

971-979 BRIGHTON AVENUE

State of New York
Department of Taxation and Finance



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP ... B.O.C.A. TYPE OF CONSTRUCTION ... 11.0.0 ... ZONING LOCATION R-P PORTLAND, MAINE, ... DEC 31 1980 ... 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 977 Brighton Avenue Lehr
1 Owner's name and address Ronald B. Lehr - same Fire District #1 [] #2 [] Telephone B773-2261
2 Lessee's name and address Maine Bay Canvas - same Telephone ...
3 Contractor's name and address Telephone ...
4 Architect Specifications Plans No of sheets
Proposed use of building No families
Last use No families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ Fee \$ 15.00

FIELD INSPECTOR—Mr. Marge GENERAL DESCRIPTION
This application is for: @ 775-5451
Dwelling Ext. 234 Change of use from dwelling & florist shop to dwelling and general business office as a home occupation, no alterations or structural changes.
Garage
Masonry Bldg.
Metal Bldg.
Alterations
Demolitions
Change of Use
Other

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

PERMIT IS TO BE ISSUED TO 1 [] 2 [] 3 [] 4 []
Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is 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 ... number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

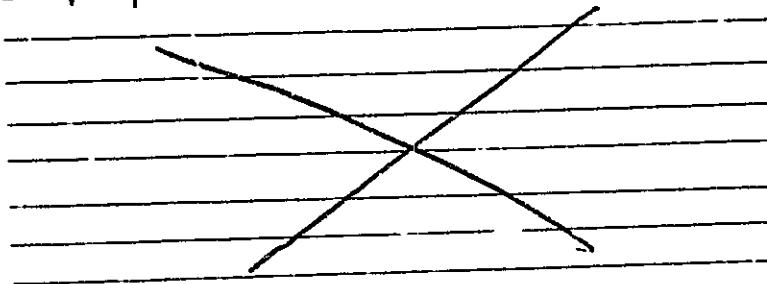
APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION—PLAN EXAMINER Will work require disturbing of any tree on a public street?
ZONING: C.N. MacLean 12/3/80
BUILDING CODE: Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?
Fire Dept:
Health Dept:
Others:

Signature of Applicant Ronald B. Lehr Phone # same
Type Name of above Ronald B. Lehr 1 [] 2 [] 3 [] 4 []

FIELD INSPECTOR'S COPY and Address

NOTES

11/20/81 Don Martella is still owner - clearing to
be late of March, tells to move on beginning of
April, 81 - HB - WALTER SAYS TO SKIP IT. CB



Permit No. 8011450
Location 9777 Esplanade
Owner Ronald J. Jones
Date of permit 12-31-80
Approved 12-31-80

#6

Two columns of empty lined paper for additional notes.

Zone - R-P



APPLICATION FOR PERMIT

Class of Building or Type of Structure Wooden

Portland, Maine, August 6, 1971

PERMIT ISSUED

AUG 18 3 1971

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 977 Brighton Ave. Cor. Wesssex St. Within Fire Limits? _____ Dist. No. _____

Owner's name and address Joan Martelle -- Same Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address Stepehn Secord - 169 Washburn Ave. Telephone _____

Architect _____ Telephone _____

Proposed use of building 2-car garage Specifications _____ Plans _____ No. of sheets 6

Last use _____ No. families _____

Material wood No stories 1 Heat _____ Style of roof pitch No. families _____

Other buildings on same lot dwelling & greenhouse Roofing asphalt

Estimated cost \$ 3500.00 Fee \$ 12.00

General Description of New Work

paid 8-9-71

To construct 22' x 26' two-car detached garage. As per plans

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

Details of New Work

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

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) 2x4-24" 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 2, to be accommodated 0 number commercial cars to be accommodated _____

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

APPROVED:

O.K. 8-6-71 - N.K.C.

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

Stephen Secord
By: C. Grover

INSPECTION COPY *Signature of owner*

NOTES

Permit No. 711
 Location 979 Brighton Ave
 Owner J. J. Quattle
 Date of permit 8/1/71
 Notif. closing-in
 Insprn.-closing-in I.R.V.
 Final Notif.
 Final Inspn.
 Cert. of Occupancy issued

