able to have a sign on the lot. I am sorry that we are not able to have a sign on the lot. I am sorry that we are not able to have a sign on the lot.*

We, the undersigned residents of Portland, Maine, in the general area adjacent to the intersection of Sewall and Congress Streets, have inspected a sketch of a directional sign proposed to be erected by Thompson's Point Realty Company at the Southeast corner of Sewall and Congress Streets and believe that this sign will enhance the beauty of this corner and therefore have no objections to the erection of said sign.

DATE	NAME	ADDRESS	PROPERTY OWNER	TENANT
2/3/54	Peter J. Rogers	14 Sewall Street		✓
2/3/54	George H. Rogers	1339 Congress Street	✓	
2/3/54	Charles Rogers	20 Standwater Road		
2/3/54	Frank E. Edwards	Office 15 Bolton St		✓
2/3/54	Mrs & Mrs R.R. Anderson	91 Pleasant St		
2/3/54	William H. Stoughton	1217 Congress St		✓
2/3/54	Simon P. McLaughlin	1476 Congress St	✓	
2/3/54	Low T. Black	3 Trade Ave		✓
2/3/54	M. W. McCreedy	6 Mass. Ave	✓	
2/3/54	A. B. Snow	17 Bolton St		✓
2/3/54	Mrs Charles E. McCarthy	32 Bolton St		✓
2/3/54	George B. McCarthy	17 Rudman Rd.	✓	
2/3/54	Leon H. Johnson	120 Pleasant Ave		✓
2/3/54	Fath Stationer	184 Congress St	✓	
2/3/54	Charles E. McCarthy	32 Bolton St		✓
2/3/54	McCurrier	199 Grand St		✓
2/3/54	R. L. Cram	1266 Congress St	No	Yes
2/3/54	Mrs Paul H. D. Smith	73 White St	✓	
2/3/54	Vincent T. Aubrey	278A Congress St		Yes
2/3/54	Phyllis A. Blunt	5 Joseph St		Yes
2/3/54	Patricia E. Emery			
2/3/54	Mary J. King	12 Lasell St	✓	

DATE	NAME	ADDRESS	PROPERTY OWNER	TENANT
2/5/54	Glenn C. Peck	1186 Congress St.	✓	
2/5/54	Mrs. Reginald Conner	96 Calhoun St.	✓	
2/5/54	Miss Helen Albana	17 Mass. Ave.	✓	
2/5/54	Mrs. John McNett	29 Francis St.	✓	
2/5/54	Mr. Leo Wallmeyer	184 Congress St.	✓	✓
2/5/54	Mr. Eugene Miller	1230 Congress St.	✓	
2/5/54	Mrs. William G. Biers	90 Whiting Avenue	✓	
2/5/54	Mrs. W. D. Thompson	3 Stroudwater Rd.	✓	✓
2/5/54	George F. Wilcox	93 Francis St.	✓	✓
2/5/54	Florence Travis	53 Douglass St.	✓	
5/54	Mrs. O. H. Burdwood	26 Mass. Ave.	✓	
2/5/54	Mr. H. C. Nielsen	974 Westbrook St.	✓	
2/5/54	B. J. Conquest	38 Calhoun St.	✓	
2/5/54	Mrs. Clyde Hamilton	82 Edwards St.	✓	
2/5/54	Mrs. Joseph Rumbin	13 Douglas St.	✓	
2/5/54	Robert S. Dancette	28 Mass. Ave.	✓	
2/5/54	Mrs. G. S. Cushman	17 Powelton St.	✓	✓
2/5/54	Mrs. Charles Mact.	17 Powelton St.	✓	✓
2/5/54	Mrs. Edna Mact.	2063 Congress St.	✓	
2/5/54	Edna Mact.	34 Edwards St.	✓	
2/5/54	Eugene Fuller	54 Edwards St.	✓	
2/5/54	Mrs. Clinton Parker	17 Garrison St.	✓	
2/5/54	Mrs. J. Vasile	11 Mass. Ave.	✓	✓
2/5/54	L. W. Hall	25 Howard St.	✓	
2/5/54	Mr. L. Plummer	273 Randolph St.	✓	
2/5/54	Mrs. O. C. Elliot	131 Edwards St.	✓	
2/5/54	Mrs. Matthew Leonard	32 Sewall St.	✓	
2/5/54	Mr. B. L. Thorne	60 Riverside St.	✓	

