

- 1 Fill Pipe.....
- 2 Vent Pipe.....
- 3 Kind of Heat *Gas*
- 4 Burner Rigidty & Support.....
- 5 Name & Label.....
- 6 Slack Control.....
- 7 High Limit Control.....
- 8 Remote Control.....
- 9 Piping Support & Protection.....
- 10 Valves in Supply Line.....
- 11 Capacity of Tanks.....
- 12 Tank Size & Support.....
- 13 Tank Distance.....
- 14 Oil Change.....
- 15 Emergency Control.....
- 16 Low Water Shut-off.....

NOTES

*5-18-54. This Abbey
said oil furnace
and steam boiler
is not to be
used. She plans
to have a gas
fired furnace
place*

*of the appliances
required in this
Permit*

PH

Permit No. *54/573*
Location *879 E. Supton Ave*
Owner *Abbey Clemons*
Date of permit *4/27/54*
Approved

AP 879 Brighton Ave.

April 27, 1954

Mrs. Maria Addario
234 Taft Ave.
Abbey Cleaners
117 Congress St.

Copy to: Easternoil & Equipment Co.
27 Portland St.

Dear Madam & Gentleman:-

We are issuing to Easternoil a permit to cover installation of a steam boiler and oil burning equipment at 879 Brighton Ave. to be used in connection with pressing machine and retail pressing and tailoring business there.

The application by Easternoil indicates that the boiler and oil burning equipment are to operate dry cleaning equipment. However, this property is located in a Local Business Zone under the Zoning Ordinance where use as a dry cleaning plant is not allowable. I have just called Mr. Abbey who says that he is merely to conduct a retail pressing and tailoring business there and that there will be no dry cleaning attempted on the premises.

The permit is issued on that condition.

Very truly yours,

Warren McDonald
Inspector of Buildings

WKM/D/G

INQUIRY BLANK

ZONE Local Business

FIRE DIST. _____

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date July 23, 1952

Verbal
By Telephone

LOCATION 869-879 Brighton Avenue OWNER _____
MADE BY Mr. Carl Fogg, 115 Whitney Avenue - TEL. 2-1028

ADDRESS _____

PRESENT USE OF BUILDING _____ NO. OF STORIES _____

CLASS OF CONSTRUCTION _____

REMARKS: there are two buildings on this property used for filling stations
purposes--one sort of an office, storage etc., the other building is a small
service garage lubricating automobiles

INQUIRY: Can a retail business and service of furnishing and installing glass in
motor vehicles be conducted on these premises? The installing a ' other parts of the
business would be conducted in the rear part of the large building where there are
no facilities for drive -in. In good weather the glass would be installed in the
open air. In bad weather the glass would be installed in the small lubritorium. This
business is to be retail, installing the glass directly for the owners of the motor
vehicles and not indirectly for other repair garages for their customers.

ANSWER: These are allowable uses.

DATE OF REPLY July 23, 1952

REPLY BY WMCD

City of Portland, Maine
Board of Appeals
—ZONING—

Denied
5/16/52

5243

.....April 30,....., 19 52

To the Board of Appeals:

Your appellant, Marie Addario, who is the owner of property at 879 Brighton Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Permit to authorize construction and maintenance of eight temporary and portable stands (each about 2' wide by 5' long and standing 3'6" above the ground) for the display of goods for sale in front of the retail store at 879 Brighton Avenue and to include the location and maintenance of a portable sign in the space between the front of the store and the street line of Brighton Avenue, is not issuable under the Zoning Ordinance because the temporary stands would be closer than 125' to the Residence C Zone which lies 100' from Brighton Avenue and because the stands and sign would constitute an encroachment upon the front yard required to be kept open the full width of the lot between the store and the street line.

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

An exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Marie Addario

By *James W. [Signature]*
Appellant

After public hearing held on the 16th day of May, 19 52, the Board of Appeals finds that an exception is not necessary in this case to grant reasonable use of property and can not be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

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

[Signature]
[Signature]
Helen Frost
Edward J. Cobby
William F. O'Brien
BOARD OF APPEALS

RECEIVED
 BOARD OF APPEALS
 MAY 16 1952

DATE: May 16, 1952

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MARIE ADDARIO
 AT 879 Brighton Avenue

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

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Luthe	()	(x)	
Mrs. Frost	()	(x)	
Mr. Getchell	()	(x)	
Mr. Colley	()	(x)	
Mr. O'Brien	()	(x)	
	()	()	
	()	()	
	()	()	
	()	()	

Record of Hearing:

Sumner Bernstein for Mrs. Addario

Opposed: Mrs. Chester Bennett, 897 Brighton Avenue
 Mrs. Bertelsen, 26 Kent Street
 Hamilton Smith, 20 Kent Street
 Fred C. Woodley, 18 Kent Street
 Bessie Norton, 11 Kent Street
 Letters in file

May 15-1952

To the Board of Appeals.
I sternly object to
this permit being granted.
This condition is
very detrimental to the
community.

May 15, 1952

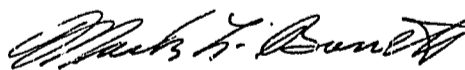
I do not see why the
Fire Dept, or the Board of
Health do not investigate.
They also block the sidewalk
and at times we have to
walk in the street.

Yours
Mark L. Barrett
895 Brighton ave.

per dated May 6th
Addaria on the ground
will suffer confusca-
present Eugene F. Young,
who objects to the

mit stands are allowed
walk of the store it will
id to depreciate the value

Sincerely yours,



MARK L. BARRETT

MLB;N

Portland, Maine
May 15, 1952

Mr. H. Merrill Luthé,
Chairman Board of Appeals,
Portland, Maine.

My dear Mr. Luthé:

May we enter our objections to the granting of permission asked for by the owners of property at 879 Brighton Avenue to place advertising signs and fruit stands in the front of the store located at the same address.

Our objections are based on the unsightliness of a display of this nature and these signs, if permitted to be placed as requested by the owner or owners, will obstruct a person's vision going from Kent Street into Brighton Avenue, thus making a hazardous driving condition.

Yours very truly,

James H. Washburn
Sarah Ethel Washburn
19 Kent Street.