8/14/71 Location OK
 ready to pour cement
 JB

8/18/71 Did not find my way
 to I was called out again
 JB

8/24/71 Starting to frame up
 JB

9/3/71 Same -
 JB

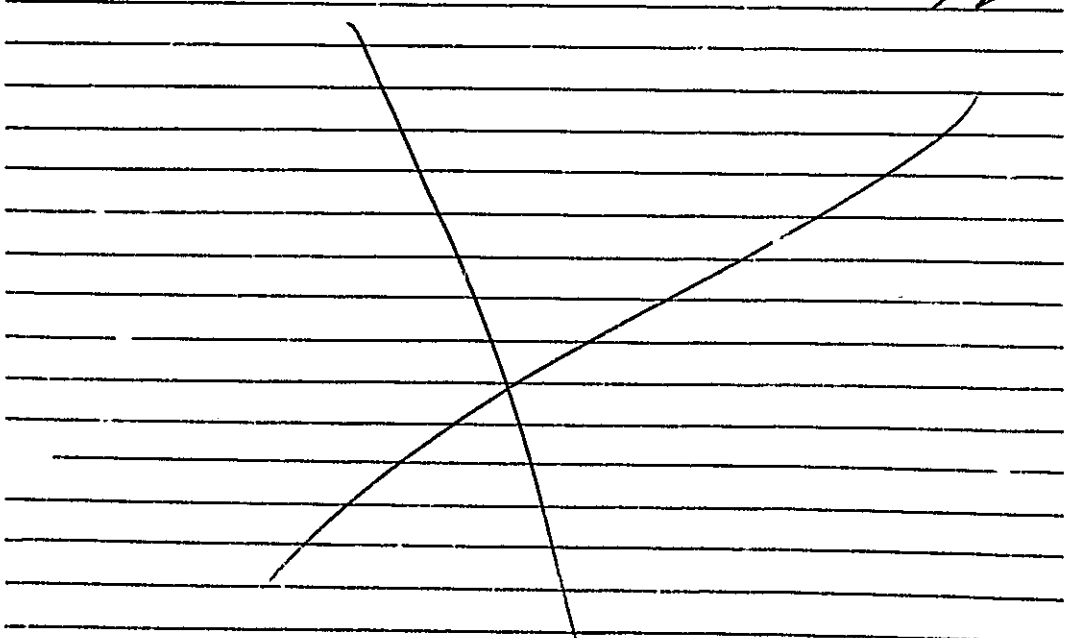
9/13/71 Framed up -
 JB

9/14/71 Same
 JB

9/23/71 About completed
 JB

9/27/71 Completed except for doors
 JB

10/5/71 Completed
 JB



A.P.-977 Erighton Ave.

Oct. 23, 1968

Joan Martelle
977 Erighton Avenue

cc to: Joseph Fari & Alfred Martelle
176 Holm Avenue

Dear Mr. Martelle:

Permit to construct a 10'x20' frame tool shed is
being issued subject to the following:

1. If a concrete block foundation is to be
used it must extend below grade at least
4' with a footing.

Very truly yours,

Edwin W. Locke, Jr.
Inspector II

EHL:sz

10th Ave

275-C-12,3

Ed

CHECK LIST AGAINST ZONING ORDINANCE

- ✓ Date - Before
- ✓ Zone Location - R-3
- ✓ Interior or corner Lot -
- 40-ft-setback area? (Section 21) -
- Use - tool shed
- ✓ Sewage Disposal -
- ✓ Rear Yards - 30'
- ✓ Side Yards - 60'
- ✓ Front Yards - ok
- ✓ Projections -
- ✓ Height - ✓
- Lot Area - 16000 25% 4000^{sq}
- Building Area - 1781 + 200 = 1981^{sq}
- Area per Family -
- ✓ Width of Lot -
- ✓ Lot Frontage -
- Off-street Parking -

PERMIT ISSUED
OCT 23 1988
1114
CITY of PORTLAND



RESIDENTIAL ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure
Portland, Maine

Third Class
October 23 1968

PERMIT ISSUED
1114
OCT 28 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 977 Brighton Ave. Within Fire Limits? _____ Dist. No. _____
 Owner's name and address Jean Martelle, 977 Brighton Ave. Telephone 774-9572
 Lessee's name and address _____ Telephone _____
 Contractor's name and address Joseph Farr, & Alfred Martelle, 176 Holm Ave. Telephone _____
 Architect _____ Specifications _____ Plans yes No. of sheets 1
 Proposed use of building Tool Shed No. families _____
 Last use _____ No. families _____
 Material frame No. stories 1 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot dwelling Fee \$ 3.00
 Estimated cost \$ 150.00

General Description of New Work

To construct 1-story frame "tool shed" for garden tools 10' x 20'

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 7' Height average grade to highest point of roof 8'
 Size, front 10' depth 20' No. stories 1 solid or filled land? solid earth or rock? earth
 Material of foundation concrete blocks Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof shed Rise per foot 2" Roof covering Asphalt Class C Und Label.
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber—Kind hemlock Dressed or full size? dressed
 Corner posts 2-2x4 Sills 4x6 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 2x6, 2nd _____, 3rd _____, roof 2x6
 On centers: 1st floor 16", 2nd _____, 3rd _____, roof 16"
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof 5'
 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:

OK 10/23/68 EWM

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

Joan Martelle

by:

Signature of owner

Mr. Arvid Martelle

INSPECTION COPY

NOTES

11-1-68
Nothing started yet
Hugh

11-27-68
Nothing as yet
Hugh

1-28-69
Nothing doing
waiting until spring
Hugh

2-21-69
Will continue on
with the work in the
Spring & summer
waiting for better
open the Agency
Hugh

4-21-69
Starting again soon
Hugh

6-10-69
Slow
Hugh

7-15-69
No change in dry
started
Hugh

9-12-69
Have stopped for some
time not doing and
repairing not able to
get a builder but
hope to eventually
Hugh

7-21-70
Good
Hugh

Permit No.	681144
Location	177. Franklin Ave. (Dine)
Owner	Ed. Stewart
Date of permit	2/6/35/68
Notif. closing-in	
Inspr. closing-in	
Final Notif.	
Final Inspn.	
Cert. of Occupancy issued	
Staking Out Notice	
Form Check Notice	

INSPECTOR COPY

PERMIT NUMBER 151

PERMIT TO INSTALL PLUMBING

Address: 977 Brighton Ave

Date Issued: 6-16-55
PORTLAND PLUMBING INSPECTOR

Installation For

Owner of Bldg: Arneido M. Martelle

Owner's Address:

By: J.P. Welch

Plumber: Roger M. Langille Date: June 6 1955

APPROVED FIRST INSPECTION

Date: June 7-55

By: J.P. Welch

APPROVED FINAL INSPECTION

Date: June 10-55

By: J.P. Welch

TYPE OF BUILDING

COMMERCIAL

RESIDENTIAL

SINGLE

MULTI FAMILY

NEW CONSTRUCTION

REMODELING

NEW	REP'L	PROPOSED INSTALLATIONS	NUMBER	FEE
		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS		
		HOT WATER TANKS	3	
		TANKLESS WATER HEATERS		
		GARBAGE GRINDERS		
		SEPTIC TANKS		
		HOUSE SEWERS	1	0.75
		ROOF LEADERS (conn. to house drain)		
				0.75
				Total

PORTLAND HEALTH DEPT.

PLUMBING INSPECTION

(COPY)



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION #977 Brighton Ave.

Issued to Amideo Martello
977 Brighton Ave.

Date of Issue November 5 1966

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No 66/1139, has had final inspection, and has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Two family dwelling house.