4/2 11

Date	Name	Address	Property owner	Tenant
2/5/54	Mrs. Richard Jensen	51 Bolton St.		✓
2/5/54	L. A. Jensen	35 Greely St.	✓	
2/5/54	Edward J. Roberts	1265 Congress St.	✓	
2/5/54	Mrs. James D. Flaherty	1465 Congress St.		✓
2/6/54	Howard W. Sutton	1461 Congress St.		✓
2/6/54	Emma Sutton	1461 Congress St.		
2/6/54	John E. Jensen	10 King St.	✓	
2/6/54	John J. Beale	1263 Congress St.		
2/6/54	George H. Grubbs	60 Bolton St.		
2/6/54	John T. Keller	112 Elm. Road	✓	
2-6-54	Mrs. Lawrence P. O'Donnell	24 Whitney Ave.	✓	
2/6/54	Mr. & Mrs. E. S. Hickey	1235 Congress St.	✓	
2/6/54	Mrs. C. S. Morton	29 Edwards St.	✓	
2/6-54	Mrs. E. Brodie	19 Rudman Rd.		✓
2/6/5-4	E. Brodie	19 Rudman Rd.		✓
2/6/15-4	Mr. F. D. Dugan	26 Whitney Ave.		✓
2/6/54	Mrs. Carl M. Gustafson	22 Bolton St.		✓
2/6/54	Richard D. Jensen	51 Bolton St.		✓
2/6/54	Mrs. Harold Webster	49 Bolton St.		
2/6/54	Mrs. Jackie Leppi	20 Bolton St.		✓
2/6/54	Mrs. Ed. Power	20 Bolton St.	✓	
2/7/54	Anna M. McCarthy	4 Mass Ave.		✓
2/8/54	Mrs. Arthur Jensen	25 Bolton St.	✓	
2/8/54	Clarence E. Bragdon	82 Randolph St.	✓	
2/8/54	Chambers M. Farley	1141 Congress St.	✓	✓
	Michael J. Morris	37 Whitney Ave.	✓	
2/8/54	Roger J. McCarthy	71 Calhoun St.	✓	
2-8-54	Mrs. G. H. Miller	32 Bolton St.		✓
2-8-54	C. L. George	62 Whitney Ave.	✓	
2/8/54	Arthur H. Hays	1925 Congress St.	✓	

Date	Name	Address	Property	Tenancy
2/16	Louis H. Safford	1239 Congress St.	✓	✓
	Joseph J. Doyle	5 Davis St.	✓	
	Yvette J. Doyle	5 Davis St.	✓	
	Mrs W. E. Robbins	1265 Congress St.		✓
	Mrs. Robert Famine	40 Small St.	✓	
	Mrs Walter F. Daiscott	1241 Congress St.	✓	✓
	Frederick W. Allen	19 W. C. C. Ave.	✓	
	Josephine E. Allen	21 Whitney Ave.		✓
	A. D. M. Miller	25 Whitney Ave.	✓	
	Anna E. Eastman	35 Whitney Ave.	✓	
	Mrs Leo P. Hinds	43 Whitney Ave.	✓	
	Mrs Thomas H. Foley	34 Whitney Ave.	✓	
	Mrs Francis Cullen	30 W. C. C. Ave.	✓	
	John J. O'Toole	28 Whitney Ave.	✓	
	Mrs. F. Russo	22 Whitney Ave.		✓
	Joseph H. Burke	16 Whitney Ave.	✓	
	Jenett Croft	16 Whitney Ave.		✓
	Mrs P. J. Kilmartin	17 Whitney Ave.	✓	
	Mrs Louis E. Albert	28 Sewall St.	✓	
	Mrs Henry Martini	11 Whitney Ave.		✓
	Mrs Francis McFarland	31 Whitney Ave.	✓	
	Rene M. Lybrest	18 Davis St.	✓	
	Mrs. E. Boyd	22 Davis St.	✓	
	Mrs La Vern Jones	1218 Rear Congress St.	✓	
	E. B. Shuman	1218	✓	
	Mrs John Dimmer	48 Sewall St.	✓	
	R. B. Bailey	7 Davis St.		