Allen R. Wynott.
Vera M. Wynott
37 Kent St.

Carl G. Bertelsen
Jocunie J. Bertelsen
26 Kent St

Selma E. Poland
25 Kent St

Hamilton Smith
Marrion R. Smith 20 Kent St

9

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to file AP 879 Brighton Avenue,
corner of Kent Street

FL

CITY OF PORTLAND, MAINE

Department of Building Inspection

April 30, 1952

Mrs. Marie Addario
234 Taft Avenue
Portland, Maine

Copies to: Summer Bernstein, Esq.,
119 Exchange Street
Big Ben Markets
879 Brighton Avenue
Corporation Counsel ✓

Dear Mrs. Addario:

Building permit to authorize construction^{and} maintenance of eight temporary and portable stands (each about 2' wide by 5' long and standing 3'-6" above the ground), these stands to be for display of goods for sale in front of the retail store at 879 Brighton Avenue, corner of Kent Street, is not issuable under the Zoning Ordinance and the locating and maintaining of a portable sign in the space between the front of the store and the street line of Brighton Avenue is not allowable under the Zoning Ordinance because:

1. The temporary stands would be closer than 125' to the Residence C Zone which lies 100' from Brighton Avenue, contrary to Section 15E of the Ordinance.
2. The stands and a sign would constitute an unlawful encroachment upon the front yard required to be kept open the full width of the lot between the store and the street line of Brighton Avenue, according to Section 6B of the Ordinance, applying to the Local Business Zone where your property is located.

Mr. Bernstein has indicated your desire to seek an exception from the Board of Appeals; so there is enclosed an outline of the appeal procedure.

It is to be borne in mind that the permit for the temporary stands, if issued, will allow the stands to be maintained only six months in this year, at the expiration of which time they will have to be removed. If the same arrangement were desired for not more than six months next year, similar procedures would be necessary, then.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcB/B

Enc: Outline of appeal procedure

C
O
P
Y

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

May 13, 1952

Sumner Bernstein, Esq.
119 Exchange Street
Portland, Maine

Dear Mr. Bernstein:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Friday May 16, 1952 at 10:30 a.m. Daylight Saving Time to hear the appeal of Marrie Addario relating to the property at 879 Erington Avenue.

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

Very truly yours,

H. Merrill Luthe

Chairman

Zoning official 879 Brighton Ave.

5-2-52
Map 50
Vol 2

Assessor Maps
48-49-50-51-52

869-229
4541 15

- Streets
- Brighton Ave ✓
- Caprice St. ✓
- Hillcrest ✓
- Merline ✓
- Dorset St. ✓
- W. van St. ✓
- Riggs St. ✓
- Kent St. ✓
- Essex " ✓
- Sennett " ✓
- Jayson Rd. ✓

- Street
- Brighton Ave. ✓
- Caprice St. ✓
- Merline ✓
- Dorset St. ✓
- W. van " ✓
- Riggs " ✓
- Kent " ✓
- Sennett " ✓
- Jayson Rd. ✓
- Kent St (Brighton x Riggs) ✓

- Addr
- 838-922 ✓
- 490 x Brighton Ave ✓
- Assessor 260c-15 to 18 incl ✓
- 260B " 23 to 33 incl ✓
- 469 x Brighton Ave ✓
- Assessor 19 to 22 incl ✓
- 1-29 ✓
- 1-43 ✓
- 2-44 ✓
- 2-36 ✓
- Brighton x Riggs ✓
- 2-48 ✓
- 16 Meda Water - only property here ✓
- 1-47 ✓

- 260B-23 to 33 incl Merline Ave. ✓
- 260C-15 to 18 incl " " ✓
- 19-22 " Hillcrest Ave. ✓

Total 63 1/2 acres

Kent. Co.

- 1-7 Maria Oddario ✓
9-11 Maria A + Stanley Poyles (Surv.) 4-4891 ✓
✓ 13-15 Cecelia Henkel ✓
17-21 Henry, Clara, Sarah Ethel Washburn 4-4917 ✓
23-27 Edmund Poland w. S. 4-3632 no answer
29-31 " " " " 3-1593 no answer
29-33 Vera M. Wynette w. S. 3-1592 3-1593
35-37 " " " " ✓
39-47 Marge + Vincent Morse Bygone OK
2-12 Dorothy Geo E. Mahony (Surv.) OK
14-16 Fredrick C. Woodley ✓
18 " " " " ✓
20-22 Marion P. Smith 4-3856 ✓
24-30 Carl C. Bentler 4-4892 no answer
32-40 Mary S. Young OK 4-3772 no answer
42-48 " " " " ✓

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

May 6, 1952

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 16, 1952 at 10:30 a. m., Daylight Saving Time, to hear the appeal of Marie Adcario requesting exception to the Zoning Ordinance to permit the construction and maintenance of eight temporary and portable stands, each about 2' wide and 5' long and standing 3'6" above the ground, for the display of goods for sale in front of the retail store at 379 Brighton Avenue, and also to permit the location and maintenance of portable sign in the space between the front of the store and the street line of Brighton Avenue.

This permit is not issuable because the temporary stands would be closer than 125' to the Residence C Zone which lies 100' from Brighton Avenue and because the stands and sign would constitute an encroachment upon the front yard required to be kept open the full width of the lot between the store and the street line.

This appeal is taken under Section 191 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

H. Merrill Latho

Chairman

(21 Names)

Young Appeals 879 Brighton Ave

8/1/22

Brighton Ave.

