

34 Essex Street
Portland, Maine
December 28, 1953

Dear Sirs:

I am writing in regard to
building a filling station at
855-863 Brighton Avenue.

I am very much in favor of
this proposed filling station
as I believe it would be an
improvement to this community
both in appearance and safety.

My family does not trade at the
Calso station that is here now,
and so this new station
would be a welcomed convenience.

Sincerely yours,

(Mrs) Bessie Knapp
(owner)

street from the proposed site. I have a firm conviction that the new station would result only in reduction of traffic hazards in this area since the area would be better lighted at night and traffic would tend to reduce speed in such an area. Many adults and children, including my own, attend nighttime services at the church and social events at the school, therefore improvement of the lighting in this congested area, from any and all sources, is advantageous, in my opinion. Further, ^{some} business enterprises operated on the premises at 861 Brighton Avenue have received unfavorable reception from residents of this district due to improper conduct on the part of juveniles patronizing these activities, which have since been required to cease operations. It would appear that operation of a gasoline service station of the type proposed for erection at 861 Brighton Avenue would eliminate all possibility for future situations of this kind. In fact, this proposal has the wholehearted support of the local clergyman and his church members.

Approval of the application of Mr. Forrest A. Graves is urgently recommended.

Very truly yours,
Albert C. Taylor
(owner)

102 Devon Street
Portland, Maine
November 29, 1953

Chairman City of Portland Board of Appeals
City Hall
Portland, Maine

Dear Sir:

As a neighbor of Forrest Yanco and a member of Glenwood Square Baptist Church, I would like to voice my opinion on the petition of a filling station at Essex and Bennett Streets.

The store there now is a hazard to both auto and pedestrian traffic. It is especially so to children going and coming from school. Our neighborhood is in need of a gas station. The one already here is not a type of gasoline many residents patronize. We would get our gasoline at the new station where as now we have to go to Casement which is approximately a mile away.

If it remains as a store there is no place for parking except on the sidewalk which sometimes forces pedestrians to either cross the street or walk on the side of the avenue. We feel that a filling station such as planned would be an asset to our neighborhood. It is our hope that you will give Mr. Yanco's petition favorable consideration.

Sincerely yours,
Charles D. Brookings
(owner)

25 Kent Street
Portland, Maine
Dec. 29, 1953

Chairman
City of Portland Board of Appeals
City Hall
Portland, Maine

Dear Sir:

In reference to the Graves' appeal to have a service station located on Brighton Avenue between Creek and Bennett Streets, we, the residents of 25 Kent Street, wish to state our approval of the plan.

A clean, well-run service station is needed in our vicinity as the present and only one at Mason's Corner is inadequate.

We have had to go elsewhere for car service as the present station is seldom open when needed, poorly staffed, often out of gas and not dependable.

A new station will provide better service for our section.

Sincerely,

Selma Poland
Robert C. Poland

17 Dennett Street
Portland, Maine

December 29, 1953

Chairman
City of Portland Board of Appeals
City Hall
Portland, Maine

Dear Sir:

This is to advise that I have reconsidered and now am in favor of an attractive, up to date service station being erected on Brighton Avenue between Dennett and Essex Streets.

I signed a petition against this building before I had been given the complete facts. Now that I have been fully informed, I would prefer a well-kept station to the site as it is at present.

Yours truly,

Gladys M. Marshall
Gladys M. Marshall

*to the community
- more, be an improvement in*

Dec. 30-1953

Chairman
City of Portland Board of Appeals
City Hall
Portland, Maine

Sir:

In regard to proposed Filling Station, on the
east corner of Essex St. and Brighton Ave, will say that I am
in favor of this new station.

I do not trade with the present one.

Mr. & Mrs. Bert R. Riley
31 Devon St.
Portland-5-Maine

Mrs Bert Riley
(owner)

*to the community
more, be an improvement in*

December 29, 1954

Chairman
City of Portland Board of Appeals
City Hall
Portland, Maine

re: Gasoline Service Station
Glennwood Square

Dear Sir:

I have been asked by one of the interested parties, regarding the above, to state my views on the possibility of a new gasoline service station on Brighton Avenue. As you perhaps know there is only one station in this area which I doubt is up-to-date in equipment, etc. I personally do not use the present station and it is my opinion that a new, modern station would definitely be an asset to the community. It would, further more, be an improvement in

Dec. 28, 1953

Chairman
City of Portland Board of Appeals
City Hall
Portland 5, 1953

Mrs. Geo. R. Stevens
40 Bennett St.
Portland, 5 Maine

Dear Sir,

I am very much in favor of the
Socony Oil Station at Nasson's corner. It would be a big
improvement, in place of the unsightly building and
land on Brighton Ave. and Bennett St.

Sincerely yours

Mrs. Geo. R. Stevens -
(owner)

House owner -

24 Dennett St.
Fairland 5, Maine
December 28, 1953

Chairman of Appeal Board;

In support of Forest Grease, and his appeal for a new Service Station in this locality, we would like to voice our dissatisfaction with the existing Station at Hasnis Corner.

It is adjacent to the proposed site of the new Station, and is definitely not an asset to the community for several and various reasons:

- 1.) It is constantly "changing hands"
- 2.) It is closed for intermittent periods.
- 3.) They always have numerous cars parked there — most of them wrecks.
- 4.) During the winter months one cannot get a "grease-job" done on a car, as the lube room cannot be heated.
- 5.) Since it has no steady operator, and is often not open, it is not a dependable source for a customer, and is often a "hang-out" for undesirable characters.