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

March 30, 1954

Mr. George K. Rogers  
298 Brighton Avenue  
Portland, Maine

Re: 1236-1240 Congress Street  
Portland, Maine

Dear Mr. Rogers:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, April 2, 1954 at 10:30 a. m. to hear your appeal under the Zoning Ordinance.

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

BOARD OF APPEALS

William H. O'Brien

Chairman

K

cc: Thompson's Point Realty Co.  
Att: Mr. W. T. Russell, Jr.  
Thompson's Point  
Portland, Maine

WARREN McDONALD  
INSPECTOR OF BUILDINGS

On reply refer  
to file 1236-1240 Congress St.

CITY OF PORTLAND, MAINE

Department of Building Inspection

FU

March 17, 1954

Thompson's Point Realty Co.  
Att: Mr. W. T. Russell, Jr.  
Thompson's Point  
Mr. George K. Rogers  
398 Brighton Ave.

Copy to: Corporation Counsel

Gentlemen:-

Building permit intended to authorize construction of a directional sign on the vacant lot at 1236-1240 Congress St., corner of Sewall St.—the sign to be about 14 feet long, about 9 feet high with its top about 13 feet above the ground, and to designate the location of certain industries at Thompson's Point—is not issuable under the Zoning Ordinance because the property is in a Local Business Zone where such a sign is not allowable because it would not advertise goods or services offered by an occupant of the premises, according to Sect. 6A of the Ordinance; and because the sign would be closer than 100 feet to a Residence D Zone contrary to Sect. 15C of the Ordinance.

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

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMcD/G

Enclosure: Outline of appeal procedure

C  
O  
P  
Y



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

March 23, 1954

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, April 2, 1954 at 10:30 a. m. to hear the appeal of George K. Rogers requesting an exception to the Zoning Ordinance to authorize construction of a directional sign on the vacant lot at 1236-1240 Congress Street, corner of Sewall Street,--- the sign to be erected by Thompson's Point Realty Co. will be about 14 feet long, about 7 feet high with its top about 13 feet above the ground, and will designate the location of certain industries at Thompson's Point.

This permit is presently not issuable under the Zoning Ordinance because the property is in a Local Business Zone where such a sign is not allowable because it would not advertise goods or services offered by an occupant of the premises, according to Section 6A of the Ordinance; and because the sign would be closer than 100 feet to a Residence D Zone contrary to Section 15C of the 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

William H. O'Brien

Chairman

K

THOMPSON'S POINT REALTY COMPANY

THOMPSON'S POINT

PORTLAND 2, MAINE

TELEPHONE 2-5424

Peter A. Anderson, Co-partner  
E. Martin Anderson, Co-partner

January 22, 1954  
EMA -59- 54

Mr. Warren McDonald  
Building Inspector  
City Hall  
Portland, Maine

Dear Mr. McDonald:

I wonder if you have a building ordinance available dealing with the subject of the sign which we discussed over the telephone yesterday.

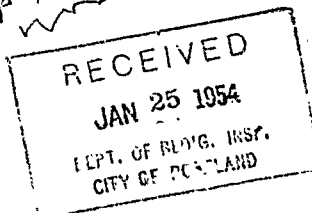
If this ordinance involves a large volume and is subject to a great deal of interpretation, if it would not be too much trouble, I wonder if you would be willing to send me a letter outlining the procedure and indicating the law, giving distances, etc., as you gave me over the telephone.

