

1565-1589 CONGRESS STREET

READ ENTIRE APPLICATION AND COMPLETE AS REQUIRED: PLEASE TYPE OR PRINT

CITY OF PORTLAND, MAINE
OFFICE OF THE CITY CLERK

READ AND INITIAL:

Your application for a license to do business in the City of Portland must have the approval of one or more of the following departments: Health, Building Inspector, Fire and Police Departments. This application will be presented to the Municipal Officers, for approval or denial, at their meetings on the first and third Mondays of each month, at the 4 P.M. Council Meeting, at which you should be present. To avoid possible financial loss, you should consult the City Clerk before making any investment in the establishment. Operation of this business is valid only upon payment of fee, and issuance of license.

APPLICATION: NEW ☐ RENEWAL ☒ INITIAL OF APPLICANT _____
LICENSE FEE \$25.00 DATE OF APPLICATION _____
DATE PAID 12/29/82 ZONE CHECKED R-5 6th MAW. 1/25/83
DATE OF AGENDA _____ STATE LICENSE # _____
LICENSE ISSUED _____

APPLICATION FOR INFLAMMABLE LIQUID (EXPLOSIVE) DATE _____

NAME OF APPLICANT C.N. Brown (O. / 100P) BIRTHDATE AND PLACE 1914 8 Love U. ME.
ADDRESS OF APPLICANT 110 Main St. So. Paris, ME. PHONE 743-9212

Note: If applicant is a Partnership, Association or Corporation, list Name, Residence, birthplace and title of each member on the reverse side of this form.

BUSINESS OR TRADE NAME Haystack Gulf BUS. PHONE 742-1410

BUSINESS ADDRESS Concord St., Portland, ME (1505) DATE D/B/A FILED _____

NAME AND RESIDENCE OF MANAGER Lev Parker, 110 Main St. PHONE 846-4450

OWNER OF PREMISES C.N. Brown (O.)

CAPACITY BUSINESS PREMISES _____ PUBLIC ASS' BLAGE YES _____ NO ☒

MINORS EMPLOYED YES _____ NO ☒

FOR EXPLOSIVE LICENSE ONLY, INDICATE DISTRIBUTOR _____

CHECK ONE OF THE FOLLOWING: STATION LEASED TO APPLICANT _____ PRIVATELY OWNED ☒
OPERATED BY DISTRIBUTOR _____

Have applicant, partners, associates or corporate officers ever been arrested, indicted, convicted or court martialled for any violation of law? If YES, STATE PARTICULARS and disposition on the reverse side of this form.

Applicant by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license applied for; and further agrees that any mis-statement of material fact may result in refusal of license or revocation if one has been granted.

APPLICATION RECEIVED BY _____ SIGNATURE OF APPLICANT *Harold D. Jones Pres.*

BUILDING INSPECTOR	CHIEF OF FIRE DEPARTMENT	LICENSE INSPECTOR
Approved _____	Approved _____	Approved _____
Disapproved _____	Disapproved _____	Disapproved _____
Comment _____	Comment _____	Comment _____

CHIEF OF POLICE	HEALTH OFFICER
Approved _____	Approved _____
Disapproved _____	Disapproved _____
Comment _____	Comment _____

Revised 1 July 1978 Previous applications are obsolete (over)

12 See over > @ 1/28/82

① Fire Exting. must be Recharged
operator of Sta. notified Richard C. Spitzer



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

000600

AUG 8 1979

ZONING LOCATION

PORTLAND, MAINE, June 12, 1979

CITY of PORTLAND

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 1585 Congress St. Fire District #1 ☐ #2 ☐
1. Owner's name and address Peter J. Rogers - 1700 Westbrook St. Telephone 775 0220
2. Lessee's name and address C.M. Brown - South Paris, Me. Telephone
3. Contractor's name and address George Erskine - 1634 Broadway - So. Portland Telephone 773-4004
4. Architect Specifications Plans No. of sheets
Proposed use of building Service Station No families
Last use No families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ Fee \$15.

FIELD INSPECTOR—Mr.

GENERAL DESCRIPTION

This application is for:

@ 775-5451

Dwelling

Ext. 234

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

To remove leaking 2000 gal underground gasoline tank and replace with 4000 gal. tank as per plan.

Stamp of Special Conditions

Sent to Fire Dept. 6-12-79
Rec'd from Fire Dept.

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 any electrical work involved in this work?
Is connection to be made to public sewer? 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 max 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?

ZONING:

BUILDING CODE:

Fire Dept.:

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

Health Dept.:

Others:

Signature of Applicant

Phone #

Type Name of above George Erskine

1 ☐ 2 ☐ 3 ☐ 4 ☐

Other

and Address

FIELD INSPECTOR'S COPY

(Original inspection copy was lost)

8-9-79 Not started yet -
 8-12-79 Same -
 9-20-79 Recd. replace -
 Fire Dept. into the
 oven

79/655
 1585 Comp. -
 6-12-79 6-12-79
 8-8-79 8-8-79
 New over
 2000 gal
 3000 gal
 1000 gal

X

Sam



CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

Location
1565-1589 Congress St.

FILE COPY

COMPLAINT NO. 75/81

Date Received July 14, 1975

Location 1565-1589 Congress St., cor. Frost Use of Building filling station

Owner's name and address Kerrin Rogers, 440 Forest Ave. Telephone

Tenant's name and address Hercules Gas Station, same Telephone 772-1410

Complainant's name and address complaint from neighbors thru City Clerk. Telephone

Description: R-5 Zone: illegal repair work being done. On 7-15-31 an appeal was granted to allow "a gasoline filling station" which does not include repairs. Kids are also racing their mini-bikes around there, and playing their tires & causing a general raucus.

NOTES:

7-15-75 talked to Mr. Johnson attended at station and told him of above complaint. He was called and said he would comply. [Signature]



CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

FILE COPY

COMPLAINT NO. 73/63

Date Received June 21, 1973

1585

Location Corner Frost & Congress St.

Use of Building _____

Owner's name and address _____

Telephone _____

Tenant's name and address Gulf Station

Telephone _____

Complainant's name and address Neighbor-13 Brewer St.

Telephone _____

Description: Keeping used cars on the lot.

NOTES:

6-22-73 ALL CARS REG. TOLD,
OWNER HE COULDN'T USE LOCATION FOR
USED CAR LOT. D.S. [signature]

X

Location
Cor. Frost & Congress St.

CITY OF PORTLAND, MAINE

Application for Permit to Install Wires

Permit No. 54663
 Issued 7/3/71
 Portland, Maine Feb 3, 1971

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

(This form must be completely filled out — Minimum Fee \$1.00)

Owner's Name and Address Robt Rogers Tel.
 Contractor's Name and Address Robert E. Young Tel.
 Location 1585 Congress St Use of Building
 Number of Families 1 Apartments 0 Stores 0 Number of Stories
 Description of Wiring: New Work Additions Alterations
Service only
 Pipe Cable Metal Molding BX Cable Plug Molding (No. of feet)
 No. Light Outlets Plugs Light Circuits Plug Circuits
 FIXTURES: No. Fluor. or Strip Lighting (No. feet)
 SERVICE: Pipe Cable Underground No. of Wires Size
 METERS: Relocated Added Total No. Meters
 MOTORS: Number Phase H. P. Amps Volts Starter
 HEATING UNITS: Domestic (Oil) No. Motors Phase H.P.
 Commercial (Oil) No. Motors Phase H.P.
 Electric Heat (No. of Rooms)
 APPLIANCES: No. Ranges Watts Brand Feeds (Size and No.)
 Elec. Heaters Watts
 Miscellaneous Watts
 Transformers Air Conditioners (No. Units) Extra Cabinets or Panels
 Will commence 19 7/3/71 Signs (No. Units)
 Amount of Fee \$ 2.00 Ready to cover in 19 7/3/71 Inspection
 Signed Robert E. Young