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

Nelson F. Cartwright
(Date) Inspector

Herald E. Mayberry
Inspector of Buildings

CS 147

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

A.P.- 977 Brighton Avenue

Sept. 30, 1966

G. L. Nichols
West Scarborough

cc to: Anselom Martelle
977 Brighton Avenue

Dear Mr. Nichols:

We find that we are unable to issue your permit to change use of this building at the above named location from a one-family to a two-family dwelling with alterations including an outside stairway from the second floor to the ground in the R-3 Residence Zone in which this building is located. This change of use is not appealable under the Zoning Ordinance because it does not meet the requirements to be appealed under Section 4-A-4-C(b) of the Ordinance which states "no open outside stairways or fire escape above the ground floor shall be constructed."

If the receipt for the fee paid is returned by the applicant within 10 days of the date of this notice, of this refusal to issue this permit, the amount of the fee on the application will be refunded.

Very truly yours,

A. Allan Joule
Inspector

AAS:m

A.P.- 973-979 Brighton Ave.

Oct. 19, 1966

Amedon Martelle
777 Brighton Avenue

cc to: G.D. Nichols, West Scarborough
cc to: Sumner Earnstoin, 443 Congress Street
cc to: Corporation Counsel

Dear Mr. Martelle:

Building permit for changing the use of the single family dwelling at the above named location to two family dwelling with one apartment in each of the first and second stories is not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-3 Residence Zone in which the property is located unless authorized by the board of Appeals under provisions of Sec. 4-A-4c of the Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you will need to come to Room 113, City Hall, where forms are available for filing this appeal and at which time the \$15.00 appeal hearing fee will need to be paid.

Very truly yours,

Gerald E. Kayberry
Building Inspection Director

GEM:IM



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, September 26, 1966

PERMIT ISSUED
01139
NOV 7 1966
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 977 Brighton Ave. Within Fire Limits? _____ Dist. No. _____
Owner's name and address Ameido Martelle, 977 Brighton Ave. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address G L Nichols, West Scarborough Me. Telephone 774-3263
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Dwelling No. families 2
Last use _____ No. families 1
Material frame No. stories 2 1/2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 2500.00 Fee \$ 7.00

General Description of New Work

To Change Use of building from one family to two family dwelling with alterations on first and second floors as per plan.

As retained 11/3/66

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 _____ 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 wall _____ height? _____

If a Garage

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

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 by: Ameido Martelle
G L Nichols

NOTES

11/7/66

This approved with
no outside staking
D.R.

12-1-66 Road D.R.

12-5-66 completed
G.R.

X

Permit No. 66/1139
 Location 9776 South Ave
 Owner *David J. Hester*
 Date of permit 11/7/66
 Notif. closing-in _____
 Inspn. closing-in _____
 Final Notif. _____
 Final Inspn. _____
 Cert. of Occupancy issued 12/5/66. *D.R.*
 Staking Out Notice _____
 Form Check Notice _____

815 pd 10/21/66
Granted 11/3/66
66/99

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE APPEAL

Ameidon Mertello, owner of property at 973-979 Brighton Ave.
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: changing the use of the single family dwelling to a two family dwelling with one apartment in each of the first and second floors. This permit is presently not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-3 Residence Zone in which the property is located unless authorized by the Board of Appeals under provisions of Sec. 4-A-4c of the Ordinance.

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

Ameydon Mertello
APPELLANT

DECISION

After public hearing held November 3, 1966, 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.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case.

Frank D. Shibley
Harry M. [unclear]
[unclear]
BOARD OF APPEALS

L

A.P.- 973-979 Brighton Ave.

Oct. 19, 1966

Arcideo Martello
977 Brighton Avenue

cc to: C. J. Nichols, West Scarborough
cc to: Sumner Bernstein, 443 Congress Street
cc to: Corporation Counsel

Dear Mr. Martello:

Building permit for changing the use of the single family dwelling at the above named location to two family dwelling with one apartment in each of the first and second stories is not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-3 Residence Zone in which the property is located unless authorized by the Board of Appeals under provisions of sec. 4-n-4c of the Ordinance.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you will need to come to Room 113, City Hall, where forms are available for filing this appeal and at which time the \$15.00 appeal hearing fee will need to be paid.

Very truly yours,

Gerald E. Kayberry
Building Inspection Director

G:am

October 31, 1966

Mr. Amado Martelle
977 Brighton Ave.

Dear Mr. Martelle:

cc: G. L. Nichols
West Scarborough, Maine

November 3, 1966

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

October 24, 1966

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, November 3, 1966, at 4:00 p.m. to hear the appeal of Amelido Martelle requesting an exception to the Zoning Ordinance to permit changing the use of the single family dwelling to a two family dwelling with one apartment in each of the first and second floors at 973-979 Brighton Avenue.

This permit is presently not issuable under the Zoning Ordinance because the proposed use is not allowable in the R-3 Residence Zone in which the property is located unless authorized by the Board of Appeals under provisions of Sec. 4-A-4c of the 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



INSPECTION COPY

9/3/54

RC) RESIDENCE ZONE - F
CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

Location:
977 Brighton Ave.

COMPLAINT NO. 54/66 Date Received 9/3/54

Location 977 Brighton Ave. Use of Building _____

Owner's name and address Mrs. Joan Martella, 977 Brighton Ave. Telephone _____

Tenant's name and address _____ Telephone _____

Complainant's name and address ? Telephone _____

Description: Several roosters here annoying neighborhood. PH

NOTES: Have had these roosters only a few weeks.
Complainant says he is not sure about any building here.

9/7/54 - Better - ~~was~~

9/15/54 - Owner's daughter says that
if roosters has been disposed of - that
they were not kept in anybody's
anyway.
MM

WMCD 9/14/54

September 7, 1954

C-977 Brighton Ave.--Poultry being kept in violation of Zoning Ordinance

Mrs. Joan Martelle
977 Brighton Ave.