Very truly yours,

E. Martin Anderson

E. Martin Anderson

EMA:jst



1236 Congress St., corner  
of Sewall St.

January 27, 1954

Mr. E. Martin Anderson  
Thompson's Point Realty Co.,  
Thompson's Point

Dear Mr. Anderson:

Replying to your letter of January 22 concerning erection of a sign at about 1236 Congress St., corner of Sewall St., both the Building Code and the Zoning Ordinance have a bearing on this matter, and both are large and rather complex Ordinances. So, I will try to explain their application to the proposition, as I understand it. If I do not clear the matter up in your mind, please call me again.

The Building Code involves mainly the mechanics of applying for the necessary building permit and the strength and foundations of the proposed sign--matters which, no doubt, can be cared for easily if the zoning question can be cleared up.

Under the Zoning Ordinance the property is in a Local Business Zone. With reference to Section 6 of the Ordinance applying to such zones, the only sign, whether directional or otherwise, for which we can issue permits are those which advertise goods or services offered by an occupant of the premises on which the sign would stand. Thus, the directional sign which you propose--indicating the direction to take to reach the several establishments at Thompson's Point, is not allowable unless you are able to secure special authorization from the Zoning Board of Appeals after the usual appeal procedure.

To carry out this process, you should have prepared a location plan showing the proposed location on the lot of the proposed sign with relation to the street lines of Congress St. and Sewall St., and the other rear and side property lines, the size and height of the sign. This sketch may then be filed at this office with application for the required building permit, which you know in advance that we cannot issue for the reasons given above. At time of filing, the applicant should tell our permit clerk that you are aware that we are unable to issue the permit and that you wish to file an appeal with the Zoning Board of Appeals. That message will be conveyed to me, and within a few days you will get a letter which will state, with reference to the Ordinance, why we cannot issue the permit and will include instructions as to how to proceed with the appeal.

These instructions will take you to the office of Corporation Counsel of the City where the appeal is to be filed, and you will find that they have a copy of my letter to you, which will enable them to assist you in filing the appeal.

They are required by law to collect a fee for the appeal of ten dollars (\$10.00) which is used to defray the expenses of preparing for the required public hearing, including notifying in writing by mail the owners of all property, whether occupied or not, within 500 feet of the lot in question--these notices to be post-marked no less than ten days before the public hearing.

In making your location sketch, please bear in mind that the Zoning Ordinance also undertakes to safeguard the view of motorists in Local Business Zones by requiring that buildings or structures be set back a certain distance from the corner.

Mr. E. Martin Anderson

2

January 27, 1954

This space required to be vacant at the corner on private land is a triangle formed by measuring on each street line ten feet back from their intersection at the corner, and then joining these two points.

If appeal proceedings were successful, you would then be expected to supplement the information with the application for the permit by furnishing a design plan of the sign which would show its materials and construction, the size and spacing of all members and the design of the foundation which would have to extend no less than four feet below the surface of the ground. This would then be checked against Building Code requirements, and, if all was in order, the permit would then be issued.

When you filed application for the building permit in the first place, our permit clerk would collect a fee of two dollars (\$2.00) and give you a receipt for it. If we could not eventually issue the permit for any reason, this fee would be refunded upon return of the receipt—as distinguished from the appeal fee, which is not refundable.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMCD/B

INQUIRY BLANK

ZONE L

FIRE DIST. none

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

Date July 11, 1949

Verbal  
By Telephone

LOCATION Appl. 1240 Congress St. OWNER

MADE BY Mr. Moore of Utilities Distributors, Inc. TEL. 2-8308

ADDRESS Sewall Street

PRESENT USE OF BUILDING \_\_\_\_\_ NO. STORIES \_\_\_\_\_

LAST USE OF BUILDING \_\_\_\_\_ CLASS CONSTRUCTION \_\_\_\_\_

REMARKS This is a directional sign and would be moving  
from RD Zone to Local Business

INQUIRY ① Can detached sign 2' x 4' be moved from southwest corner of Sewall  
and Congress Street  
Street to southeast corner of Sewall Street and Congress Street which is directly  
across Sewall Street? ② Is a permit required?

ANSWER ① no - this would be moving into  
Local Business Zone where only  
signs advertising use of premises  
are allowable

② No permit required because it  
would be detached sign less than  
20 sq. ft. in area.