Very sincerely yours,

Alton M. Rounds

Frances M. Rounds
owner

119 Warwick St.
Portland, Maine.
Dec. 28, 1958.

Chairman
City of Portland Board of Appeals
City Hall,
Portland, Maine.

Dear Sir:- We are writing in regard
to the appeal of Great Graves for a Permit for the
erection of a new Filling Station at 861 Brighton Ave.

We feel that a new modern well lighted Station
with a good grade product and dependable service
would be a great and much needed improvement in
this location and community.

Yours truly,
Walter W. Bagster.
Ella M. Bagster.
owner

20 Kent Street
Portland, Maine.
December 28, 1953.

Chairman,
Board of Appeals,
City of Portland,
Portland, Maine.

Dear Sir:

With reference to request of Mr. Graves for a Filling
Station at Nasons Corner:

As a resident of this section of Portland I have no
objection to this station at the loca a specified.
As a user of Socony Products this Station would be
a definite advantage to me. . The only qualification
that I would make to this application is that the
Station be a Filling Station only and that its use as
a repair shop be prohibited.

Very truly yours,

J. Hamilton Smith
J. Hamilton Smith
owner

Continued on
Dec 28, 1953

Chairman of Appeals

Dear Sir:

We think a new Felling
Station would be an asset to the
corner.

Mrs Beatrix Lombard
Mr Ralph C. Lombard

owner - 60 Kent Street

18 Kent Street, Portland, Maine

December 28, 1953

City of Portland, Maine
Board of Appeals
William H. O'Brien, Chairman

Dear Sir,

With reference to the meeting to be held in the City Hall December 31st., concerning the construction of a new gasoline station.

I am in favor of this station for the following reasons/
It will be a well lighted station, kept neat at all times.
It is to be run by a large concern will obey the law.
It will be for the sale of gasoline only not a repair station.

The present station (Calso Station) between Essex St and Kent Street, has always been an eyesore - untidy - front and rear, junk cars and parts all over the place, running a garage repair station on the sidewalk.

It has changed ownership a number of times.
I think one gasoline station at the corner is all that is needed, I would much prefer the new station, which has better chance of being properly run, and will obey the law.

Yours truly

Walter C. Woodley
owner

Chairman
City of Portland Board of Appeals
City Hall
Portland, Maine

Sir:
In regards to proposed filling station
on the east corner of Essex Street
and Brighton Avenue, will say
that I am in favor of ~~the~~ this
new station.

I do not trade with the present one.

Yours respectfully,
Mrs. Mary G. Young,
48 Bent Street,
Portland, Maine

over

Portland, Me.
Dec. 28, 1953.

Wister Chairman:

This is to notify you
that we are in need of a good filling
Station in this section, referring to
the Gravesland & Buildings.

The Station here now is very
untidy, and service unsatisfactory.

Yours Truly
Chester W. Purcell
895 Brighton Ave.
owner

49 Bennett Street
Portland, Maine
December 28, 1953

City of Portland, Maine
Board of Appeals

To Whom It May Concern:

We, Philip B. and Helen Duff, resident-owners of 47 1/2 Bennett Street, wish to express our feelings in regard to the appeal of Forrest A. Graves requesting permission to have a filling station erected at 855-863 Brighton Avenue.

A filling station there would certainly be appreciated, as we feel that the other filling station, located somewhat in that vicinity, is undesirable and inadequate. It is operated only intermittently, owing to poor management, etc; also, it has the appearance of a junk yard, with many cars parked around there. We do not use the gas which they

Chairman
City of Portland Board of Appeals
City Hall,
Portland, Maine

Dear Sir:

We, the undersigned, taxpayers and registered voters in the City of Portland, are writing to you relative to the forthcoming appeal hearing of Mr. Forrest A. Graves and associates relative to the property located at 201 Brighton Avenue. As residents of the section of Portland known as Mason's Corner we are interested in the development and improvement of this area.

It is our opinion and that of all those who have discussed this appeal with us that granting a permit for a new, modern, filling station will do much to improve the appearance of the Mason's Corner area. The present station located on the next corner is just a junk yard and an eyesore. Very few of the residents of this area patronize this station (also), and we feel that this may in some part be due to the present conditions. These conditions may be rectified if competition develops on the area under appeal. This would improve the area greatly. We also feel that the removal of the large building on the land under appeal will also improve the neighborhood more than a filling station could possibly damage it. The present building is in very poor repair and also presents a very bad traffic hazard to anyone entering Brighton Avenue from Essex St. The better visibility provided by a filling station located back from the street may save somebody's life. In this regard may we add that nighttime lighting from such a station will increase the relative lighting of the area where many pedestrians have been struck, by vehicles traveling Brighton Avenue, due to the present poor lighting.

This area needs another filling station, both from the "clean-up" angle and that of the residents who dislike traveling to Rosemont for their gas rather than trade at a filthy junk yard or row-dists.

Therefore we request that the appeal of Mr. Graves and his associates be granted.

Yours truly,
Charles F. Wilson & Mrs. Challer Wilson
61 Warwick St.
Portland 5, Maine owners

74 Essex St

Portland, Me

Dec. 28, 53.

Chairman

City of Portland Board of Appeals

City Hall

Portland, Me.

Dear Sir,

The members of the Glenwood Sq. Baptist Church were notified of the second hearing of Forest Grove's appeal to the board for sale of land at 861 Brighton Ave. to be used for a filling station.