Dear Mrs. Martelle:

It appears that you are keeping or allowing to be kept poultry on this property, including several roosters.

Your property is located under the Zoning Ordinance in a Residence C Zone, where the keeping of poultry is not an allowable use.

While no one has any authority to allow this practice to be continued for any time at all, I shall not feel compelled to report this violation to the Corporation Counsel of the City as I am required to do by law, if the practice is discontinued before September 14, 1954.

It is not known in what building, if any, the poultry is being kept. In all of the several papers and sketches which we have concerning your property, there is no record anywhere of a poultry house or any part of a building being used as a poultry house. If anything by way of a small building or "chicken coop" has been provided on the property, it too must be removed before the above date to avoid difficulties under the Building Code and Zoning Ordinance.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCD/D

30

CITY OF PORTLAND, MAINE
CORPORATION COUNSEL

To: Warren McDonald, Building Inspector DATE April 8, 1947
FROM: Edward T. Groulx, Assistant Corporation Counsel SUBJECT

Attached hereto please find complete file in connection with appeal under the Zoning Ordinance of Mrs. Jean Martelle concerning application for permit for construction of addition to commercial greenhouse at 977 Brighton Avenue.

It will be noted that on March 28, 1947 the Board of Appeals voted to grant exception in this specific case provided that there shall be no expansion of the heating plant on these premises which would increase the volume of fumes or smoke therefrom.

EF

ETG:M
Enclosures

- cc: A. Edwin Smith
(with duplicate signed appeal and decision)
- cc: Planning Board
(with copy of decision)

3/18/47
Sustained 4/7/49
conditionally
3/18/47

City of Portland, Maine
Board of Appeals

—ZONING—

March 5, 19 47

To the Board of Appeals:

Your appellant, Mrs. Joan Martelle, who is the owner of property at 977 Brighton Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 17, Paragraph E of the Zoning Ordinance,

Application for building permit to cover construction of addition to commercial greenhouse at 977 Brighton Avenue, corner of Wassex Street, has been denied by the Building Inspector because under the Zoning Ordinance the property is in a Residence C Zone in which, according to Section 9A of the ordinance, a commercial greenhouse is not included in the list of allowable uses; and because Section 13A provides that such a use, non-conforming with the ordinance, shall not be increased in volume.

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

To permit reasonable use of property and avoid ~~confiscation of property.~~ confiscation of property.

Mrs. Joan Martelle
Appellant

City of Portland, Maine
Board of Appeals

-ZONING-

Decision

*Sustained
Conditionally
3/28/47.*

4:19

[Signature]

Public hearing was held on the 28th day of March, 19 47.
on petition of Mrs. Joan Martelle, owner of property at
977 Brighton Avenue, seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

Application for building permit to cover construction of addition to
commercial greenhouse at 977 Brighton Avenue, corner of Wessex Street, has been
denied by the Building Inspector because under the Zoning Ordinance the property
is in a Residence C. Zone in which, according to Section 9A of the ordinance,
a commercial greenhouse is not included in the list of allowable uses; and because
Section 13A provides that such a use, non-conforming with the ordinance, shall not
be increased in volume.

The Board finds that such a use is necessary in order to permit reasonable
use of property and to avoid confiscation thereof and that such a use can be
permitted without substantially departing from the intent and purpose of the
Zoning Ordinance provided that there be no expansion of the heating plant on
these premises which would be offensive to the neighborhood by reason of the
emission of additional fumes or smoke,

It is, therefore, determined that exception to the Zoning Ordinance may be permitted
in this specific case provided that there shall be no expansion of the heating plant on these
premises which would increase the volume of fumes or smoke therefrom.

E. J. Kelley
[Signature]
[Signature]
[Signature]
Helen C. Frost

Board of Appeals

47/9

March 28, 1947

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MRS. JOAN MARTELLE
AT 977 Brigaton Avenue

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

Present for City

Board of Zoning Appeals members:-

- Edward T. Colley
- Robert L. Getchell
- Raymond E. Jensen
- Helen C. Frost
- B. William Holbrook

VOTE

Yes No

Mr. Colley (x)	()
Mr. Getchell (x)	()
Mr. Jensen (x)	()
Mrs. Frost (x)	()
Mr. Holbrook (x)	()
()	()
()	()
()	()
()	()

Municipal Officers:-

City officials:-

47/9

RONALD
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE
977 Brighton Avenue-1
Department of Building Inspection

March 4, 1947

Mr. Amado Martelle
977 Brighton Avenue
Portland, Maine

Subject: Application for building permit to cover
construction of addition to commercial green-
house at 977 Brighton Avenue, corner of Wesssex
Street

Dear Sir:

Building permit for construction of an addition, 12' x 30', to the commercial greenhouse at the above location is not issuable under the Zoning Ordinance because the property is in a Residence C Zone in which, according to Section 9A of the ordinance, a commercial greenhouse is not included in the list of allowable uses; and because Section 13A provides that such a use, non-conforming with the ordinance, shall not be increased in volume.

Mrs. Martelle has indicated that you wish to resort to variance appeal proceedings to the Board of Appeals. Accordingly, there is enclosed an outline of the appeal procedure. I am told that the best time to file such an appeal is in the afternoon.

Very truly yours,

(Signed) WARREN McDONALD

Inspector of Buildings

WHD/S

Encl: Outline of appeal procedure

CC: Corporation Counsel

P.S. Mrs. Martelle brought in a location sketch of the proposed addition, but we cannot find it, so presume she took it away with her, and will supply an accurate plan well in advance of the public hearing--the plan to show the location of the addition relative to existing buildings on the lot and relative to the property lines in figures.

C
O
P
Y

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

47/9
March 25, 1947

Mrs. Joan Martelle
977 Brighton Avenue
Portland, Maine

Dear Mrs. Martelle:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine, at ten-thirty o'clock in the forenoon on March 28, 1947, upon your appeal under the Zoning Ordinance relating to application for building permit to cover construction of addition to commercial greenhouse at the above address.