DO NOT WRITE BELOW THIS LINE

SERVICE	METER	GROUND
1	2	3
4	5	6
7	8	9
10	11	12

REMARKS:

INSPECTED BY

J. W. Hecker (OVER)

LOCATION Cong. ST 1055
 INSPECTION DATE 2/5/71
 WORK COMPLETED 2/5/71
 TOTAL NO. INSPECTIONS 1
 REMARKS:

FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963

WIRING	
1 to 30 Outlets	\$ 2.00
31 to 60 Outlets	3.00
Over 60 Outlets, each Outlet	.05
(Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet).	
SERVICES	
Single Phase	2.00
Three Phase	4.00
MOTORS	
Not exceeding 50 H.P.	3.00
Over 50 H.P.	4.00
HEATING UNITS	
Domestic (Oil)	2.00
Commercial (Oil)	4.00
Electric Heat (Each Room)	.75
APPLIANCES	
Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Built-in Dishwashers, Dryers, and any permanent built-in appliance — each unit	1.50
MISCELLANEOUS	
Temporary Service, Single Phase	1.00
Temporary Service, Three Phase	2.00
Circuses, Carnivals, Fairs, etc.	10.00
Meters, relocate	1.00
Distribution Cabinet or Panel, per unit	1.00
Transformers, per unit	2.00
Air Conditioners, per unit	2.00
Signs, per unit	2.00
ADDITIONS	
5 Outlets, or less	1.00
Over 5 Outlets, Regular Wiring Rates	

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

July 6, 1970

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, July 16, 1970 at 4:00 p.m. to hear the appeal of Peter Rogers requesting an exception to the Zoning Ordinance to permit construction of a 15'x15' accessory building in conjunction with existing service station and to erect a double face 5' x 10' pole sign at 1585 Congress Street.

This permit is presently not issuable under the Zoning Ordinance because the existing service station is a non-conforming use in the R-5 Residential Zone in which the property is located and the construction of the new 15'x15' building and the erection of the said sign would increase the cubical content of the said non-conforming use which is not allowed as stated under Section 602.17b of the Zoning Ordinance.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

h

Appeal dismissed

7/30/70

VARIANCE APPEAL

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.

Peter J. Ringler
APPELLANT

After public hearing held July 16, 1970, the Board of Appeals finds that ~~addition to the above reasons, it is not in accordance with the public interest to grant the proposed change of use to the property located at 10000 100th Avenue, North, in the City of Minneapolis, Minnesota, as shown on the plat attached hereto.~~ It has no authority to act on this appeal and, therefore, dismisses it. ~~It is the order of the Board of Appeals that the proposed change of use to the property located at 10000 100th Avenue, North, in the City of Minneapolis, Minnesota, as shown on the plat attached hereto, be denied.~~

Frank S. Hall
Harry M. [unclear]
[unclear]
Board of Appeals

Re: 1585 Congress St.

June 30, 1970

Mr. Peter Rogers,
Forest Avenue Plaza
449 Forest Avenue

cc: Ray L. Hefflefinger,
20 Curtis Road
cc: Corporation Counsel

Dear Mr. Rogers:

Permit to construct a 15'x15' accessory building in conjunction with existing service station and to erect a double face 5'x10' pole sign at the above named location in the R-5 Residential Zone in which this property is located is presently not issuable under the Zoning Ordinance for the following reasons:

1. The existing service station is a non-conforming use and the construction of the new 15'x15' building and the erection of the said sign would increase the cubical content of the said non-conforming use which is not allowed as stated under Section 602.17b of the Zoning Ordinance.

We understand that you wish to exercise your appeal rights in this matter as stated under Section 602.24c of the Zoning Ordinance. Accordingly you or your authorized representative should come to this office, Room 113, to file the appeal on forms available here. A fee of \$15.00 shall be paid at the time the appeal is filed.

Very truly yours,

Edwin W. Locke, Jr.
Planner Examiner II

EWL/c

Portland Maine

July 7, 1970

Franklin G. Hinkley
Board of Appeals
City Hall
Portland
Me.

Dear Sir:-

I received your notice of public hearing on July 16, 1970 to consider another building on land near present filling station at corner of Congress St & Front St. As I will be out of the city on the 16th am taking this method of voicing my opinion.

Several years back we were asked to give permission for Maurice Johnson on Cliff St to build a snow mill for work on lumber as he was doing carpenter work at that time. This has developed into heavy construction and has no relation to mill work and we have heavy trucks, brush chippers and associated equipment out & on our street every day of the week.

Also some time back we were asked to give consent to Harold

man for Garage at 1586 Congress
and that developed into medical
art & junk cars which we have had
to look at for years and you have a
whole draw full of complaints on this
property and I have personally been
in to City Hall and was told that
the residents could not do anything
about it as permit was transferable.

Now I will not give my consent
to any more permits to change the
environment as this is classified as
a residential area and I wish it
kept that way.

Very truly yours
Kenneth W. Carter
13 Brema St
Portland
Maine

04102

Board of Appeals
Franklin G. Hinckley
Chairman

To Whom it may concern; -

I wish to protest any expansion of this service station because I have been to previous appeals of this place and had to have them remove 4 pumps and a hydraulic lift outside of the present station for which they had no right to install and also they were open 24 hrs. a day thus creating a nuisance at night time with radios running full blast while the neighbors were trying to sleep. This is a trying situation for me at the present time. Now I have become an invalid and have lost my right leg and I vigorously protest of any expansion of this

service station

Sincerely
Edward M. Hopkins
1566 Congress St.

Margaret R. Hopkins
1566 Congress St.

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Thursday, July 30, 1970 at 4:00 p.m. to hear the following appeals:

Granted
56 RIVERVIEW STREET - To permit construction of a 1-story frame addition 12' x 11' on rear of the existing dwelling. This permit is presently not issuable under the Zoning Ordinance because there will only be a 4'3" side yard instead of the required 8' side yard as stated under Section 602.4b.2 of the Zoning Ordinance.

Held
LOT 184 LEXINGTON AVENUE - Harold C. & Helen F. White - To permit construction of a 1-story frame dwelling 34' x 24'. This permit is presently not issuable under the Zoning Ordinance because: (1) the width of the lot (measured through the building where the lot is the narrowest) is only about 52' instead of the 65' required by Section 602.4b.9 of the Ordinance applying to the R-3 Residential Zone in which the property is located; (2) the area of the lot is only about 4,988 square feet instead of the 6,500 square feet required by Section 602.4b.7 for minimum lot area and minimum area per family.