- 806-850 County Deaf and Dumb Commission of Maine - 8 Brighton Ave.
- 806-854 City of Portland (School)
- 860-880 Maria Pluznick - 521 Caprice St.
- 888-894 Clarence N. Lane - 902 Brighton Ave.
- 896-898 Dup. " " "
- 902 Dup. " " "
- 904-906 Mary J. House NA - 7 Kendall Ave. Me.
- 910-912 Dup. " " "
- 918-918 Floyd C. Kimball - 8 Brighton Ave.
- 920 Katherine J. Young - 221 Ocean Ave.
- 922-924 Eugene W. Young - 724 Brighton Ave.
- 927-928 Wanda G. Weston - 837 Brighton Ave.
- 928-937 Wanda G. Weston - 22 Arsenal St.
- 937-937 Dup. (Weston)
- 947-947 Jan Forest J. Kirk et al - 849 Brighton Ave.
- 949-951 Dup. " " "
- 955-957 Donald E. (Frank G. Thomas - 861 Brighton Ave.
- 961-943 Donald C. Thomas & Raymond E. Thomas - 861 Brighton Ave.
- 985-989 George E. & Susan by Mahoney - 206 Brighton Ave.
- 991-991 Chester W. & Grace C. Bennett - 885 Brighton Ave.
- 997-997 Benjamin H. Austin - 77 Brighton Ave.
- 997-997 Leticia C. Muscarello - 705 Brighton Ave.
- 997-999 Dup. " " "
- 999-999 Dup. " " "
- 999-999 Anthony J. Kopper - 715 Brighton Ave.
- 999-999 Anthony J. Kopper - 715 Brighton Ave.

Caprice St.

- 1168-1000 Albert G. Chapman et al - 75 1/2 Caprice St. Portland, Me.
- 1044-1018 Mildred E. Casper - 514 Caprice St.
- 1022-1028 Florence G. & Carolyn by McLaughlin - 520 Caprice St.
- 1069-1082 Dup. (Chapman et al)
- 1093-1001 City of Portland
- 1093-1002 " " School
- 1110-1025 Dup. (Pluznick)

(see previous)
Fanning Appraisals 879 Brighton Ave.

Appraisals
checked

Appraisals

- 12-18 12 Appraisals - Gray - 8 Appraisals
- 12-16 Vincent A. & Mary C. Brown - 12 Appraisals
- 12-26 Mary J. Young - 12 Appraisals
- 12-26 H. L. ... (Duck)

Exam. App.

- 2-12 Appraisals - 234 Staff Ave.
- 14 Stanley D. & Marie F. Doyle - 11 Appraisals
- 16-18 Raymond W. ... 119 - 11 Appraisals
- 20-22 John ... & ... 11 Appraisals
- 24-26 Elizabeth Wynn Jackson Hillsdale Farmhouse RFD Darlington
- 28-30 Florence M. ... 40 Appraisals
- 32-36 John E. ... 34 Appraisals
- 38-42 Dup. (L. ...)
- 44 Dup. (Gray)
- 46 Dup. (H. ...)
- 48-50 Dup. (H. ...)
- 52-54 Alton M. ... 24 Appraisals
- 56-58 Joseph ... & ... 25 Appraisals
- 60-62 Joseph ... & ... 25 Appraisals
- 64-66 Claire ... 25 Appraisals

Exam. App.

- 2-8 Dup. (H. ...)
- 10-12 Carl ... 12 Appraisals
- 14-16 Louis ... 18 Appraisals
- 18-20 Herman ... 17 Appraisals
- 22-24 Dup. (H. ...)
- 26-28 Harold ... 12 Appraisals
- 30-32 Dup. (H. ...)
- 34-36 Alice ... 40 Appraisals
- 38-40 Dup. (H. ...)
- 42-44 Dup. (H. ...)
- 46-48 ... 30 Appraisals
- 50 Dup. (H. ...)
- 52-54 ... 18 Appraisals
- 56-58 Edward ... 17 Appraisals



APPLICATION FOR PERMIT

Class of Building or Type of Structure Temporary Stands

Portland, Maine, April 30, 1952

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 879 Brighton Ave. Within Fire Limits? no Dist. No. _____
 Owner's name and address Marie Addario, 234 Taft Avenue Telephone _____
 Lessee's name and address Big Ben Markets, 879 Brighton Avenue Telephone _____
 Contractor's name and address _____ Telephone _____
 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 _____ Store _____
 Estimated cost \$ _____ Fee \$ 10.25

General Description of New Work

To construct and maintain about 8 temporary and portable stand (each about 2'x5' and standing 3'6" above the ground) for the purpose of displaying goods for sale in front of the retail store and to maintain a portable sign in the space between the front of the store and the street line of Brighton Avenue, as indicated on plan attached.

Ref 5/20

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 Summer Bernstein *Appeal denied 5/16/52*

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? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
 Framing lumber—Kind _____ Dressed or full size? _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
 Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
 If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

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

APPROVED:

Miscellaneous

Will work require disturbing of any tree on a public street? no
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Marie Addario

Summer Bernstein atty

INSPECTION COPY

Signature of owner

AP 879 Brighton Avenue

May 19, 1952

Big Ben Markets
879 Brighton Avenue
Portland, Maine

c.c. Director of Health

c.c. Sumner Bernstein
119 Exchange Street

Mrs. Marie Addario
23 1/2 Taft Ave.
Portland, Maine

Dear Madam & Gentlemen:-

On May 16th, the Zoning Board of Appeals denied the Zoning Appeal with relation to location of temporary stands and a sign at 879 Brighton Ave., corner of Kent Street, and under these circumstances I am unable to issue the permit for the temporary stands anywhere on the property.

The objection to the sign was that it was proposed and has been located in what is called the front yard of the store, which is the space between the front wall of the building and the street line of Brighton Ave. (inside edge of public sidewalk toward the building) from the street line of Kent Street the full width of the Addario lot. Thus you are not permitted to have the sign in this area, and the same objection exists under the Zoning Ordinance to having the sign in the area between the building and the street line of Kent Street along the side of the building.

The night before the public hearing you still had the sign, or perhaps a different sign located in the front yard. This sign or any other that you may decide upon is to be kept out of the front yard and the side yard toward Kent Street.

At the same time I noted that the temporary stands in question were piled in the rear of the building. Since these may not now be used in the open air on the property, I suggest that they be disposed of off the property entirely.

The proprietors of the Market are well aware that one of the principal objections of the neighborhood, expressed at the public hearing, was the matter of unsanitary and disreputable conditions in the rear of the store, by way of rubbish and especially by way of garbage in open containers. While this is not the field of this department, it is to be hoped that you will clear up the entire situation and keep it clear.