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

Board of Appeals

Edward T. Colley

Chairman

47/19

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

March 25, 1947

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine at ten-thirty o'clock in the forenoon on March 28, 1947, upon the appeal under the Zoning Ordinance of Mrs. Joan Martelle, owner, 977 Brighton Avenue, Portland, Maine relating to application for building permit to cover construction of addition to commercial greenhouse at that address.

For your information, attached is copy of notice sent to property owners within 500 feet of the premises in question.

EDWARD T. COLLEY
CHAIRMAN

Enclosure

47/19

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

March 18, 1947

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, March 28, 1947, at ten-thirty o'clock in the forenoon upon the appeal under the Zoning Ordinance of Mrs. Joan Martelle, owner, 977 Brighton Avenue, Portland, Maine relating to application for building permit to cover construction of addition to commercial greenhouse at that address.

This permit is not issuable by the Building Inspector because under the Zoning Ordinance the property is in a Residence C Zone, in which, according to Section 9A of the ordinance, a commercial greenhouse is not included in the list of allowable uses; and because Section 13A provides that such a use, non-conforming with the ordinance, shall not be increased in volume.

The appellant gives the reason for this appeal as follows: "To permit reasonable use of property and avoid hardship".

This appeal is taken under Section 17E 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

Edward T. Colley

Chairman



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, July 14, 1948

PERMIT ISSUED 01205 JUL 15 CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 967-Brighton Avenue Use of Building Dwelling house No. Stories New Building Existing " Name and address of owner of appliance Amelido Mastell, 967 Brighton Avenue Installer's name and address Randall & McAllister, 84 Commercial St. Telephone 3-2941

General Description of Work

To install 0 burning equipment in connection with existing steam heating system

IF HEATER, OR POWER BOILER

Location of appliance or source of heat Type of floor beneath appliance If wood, how protected? Kind of fuel Minimum distance to wood or combustible material, from top of appliance or casing top of furnace From top of smoke pipe From front of appliance From sides or back of appliance Size of chimney flue Other connections to same flue If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner Tinken Labeled by underwriter's laboratories? Yes Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom Type of floor beneath burner concrete Location of oil storage cellar Number and capacity of tanks 1-275 gal. If two 275-gallon tanks, will three-way valve be provided? Will all tanks be more than five feet from any flame? Yes How many tanks fire proofed? Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Kind of fuel Type of floor beneath appliance If wood, how protected? Minimum distance to wood or combustible material from top of appliance From front of appliance From sides and back From top of smokepipe Size of chimney flue Other connections to same flue Is hood to be provided? If so, how vented? If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

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

APPROVED:

OK 7-14-48 [Signature]

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

Randall & McAllister

Signature of Installer

by:

[Signature]

INSPECTION COPY

- Memorandum from Department of Building Inspection, Portland, Maine

. 977 Brighton Avenue, corner of Wessex Street--Construction of addition to greenhouse for Ausido Martello by A. T. Stearns, contractor--4/15/47

To Owner & Contractor:

Building permit issued subject to the following:

Based on information furnished by the owner in reply to my letter of April 12, sills are to be either 4x6 with 6-inch dimension upright and on a span not exceeding 6 feet or 6x6, in which case the spans will not exceed 10 feet. Cedar posts are to be used spaced according to the above for sill spans, extending no less than 4 feet below the surface of the ground and sufficiently above the ground that the bottoms of the sills will be no less than 6 inches above the finished grade of the ground outside of the house.

Studs of exterior walls bearing upon the sills are to be no less than 2x4, no more than 16 inches from center to center.

WHCD/S

CC: A. T. Stearns
Neponset
Boston, Mass.

(Signed) Warren McDonald

AP 977 Brighton Avenue,
corner of Wessox Street-I

April 12, 1947

Mr. Amado Martelle
977 Brighton Avenue
Portland, Maine

Subject: Application for building permit to cover
construction of addition to commercial greenhouse
at 977 Brighton Avenue, corner of Wessox Street

Dear Sir:

Apparently Mrs. Martelle forgot what I told her at the time of the hearing about completing the application for the permit and paying the building permit fee. Evidently, she sent in the plan of the greenhouse addition and gave the estimated cost of \$693, but I cannot find any record of the building permit fee having been paid.

As to the details of construction of the greenhouse, while we are able to accept this more or less standard greenhouse construction, up above the low exterior bench walls which extend about 2' 3" above grade, these low walls are no different than any other wooden frame construction walls and therefore are required to comply with the Building Code for such construction work.

The details on the plan do not show such compliance in that studs are shown 2x3, while our Building Code requires no less than 2x4 studs, and no more than 16 inches from center to center.

The sills apparently are only 2x4's supported on square 4x4 wooden posts crooked and set in concrete in some manner. The Building Code requires that the sills of such a building be no less than 4x6 and this is to be all one piece of lumber in cross section not built up from 2x6's or from 2x1's. The sill is required to set with the bottom of it at least six inches above the grade, and if wooden posts are used for foundations, they are required to be of cedar.

The plan shows the sills to be on spans of nearly 10 feet as the maximum which is too long even for a 4x6 sill. While it is evident that as long as heat is kept on the house, there would be no snow load on the roof, there is no assurance that cat will be in the house in case of change in circumstances and therefore snow might accumulate on the roof. If the posts are to be spaced as shown, no less than 6x6 sills would be required under each side wall. If posts were set somewhat closer together, 4x4 would do but the 6-inch dimension should be upright.

May we have this building permit fee and information from you to the effect that the above details of the Building Code will be complied with so that we may issue the building permit.