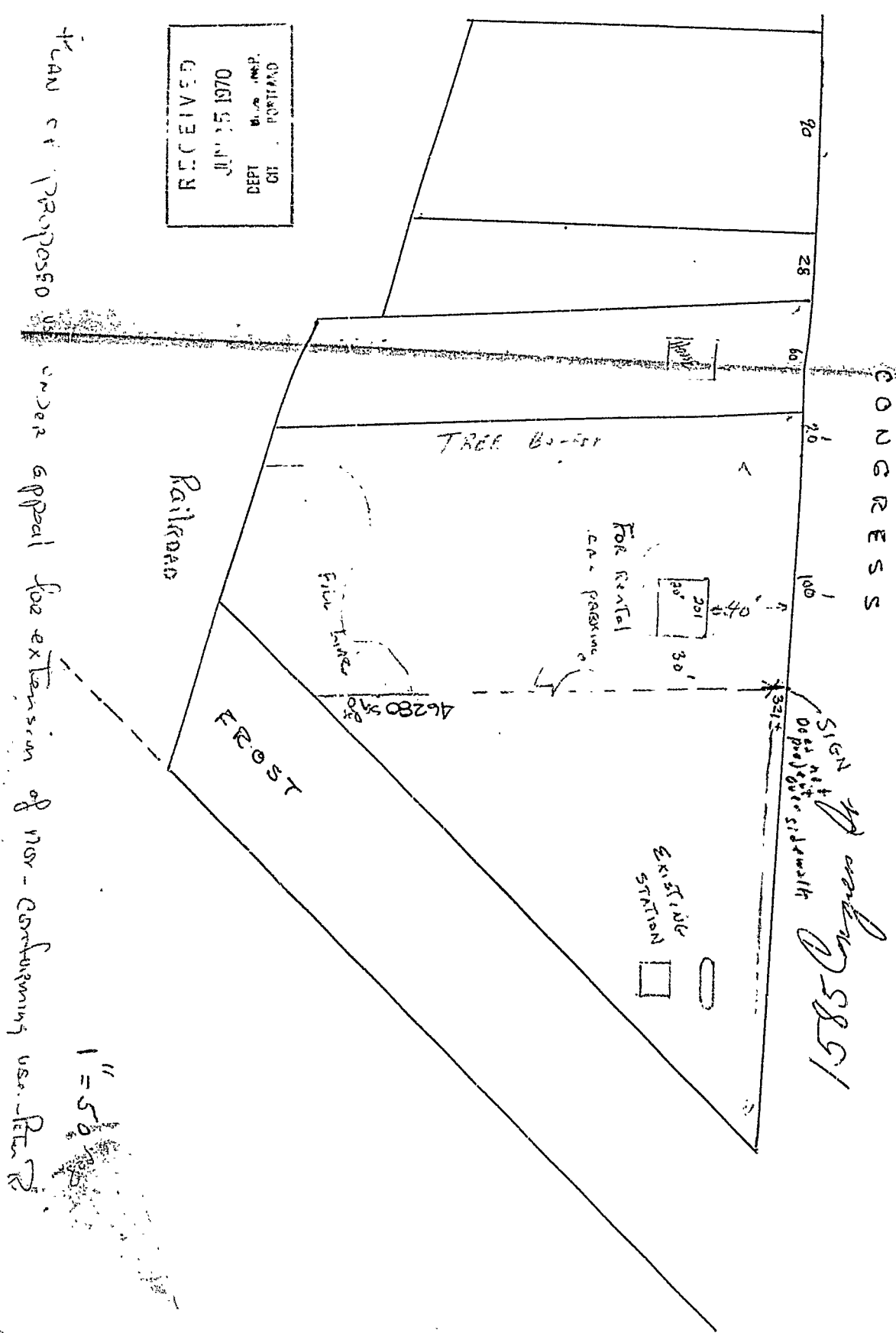
Granted
87-89 BELFORT STREET - Raymond P. Carter - To permit changing one room in dwelling house to a hair dressing establishment. This permit is presently not issuable under the Zoning Ordinance because the dwelling has only 720 square feet of floor area minus the shop area of 131 square feet leaves a floor area of 589 square feet which is less than the minimum 900 square feet of living area required to qualify under a "Home Occupation".

Granted
9 AVALON TERRACE - Gloria Villacci - To permit changing the use of 1-family dwelling to a 2-family dwelling and to construct a 24' x 30' addition to the side and rear of the existing dwelling. This permit is presently not issuable under the Zoning Ordinance because: (1) the proposed use is not allowable in the R-3 Residential Zone in which the property is located; (2) the side yard along the addition will only be two feet instead of the required eight feet as stated under Section 602.4b.2 of the Ordinance; (3) only one parking space will be provided on this lot instead of the two required by Section 602.14b.1 of the Zoning Ordinance.

Held
136-138 VIRGINIA STREET - Hayden & Notis - To permit construction of a 1½ story frame dwelling 24' x 34'. This permit is presently not issuable under the Zoning Ordinance because: (1) the area of this lot will only be 6,000 square feet instead of the required 6,500 square feet as stated under Section 602.4b.8 of the Zoning Ordinance; (2) the width of this lot will only be 60 feet instead of the 65 feet required under Section 602.4b.9 of the Zoning Ordinance.

Held
20-22 NEVADA AVENUE - Hayden & Notis - To construct a 1-story frame dwelling 24' x 34'. This permit is presently not issuable under the Zoning Ordinance because: (1) the area of this lot is only 6,000 square feet instead of the required 6,500 square feet as stated under Section 602.4b.8 of the Zoning Ordinance; (2) the width of said lot will only be 60 feet instead of the minimum of 65 feet required under Section 602.4b.9 of the Zoning Ordinance.

RECEIVED
JUN 15 1970
DEPT. OF TRANSPORTATION
CHICAGO



PLAN of PROPOSED extension of railroad for extension of non-conforming use. R.R.



RS RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine,

June 25, 1970

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 1585 Congress Street Within Fire Limits? _____ Dist. No. _____
Owner's name and address Peter Rogers, Forest Ave. Plaza Telephone _____
Lessee's name and address Ray L. Hefflefinger, 20 Curtis Rd. Telephone _____
Contractor's name and address not let Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building accessory to existing gas station (office) No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ _____

General Description of New Work

To construct accessory building 15' x 15' in conjunction to existing gas station use and to establish parking area as per plans.

To erect (1)-detached pole sign (doublefaced) 5' x 10' as per plan-non-flashing.

This application is preliminary to get settled the question of zoning appeal. In the 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

Ray L. Hefflefinger, 20 Curtis Rd. Portland, ME 04106

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? _____

APPROVED:

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

Peter Rogers
Ray Hefflefinger

INSPECTION COPY

Signature of owner By: Peter RogersMac

Re: 1585 Congress St.

June 30, 1970

Mr. Peter Rogers,
Forest Avenue Plaza
449 Forest Avenue

cc: Ray L. Hefflefinger,
20 Curtis Road
cc: Corporation Counsel

Dear Mr. Rogers:

Permit to construct a 15'x15' accessory building in conjunction with existing service station and to erect a double face 5'x10' pole sign at the above named location in the R-5 Residential Zone in which this property is located is presently not issuable under the Zoning Ordinance for the following reasons:

1. The existing service station is a non-conforming use and the construction of the new 15'x15' building and the erection of the said sign would increase the cubical content of the said non-conforming use which is not allowed as stated under Section 602.17b of the Zoning Ordinance.

We understand that you wish to exercise your appeal rights in this matter as stated under Section 602.24c of the Zoning Ordinance. Accordingly you or your authorized representative should come to this office, Room 113, to file the appeal on forms available here. A fee of \$15.00 sh. ll be paid at the time the appeal is filed.

Very truly yours,

EWL/c

Edwin W. Locke, Jr.
Planner Examiner II

1585 CONGRESS STREET - Peter Rogers - To construct a 15'x15' accessory building in conjunction with existing service station and to erect a double face 5' x 10' pole sign. This permit is presently not issuable under the Zoning Ordinance because: (1) the existing service station is a non-conforming use in the R-5 Residential Zone in which the property is located and the construction of the new 15' x 15' building and the erection of the said sign would increase the cubical content of the said non-conforming use which is not allowed as stated under Section 602.17b of the Zoning Ordinance.

1396-1408 CONGRESS STREET - Shaw's Realty Co. - To construct a 1-story concrete service station 9' x 60' and an attached roof sign 5' x 8' (25' 4" high). This permit is presently not issuable under the Zoning Ordinance because such a use is not allowable unless authorized by the Board of Appeals under Section 602.8a.12 of the Ordinance.