Having lived here for over thirty years and being home owners, we are interested in this appeal.

We consider the present building a menace to traffic. It is built very close to the side walk and with cars parked on the sidewalk it is impossible to see traffic from Portland until one has driven well on to Brighton Ave. With this building demolished a driver's vision on to the avenue would be greatly improved.

We believe a clean filling station with sanitary conditions and attractive grounds would be an improvement to the community.

We ask that you give this appeal your careful consideration.

Irwin J. Sawyer
Florence P. Sawyer

proper - members
to our community for, we need a clean, modern
managed business such as the one in question.
We feel certain the Board of Appeals will give
Mrs.

43 Essex Street Portland 5, Maine.
December 28, 1953.

Chairman, Board of Appeals,
City Hall, Portland, Maine.

Gentlemen:

I am in favor of a Socony Vacuum Oil Station, to replace the cement block at the head of Essex Street, facing 855-863 Brighton Avenue. I signed the petition for the same, and have no reason whatever for changing my mind in the meantime.

We approve of a clean, welllighted Service Station under courteous management, such as the Socony Company maintains. I think such a station would be a great improvement for our street, as compared with the disgraceful situation we now have, and about which we are unable to do anything.

Very truly yours,

Mr. J. L. Cook
owner

at this location in the past.

As far as it being a hazard to children attending Chapman school, it seems ridiculous to make this an issue after the types of business etc, which have been directly in front of our school.

It is our opinion that, should this petition be granted & the proposed building erected it would be a splendid addition to our community & we need a clean, well serviced & managed business such as the one in question.
We feel certain the Board of Appeals will give

Portland, Maine.

Dec 26 1953.

City of Portland Maine
Board of Appeals.
Chequamegon:

Dear Sir:

We have at hand a letter advising us of the Second Hearing, on Dec 31st, pertaining to an appeal of Ernest Gorse etc.

As stated in your notice a permit is not issuable under the present zoning Ordinance, nevertheless we personally feel it would be a step in the right direction if an exception were to be made in this case.

We are home owners at Glenwood for the past several years have seen our Community grow into one which we are justly proud, and we most certainly would prefer a modern, well kept filling Station such as Longy propose to erect to what has been at this location in the past.

As far as it being a hazard to children attending Chapman school, it seems unlikely to make this an issue after the types of etc, which have been directly in front of us.

As our opinion being similar this is granted & the proposed building erected it would be a splendid addition to our Community, we need a clean, well serviced & managed business such as the one in question.
We feel certain the Board of Appeals will give

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

December 21, 1953

NOTICE OF SECOND HEARING

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, December 31, 1953 at 10:30 a. m. Eastern Standard Time to hear the appeal of Forrest A. Graves, et al requesting exception to the Zoning Ordinance to cover construction of a one-story concrete block motor vehicle service station building about 25 feet by 44 feet and the installation of gasoline pumps, tanks and piping at 855-863 Brighton Avenue, between Essex and Dennett Streets, to be used by Socony Vacuum Oil Co.

This permit is presently not issualbe under the Zoning Ordinance because this proposed use of building and land is not allowable in the Local Business Zone where the property is located, according to Section 6A of the Ordinance, unless first authorized by the Board of Appeals after the usual appeal procedure.

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.

This is the same appeal heard by the Board of Appeals on December 4th, 1953 involving the same property and the same proposed use. A second hearing is required on this appeal because at the December 4th hearing the Board of Appeals postponed its decision in order to receive the recommendation of the School Committee on the matter, and in the interim the membership of the Board of Appeals changed.

BOARD OF APPEALS

William H. O'Brien

Chairman

K

69

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

November 24, 1953

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, December 4, 1953 at 10:30 a. m. Eastern Standard Time to hear the appeal of Forrest A. Graves, et al. requesting exception to the Zoning Ordinance to cover construction of a one-story concrete block motor vehicle service station building about 25 feet by 44 feet and the installation of gasoline pumps, tanks and piping at 855-863 Brighton Avenue, between Essex and Bennett Streets, to be used by Socony Vacuum Oil Co.

This permit is presently not issuable under the Zoning Ordinance because this proposed use of building and land is not allowable in the Local Business Zone where the property is located, according to Section 6A of the Ordinance, unless first authorized by the Board of Appeals after the usual appeal procedure.

This appeal is taken under Section 18E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases where necessary to grant reasonable use of property 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 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

K



(L) LOCAL BUSINESS ZONE

APPLICATION FOR PERMIT TO ERECT
SIGN OVER PUBLIC SIDEWALK OR STREET

PERMIT ISSUED
01304
AUG 11 1953
CITY of PORTLAND

Portland, Maine, August 10, 1953

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect the following described sign extending over a public sidewalk or street in accordance with the Building Code of the City of Portland, and the following specifications:

Location 861 Brighton Ave. Within Fire Limits? no Dist. No. _____
Owner of building to which sign is to be attached Forrest A. Graves
Name and address of owner of sign Augur Variety Store, 861 Brighton Ave.
Contractor's name and address United Neon Display, 74 Elm St. Telephone 2-0695
When does contractor's bond expire? Dec. 31, 1953

Information Concerning Building

No. stories 2 Material of wall to which sign is to be attached stucco and block

Details of Sign and Connections

CERTIFICATE OF OCCUPANCY
REQUIREMENT IS WAIVED

Building owner's consent and agreement filed with application yes

Electric? no Vertical dimension after erection 31' 7" Horizontal 5' 4"

Weight 75 lbs., Will there be any hollow spaces? yes Any rigid frame? yes

Material of frame angle iron No. advertising faces 2, material metal

No. rigid connections 2 Are they fastened directly to frame of sign? yes

No. through bolts none, Size _____, Location, top or bottom _____

No. guys 5, material stainless steel cable Size 5/16"

Minimum clear height above sidewalk or street 14' 6"

Sign projection into street 5' 4" United Neon Display Fee \$ 2.00

Signature of contractor by: J. S. Payne

ION COPY

5-19
7-17

Permit No. 53/1304

Location 861 Brighton Ave.