Very truly yours,

Inspector of Buildings

Misc/G

Notation on copy of letter to Director of Health

(Joint Letter to Big Ben Markets and Mrs. Marie Addario May 19, 1952)

Dr. Colby:

There was quite a lot of testimony at the public hearing on the part of neighbors as to the unsanitary conditions in the back of this market building, especially the keeping of garbage in open containers, which one of them said was not only frequented by rats, but that some of the neighborhood children had been seen to eat some of the refuse fruit and produce left there.

Warren McDonald

Notation on copy of letter to Mr. Bernstein

(Joint Letter to Big Ben Markets and Mrs. Marie Addario May 19, 1952)

Dear Mr. Bernstein:

You neglected to take away with you the receipt for \$10.25, which you paid for the application for the building permit. Since it is necessary to deny the permit for the temporary stands, this fee money of \$10.25 is being refunded by voucher.

Warren McDonald

Notation on copy of letter to Director of Health

(Joint Letter to Big Ben Markets and Mrs. Marie Addario May 19, 1952)

Dr. Colby:

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You neglected to take away with you the receipt for \$10.25, which you paid for the application for the building permit. Since it is necessary to deny the permit for the temporary stands, this fee money of \$10.25 is being refunded by voucher.

Warren McDonald

AP 879 Brighton Avenue,
corner of Kent Street

April 30, 1952

Mrs. Marie Addario
234 Taft Avenue
Portland, Maine

Copies to: Sumner Bernstein, Esq.,
119 Exchange Street
Big Ben Markets
879 Brighton Avenue
Corporation Counsel

Dear Mrs. Addario:

Building permit to authorize construction ^{and} maintenance of eight temporary and portable stands (each about 2' wide by 5' long and standing 3'-6" above the ground), these stands to be for display of goods for sale in front of the retail store at 879 Brighton Avenue, corner of Kent Street, is not issuable under the Zoning Ordinance and the locating and maintaining of a portable sign in the space between the front of the store and the street line of Brighton Avenue is not allowable under the Zoning Ordinance because:

1. The temporary stands would be closer than 125' to the Residence C Zone which lies 100' from Brighton Avenue, contrary to Section 15E of the Ordinance.
2. The stands and a sign would constitute an unlawful encroachment upon the front yard required to be kept open the full width of the lot between the store and the street line of Brighton Avenue, according to Section 6B of the Ordinance, applying to the Local Business Zone where your property is located.

Mr. Bernstein has indicated your desire to seek an exception from the Board of Appeals; so there is enclosed an outline of the appeal procedure.

It is to be borne in mind that the permit for the temporary stands, if issued, will allow the stands to be maintained only six months in this year, at the expiration of which time they will have to be removed. If the same arrangement were desired for not more than six months next year, similar procedures would be necessary, then.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCB/D

Enc: Outline of appeal procedure



7) LOCAL BUSINESS ZONE
CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

Location:
875 Brighton Avenue

INSPECTION COPY

COMPLAINT NO. 52-175

Date Received May 16, 1952

Location 875 Brighton Avenue Use of Building _____

Owner's name and address Mrs. Maria Addario, 234 Taft Avenue Telephone _____

Tenant's name and address _____ Telephone _____

Complainant's name and address Warren McDonald Telephone _____

Description: A wooden building, probably authorized by the Board of Appeals, was a lubricatorium or service garage, is now being used and has a sign on the roof advertising for general automobile repairs - contrary to the Zoning Ordinance in the Local Business Zone where the property is located, and contrary to the Building Code by having a repair garage in a wooden building.

NOTES:

5/21/52 - Better - WJM
6-11-52 - Talked with Mrs. Maria Addario + he says they were to understand that an auto repair work would not be done in the garage but would be alright. But I pointed out to him that it is on the premises that it would have to be done (sign removed) sign removed. WJM

7-1-52 Talked with WJM he is moving on the 23rd of July + that he has intentions of stopping car repair WJM

7-16-52 Still repairing car WJM

7-20-52 - No signs of repair work going on, as moving on the part of the building. WJM

8-6-52 Business has been sold + new owner understands that there is to be no repair work going on here.

C 52/75 - 875 Brighton Ave.

~~6/11/52~~ WMcD

7/11/52

May 21, 1952

Strout & Son
875 Brighton Avenue
Portland, Maine

Mrs. Maria Addario
234 Taft Avenue
Portland, Maine

Dear Madam & Gentlemen:-

It appears that the smaller of the two filling station buildings at 875 Brighton Avenue not only has a small sign on the roof advertising general automobile repairs, but such repairs are being carried on in the building. This is contrary to both the Building Code and the Zoning Ordinance.

Under the Building Code establishing a repair garage is not allowable in a wooden frame building, such as this one is. Even so, a permit should have been applied for at this department before the change was made from a lubritorium to a repair garage at which time it would have been found out the change would be in violation of the law.

Under the Zoning Ordinance the property is located in a Local Business Zone where a repair garage is not allowable use of premises, as provided by Section 6 of the Zoning Ordinance, applying to Local Business Zones.

It is important that the sign be taken down and all such use of the premises be discontinued permanently.

The record shows that the smaller of the two buildings was only allowed in 1935 after successful petition to the Municipal Officers of the City, and the use then allowed was a lubritorium only. That use, of course, may be continued.

*Wm
pls get copies
sent to the
new date
Wm
6/11/52*

Very truly yours,

Inspector of Buildings

WMcD/G

P. S. It should be borne in mind that both owner of the property and the tenant are equally responsible for violation of the law.

29376

C 52/75 - 875 Brighton Ave.

6/11/52 WMcD

May 21, 1952

Strout & Son
875 Brighton Avenue
Portland, Maine

Mrs. Maria Addario
234 Taft Avenue
Portland, Maine

Dear Madam & Gentlemen:-

It appears that the smaller of the two filling station buildings at 875 Brighton Avenue not only has a small sign on the roof advertising general automobile repairs, but such repairs are being carried on in the building. This is contrary to both the Building Code and the Zoning Ordinance.

Under the Building Code establishing a repair garage is not allowable in a wooden frame building, such as this one is. Even so, a permit should have been applied for at this department before the change was made from a lubricatorium to a repair garage at which time it would have been found out the change would be in violation of the law.