1408-1422 CONGRESS STREET - Shaw's Realty Co. - To permit construction of a one-story brick restaurant 30' x 85' and erect a detached pole sign 6' x 7" square (16' 7" high). This permit is presently not issuable under the Zoning Ordinance because: (1) the proposed restaurant use is not an allowable use as stated under Section 602.8a of the Zoning Ordinance; (2) as stated under Section 602.16.4 of the Zoning Ordinance pole signs are not allowed in this B-1 Business Zone.

256-262 WOODFORD STREET - Chevron Oil Company - To construct a 1-story concrete block service station 30' x 46' in place of existing service station. This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) construction of the larger building will increase the existing non-conforming use contrary to Section 602.8A.12.b applying to the B-1 Business Zone in which the property is located; (2) the two sets of gasoline pumps are located about 12 feet from the street line instead of the required 15 feet as required under Section 602.8c.3 of the Ordinance.

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Thursday, July 30, 1970 at 4:00 p.m. to hear the following appeals:

56 RIVERVIEW STREET - To permit construction of a 1-story frame addition 12' x 11' on rear of the existing dwelling. This permit is presently not issuable under the Zoning Ordinance because there will only be a 4'3" side yard instead of the required 8' side yard as stated under Section 602.4b.2 of the Zoning Ordinance.

LOT 184 LEXINGTON AVENUE - Harold C. & Helen F. White - To permit construction of a 1-story frame dwelling 34' x 24'. This permit is presently not issuable under the Zoning Ordinance because: (1) the width of the lot (measured through the building where the lot is the narrowest) is only about 52½' instead of the 65' required by Section 602.4b.9 of the Ordinance applying to the R-3 Residential Zone in which the property is located; (2) the area of the lot is only about 4,988 square feet instead of the 6,500 square feet required by Section 602.4b.7 for minimum lot area and minimum area per family.

87-89 BELFORT STREET - Raymond P. Carter - To permit changing one room in dwelling house to a hair dressing establishment. This permit is presently not issuable under the Zoning Ordinance because the dwelling has only 720 square feet of floor area minus the shop area of 131 square feet leaves a floor area of 589 square feet which is less than the minimum 900 square feet of living area required to qualify under a "Home Occupation".

9 AVALON TERRACE - Gloria Villacci - To permit changing the use of 1-family dwelling to a 2-family dwelling and to construct a 24' x 30' addition to the side and rear of the existing dwelling. This permit is presently not issuable under the Zoning Ordinance because: (1) the proposed use is not allowable in the R-3 Residential Zone in which the property is located; (2) the side yard along the addition will only be two feet instead of the required eight feet as stated under Section 602.4b.2 of the Ordinance; (3) only one parking space will be provided on this lot instead of the two required by Section 602.14b.1 of the Zoning Ordinance.

136-138 VIRGINIA STREET - Hayden & Notis - To permit construction of a 1½ story frame dwelling 24' x 34'. This permit is presently not issuable under the Zoning Ordinance because: (1) the area of this lot will only be 6,000 square feet instead of the required 6,500 square feet as stated under Section 602.4b.8 of the Zoning Ordinance; (2) the width of this lot will only be 60 feet instead of the 65 feet required under Section 602.4b.9 of the Zoning Ordinance.

20-22 NEVADA AVENUE - Hayden & Notis - To construct a 1-story frame dwelling 24' x 34'. This permit is presently not issuable under the Zoning Ordinance because: (1) the area of this lot is only 6,000 square feet instead of the required 6,500 square feet as stated under Section 602.4b.8 of the Zoning Ordinance; (2) the width of said lot will only be 60 feet instead of the minimum of 65 feet required under Section 602.4b.9 of the Zoning Ordinance.

MEMORANDUM FROM DEPARTMENT OF BUILDING INSPECTION, PORTLAND, MAINE

June, 1968

Location: 1585 Congress St.

Before tank and piping is covered from view, installer is required to notify the ~~Fire Dept. Headquarters~~ readiness for inspection and to refrain from covering up until approved by the ~~Fire Dept. Headquarters~~

(1)
This tank of 5000 gallons capacity is required to be of steel or wrought iron no less in thickness than #4 gauge; and before installation is required to be protected against corrosion, even though galvanized, by two coats of tar, asphaltum, or other suitable rust-resisting paint, and special protection wherein corrosive soil such as cinders or the like.

Pipe lines connected to underground tanks, other than tubing and except fill lines and test wells, must be provided with double swing joints arranged to permit the tank to settle without impairing the efficiency of the pipe connections.

Owner and installer will have to bear the responsibility for the structural capacity of the tank to support loads from above such as heavy motor trucks.

If tank will be so located as to be subjected to the action of tide water or "ground" water, adequate anchorage or weighting must be provided to prevent "floating" when tank is empty or nearly so.



RS RESIDENCE ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Installation
Portland, Maine, June 18, 1968

PERMIT ISSUED

612
JUN 24 1968

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 1165 Congress Street Within Fire Limits? Dist. No.
Owner's name and address Peter J. Rogers & Maurice Greenberg, 707 Congress Telephone
Lessee's name and address Telephone
Contractor's name and address Bob Hubert, 25 Wood Ave., Boca, Maine Telephone
Architect Specifications Plans No. of sheets 2
Proposed use of building No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ Fee \$ 2.00

General Description of New Work

To install one 5,000 gal. gasoline tank - (2) 2000 gal. tanks existing)
outside underground
To be buried 3' underground covered with asphaltum no pumps
Bears Ind. Label

Sent to Fire Dept. 6/18/68
Rec'd from Fire Dept. 6/21/68

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 contractor

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 Thick' ness, 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?
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

Bob Hubert

APPROVED:

Deputy Chief Mackley 6/21/68

CS 301

INSPECTION COPY

Signature of owner

Robert Hubert

Mack

Permit No. 68/672
Location 1585 Longview St.
Owner Art J. Meyer, 3 Hawaii Ave.,
Date of permit 6/24/68
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. _____
Cert. of Occupancy issued _____
Sinking Out Notice _____
Form Check Notice _____

NOTES

8-1-68 Completed 810

X

Sustained & nationally
6/3/57 *5/16/63*

DATE: May 17, 1963

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Peter J. Rogers, Esq.

AT 1565-1589 Congress Street

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

BOARD OF APPEALS

Franklin G. Hinckley
Ralph L. Young
Harry M. Schwartz

VOTE

YES
(x)
(x)
(x)

NO
()
()
()

Record of Hearing

Petition in favor of appeal in file.

No opposition.

Provided that there shall be no parking, storage or sale of new or used cars on said premises and that the filling station use may extend only to a depth of 100 feet from Congress Street.

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE APPEAL

May 3, 1963

Frost St.

Peter J. Rogers, Inc., owner of property at 1545-1549 Congress St., corner of
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 masonry service station building, 28 feet by 18 feet in place of a much smaller building of wood frame construction at the above named location. This permit is presently not issuable for the following reasons: 1) the property is located in an R-5 Residence Zone where the existing service station is a lawful non-conforming use (having been established by appeal in 1931), but which under the provisions of Section 17-3 of the Ordinance may not be extended or modified so as to increase the cubical content or degree of non-conformity; 2) a detached pole sign to be located near the street corner will encroach unlawfully upon the 20-foot front yard area required by Section 6-3-4, the 40-foot setback area required by Section 21 for that part of Congress Street where the property is located, and the 25-foot corner clearance area required by Section 19-M; 3) the pump island is to be located only about 15 feet back from Congress Street and will thus encroach unlawfully upon the 20-foot front yard area and the 40-foot setback area.

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.