August Society Store

Date of permit 8/11/53

Sign Contractor United Neon Display

Final Inspn. 9-16-53 J.C.A.

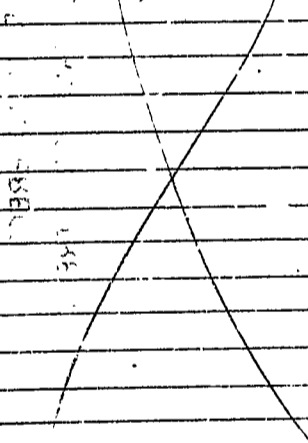
NOTES

8/13/53 Shop inspection
P.H.

8/13/53. In window only one sign
did not know what it was

sign was OK

8/14/53. Shop inspection OK



WRITTEN CONSENT AND AGREEMENT RELATING TO A CERTAIN SIGN PROPOSED TO

BE ERECTED PROJECTING OVER A PUBLIC SIDEWALK FROM THE PREMISES

AT 861 Brighton Ave. IN PORTLAND, MAINE

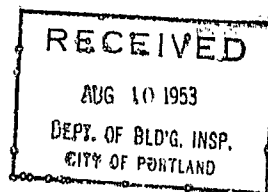
Forrest A Graves, being the owner of the premises at 861 Brighton Ave. in Portland, Maine hereby gives consent to the erection of a certain sign owned by L. Auger projecting over the public sidewalk from said premises as described in application to the Inspector of Buildings of Portland, Maine for a permit to cover erection of said sign;

And in consideration of the issuance of said permit Forrest A. Graves, owner of said premises, in event said sign shall cease to serve the purpose for which it was erected or shall become dangerous and in event the owner of said sign shall fail to remove said sign or make it permanently safe in case the sign still serves the purpose for which it was erected, hereby agrees for himself or itself, for his heirs, its successors, and his or its assigns, to completely remove said sign within ten days of notice from said Inspector of Buildings that said sign is in such condition and of order from him to remove it.

In Witness whereof the owner of said premises has signed this consent and agreement this 10th day of Augusta 1953

J. S. Coyne
Witness

Forrest A. Graves
Owner



(A) LEGAL SUBSTITUTION

PERMIT ISSUED

00735

MAY 7 1951



APPLICATION FOR PERMIT TO ERECT SIGN OVER PUBLIC SIDEWALK OR STREET CITY OF PORTLAND

Portland, Maine, April 25, 1951

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect the following described sign extending over a public sidewalk or street in accordance with the Building Code of the City of Portland, and the following specifications:

Location 861 Brighton Avenue Within Fire Limits? no Dist. No. _____

Owner of building to which sign is to be attached F. A. Graves Appeal sustained 5/11/51

Name and address of owner of sign F. A. Graves, 861 Brighton Avenue

Contractor's name and address United Neon Display, 74 Elm Street Telephone 2-0695

When does contractor's bond expire? Dec. 31, 1951

Information Concerning Building

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

No. stories 3 Material of wall to which sign is to be attached block and stucco

Details of Sign and Connections

Electric? no Vertical dimension after erection 4' Horizontal 3'

Weight 65 lbs., Will there be any hollow spaces? yes Any rigid frame? yes

Material of frame angle iron No. advertising faces 2, material metal

No. rigid connections 2 Are they fastened directly to frame of building? yes

No. through bolts none, Size _____, Location, top or bottom _____

No. guys 4, material cable, Size 5/16"

Minimum clear height above sidewalk or street 7 1/2' 6"

Maximum projection into street 4' 4"

Signature of contractor by: Thomas J. Keating nited Neon Display Fee \$ 1.00

4-25-51 O.I.C. No.

Just ORIGINAL

15-9
Permit No. 51735
Location 861 Brighton Ave
Owner F. O. Graves
Date of permit 5/7/51
Sign Contractor
Final Inspri. 5-9-51. D.D.

NOTES

~~5-8-51. edup imp. O.K. M.~~

Blank lined area for notes, crossed out with a large X.

AP 861 Brighton Ave.

April 30, 1951

Mr. F. A. Graves,
861 Brighton Avenue
Portland, Maine

Copy to United Neon Display, 74 Elm St.
Corporation Counsel

Dear Mr. Graves:

Building permit intended to cover erection of a sign about 4 feet by 3 feet to project over the public sidewalk at 861 Brighton Avenue, is not issuable under the Zoning Ordinance because the sign would constitute an unlawful encroachment upon the required front yard space (this front yard space runs the entire width of the lot between the front wall of the building and inside edge of public sidewalk) in the Local Business Zone where the property is located.