DATE OF REPLY 7/11/49 REPLY BY WMA

1236-1240

October 18, 1937

To The Municipal Officers:

Having examined an application by John Donnelly & Sons for a building permit to cover alterations of certain billboards on the ground at 1234 Congress Street, corner of Sewall Street, the Committee on Zoning and Building Ordinance Appeals recommends that the application be approved and that the Inspector of Buildings by the acceptance of this report and its recommendations, be directed to issue said building permit, subject to full compliance with all terms of the Building Code.

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

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Chairman

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CONGRESS ST.

LOCATION

1234 CONGRESS ST

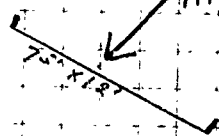
OWNER

GEORGE ROGERS

JOHN DONNELLY & SONS

TEL 20057

RAISE TO LEGAL LIMIT



BARNERY

SEWALL ST.





LIMITED BUSINESS ZONE

## APPLICATION FOR PERMIT

PERMIT ISSUED

Class of Building or Type of Structure Billboard

1769

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

Portland, Maine, October 6, 1937

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 1234 Congress Street Ward 8 Within Fire Limits? no Dist. No. \_\_\_\_\_  
Owner's or Lessee's name and address John Donnelly & Sons, 75 Main St., So. Portland Telephone 2-0357  
Contractor's name and address Owner Telephone \_\_\_\_\_  
Architect \_\_\_\_\_  
Proposed use of building \_\_\_\_\_ Plans filed \_\_\_\_\_ No. of sheets \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_ No. families \_\_\_\_\_  
Estimated cost \$ \_\_\_\_\_

Description of Present Building to be Altered Fee \$ 1.00  
Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Last use \_\_\_\_\_ No. families \_\_\_\_\_

## General Description of New Work

To alter three poster panels, each 12' x 25', to make them three feet above grade and not more than fifteen feet to highest point.

Approved by Municipal Officers 10/15/37

Owner of property George Rogers

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

Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_  
To be erected on solid or filled land? \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
Material of foundation \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of underpinning \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_  
Kind of Roof \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_  
Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
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  
If there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto observed? yes

ACTION COPY

Signature of owner By: John Donnelly & Sons



# APPLICATION FOR PERMIT

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

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

ZONING LOCATION B-2 PORTLAND, MAINE Nov. 22, 1985

PERMIT ISSUED

NOV 27 1985

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 1236 Congress Street - The Paint Pot Fire District #1 ☐ #2 ☐

1. Owner's name and address Kevin A. McDonnell, - same Telephone 772-2371

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

3. Contractor's name and address owner Telephone .....

Proposed use of building ..... No. of sheets .....

Last use ..... No. families .....

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

Other buildings on same lot .....

Estimated contractual cost \$.....

FIELD INSPECTOR—Mr. ....

@ 775-5451

To erect pole sign, 4' x 6', as per plan.

Appeal Fees \$.....

Base Fee .....

Late Fee .....

TOTAL \$ 29.80.....

Stamp of Special Conditions

WITH LETTER

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 .....  
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

BUILDING INSPECTION—PLAN EXAMINER .....

ZONING: B-2 11/26/85 .....

BUILDING CODE: .....

Fire Dept.: .....

Health Dept.: .....

Others: .....

## 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 .....

Signature of Applicant ..... Phone # .....

Type Name of above Richard Leonard for The Paint Pot 1 ☐ 2 ☐ 3 ☐ 4 ☐

Other .....  
and Address .....

PERMIT ISSUED  
WITH LETTER

APPLICANT'S COPY

OFFICE FILE COPY

18 MS Taylor

## NOTES

12/30 Not yet.

4/27 - waiting for haul.

5/23 - Called to see if they will  
gonna put up sign. Don't know  
his work

Permit Expired. lost

Permit No.	1391/855
Location	1236 Congress
Owner	McDonald
Date of permit	11/22/85
Approved	11/27/85
Dwelling	
Garage	for sign
Alteration	

W  
Y