Peter J. Rogers
APPELLANT

DECISION

After public hearing held May 16, 1963, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case, provided that there shall be no parking, storage or sale of new or used cars on said premises and that the filling station use may extend only to a depth of 100 feet from Congress St. It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case, provided that there shall be no parking, storage, or sale of new or used cars on said premises and that the filling station use may extend only to a depth of 100 feet from Congress Street.

Frederic G. Hillery
John J. Hillery
John J. Hillery
BOARD OF APPEALS

MAY 6 1953

We, the undersigned, all residents and property owners of the City of Portland, do recommend to the Board of Appeals for the City of Portland, that the appeal of Peter J. Rogers and Morris Greenberg be granted for the construction of a Filling Station at 1585 Congress Street.

Edward L. Barto	1563 Congress St,
Agda Barto	" "
Edward P. Davis	Brewer St
Anna E. Flaherty	Brewer St
Barbara A. ...	Brewer St
Edgar P. Cate	Brewer St
Edmund H. Luce	1524 Congress St
Phil D. Luce	" " "

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

May 6, 1963

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, May 16, 1963, at 4:00 p.m. to hear the appeal of Peter J. Rogers requesting an exception to the Zoning Ordinance to permit construction of a masonry service station building 28 feet by 48 feet in place of a much smaller building of wood frame construction at 1565-1589 Congress Street, corner of Frost Street.

This permit is presently not issuable because: 1) the property is located in an R-5 Residence Zone where the existing service station is a lawful non-conforming use (having been established by appeal in 1931), but which under the provisions of Section 17-B of the Ordinance may not be extended or modified so as to increase the cubical content or degree of non-conformity; 2) a detached pole sign to be located near the street corner will encroach unlawfully upon the 20-foot front yard area required by Section 6-B-4, the 40-foot setback area required by Section 21 for that part of Congress Street where the property is located, and the 25-foot corner clearance area required by Section 19-M; 3) the pump island is to be located only about 15 feet back from Congress Street and will thus encroach unlawfully upon the 20-foot front yard area and the 40-foot setback area.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

ALBERT J. SEARS
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE
Department of Building Inspection

A.P.-1565-1589 Congress St., corner of Frost St.

May 3, 1963

Peter J. Rogers, Esq.
Morris Greenberg, Esq.
92 Exchange Street

cc to: Corporation Counsel

Gentlemen:

Building permit for construction of a Masonry service station building 26 feet by 48 feet in place of a much smaller building of wood frame construction at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in an R-5 Residence Zone where the existing service station is a lawful non-conforming use (having been established by appeal in 1931), but which under the provisions of Section 17-B of the Ordinance may not be extended or modified so as to increase the cubical content or degree of non-conformity.
2. A detached pole sign to be located near the street corner will encroach unlawfully upon the 20-foot front yard area required by Section 6-A-4, the 40-foot setback area required by Section 21 for that part of Congress Street where the property is located, and the 25-foot corner clearance area required by Section 19-A.
3. The pump island is to be located only about 15 feet back from Congress Street and will thus encroach unlawfully upon the 20-foot front yard area and the 40-foot setback area.

We understand that you would like to exercise your appeal rights in this matter. Accordingly we are certifying the case to the Corporation Counsel, to whose office you should go to file the appeal. While architectural plans of the proposed building have been filed, no information as to the size, height above grade, material, etc. of the detached pole sign has been furnished. It is important that such information be furnished before the date of the public hearing, since the Appeal Board is not likely to give approval for any sign without this information. Information as to size, material and location should also be furnished as to any other signs contemplated on the premises, whether on the building or located elsewhere.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

A.P. 1565-1589 Congress St.

Dec. 20, 1963

eter J. Rogers, Esq.
Morris Greenberg, Esq.
92 Exchange Street

Gentlemen:

Since it has been impossible to issue a permit for construction of a new masonry service station at the above named location because application for permit was never completed by payment of fee and the furnishing of necessary information and since no work has been started on the project within a period of six months from the date on which the zoning appeal was sustained, rights granted under the appeal have expired and are no longer in effect. Therefore no permit can be issued for such construction at this location unless and until the Appeal Board again authorizes it.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJJ:m

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

May 6, 1963

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, May 16, 1963, at 4:00 p.m. to hear the appeal of Peter J. Rogers requesting an exception to the Zoning Ordinance to permit construction of a masonry service station building 28 feet by 48 feet in place of a much smaller building of wood frame construction at 1565-1589 Congress Street, corner of Frost Street.

This permit is presently not issuable because: 1) the property is located in an R-5 Residence Zone where the existing service station is a lawful non-conforming use (having been established by appeal in 1931), but which under the provisions of Section 17-B of the Ordinance may not be extended or modified so as to increase the cubical content or degree of non-conformity; 2) a detached pole sign to be located near the street corner will encroach unlawfully upon the 20-foot front yard area required by Section 6-B-4, the 40-foot setback area required by Section 21 for that part of Congress Street where the property is located, and the 25-foot corner clearance area required by Section 19-M; 3) the pump island is to be located only about 15 feet back from Congress Street and will thus encroach unlawfully upon the 20-foot front yard area and the 40-foot setback area.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

LOCATION Corner of Congress St. &
Forest St. DATE 5/16/63

PERMIT _____

INQUIRY _____

COMPLAINT _____

- No Sewer -

About 75' down street
line to filled land -
Ally.

AP-1565-1589 Congress Street

May 17, 1943

Peter J. Rogers, Esq.
Morris Greenberg, Esq.
92 Exchange Street

Gentlemen:

Your appeal under the Zoning Ordinance involving the construction of a new masonry service station at the above named location has been sustained subject to the conditions that there shall be no parking, storage, or sale of new or used cars on the premises and that the service station use shall extend only to a depth of 100 feet from Congress Street. No further action towards issuance of a permit for construction of the station can be taken by this department until the permit application already filed has been completed by furnishing an estimated cost of the work and by paying the permit fee based thereon.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJ3:m

A.P.-1565-1589 Congress St., corner of Frost St.

May 3, 1963

Peter J. Rogers, Esq.
Morris Greenberg, Esq.
92 Exchange Street

cc to: Corporation Counsel

Gentlemen:

Building permit for construction of a masonry service station building 28 feet by 48 feet in place of a much smaller building of wood frame construction at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in an R-5 Residence Zone where the existing service station is a lawful non-conforming use (having been established by appeal in 1931), but which under the provisions of Section 17-B of the Ordinance may not be extended or modified so as to increase the cubical content or degree of non-conformity.
2. A detached pole sign to be located near the street corner will encroach unlawfully upon the 20-foot front yard area required by Section 6-B-4, the 40-foot setback area required by Section 21 for that part of Congress Street where the property is located, and the 25-foot corner clearance area required by Section 19-K.
3. The pump island is to be located only about 15 feet back from Congress Street and will thus encroach unlawfully upon the 20-foot front yard area and the 40-foot setback area.

We understand that you would like to exercise your appeal rights in this matter. Accordingly we are certifying the case to the Corporation Counsel, to whose office you should go to file the appeal. While architectural plans of the proposed building have been filed, no information as to the size, height above grade, material, etc. of the detached pole sign has been furnished. It is important that such information be furnished before the date of the public hearing, since the Appeal Board is not likely to give approval for any sign without this information. Information as to size, material and location should also be furnished as to any other signs contemplated on the premises, whether on the building or located elsewhere.