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

Very truly yours,

WMcD/II
Enc. Outline of Appeal procedure

Warren McDonald
Inspector of Buildings

AP 861 Brighton Avenue-I
(Projecting sign)

April 27, 1951

Mr. F. A. Graves
861 Brighton Avenue
United Neon Display
74 Elm Street

Gentlemen:

The building permit intended to cover erection of a sign about 4'x3' to project over the public sidewalk at 861 Brighton Avenue, is not issuable under the Zoning Ordinance because the sign would constitute an unlawful encroachment upon the front yard space (the space the entire width of the lot between the front wall of the building and the street line or inside edge of public sidewalk) which is required to be kept open from the ground upwards in the Local Business Zone where the property is located.

In event you should desire to seek an exception from the Board of Appeals with the hope that the sign may be allowed, it would be well to notify this office immediately of that desire, if you want to secure an answer from the Board of Appeals at the earliest possible date, so that we can send you the necessary certification letter in time for the appeal to be filed before Monday noon, April 30.

If the store building were to be built at this time, the Zoning Ordinance would require it to set back at least 15' from the street line (inside edge of public sidewalk). The building was there when the Zoning regulations were adopted and because of that fact is allowed to remain as an encroachment upon this front yard. No additional encroachments are permissible, however.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMD/G

City of Portland, Maine
Board of Appeals

—ZONING—

May 1, 1951, 19

*Sustained
5/4/51*

51/40

To the Board of Appeals:

Your appellant, F. A. Graves, who is the owner of property at 861 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.

Building permit to cover erection of a sign about 4 feet by 3 feet to project over the public sidewalk at 861 Brighton Avenue is not issuable under the Zoning Ordinance because the sign would constitute an unlawful encroachment upon the required front yard space between the front wall of the building and inside edge of public sidewalk in the Local Business Zone where this property is located.

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.

F. A. Graves
Appellant

After public hearing held on the 4th day of May, 19 51 the Board of Appeals finds that 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.

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

Stephen C. Frost
Frank G. Giddis
H. Merrill Lathrop
William H. O'Brien
John W. Lake
BOARD OF APPEALS

WARREN McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to file AP 81 Brighton Ave.

CITY OF PORTLAND, MAINE

Department of Building Inspection

FU

April 30, 1951

Mr. F. A. Graves,
861 Brighton Avenue
Portland, Maine

Copy to United Neon Display, 74 Elm St.
Corporation Counsel

Dear Mr. Graves:

Building permit intended to cover erection of a sign about 4 feet by 3 feet to project over the public sidewalk at 861 Brighton Avenue, is not issuable under the Zoning Ordinance because the sign would constitute an unlawful encroachment upon the required front yard space (this front yard space runs the entire width of the lot between the front wall of the building and inside edge of public sidewalk) in the Local Business Zone where the property is located.

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

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCD/H
Enc. Outline of Appeal procedure

C
O
P
Y

DATE: May 4, 1951

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF F. A. GRAVES

AT 861 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	
Mrs. Frost	(x)	()	
Mr. Getchell	(x)	()	
Mr. Lake	(x)	()	
Mr. O'Brien	(x)	()	
Mr. Luthe	(x)	()	
	()	()	
	()	()	
	()	()	

Record of Hearing:

No opposition



APPLICATION FOR PERMIT

Class of Building or Type of Structure Installation

Portland, Maine, February 27, 1951

PERMIT ISSUED
00296
MAR 1 1951
CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to install the following building 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 661 Brighton Avenue Within Fire Limits? no Dist. No. _____
 Owner's name and address Glenwood Variety Store, 861 Brighton Avenue Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address H. P. Hood & Son, 135 Walton Street Telephone _____
 Architect _____ Specifications _____ Fire Dept. Plans yes No. of sheets 1
 Proposed use of building Store and dwelling house No. families _____
 Last use _____ " " " " No. families _____
 Material wood No. stories 2 Heat _____ Style of roof _____ Roofing _____
 Other buildings on same lot _____
 Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To install refrigeration equipment. Compressor in basement. Refrigerant - Freon 12

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 H. P. Hood & Son**

Heat by Fire Dept. 2/27/51
Heat by Fire Dept. 2/28/51

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:

Oliver P. ...

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

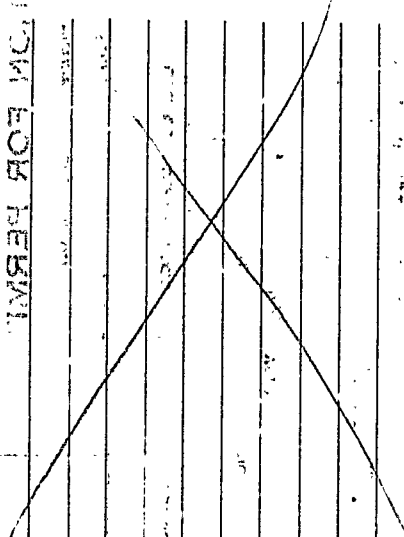
Glenwood Variety Store
H. P. Hood & Son

Signature of owner by: *James ...*

ON COPY

Permit No. 51/296
 Location 861 Brighton Ave.
 Owner Greenwood Variety Store
 Date of permit 3/1/51
 Notif. closing-in _____
 Inspn. closing-in _____
 Final Notif. _____
 Final Inspn. No inspection
 Cert. of Occupancy issued _____

NOTES FOR PERMIT SECTION



General Description of Work

This permit is issued for the purpose of _____
 Height structure to be erected _____
 Is such structure to be erected on _____
 Is such structure to be erected on _____
 Description of Work Above



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, October 10, 1949

PERMIT ISSUED

OCT 10 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 861 Brighton Avenue Use of Building 1-family dwelling & store No. Stories 2 New Building Existing "
Name and address of owner of appliance J. R. Graves, 861 Brighton Avenue
Installer's name and address Harris Oil Co., 202 Commercial Street Telephone 2-8304

General Description of Work

To install Oil burning equipment in connection with existing steam heat (replacement)

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 Johnson 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 Number and capacity of tanks existing 275 Gal.
Location of oil storage Cellar
If two 275-gallon tanks, will three-way valve be provided? _____ How many tanks fire proofed? _____
Will all tanks be more than five feet from any flame? Yes _____
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 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED: OK 10-10-49. P.M.P.