Under the Zoning Ordinance the property is located in a Local Business Zone where a repair garage is not allowable use of premises, as provided by Section 6 of the Zoning Ordinance, applying to Local Business Zones.

It is important that the sign be taken down and all such use of the premises be discontinued permanently.

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Very truly yours,

Inspector of Buildings

WMcD/G

P. S. It should be borne in mind that both owner of the property and the tenant are equally responsible for violation of the law.

File: C-52-

April 25, 1952

Robert W. Donovan,
Asst. Corp. Counsel

Warren McDonald
Inspector of Buildings

Violation of Zoning Ordinance at 879 Brighton Ave., corner Kent Street

An exasperating and somewhat defiant violation of the Zoning Ordinance is taking place, and continues after notice, at the above location, by way of displaying goods for sale on stands in the front yard space of the store building there and by way of a large sign occupying the space required to be kept clear by corner clearance requirements in the Local Business Zone where the property is located. The tenant evidently means to continue this violation over the week end, there being a victualer's license here; and would have a stimulating effect on the attitude of the neighborhood toward the practical effectiveness of the law, if he could be stopped immediately.

Section 6B of the Zoning Ordinance requires by reference that there be a yard 15 feet in depth in front of the building extending the entire width of the lot, that there be on each side of the building a yard at least 7 feet wide. This building complies very closely with these requirements both at the front and at the side toward Kent Street. The Ordinance also provides that a triangle on private property be kept clear at the intersection of the street lines, formed by measuring back ten feet ~~along~~ each street line from their point of intersection and joining the two points thus established.

Despite my notice to them yesterday, and a promise from them to immediately discontinue these encroachments, today at noon they had some 7 or 8 stands in front of the store containing fruit and produce, these stands projecting from the front of the store three or four feet into the front yard. The large sign was obviously in the corner clearance area. Last evening these same conditions existed and in addition there was a large pile of cartons in the space between the building and Kent Street.

The owner, whom I have been unable to contact by phone, is Mrs. Marie Addario of 234 Taft Avenue. She leases the store to Archie W. L'Heureaux of 147 McKinley Street, South Portland, who sub-lets the greater part of the front of the store to Big Ben Markets, Inc.-Pres., William Kovensky of Raymond; Vice-Pres., Louis Kovensky of 100 Anthoine St., South Portland; Treas., Joseph Stillman (inactive) of 98 Exchange Street.

As above, these spaces are required, and with reference to Section 203d7.1 of the Building Code, to be kept open for the full required length, width, depth and area from their lowest point to the sky unobstructed. Section 18j of the Zoning Ordinance seems to make the Kovenskys responsible for this violation.

WMD/H

Inspector of Buildings



LOCAL
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, April 22, 1952

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

Location 879 Brighton Avenue Within Fire Limits? ES Dist. No. _____
 Owner's name and address William & Louis Kovensky, 879 Brighton Avenue Telephone 4-7534
 Lessee's name and address Raymond Bean, 48 No. Mariner St., So. Portland Telephone none
 Architect _____ Specifications _____ Plans yes No. of sheets 2
 Proposed use of building store No. families _____
 Last use _____ Style of roof _____ Roofing _____
 Material wood No. stories 1 Heat _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To erect roof sign 23" x 15' 10 1/2" as per plans. (wood sign)

*work is further dry
Evidently project given up
Gave in 6/30/53*

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** William & Louis Kovensky

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? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ earth or rock? _____
 Material of foundation _____ No. stories _____ solid or filled land? _____
 Material of underpinning _____ Thickness, top _____ bottom _____ cellar _____
 Kind of roof _____ Rise per foot _____ Roof covering _____ Kind of heat _____ fuel _____
 No. of chimneys _____ Material of chimneys _____ of lining _____ Dressed or full size? _____ Size _____
 Framing lumber--Kind _____ Sills _____ Girt or ledger board? _____ Max. on centers _____
 Girders _____ Size _____ Column 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 _____, height? _____

If a Garage

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

Miscellaneous

Will work require disturbing of any tree on a public street? no
Will there be in charge of the above work a person competent to
see that the State and City requirements pertaining thereto are
observed? yes

APPROVED:

Signature of owner

Louis Kovensky

INSPECTION COPY

AP 879 Brighton Avenue
(Roof Sign)

April 24, 1952

Messrs. William and Louis Kovensky
879 Brighton Avenue
Portland, Maine

Mr. Raymond Bean
48 North Merriner Street
South Portland, Maine

Gentlemen:-

The plan accompanying application for permit to erect a roof sign about 2' high by 16' long on the roof of the store at 879 Brighton Avenue is far inadequate to show compliance with Building Code requirements for strength and permanency, and, in fact, to show precisely how you propose to frame and erect the sign.

You will need a finished and complete plan made after the usual manner of making plans, to a definite scale, showing the size and spacing of all members, the precise method of connecting the members of the sign itself together, the method of connecting the frame to the roof structure and the method in detail of connecting the roof structure through to the rafters of the roof.

The plan should be made by somebody capable of figuring the strain and stress of the materials and of working out the details of connections, who shall attach his signed statement of design to the plan.

It is my impression that this sign is proposed on the front of the hip roof facing Brighton Avenue, although I also have the impression that the sign which you started without a permit was to face the side street. That is not particularly important, but the plan should show clearly where the sign is to be located on the roof and how it is to be secured to the existing roof framing, not the roof boarding.

When I talked with Mr. Kovensky about the sign, he had in mind an addition to the straight sign, something on top of it resembling a clock, which he said would contain about 16 square feet. Evidently, you have abandoned that part for the time; but it should be clear to you that all that you want should be applied for now, as a permit would be required for any addition and almost any addition to the sign now indicated on the application would be contrary to the Zoning Ordinance.

Very truly yours,

Inspector of Buildings

WMCD/G

C-50-60-I
(869-879 Brighton Avenue)
6/15/50/T

June 9, 1950

Mr. Antonio Addario
234 Taft Avenue
Portland, Maine

Dear Mr. Addario:

An inspector from this office reports that a temporary booth or stand about 5' x 12' has been constructed in front of and attached to the store at 869-879 Brighton Avenue which you are reported to own.