Very truly yours,

Inspector of Buildings

P.S. I doubt if this \$693 is total cost of all labor and material, including owner's own labor at reasonable rate. Please make this estimate to cover everything. Also enclosed for your information, Notice of Federal Government con-

WHD/S

Encl: Notice of Federal Government Controls

AP 977 Brighton Avenue-I

ATH
ESS
EKT
AJS
PH
DC
DJ
BS

March 4, 1947

Mr. Amido Martelle
977 Brighton Avenue
Portland, Maine

Subject: Application for building permit to cover
construction of addition to commercial green-
house at 977 Brighton Avenue, corner of Wenzel
Street

Dear Sir:

Building permit for construction of an addition, 12' x 30', to the commercial greenhouse at the above location is not issuable under the Zoning Ordinance because the property is in a Residence C Zone in which, according to Section 9A of the ordinance, a commercial greenhouse is not included in the list of allowable uses; and because Section 13A provides that such a use, non-conforming with the ordinance, shall not be increased in volume.

Mrs. Martelle has indicated that you wish to resort to variance appeal proceedings to the Board of Appeals. Accordingly, there is enclosed an outline of the appeal procedure. I am told that the best time to file such an appeal is in the afternoon.

Very truly yours,

Inspector of Buildings

WHD/S

Encl: Outline of appeal procedure

CC: Corporation Counsel

P.S. Mrs. Martelle brought in a location sketch of the proposed addition, but we cannot find it, so presume she took it away with her, and will supply an accurate plan well in advance of the public hearing--the plan to show the location of the addition relative to existing buildings on the lot and relative to the property lines in figures.

"STEARNS" Greenhouses

REGISTERED NO. 11640

Neponset, BOSTON, Massachusetts

Telephone
TALBOT 1640

G. KRIST,
President

Boston, Mass.
February 28, 1947

Mr. A. Martin Martelle
Martelle's Greenhouses
977 Brighton Avenue
Portland, Maine

Dear Sir:

Complying with your request we are pleased to quote you the sum of \$698.00 delivered by our truck on materials for a greenhouse 12'-0" wide x 28'-0" long, to have one gable end with a door, 24" glass sides with three 2 light side sash on each side operated by hand push rods, and three 5 light roof sash on one side of the ridge machine operated. The other gable end we have figured would be straight up and down, and flush with your present building, so we assume the cheek from greenhouse onto your present boiler room you will construct of wood, this to be furnished by yourself.

In our quotation we include all the necessary wood materials for the super structure, door, side sash with hinges and push rods, roof sash with hinges and ventilating apparatus complete, all the pipe work supports with fittings, nails for nailing, 16" x 24" double thick glass with putty and glazing nails and the paint for two coats.

For your wood foundation wall we include the 2" x 4"'s for framing and the matched boards for both sides. Also include the materials for your two benches, one 3'-0" and two 2'-6" to consist of 1" Pecky Cypress bottoms, 1 x 6 sides, 2" x 4"'s horizontals and legs, 1" x 3" cross ties all of Common Cypress.

We do not include water or electrical supplies, heating or erection.

With reference to the erection, it would be more to your advantage to have one of your local carpenters to erect. We would furnish you with a plan to assist, and he should have no difficulty in erecting a small house of your size.

Thanking you for the opportunity to quote and hoping to hear favorably, we are

Yours truly

THE A. T. STEARNS LUMBER COMPANY

Arthur E. Aronson

A.E. Aronson/ms

Arthur E. Aronson

GREENHOUSES: WOOD EAVE - METAL EAVE - HOT BED SASH - BENCH LUMBER - GLASS - PUTTY
PAINT - PIPE - FITTINGS - SHOW HOUSES - FLATS - ERECTED IF DESIRED - WOOD TANKS AND TUBS

(RC) RESIDENCE ZONE - C

APPLICATION FOR PERMIT



Class of Building or Type of Structure Third Class

Portland, Maine, February 27, 1947

To the INSPECTOR OF BUILDINGS, PORTLAND, ME. Completed 4/14/47

The undersigned hereby applies for a permit to ~~erect~~ alter ~~reconstruct~~ ~~add~~ all 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 977 Brighton Avenue, *near Waseley* Within Fire Limits? no Dist. No. 1

Owner's name and address Arnaldo Martella, 977 Brighton Avenue Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address A. T. Stearna, Neponset, Mass. Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 1

Proposed use of building Greenhouse No. families _____

Last use _____ No. families _____

Material frame No. stories 1 Heat _____ Style of roof pitch Roofing glass

Other buildings on same lot _____

Estimated cost \$ 6000 Fee \$ 2.00

General Description of New Work

To construct 12'x30' addition to greenhouse - standard greenhouse construction.

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.

base for front for door
filled in least 4x6 at least 6'
foundations (3x5 + 2x2 + 6x2) 102 1810
4x6 - 6' span = 140
6x6 - 2033

Permit Issued with Memo

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

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

Is any plumbing work 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 or 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 ledges 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? _____

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

Signature of owner *Arnaldo Martella*

INSPECTION COPY

City of Portland, Maine
Board of Appeals

—ZONING—

June 25th , 19 46

To the Board of Appeals:

Your appellant, Joan Martelle, who is the owner of property at 977 Brighton Avenue, corner of Wessex 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 17, Paragraph E of the Zoning Ordinance.

Application has been made for building permit to cover construction of addition to commercial greenhouse at above location and the Building Inspector has held that this permit is not issuable in a Residence C Zone under Section 9A of the Zoning Ordinance which provides that a commercial greenhouse is only allowable if and as authorized by the Board of Appeals after the usual appeal procedure. The existing greenhouse, about 10 feet by 31 feet, is being carried on as an allowable non-conforming use, having been built in conformity with the ordinance in 1937, but becoming a non-conforming use with the recent changes in the Zoning Law. Section 13A of the ordinance provides that no non-conforming building shall be increased in volume.

The proposed addition, one story high and about 9 feet by 10 feet overall, would be only five feet from the street line (side edge of public sidewalk) of Wessex Street while Section 15J requires a set-back no less than fifteen feet because the adjoining lot is vacant and in a Residence C Zone.