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 Installer By: Andrew R. Sides
Harris Oil Company

INSPECTION COPY

Permit No. 49/1697 102449

Location 861 Brighton Ave.

Owner R. Soares

Date of permit 10/10/49

Approved 10 24 49 T.D.K.

NOTES

- ~~1 Fill Pipe~~
- ~~2 Vent Pipe~~
- ~~3 Kind of Heat~~
- ~~4 Burner Rigidity & Supports~~
- ~~5 Name & Label~~
- ~~6 Stack Control~~
- ~~7 High Limit Control~~
- ~~8 Remote Control~~
- ~~9 Piping Supports & Protection~~
- ~~10 Valves in Sight Line~~
- ~~11 Capacity of Tanks~~
- ~~12 Tank Rigidity & Supports~~
- ~~13 Tank Distances~~
- ~~14 Oil Storage~~
- ~~15 Instruction Cards~~
- ~~16~~

AP 861 Brighton Avenue-I

ATH
ESS
BMT
VAJS
PH
EC
DJ
BS

February 12, 1947

Mr. Willard Colpitts
91 Kelsey Street
South Portland, Maine

Subject: Location of proposed addition on rear of
combination store and dwelling at 861 Brighton
Avenue

Dear Sir:

The other day when you were in the office inquiring about the above addition you were told that it would be lawful to build it no closer than fifteen feet to the street line of Essex Street. However, in checking into the matter further we find that under the requirements of Section 15-7 of the Zoning Ordinance a setback from Essex Street of at least thirty feet would be required due to the influence of the existing dwelling on the adjoining lot on Essex Street.

To provide this much setback may involve practical difficulty and unnecessary hardship and in such a case the owner has the right of appeal to the Board of Appeals as provided in Section 15-M of the Ordinance. Unless such an appeal were acted upon favorably, a permit for this addition to be located closer than thirty feet to Essex Street could not be granted.

The other information given you concerning the requirement of a twelve foot yard between the addition and rear line and the fact that the addition may be used for upholstery work in connection with the retail store in the existing building, but not for the carrying on of any wholesale upholstery business, is correct.

Very truly yours,

Inspector of Buildings

AWS/J

CC: Mr. J. P. Graves
861 Brighton Avenue

221

File
INQUIRY BLANK

ZONE "L"

FIRE DIST. None

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Verbal
By Telephone

Date 2/6/47

LOCATION 861 Brighton Ave OWNER J. P. Graves, 861 Brighton Ave.

MADE BY Willard Colpitts, Sr TEL. 2-4571

ADDRESS 91 Kelsey Street, S. P.

PRESENT USE OF BUILDING Second hand furniture + upholstery

CLASS OF CONSTRUCTION Second NO. OF STORIES 2

REMARKS:

INQUIRY: 1- Can a one story frame addition about
20' x 55' be built on rear of this building for
use as upholstery shop?
2- How far is it required to be kept from rear
lane? How far from side street line?

OK
WMP
2/12/47

ANSWER: 1- If manufactured goods made on premises
are sold at retail on the premises use is permissible,
and additions for such use allowable. No
wholesale business allowable. No entrance from side street.
2- Successive "L" zone, at least 10' required for
rear yard and 15' from side street line.
See also letter 7/12/47

DATE OF REPLY 2/6/46 REPLY BY A. J. ...

011 A...



(C) LOCAL BUSINESS ZONE

Permit No. _____

APPLICATION FOR PERMIT **PERMIT ISSUED**

1934

Class of Building or Type of Structure Second Class

AUG 7 1934

Portland, Maine August 7, 1934

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect or alter 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 861 Brighton Avenue Ward 9 Within Fire Limits? no Dist. No. _____

Owner's or Lessee's name and address Hilliken-Tomlinson Co., 205 Commercial St. Telephone _____

Contractor's name and address F. E. Carpenter, 52 Bennett Street Telephone 4-2056

Architect's name and address _____

Proposed use of building Store and tenement No. families 1

Other buildings on same lot _____

Plans filed as part of this application? yes No. of sheets 1

Estimated cost \$ 15. Fee \$.25

Description of Present Building to be Altered

Material concrete No. stories 2 Heat _____ Style of roof _____ Roofing _____

Last use Store and tenement No. families 1

General Description of New Work

To erect platform 4' square on rear of building, second floor level.

NOTIFICATION BEFORE LATENESS
OR CLOSING-IN IS WARNED

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

Height average grade to top of plate _____

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 3x4 brackets Thickness, top _____ bottom _____

Material of underpinning _____ Height _____ Thickness _____

Kind of Roof no Rise per foot _____ Roof covering _____

No. of chimneys _____ Material of chimneys _____ of lining _____

Kind of heat _____ Type of fuel _____ Is gas fitting involved? _____

Corner posts _____ Sills 4x4 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 2x4, 3rd _____, roof no

On centers: 1st floor _____, 2nd 16", 3rd _____, roof _____

Maximum span: 1st floor _____, 2nd 4', 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

Hilliken-Tomlinson Co.