Beyond the fact that this stand has been erected without first securing a building permit from this department, it is in violation of the Zoning Ordinance because it encroaches unlawfully upon the space required to be left open between the front of the store and the street line (inside edge of public sidewalk) of Brighton Avenue, according to Section 6B of the Zoning Ordinance; and because it is a temporary stand located closer than 125' to the Residence C Zone at the rear of the property, according to section 15E of the Ordinance, the property where the stand is located being in a Local Business Zone.

When such a violation of the Zoning Ordinance is found, I am directed to report the violation to the Corporation Counsel of the City for whatever action to get compliance with the law he deems necessary. I suspect, however, that whoever erected this stand and whoever is maintaining it are doing so without knowing the requirements of law in connection therewith.

You are reported to own this property, and it is necessary for me to require that you have this stand completely removed before June 15, and thus avoid a report to and proceedings on the part of the Corporation Counsel of the City.

Very truly yours,

Warren McDonald
Inspector of Buildings

W McD/G

LOCATION

Brighton Ave.

DATE

6/13/50

PERMIT

INQUIRY

COMPLAINT

Mr. Archie LaRue

says he will

have paving up

Monday or Tues.

P.H.

RMT.

When I came
up, read note
on copy of
6/12/50 and wait
until thing 6/22
to check up on
removal of
stands.

WMS



(4) LOCAL CODE
 CITY OF PORTLAND, MAINE
 DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

COMPLAINT NO. C-50-60

Date Received 6/6/50

REGISTRATION COPY
 819-879

Location 805-875 Brighton Avenue

Use of Building _____

Owner's name and address Antonio Addario, 234 Taft Avenue

Glenwood Market

Telephone _____

Tenant's name and address _____

Telephone _____

Complainant's name and address AJS

Description: Temporary booth in front of store.

4/7/50 - stand is about 5' x 12', tarp roof - roof 7' x and stand
 proper is 9' 6" from street line. Report by C. T. H. + W. J. M.
 6/1/50 - Joe Sletten - U.M.W.
 6/12/50 - Mr. P. Steensen - tenant came in and
 explained that lawfully he could not
 occupy any of this - that deep space in
 front of store. He decided to have men
 canvas folding awning put up and rely
 on putting his goods in boxes or baskets out
 each morning and in each night. He was
 told he has no permission to do this,
 but probably nothing would happen. He is
 to have awning put up and then remove
 stand - U.M.W.

LOCAL 6/15/50
Complaint No. C-50-60
Location: 200 Kent St.
800-879 Brighton Ave.
Date Received 8/6/50 6-22-50

Date Disposed of
6/7/50 NOTES
[Handwritten notes and signatures]

at 7-51 front 10:7
at this time
screen of line window
comes down to top
of window which
is about 6-7 ft high
[Handwritten notes]



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Sept. 27, 1949

PERMIT ISSUED
01594
SEP 29 1949
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 79 Brighton Avenue Use of Building Store No. Stories 1 New Building
Name and address of owner of appliance Archie W. L'Heureux, 879 Brighton Avenue Existing "
Installer's name and address Waldo E. Densmore, 1531 Congress St. Telephone 3-0488
Mail permit to 879 Brighton Ave.

General Description of Work

To install oil 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 Rexoil Rexoil 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 basement 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? 2.00 (\$200 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

0892849 P.H.F.

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

INSPECTION COPY

Signature of Installer

Waldo E. Densmore

Per nit No. 49/1594 ¹¹⁻²⁻⁴⁰
Location 879 Brighton Ave
Owner Archie M. Deussen
Date of permit 9/29/49
Approved 11-2-49

NOTES

- 1 Fill Pipe
- 2 Vent Pipe
- 3 Kind of Heat Gas
- 4 Burner, Rigidity & Supports
- 5 Name & Label
- 6 Stack Control
- 7 High Limit Control
- 8 Remote Control
- 9 Piping Support & Protection
- 10 Valves in Supply Line
- 11 Capacity of Tanks
- 12 Tank Rigidity & Supports
- 13 Tank Distance
- 14 Oil Gauge
- 15 Instruction Card
- 16

(L) LOCAL BUSINESS ZONE

PERMIT ISSUED
01024

JUL 11 1949

CITY of PORTLAND



APPLICATION FOR PERMIT

Class of Building or Type of Structure Installation

Portland, Maine, July 5, 1949

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~the proposed~~ 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 879 Brighton Ave. Within Fire Limits? no Dist. No. _____
 Owner's name and address Charles A. Rush, 879 Brighton Ave. Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address A. F. Briggs Co., 369 Forest Ave. Telephone 4-2689
 Architect _____ Specifications _____ Plans yes No. of sheets _____
 Proposed use of building Store No. families _____
 Last use " No. families _____
 Material frame No. stories 1 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To install ~~the~~ refrigeration equipment
(compressor in basement) F-12 Freon

sent to Fire Dept. 7/5/49
Rec'd from Fire Dept. 7/5/49

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** A. F. Briggs Co.

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) 2x4-16" 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:
[Signature]

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

A. F. Briggs Co.

INSPECTION COPY

Signature of owner

By:

[Signature]

49/1024
879 Brighton Ave.
Charlestown, Mass.

of permit 7/11/49

f. closing-in

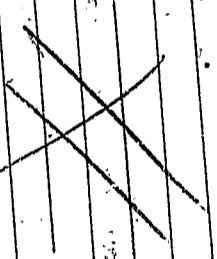
pn. closing-in

Final Notif.

Final Insp.

Cert. of Occupancy issued None

NOTES
7/12/49 - P.I.T. - C.R.S.