~~THE TOWN AND COMMUNITY DEVELOPMENT DEPARTMENT HAS REVIEWED THIS APPLICATION AND HAS RECOMMENDED THAT THE BOARD OF APPEALS GRANT THE APPEAL.~~

Joan L. Martelle
Appellant

46 19

City of Portland, Maine
Board of Appeals

—ZONING—

Decision

Public hearing was held on the 12th day of July, 1946,
on petition of Joan Martelle, owner of property at
977 Brighton Avenue, seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

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

Helen C. Frost

William H. Hall

Ronald A. Cole

Thomas P. Lilly

Board of Appeals

Frederic H. Babbitt

Sent 7/1/46
4619

City of Portland, Maine
Board of Appeals

June 29, 1946

Joan M. Martelle
977 Brighton Avenue
Portland, Maine

Dear Madam:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, July 12th, 1946, at 11 o'clock in the forenoon upon your appeal under the Zoning Ordinance to cover construction of addition to commercial greenhouse at 977 Brighton Avenue, corner of Wessex Street, said enlargement being contrary to the terms of the Zoning Ordinance in the Residence O Zone where your property is located.

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

BOARD OF APPEALS

Helan O. Frost
Chairman

City of Portland, Maine
Board of Appeals

June 29, 1946

To Whom It May Concern:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, July 12th, 1946, at eleven o'clock in the forenoon upon the appeal under the Zoning Ordinance of Joan M. Mertelle to cover construction of addition to commercial greenhouse at 977 Brighton Avenue, corner of Wessex Street.

The property is located in a Residence C Zone where such a use is allowable under Section 9A of the Zoning Ordinance only if and as authorized by the Board of Appeals after the usual appeal procedure.

The existing greenhouse, about 10 feet by 31 feet, is being carried on as an allowable non-conforming use, having been built in conformity with the ordinance in 1937, but becoming a non-conforming use with the recent changes in the Zoning Ordinance. Section 13A of the Zoning Ordinance provides that nonconforming building shall be increased in volume.

The proposed addition, one story high and about 9 feet by 10 feet overall, would be only five feet from the street line (side edge of public sidewalk) of Wessex Street while Section 15J requires a set-back no less than fifteen feet because the adjoining lot is vacant and in a Residence C Zone.

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

BOARD OF APPEALS

Helen C. Frost
Chairman

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

Dear Mrs Frost,

We do not have any objection to the
addition to commercial greenhouse at 977

July 5, 1946
D

City of Portland, Maine
Board of Appeals

June 29, 1946

To Whom It May Concern:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, July 12th, 1946, at eleven o'clock in the forenoon upon the appeal under the Zoning Ordinance of Joan M. Martelle to cover construction of addition to commercial greenhouse at 977 Brighton Avenue, corner of Wessex Street.

The property is located in a Residence C Zone where such a use is allowable under Section 9A of the Zoning Ordinance only if and as authorized by the Board of Appeals after the usual appeal procedure.

The existing greenhouse, about 10 feet by 31 feet, is being carried on as an allowable non-conforming use, having been built in conformity with the ordinance in 1937, but becoming a non-conforming use with the recent changes in the Zoning Ordinance. Section 13A of the Zoning Ordinance provides that nonconforming building shall be increased in volume.

The proposed addition, one story high and about 9 feet by 10 feet overall, would be only five feet from the street line (side edge of public sidewalk) of Wessex Street while Section 15J requires a set-back no less than fifteen feet because the adjoining lot is vacant and in a Residence C Zone.

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

BOARD OF APPEALS

Helen C. Frost
Chairman

AP-977 Brighton Avenue
Corn. Wessox Street-1

✓ATH
✓LESS
✓RMT
✓FH
✓AJS
✓BL
✓DJ
✓ES

July 2, 1946

Mr. Martin Martelle
977 Brighton Avenue
Mr. King Rutland
206 Franklin Street

Subject: Building permit and sustained zoning
appeal relating to addition to greenhouse at
977 Brighton Avenue corner of Wessox Street.

Gentlemen:

The Zoning Appeal having been sustained by the Board of Appeals, the building permit is herewith sent to contractor, subject to the following:

After the appeal was filed the location for addition originally shown--3 feet from the lot line was changed at the applicant's request so that the side of the addition would line up with the end of the greenhouse--7 feet from the lot line. The distance shown of 5 feet from addition to the street line of Wessox Street (the street line is the inside edge of public sidewalk) remains as it was given originally. We have not checked this latter distance on the ground, but it must mean that the present wall of greenhouse is 15 feet from the street line, assuming that the 10 feet dimension of the addition is proposed at right angle to Wessox Street. It behooves owner and contractor to see to it that the addition is no closer to street line and lot line than these distances since they are precisely established by the action on the appeal.

No information is given as to size of sills or corner posts--merely the details that concrete foundation is to be 6 inches thick at top and 10 inches thick at bottom and is to extend at least 4 feet below grade and 4 inches above grade. In absence of definite information it is assumed that the addition is to be what is commonly called "standard greenhouse construction" or that the usual sills and corner posts normally used under Building Code requirements will be provided.

Very truly yours,

Inspector of Buildings

WCD/J

AP 977 Brighton Ave.-I

June 22, 1946

BS
ATH
ASS
BMT
PH
SJS
VHL

Mr. Martin Martelle
977 Brighton Avenue
Mr. King Butland
206 Franklin Street

Subject: Application for building permit to cover construction of addition to commercial greenhouse at 977 Brighton Avenue, corner of Wessex Street.

Gentlemen:

As explained to both of you in detail, this building permit is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where in Section 9A of the ordinance a commercial greenhouse is only allowable if and as authorized by the Board of Appeals after the usual appeal procedure. The existing greenhouse, about 10 feet by 31 feet, is being carried on as an allowable non-conforming use, having been built in conformity with the ordinance in 1937, but becoming a non-conforming use with the recent changes in the Zoning Law. Section 15A of the ordinance provides that no non-conforming building shall be increased in volume, and your proposal represents such an increase in volume.