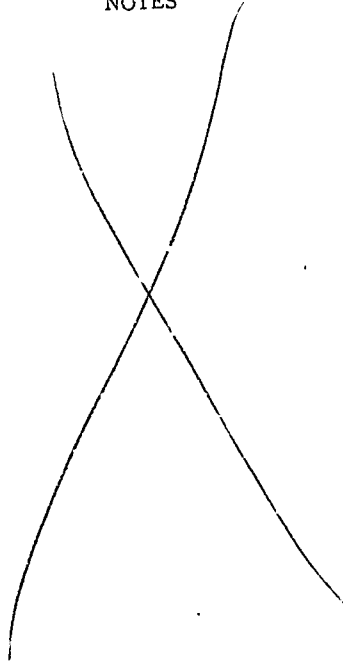
Signature of owner F. E. Carpenter

INSPECTION COPY

2407B

Ward 9 Permit No. 34/1073
Location 861 Brighton Ave
Owner Milliken-Tomlinson Co
Date of permit 8/7/34
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. 8/11/34. ODE
Cert. of Occupancy issued none

NOTES





FILL IN COMPLETELY AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, October 17, 1970

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 861 Brighton Avenue Use of Building dwelling house and store
Name and address of owner Percy E. Lane, 861 Brighton Ave. Ward 9
Contractor's name and address Halverson Bros. 9 Union Telephone P 3950

General Description of Work

To install Oil Burner

IF HEATER, POWER BOILER OR COOKING DEVICE

Is heater or source of heat to be in cellar? yes If not, which story _____ Kind of Fuel oil
Material of supports of heater or equipment (concrete floor or what kind) concrete
Minimum distance to wood or combustible material, from top of boiler or casing top of furnace, _____
from top of smoke pipe _____, from front of heater _____ from sides or back of heater _____

IF OIL BURNER

Name and type of burner Silent Automatic Approved by Underwriters' Laboratories? yes
Location oil storage basement No. and capacity of tanks 1 - 275 gal.
Will all tanks be more than seven feet from any flame? yes How many tanks fireproofed? none
Amount of fee enclosed? yes (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.) Halverson Bros.