DATE OF PERMIT
PERMIT NO.
TYPE OF PERMIT
EXPIRES
ISSUED BY
APPROVED BY
CITY ENGINEER
CITY CLERK
CITY COMMISSIONER

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT
for Lubratorium
at 875-877 Brighton Avenue

Date 4/23/35

1. In whose name in the title of the property now recorded? -----
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? -----
3. Is the center line 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? -----
4. What is to be maximum projection or overhang of eaves or drip? -----
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? -----
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? -----



APPLICATION FOR PERMIT

Permit No. **05097**
PERMIT 15

Class of Building or Type of Structure Third Class
Portland, Maine, April 27, 1975

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect ~~and~~ 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 875-877 Brighton Avenue Ward 9 Within Fire Limits? no Dist. No. _____
Telephone 2-9853

Owner's or Lessee's name and address George S. Norton, 209 Congress Street Telephone _____

Contractor's name and address Walter Ricker 395 Brighton Ave. Telephone _____

Architect's name and address _____ No. families _____

Proposed use of building Laboratory

Other buildings on same lot Filling Station Office and store No. of sheets 1

Plans filed as part of this application? yes Fee \$.75

Estimated cost \$ 200.

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 erect one story frame building 16' x 22'

A ventilating duct of incombustible material will be provided leading from the low point of the pit to the outside air at least three feet above the grade and equipped with an exhaust fan, and this ventilating system will be kept in operation whenever an automobile is standing upon the pit.
Petition Granted and Permit Ordered by City Council 3/8/75

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

Details of New Work
Size, front 16' depth 22' No. stories 1 Height average grade to top of plate 9'
Height average grade to highest point of roof 12'

To be erected on solid or filled land? solid earth or rock? earth

Material of foundation concrete 12" Thickness, top _____ bottom _____
Material of underpinning _____ Height _____ Thickness _____

Kind of Roof hip Rise per foot 11 Roof covering asph. roofing Class C Ord. mat.
of lining _____

No. of chimneys 0 Material of chimneys _____ Is gas fitting involved? _____
Kind of heat 0 Type of fuel _____ Size _____

Corner posts 4x3 Sills 4x2 Girt or ledger board? _____ Max on centers _____
Material columns under girders _____ Size _____ Bridging in every floor and flat roof _____

Studs (outside walls and carrying partitions) 2x4-16" O C Girders 6x8 or larger _____
span over 8 feet. Sills and corner posts all one piece in cross section

Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof 12'
On centers. 1st floor _____, 2nd _____, 3rd _____, roof 12'

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

If one story building with masonry walls, thickness of walls? _____
If a Garage _____ to be accommodated _____

No. cars now accommodated on same lot _____
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

INSPECTION COPY
Signature of owner George S. Norton
Oliver T. Spaulding
CHIEF OF FIRE DEPT.

417203

Ward

Permit No. 35/599

Location

875-917 Brighton

Owner

George S. Winton

Date of permit

5/8/35

Notific.

Inspn. closing-in

Final Notif.

Final Inspn.

2/10/37

Cert. of Occupancy issued

None

NOTES

5/11/35 - framing
 walls at 1st fl.
 5/14/35 - framing
 framed 2nd fl.
 5/22/35 - framing
 completed 2nd fl.
 6/3/35 - framing
 building
 C.A. must be
 installed
 6/12/35 - no change
 6/19/35 - saw not
 installed
 attendant at
 station said that
 Mr. Norton is
 to locate
 hand saw

1/14/36 - saw not
 yet provided
 attendant
 to take this matter
 up with Mr. Norton
 right away



City of Portland, Maine

Appeal sustained
5/6/35
nm
35/17

Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned
875-877
by George S. Norton at 875 Brighton Avenue

April 25, 1935

To the Municipal Officers:

Your appellant, George S. Norton
875-877
who is the Lessee of property at 875 Brighton Avenue

respectfully petitions the Municipal Officers of the City of Portland to change the decision of the Inspector of Buildings relating to this property, as provided by Section 13, Paragraph c, of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case involves unnecessary hardship and because relief may be granted without substantially derogating from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a permit to construct a one story building for lubricating motor vehicles on the ground that the proposed building is an addition to filling station use of the property which is nonconforming under the Zoning Ordinance in the Local Business Zone where the property is located.

The reasons for the appeal are as follows: The appellant is lessee of this filling station property which was constructed under special permission of the City Council after petition by the owner together with written consents of neighboring property owners. The filling station has existed for several years and has maintained a pit in the open air for lubricating motor vehicles. This pit has fallen out of repair and is not adequate because it has no shelter from the weather. It is the belief of the appellant that a new substantial pit to be covered over with a suitable building will be an addition to the property rather than a detriment to the neighborhood.

We, the undersigned, living within the distance set
opposite our respective names, of the filling station at
Mason's Corner, now operated by George S. Norton, do hereby
consent to the said Norton erecting another building on said
premises to be used by him to cover up the oil pit now on
said premises, and to act as a lubritorium.

~~Charles W. Woodley~~
Sarah Ethel Mosher

Bessie G. Norton
Hypnerd Blugnoch

~~Fred C. Woodley~~
Earl C. Bubbler

Vida B. Marston
Alberta L. Brunson

Walter H. Fisher
Joseph A. Valerato

L. C. Bear

C. H. Laws

35/17

May 6, 1935

To The Municipal Officers:

The Committee on Zoning and Building Ordinance Appeals to whom was referred the appeal of George S. Norton with relation to the construction of a building for lubricating motor vehicles at 875-877 Brighton Avenue, reports as follows:

It is the belief of this Committee that failure to grant this permit involves unnecessary hardships and that desirable relief may be granted without substantially derogating from the intent and purpose of the Zoning Ordinance.

It is recommended therefore that the appeal be sustained and that the permit be granted subject to full compliance with all terms of the Building Code.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

Chairman

3517

PUBLIC HEARING ON THE APPEAL OF GEORGE S. NORTON
AT 875-877 BRIGHTON AVENUE
WITH RELATION TO LUBRICATING BUILDING

May 3, 1935

A public hearing on the above appeal was held before the Committee on Zoning and Buildings Ordinance Appeals today. Present for City were Councilors Deering and Carleton and the Inspector of Buildings.

Mr. Norton appeared in support of his appeal and there were no opponents present.

INSPECTOR OF BUILDINGS

S. Norton - 709 Co. ^{64 names} greas. st.

Appeal at 873-875 Brighton Ave.