Very truly yours,

Albert L. Sears
Building Inspection Director

AJS:m

New Service Station at 1565-1589 Congress Street,
corner of East Street 5/3/63

- 1- Zoning: - R-5 Residence Zone
at time is a non-conforming one
established by appeal on July 31, 1931,
when it was in a General Residence
Zone. Authorization to enlarge and
re-locate must be secured from
Appeal Board. Similar appeal
granted on 10/25/62 expired on
4/25/63 because no work started.
b- A detached pole sign is to be located
at the street corner and thus will
encroach unlawfully upon the
20' front yard area required by Section
6-B.4, the 40' setback area required
by Section 21 and the corner
clearance area required by Section
19-M.
c- The pump island is to be located
only about 15 feet back from the
street line and thus will encroach
unlawfully upon required front
yard and 40' foot setback areas.

AP - 1565-1569 Congress St.
corner Frost Street

May 23, 1963

Mr. Peter J. Rogers, Esq.
Mr. Morris Greenberg, Esq.
92 Exchange Street

Gentlemen:

Although we are unable to issue a permit for construction of a masonry service station 20'x48' in place of the existing smaller building subject to conditions of your recent appeal until a cost is given and permit fee paid, inspection of your plans discloses the following variances from and questions as to Building Code requirements:

1. As Section 204-c-1 does not allow a service garage to be of Third Class Construction (wood frame) the wall sections such as those shown on Section D-1 will need to be redesigned to comply with the requirements for a Second Class (masonry wall) structure of which the remainder of the building can be classified.
2. Lintel supporting masonry will need to be fireproofed to afford the same rating as the wall that it supports. Lintels need not be fireproofed if the span is not over 10' or if the lintel is over 10' and does not support over 4' of masonry as stated in Section 303-b-2.4 of the Code.
3. The masonry walls on the higher portion of the building exceed an unsupported height of 12' allowed for 8" concrete block. This unsupported height may be taken from a concrete foundation wall which is allowed to extend not over 3' above the finished grade as stated in Section 309-B-3.
4. Where roof joists rest on top of masonry walls there will need to be incombustible fire stopping on the top of the masonry wall and the roof sheathing. See Section 302-c-2.
5. There is no indication of lintel anchors from roof joists to masonry walls where joists rest on walls. See Section 302-b-2 and 302-c-1.
6. The masonry walls will need to be required under the entrances to the overhead doors. These walls are to extend at least 4' below grade to prevent frost penetration beneath the floors of the building.
7. Floor drain in service area is required to be equipped with an oil and grease separator acceptable to the Fire Chief and the City Plumbing Inspector. See Section 204-i-1.

Peter J. Rogers, Esq.
Morris Greenberg, Esq. —————2

May 23, 1963

8. A statement of design (blank copy enclosed) covering the reinforcing concrete and structural steel design is to be signed by a qualified designer so that this statement may be attached to plans on file.
9. The detached pole signs will need to be erected under separate permits with statement of design attached to plans to show compliance with Building Code requirements.
10. The installation of the suspended heater is to be done under a separate permit to be issued to the actual installing contractor. It will be necessary to take five percent of the return air for this heater from the outside.

Very truly yours,

Gerald S. Mayberry
Deputy Director of
Building Inspection

GEN/h

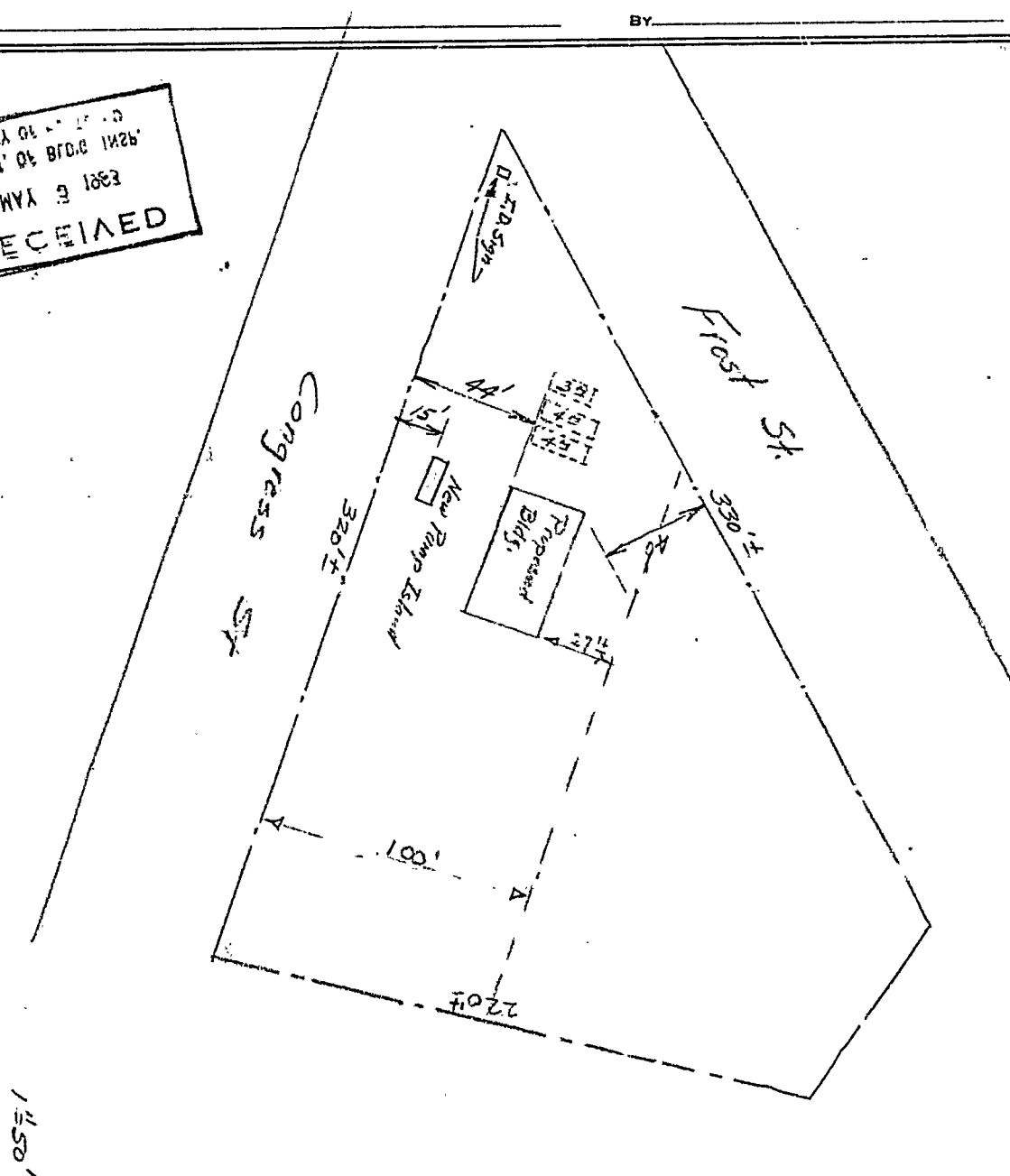
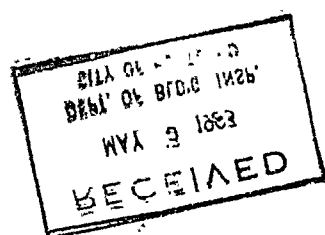
PERTH AMBOY, N. J.

SHEET _____ OF _____

SUBJECT _____

DATE _____

BY _____



SIGNED _____



R5 RESIDENCE ZONE

APPLICATION FOR PERMIT

Second Class

Class of Building or Type of Structure

Portland, Maine, May 2, 1963

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 1585 Congress Street Within Fire Limits? Dist. No.
Owner's name and address Peter J. Rogers and Morris Greenberg Telephone
Lessee's name and address 92 Exchange Street Telephone
Contractor's name and address not let Telephone
Architect Specifications Plans No. of sheets 12
Proposed use of building Service Station No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated cost \$ Fee \$

General Description of New Work

To construct 1-story concrete block building 28' x 48' as per plans

This is 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.