Your proposal does not satisfy the requirements of the ordinance as to location, either. The proposed addition, one story high and about 9 feet by 10 feet overall, would be only five feet from the street line (inside edge of public sidewalk) of Wessex Street while Section 15J requires a set-back no less than 15 feet because the adjoining lot is vacant and also in a Residence C Zone. You propose the end of the addition down Wessex Street to be three feet from your rear lot line, this line being, I should say, the side lot line as referred to the greenhouse, but Section 9C requires at least seven feet and the end of the present greenhouse is that distance from this line.

I understand that you can without very much inconvenience locate the addition against the rear wall of the greenhouse instead of against the front wall toward Wessex Street. If the Board of Appeals should see fit to authorize the addition, it is my belief that you would have much better chance of approval of the location if you would make that part conform with the ordinance—attached to the rear wall and the end wall of the addition at least seven feet from the property line.

Because you have indicated that you desire to file a variance appeal, there is enclosed an outline of the appeal procedure.

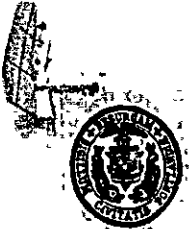
Very truly yours,

(Signed) WARREN McDONALD
Inspector of Buildings

WMB/L

Encl. Outline of appeal procedure.

CC: W. Mayo Poyson
Corporation Counsel



(RC) RESIDENCE ZONE - C
APPLICATION FOR PERMIT

Class of Building or Type of Structure. Greenhouse Const.

Portland, Maine, June 21, 1946

PERMIT ISSUED
01332
JUL 22

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to ~~erect~~ alter ~~rebuild~~ ~~and~~ all 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 977 Brighton Avenue Within Fire Limits? no Dist. No. _____
 Owner's name and address Martin Martelle, 977 Brighton Avenue Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address King Putland, 206 Franklin Street Telephone 2-7704
 Architect _____ Specifications _____ Plans yes No. of sheets 1
 Proposed use of building Greenhouse No. families _____
 Last use glass " _____ No. families _____
 Material frame No. stories 1 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot Dwelling
 Estimated cost \$ 400. Fee \$ 1.00

General Description of New Work

To construct 9'x10' addition to side of greenhouse.

Construct 4' below grade and 24" above grade

... retained 7/15/46

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

It is understood that the heating cost does not include installation of heating apparatus which is to be taken out separately by and in the name of _____

Details of New Work

Is any plumbing work 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 concrete at least 4' below grade Thickness, top 8" bottom 10" cellar no
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof glass 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

Martin Martelle

Signature of owner By: King Putland

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for greenhouse
at 277 Brighton Avenue

Date 3/24/37

1. In whose name is the title of the property now recorded? Louis Martell
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? yes - staked
3. Is the outline of the proposed work now staked out upon the ground? If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced? yes
4. What is to be maximum projection or overhang of eaves or drip? 4 inches
5. Do you assume full responsibility for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections?
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? yes

Frank Martell



APPLICATION FOR PERMIT

PERMIT ISSUED

0341

MAR 26 1937

Class of Building or Type of Structure Greenhouse

Portland, Maine, March 24, 1937

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 977 Brighton Avenue Ward 8 Within Fire Limits? no Dist. No. _____
 Owner's or Lessee's name and address Louis Martell, 977 Brighton Ave. Telephone no
 Contractor's name and address Owner Telephone _____
 Architect's name and address _____
 Proposed use of building Greenhouse No. families _____
 Other buildings on same lot 1 family dwelling house, 1 car garage
 Plans filed as part of this application? yes No. of sheets 1
 Estimated cost \$ 150. Fee \$.75

Description of Present Building to be Altered

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
 Last use _____ No. families _____

General Description of New Work

To construct greenhouse 9' x 30', standard greenhouse construction

It is understood you intend to use concrete wall instead of piers for foundation please give us location of piers and size

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

Height average grade to top of plate _____
 Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof 8'
 To be erected on solid or filled land? solid ~~below frost~~ earth or rock? earth
 Material of foundation concrete ~~brick Thickness, top _____ bottom _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of Roof pitch Rise per foot _____ Roof covering glass
 No. of chimneys 1 Material of chimneys brick of lining tile
 Kind of heat stove 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 none, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
 If one story building with masonry walls, thickness of walls? _____ height? _____~~

If a Garage

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

Miscellaneous

Will above work require removal or disturbing of any shade tree on a public street? no
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes
 Signature of owner By Louis Martell
Frank Martell

INSPECTION COPY

11-422



PERMIT 1207
 Permit No. _____
 JUN 22 1928

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, June 12, 1928

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 977 Brighton Avenue Ward 9 Within Fire Limits? No Dist. No. _____
 Owner's name and address Louis Martell, 585 Holm Ave. Telephone 7-5049-J
 Contractor's name and address Owner Telephone _____
 Architect's name and address _____
 Proposed use of building Tool house No. families _____
 Other buildings on same lot dwelling house, 2 family, garage

Description of Present Building to be Altered

Material Wood No. stories 1 Heat _____ Style of roof _____ Roofing _____
 Last use Tool shed No. families _____

General Description of New Work

To relocate building on same property as per plan submitted

THIS PERMIT DOES NOT INCLUDE THE RIGHT TO MOVE ANY BUILDING THROUGH THE MAIN STREETS OF THE CITY. CERTIFICATE OF OCCUPANCY REQUIRED IF WAIVED. NOTIFICATION BEFORE LAYING OR CLOSING IN IS WAIVED.

Details of New Work

Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof _____
 To be erected on solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____
 Kind of heat _____ Type of fuel _____ Distance, heater to chimney _____
 If oil burner, name and model _____
 Capacity and location of oil tanks _____
 Is gas fitting involved? _____ Size of service _____
 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 spa 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
 Plans filed as part of this application? yes No. sheets 1
 Estimated cost \$ _____ Fee \$.80
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Signature of owner Louis Martell
Mary Jopp

INSPECTION COPY

6516