Brighton Ave. - odd nos. 825 to 919 ✓

Brighton Ave. - even nos. 828 to 920 ✓

Essex Street - odd nos. 9 to 51 ✓

- - - even nos. 14 to 46 ✓

Riggs Street - even nos. 2 to 36 ✓

Kent Street - odd nos. 9 to 41 ✓

- - - even nos. 14 to 42 ✓

Olson Street - odd nos. 9 to 37 ✓

- - - even nos. 10 to 34 ✓

Olson Street - odd nos. 9 to 21 ✓

Merline Ave - Assess. Lot Nos. 260 - B-32, 31, 30, 29, 28, 27, 26, 25 ✓

- - - 260 - C-16, 17, 18. ✓

Hillcrest Ave. - Assess. Lot Nos. 260 - C-19, 20, 21, 22

Capric Street - - - Nos. G-1, 2, 3 ✓

- - - " " 17-1, 2, 3 ✓

Hammett Street - odd nos. 11 to 37 ✓

- - - even nos. 10 to 40 ✓

Proposed Street - Assess. Lot Nos. 285 - A-17, 18, 19 ✓

Appeal at 873-875 Brighton Ave
 Essex Street - ^{odd nos 9-87} _{even nos 14-46}

St Nos	Owner's Name	Owner's Address
11-21	Edith H. Howard Annie B. Chamberlain Seander M. Boothby E. M. Boothby N.R. Russell N. Howard et al	701 Chapman Bldg
23-25		
27-29		117 Newbury St.
31-43	Benedetto + Carmela Bucci	1831 Washington Ave
45-51	Claire S. Whitney	
14-18	Bessie Norton	11 Kent Street
20-22	Ita J. + Lillian F. Edwards	20 Essex St
24-26	Lydia C. Wright Heirs N.R.	70 Alice W. Libby
28-32	Smith + Rumery Co	23 Bakdale Street
34-42	Wilfred H. Saberge	3-5 Center Street
44	Adelbert J. Bird	40 Essex St.
46-52	Alfida B. Miller	52a Portland
		10 Figgis Street

Appeal at 873-875 Brunton Ave
 Slewon Street - odd nos 9 to 37
 even 14 to 42

St. Nos	Owners Name	Business Address
9-13	Ida M. Bunkerham	13 Slewon Street
15-27	John M ^c Govern	19 Slewon "
29-33	Bert. R. Riley	31 " "
17-21		
10-24	Fortunato M. Casard	14 Slewon St.
24	Mabel M. Keen	30 Slewon
26	Levi Curry, Hrs.	36 Slewon
Slewnett St. - odd nos 11 to 37 even 10-40		
11-13	Lillias M. Roberts	13 Slewnett Street
15-21	Marguerite F. Mills	17 " "
23-25	Gladys R. Shaw	23 " "
27-29	Vincenzo Grosso	17 Vine Street
31-33	Mabel J. Wing	31 Slewnett -
35-37	Slewing Loan + Bldg Assoc.	648 Forest Ave.
10-12	Viola F. Marston	12 Slewnett St
14-20	Louise B. Watts	18 " "
22-24	Mary C. Gould	17 Wolcott St
26-28	Russell H. Lownd, et al.	28 Slewnett St
30-32	Albina J. Bruno	30 Slewnett
34-36	Jeno Christian Bruno	32 Slewnett
38-44	Clara Sullivan - N.R.	142 Cohasset St. Pittsburg, Pa.

Appeal at 873-875 Brighton Ave
 Dorset Street odd nos 9-21

St. Nos.	Owners Name	Owners Address
9-11	George F. & Marion W. Adams	9 Dorset St.
13-17	Gussie C. Perry N.R.	277 Main St Cumberland Mills, Me.
19-23	Lanmaford Bros. Co.	17 Cross St.

Kent Street odd nos. 9-41 - even nos 14 to 42

9-11	Bessie Norton	
13-15	N. C. Fossett & O. C. Bertelsen	33 Grafton St.
17-21	L. C. Moshimer & Clarence H. May	19 Kent St.
23-27	Samuel C. Bean	25 Kent St.
29-33	Arthur J. Weber	16 Alton St.
35-39	Charles W. Woodard N.R.	12 Riggs St.
14-16	Frederick C. Woodley	18 Kent St.
18	Harriett C. Woodley	170 Mr. H. Woodleigh, Semi-Condensed Milk Co., Holland Patent, N.Y.
20-22	James H. Smith	20 Kent Street
24-30	Carl C. Bertelsen	
32-40	Mary S. Young	Riggs Street
42-48	"	

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Appeal at 873-875 Brighton Ave
Capisic Street -

St. No.	Owners Name	Owners Address
252	Emelia Casasa	252 Capisic St.
256	Catherine Magnaghi	256 Capisic St.
260-C-2	Allison P. Chapman Hrs.	
	Merelime Ave. -	
260-C-16-17	Isabel M. Sweeney, N.R.	Fairfield, Solana Co Box 132, California
260-C-18	Portland Terminal Co. N.R.	238 St. John Street
260-B-23-24	Clarence H. Lane	
B-25-26		
272	G. W. McCallan	
2932	Portland Terminal Co.	
	Riggs Street - 2-36	
2-10	Alfreda B. Miller	
.12	Charles W. MacIntyre N.R.	
14-16	George Longias Hushens	55 Keening Ave.
22-26	Mary C. Jones	
28-36	St. John Anderson	126 Pearl St

819-879

May 7, 1935

File Receipt No. 4172B-I

Mr. George S. Norton,
703 Congress Street,
Portland, Maine.

Dear Sir:-

Your appeal with relation to the construction of a lubricating building at 875-877 Brighton Avenue was sustained by the Board of Municipal Officers on May 6, 1935.

I note that you have not filled in fully the information required in the application for the permit. Please have this information all filled in without delay showing the proposed framing of the building, etc, and also furnish a plan of the proposed pit showing especially the slope of the floor, the location, size and material of the ventilating duct and the location and height of fan to be used for exhaust. The floor of the pit should slope toward the intake of the duct. In other words the intake should be at the low point of the floor of the pit. The duct and the fan should be designed to theoretically change the air in the pit at least every three minutes.

Please furnish this information completely as soon as possible in order that we may be in position to issue the permit.

Very truly yours,

McD/R

Inspector of Buildings.