12/20/63 - Work not started within 6 months of date of sustaining of appeal. Appeal sustained conditionally 5/16/63. Appeal decision not in Pending File - City.
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 owner

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
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 301

INSPECTION COPY

Signature of owner

*Peter J. Rogers**PH*

Form Check Notice

NOTES

AP- 1565-1569 Congress St., corner of Frost St.

Oct. 29, 1962

Peter J. Rogers, Esq.
Mr. Morris Greenberg
92 Exchange Street

Gentlemen:

Your appeal under the Zoning Ordinance involving construction of a new service station at the above named location has been sustained subject to the condition that there shall be no parking, storage, or sale of new or used motor vehicles on the premises. Before further action can be taken by this department toward issuance of a permit, it is necessary that the application already filed be completed by furnishing an estimated cost of the work, by paying the permit fee based thereon, and by filing structural plans of the building for checking against Building Code requirements. Rights granted by the Appeal Board will expire within six months of the date on which the appeal was sustained unless work is started before that time.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

26X 44

28'X48'

AT- 1565-1589 Congress St., corner of Frost St.

Sept. 18, 1962

Peter J. Rogers, Esq.
Mr. Morris Greenberg
92 Exchange Street

cc to: Corporation Counsel

Gentlemen:

Building permit for construction of a masonry service station about 26 feet by 44 feet in place of a much smaller one of wood frame construction on the lot at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in an R-5 Residence Zone where existing service station is a lawful non-conforming use, which under the provisions of Section 17-B of the Ordinance may not be extended or modified so as to increase the cubical content or degree of non-conformity.
2. Two detached pole signs about 6 feet by 8 feet with top about 21 feet above the ground are to encroach unlawfully upon the 20-foot front yard area required by Section 6-B-4 and upon the 40-foot setback area required by Section 21 for that part of Congress Street where the property is located.
3. Two gas pump islands are also to encroach unlawfully upon the 40 foot setback area required by Section 21 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, to whose office in Room 208, City Hall, you should go to file the appeal.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:M

New Service Station at 1565-1587 Congress Street,
corner of First Street 9/17/62

- 1- Zoning: R-5 Residence zone
a- Use is a non-conforming use established by appeal on July 20, 1931, when it was in a General Residence zone. Authorization to enlarge and re-locate must be secured from Appeal Board.
b- Two detached pole signs about 4 feet by 6 feet with top about 19' above ground are to encroach upon the 20-foot front yard area required by Section 6-B-4 applying to R-5 zone and 15' 40-foot setback required by Section 21.
21-
c- Two gas pump islands are to encroach upon the 40-foot setback area.

At-1569-1585 Congress St., corner of Frost St.

July 3, 1962

Peter J. Rogers, Esq.
Mr. Morris Greenberg
92 Exchange Street

cc to: Philip S. Snow
477 Congress Street
cc to: Traffic Engineer

Gentlemen:

As you are aware, a building permit for construction of a masonry service station building 26 feet by 44 feet in place of a much smaller building of wood frame construction at the above named location is not issuable under the Zoning Ordinance because this would be an extension of a use which is non-conforming in the R-5 Residence Zone in which it is located.

We understand you would like to exercise your appeal rights in this matter. However, before a certification letter can be written, more information is needed. The plan filed with application for permit has no indication as to location of tanks or signs, which will also be non-conforming and require authorization by the Board of Appeals. Full information as to these features, including location, type, and size of all signs, is needed. Distance of pump island back from street line also needs to be indicated since it apparently will be located within the 40-foot setback area and will need to be included in the items to be appealed.

Plot plan also needs to indicate the location and width of all driveway approaches to the lot. Under the City Sidewalk Ordinance it will be necessary to provide sidewalk and curbing along the street line unless waiver of this requirement is secured from the City Council. The City Traffic Engineer, whose office is in the quarters of the Department of Public Works in City Hall, should be consulted as to any questions you may have in regard to the application of this Ordinance.

Since there is no public sewer easily available, it appears likely that septic tank sewage disposal facilities will also be involved. No permit can be issued by this department until approval of such facilities has been given by the Health Department. It is suggested that Mr. Winch of that department be consulted in this matter.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m



R3 RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, July 2, 1962

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 1585 Congress Street Within Fire Limits? _____ Dist. No. _____
Owner's name and address Peter J. Rogers & Sons Telephone _____
Lessee's name and address 92 Exchange St. Telephone _____
Contractor's name and address _____ Telephone _____
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Service Station No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ _____

General Description of New Work

To construct 1-story concrete block building 26'x44' as per plan

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

Appeal rights expired because no work started within six months. See later appeal. 10/25/62

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** Rogers

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 on 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

Peter J. Rogers & Sons

P

Permit No. 621
Location 1585 Congress St
Owner Peter Rogers
Date of permit 7/1/62
Notif. closing-in
Inspn. closing-in
Final Notif.
Final Inspn.
Cert. of Occupancy issued
Staking Out Notice
Form Check Notice

NOTES

Granted Conditionally
62/97

DATE: October 25, 1962

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Peter J. Rogers, Esq. and Morris Greenberg
AT 1565-1589 Congress Street

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

BOARD OF APPEALS

VOTE

	Yes	No
Franklin G. Hinckley	(x)	()
Harry M. Schwartz	()	()
Ralph L. Young	(x)	()

Record of Hearing:

PROVIDED THAT THERE SHALL BE NO PARKING, STORAGE, OR SALE OF NEW OR USED
CARS ON SAID PREMISES.

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE APPEAL

October 3, 1962

Peter J. Rogers, Esq. and
Morris Greenberg, owner of property at 1565-1589 Congress Street
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 masonry service station about 26 feet by 44 feet in place of much smaller one of wood frame construction on these premises. This permit is presently not issuable because this property is located in an R-5 Residence Zone where existing service station is a lawful non-conforming use which may not be extended or modified so as to increase the cubical content or degree of non-conformity; because two detached pole signs about 6 feet by 8 feet with top about 21 feet above the ground are to encroach unlawfully upon the 20-foot front yard area required and upon the 40-foot setback area required; and because two gas pump islands are also to encroach upon the 40-foot setback area required.

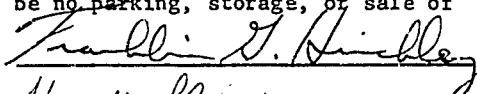
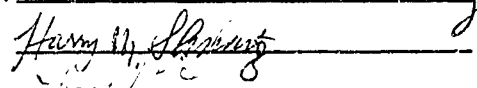
LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional 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.


APPELLANT

DECISION

After public hearing held October 25, 1962, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case, provided that there shall be no parking, storage, or sale of new or used cars on said premises.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case, provided that there shall be no parking, storage, or sale of new or used cars on said premises.



BOARD OF APPEALS

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

October 22, 1962

Mr. Morris Greenberg
92 Exchange Street
Portland, Maine

Dear Sir:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, October 25, 1962 at 4:00 P.M. to hear your appeal under the Zoning Ordinance.

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

BOARD OF APPEALS
Franklin G. Hinckley
Chairman

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

October 15, 1962

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine, on Thursday, October 25, 1962 at 4:00 p. m. to hear the appeal of Peter J. Rogers and Morris Greenberg requesting exception to the Zoning Ordinance to permit construction of masonry service station about 26 feet by 44 feet in place of a much smaller station now located on the premises at 1565-1589 Congress Street.