Signature of contractor Charles A. Halverson

By

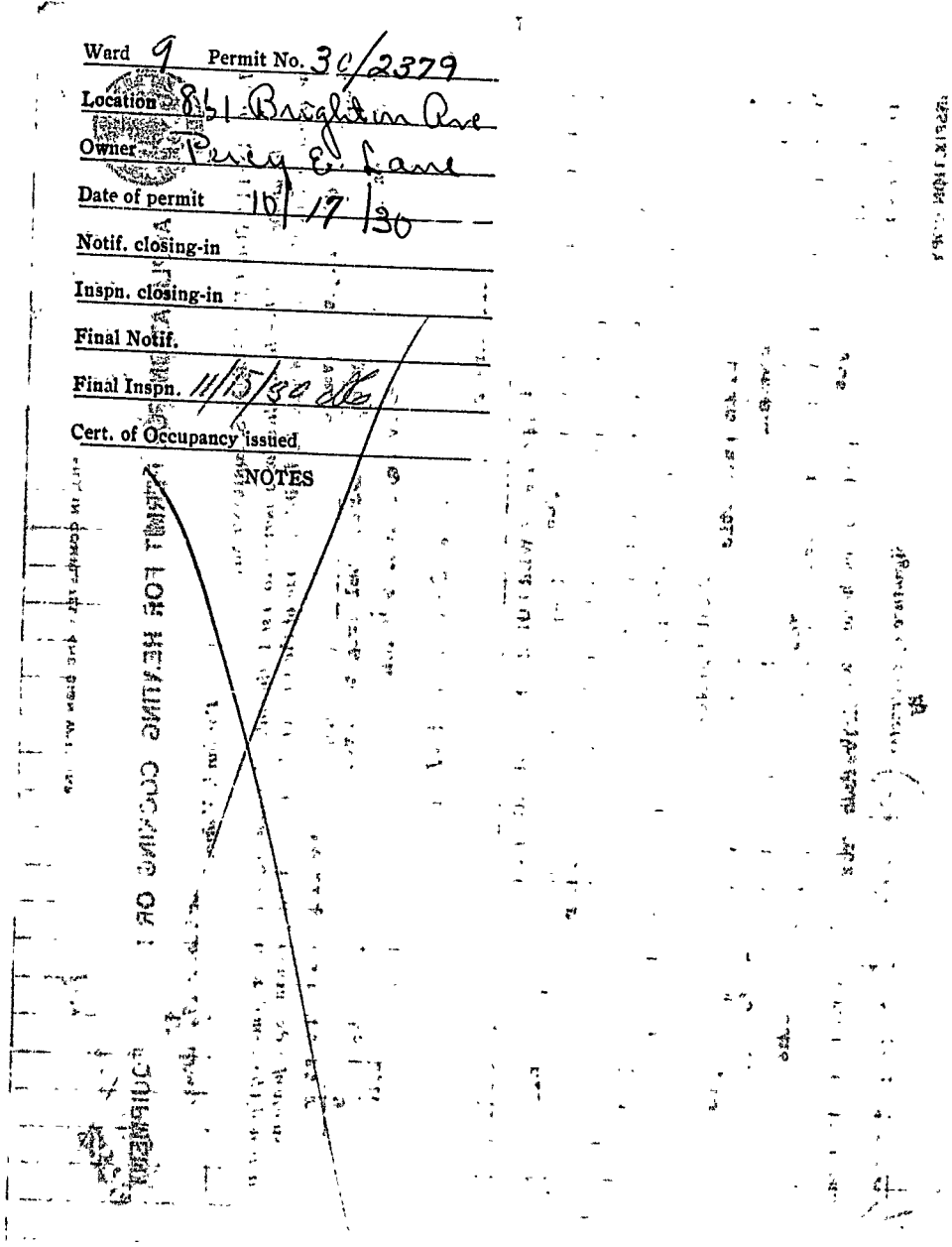
INSPECTION COPY

PERMIT 2879
OCT 17 1970

Ward 9 Permit No. 30/2379
Location 861 Brighton Ave
Owner Pericy E. Lane
Date of permit 10/17/30
Notif. closing-in _____
Inspn. closing-in _____
Final Notif. _____
Final Inspn. 11/15/30
Cert. of Occupancy issued _____

NOTES

~~NEED FOR HEALING COOKING OR~~





1913

Permit No. _____

APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class

Portland, Maine, August 21, 1928

PERMIT ISSUED

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to ~~erect~~ alter ~~its~~ 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 861 Brighton Avenue Ward 9 Within Fire Limits? No Dist. No. _____
 Owner's or Lessee's name and address Frank D. True and Daniel Clark, Jr Telephone _____
 Contractor's name and address Owner Telephone _____
 Architect's name and address _____
 Proposed use of building Electroplating establishment and dwelling No. families 1
 Other buildings on same lot none

Description of Present Building to be Altered

Material Con. Bl. No. stories 3 Heat _____ Style of roof Flat Roofing T & G
 Last use store and dwelling No. families 1

General Description of New Work

To make minor alterations in interior non-carrying partitions in the first story and to establish an electroplating business in the first story and basement of building

Appeal sustained by Board of Municipal Officers and permit ordered 9/17/28.

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 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
 Plans filed as part of this application? no No. sheets _____
 Estimated cost \$ 100. Fee \$ 50.
 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 _____

INSPECTION COPY

IN THE BOARD OF MUNICIPAL OFFICERS

September 11, 1928.

To Whom It May Concern:

A public hearing upon the appeal^{of} Messers Frank D. True and Samuel Clark Jr. from the decision of the Inspector of Buildings with relation to the property at 861 Brighton Avenue will be held before the Committee on Zoning and Building Ordinance Appeals in Room 35, City Hall, Friday afternoon, September 14th at three o'clock Eastern Standard Time (four o'clock daylight-saving time).

The decision of the Inspector of Buildings denies a permit to use the first story and basement of this building for a Electroplating business as it is construed as a non-conforming use in the Local Business Zone in which the building is located.

All persons interested either for or against the above are heard at the above time and place.

COMMITTEE ON ZONING AND BUILDING ORDINANCE
APPEALS.

K

IN THE BOARD OF MUNICIPAL OFFICERS.

September 11, 1928.

Messrs. Frank B. True and Samuel Clark Jr.
Clapp Memorial Bldg.
Portland, Maine.

A public hearing upon your appeal from the decision of the Building Inspector with relation to the property at 801 Brighton Avenue will be held before the Committee on Zoning and Building Ordinance Appeals in Room 36, City Hall, on Friday afternoon, September 14th at three o'clock eastern standard time (four o'clock daylight-saving time).

You should appear or be represented at this hearing as failure to have representation will be considered as withdrawal of the appeal and so reported to the Board of Municipal Officers.

COMMITTEE ON ZONING AND BUILDING ORDINANCE
APPEALS.

CC-Maine Realty Bureau



City of Portland, Maine

Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned
Frank D. True &
by Samuel Clark, Jr. at 861 Brighton Avenue

August 21, 1923.

To the Municipal Officers:

Your appellant, Frank D. True & Samuel Clark, Jr.

who are the owners of property at 861 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 to deny the permit to change the use of the building at 861 Brighton Avenue so that an electroplating business may be established in the first story and basement on the ground that this use is a non-conforming use in the Local Business Zone in which the building is located.

The reasons for the appeal are as follows: The building in question has been unprofitable for a long period of years due to the fact that the first story and basement built for business purposes has never had a successful tenant in the lines of business permitted in a Local Business Zone. While it is true that the electroplating business is necessarily classified as a process of manufacture, it is the contention of the owners that there are no features connected with this business that would prove detrimental to the surrounding business establishments or the Residential Zone nearby.

Frank D. True & Samuel Clark, Jr.
12/2/23

5471-I

January 5, 1928

The Maine Realty Bureau
465 Congress Street
Portland, Maine

Attention Mr. Driscoll.

Gentlemen:

The Board of Municipal Officers on January 4th voted to deny the appeal of Messers Frank D. True and Samuel Clark Jr. from the decision of the Inspector of Buildings with relation to the building at 861 Brighton Avenue.

You paid a fee of \$1.00 at the time of application for the permit which will now be refunded if the owners do not propose to carry the appeal further, and if you will return to this office the receipt for fee paid.

Very truly yours,

INSPECTOR OF BUILDINGS

WM/EP