This permit is presently not issuable because this property is located in a R-5 Residence Zone where the existing service station is a lawful non-conforming use which may not be extended or modified so as to increase the cubical content or degree of non-conformity; because two detached pole signs about 6 feet by 8 feet with top about 21 feet above the ground are to encroach unlawfully upon the 20-foot front yard area required and upon the required 40-foot setback area; and because two gas pump islands are also to encroach upon the said 40-foot setback area.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

ALBERT J. SEARS
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE
Department of Building Inspection

AP- 1565-1589 Congress St., corner of Frost St.

Sept. 18, 1962

Peter J. Rogers, Esq.
Mr. Morris Greenberg
92 Exchange Street

cc to: Corporation Counsel

Gentlemen:

Building permit for construction of a masonry service station about 26 feet by 44 feet in place of a much smaller one of wood frame construction on the lot at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in an R-5 Residence Zone where existing service station is a lawful non-conforming use, which under the provisions of Section 17-B of the Ordinance may not be extended or modified so as to increase the cubical content or degree of non-conformity.
2. Two detached pole signs about 6 feet by 8 feet with top about 21 feet above the ground are to encroach unlawfully upon the 20-foot front yard area required by Section 6-B-4 and upon the 40-foot setback area required by Section 21 for that part of Congress Street where the property is located.
3. Two gas pump islands are also to encroach unlawfully upon the 40 foot setback area required by Section 21 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, to whose office in Room 208, City Hall, you should go to file the appeal.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

October 15, 1962

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine, on Thursday, October 25, 1962 at 4:00 p. m. to hear the appeal of Peter J. Rogers and Morris Greenberg requesting exception to the Zoning Ordinance to permit construction of masonry service station about 26 feet by 44 feet in place of a much smaller station now located on the premises at 1565-1589 Congress Street.

This permit is presently not issuable because this property is located in a R-5 Residence Zone where the existing service station is a lawful non-conforming use which may not be extended or modified so as to increase the cubical content or degree of non-conformity; because two detached pole signs about 6 feet by 8 feet with top about 21 feet above the ground are to encroach unlawfully upon the 20-foot front yard area required and upon the required 40-foot setback area; and because two gas pump islands are also to encroach upon the said 40-foot setback area.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

We the undersigned being property owners of real estate situated on Congress and Frost Streets within Five hundred (500) feet of the filling station now located at 1585 Congress Street do hereby consent to the proposed erection of a modern filling station to replace the present existing station.

Edna S. Barter	} 1563 Congress St. 109 Frost St.
Opala Barter	
Agel M. Jensen	109 " "
Robert H. Jensen	114 Frost St.
Anthony Romano	1608 Congress St.
H. F. Stanley	1530 Congress St.
Mr. Arthur Bonis	1530 Congress St.
Mrs. Dorothy Bonis	1583 Congress
Aldo Bremer	1562 Congress St.
Laurita M. Dawson	1544 Congress St.
T. Maude Maxwell	11 Bremer St.
Edward P. Flaherty	11 Bremer St.
Anna Flaherty	16 Bremer St.
E. Harry Johnson	"
Bessie H. Johnson	1524 Congress
A. H. Kell	



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

CS-66

Location:

INSPECTION COPY

COMPLAINT NO. 57/114

Date Received October 1, 1957

Location 1585 Congress Street

Use of Building _____

Owner's name and address Peter J. Rogers and Morris Greenberg
14 Sewall Street

Telephone _____

Tenant's name and address Community Oil Co., 204 Kennebec Street

Telephone _____

Complainant's name and address Hasty Thompson, 1288 Westbrook St.

Telephone 4-8422

Description: Sale of gasoline discontinued - repairing "hot rods" and selling used cars

NOTES: Photos Taken 10:25 P.M.

PH

Eugene H. Tiviedie, 82 Linton St. S.P. has been
operating this station. Two or three cars left, these
will be moved by Friday. John Tiviedie
says station has been leased to Community
Oil to serve other tenant and repairing
"hot rods", was done by former tenants.

11-18-57. This station is now occupied
by William Chaplin and Gary McKague
and is advertised as "Bill & Gary's".
a young man employee says station
was opened about Oct. 18, 1957. (He has
been working at the station since it
was first opened). No repairing of
cars to be done. Fuel trucks
have Maine Dairy Delivery on them. No
other truck noticed by the operators
to be used for trucks in the
neighborhood.

11/21/57 - Warning letter - W.F. of

November 21, 1957

Cmplt: 1585 Congress St. - Use of Service Station as non-conforming use in Res. Zone

Messrs. William Chaplin & Gary McKague
1585 Congress Street
Community Oil Company
204 Kennebec Street

cc to: Peter J. Rogers, Esq.
Morris Greenberg, Esq.
14 Sewall Street

Gentlemen:

Now that Messrs. Chaplin and McKague are the new operators of this station, it seems best to notify you and remind you of the limitations as to use of this station which has existed for many years as a non-conforming use under the Zoning Ordinance in a Residential Zone.

Community Oil will remember some difficulties with the use a few years ago, but the present operators may not be aware of any limitations. The immediate former operators were carrying on activities which were not permitted. It seems sufficient to say that only the Service Station use, including activities clearly incidental to such a station, and those activities only, are all that are allowed.

Our Inspector finds that there were at one time three trucks parked on the property -- two with Maine Dairy lettering on them (and one of these marked For Sale) and the service truck of the operators. Zoning Ordinance allows only one truck or commercial vehicle to be parked on the premises at any given time, it does not allow offering vehicles For Sale on the property. Please take steps at once to place the property in conformity with the Ordinance. Some of the other limitations are that no additional signs are permitted and no additional storage tanks, pumps, piping, etc. or relocation of existing equipment is allowable.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCD:m



204 KENNEBEC STREET (At Forest Avenue)

• PORTLAND 1, MAINE

TEL. 2-7481

May 8, 1956

pls for g b

Mr. Warren McDonald
Building Inspector
City Hall
Congress Street
Portland, Maine

Dear Mr. McDonald:

re: Congress & Frost Streets

In compliance with your request we have had removed
1-1000 gallon tank which was used for diesel fuel.

Very truly yours,

Fred J. Foley Jr.
Fred J. Foley Jr.

CC; Chief Harry Mari

Rec'd 7/9/56
mm



LARGEST INDEPENDENT OIL COMPANY IN MAINE AND NEW HAMPSHIRE



REU W/CP 5/1/56

January 27, 1956

GL 1585 Congress St., corner of
Frost St.—license for gasoline
storage

Community Oil Co.
Att: Mr. Fred Foley, Jr.
204 Kennebec St.
Mr. Forrest F. Preston
151 Franklin St.

Copies to Messrs. Morris Greenberg Esq.
and Peter J. Rogers Esq.
102 Exchange St.

Gentlemen:-

Mr. Preston's application for a storage license for gasoline at the above location has been referred to me for approval under the Zoning Ordinance. After examination of the record and talking with Mr. Foley over the phone, I find that the license can be approved under the Zoning Ordinance for only 8000 gallons of gasoline instead of the 10 on the face of the application, and the storage of no diesel oil.

There is at this station, before Mr. Preston's connection with it, a 1000 gallon tank for storage of diesel oil and a pump to serve that tank. That equipment was put in without securing the required permit from this department, and the installation was also contrary to the Zoning Ordinance. It had formerly been the agreement upon approval of a former storage license that both diesel oil tank and pump were to be removed. It now appears that the pump was removed but the tank was only capped and left in the ground.

Because of the season of the year and frost ⁱⁿ ground, the storage license for gasoline only is being approved limited to 8000 gallons without removal of the diesel oil tank, but relying on Mr. Foley's promise over the phone that he will have the tank completely removed as soon as frost is out of the ground, and notify this office of that removal. Since no permit was secured to install the tank, no permit will be required to remove it.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMD/g