

FIRE DEPARTMENT INSPECTION

of

UNDERGROUND TANK

WASTE

3-6000 GAS 1-1000 FUEL 1-1000<sup>OIL</sup>

LOCATION 40-56 AUBURN ST

Label YES

Asphalt YES

Anchorage No

Swing Joint YES

Date 5/21/69

By: CAPT GERBER

Return to Building Inspection Dept.

RECEIVED  
JUN 11 1969  
DEPT. OF BLDG. INS  
CITY OF PORTLAND

MEMORANDUM FROM DEPARTMENT OF BUILDING INSPECTION, PORTLAND, MAINE

September 1968

Location: #40-56 Auburn St.

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

~~SH#~~ (1)-1000 fuel--10 gauge (1)-1000 waste oil--10 gauge--(3) 6000 gasoline--<sup>1</sup>/<sub>2</sub>" each

These tanks of <sup>6000</sup>/<sub>2</sub>" gallons capacity are required to be of steel or wrought iron no less in thickness than <sup>1</sup>/<sub>2</sub>" gauge; and before installation are required to be protected against corrosion, even though galvanized, by two coats of tar, asphaltum, or other suitable rust-resisting paint, and special protection wherein corrosive soil such as cinders or the like.

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

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

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



B1 BUSINESS ZONE  
APPLICATION FOR PERMIT

Class of Building or Type of Structure Installation  
Portland, Maine, September 5 1968

PERMIT ISSUED  
929

SEP 11 1968

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 40-56 Auburn St. Within Fire Limits? Dist. No.  
Owner's name and address Lessee Sun Oil Company, 93 Kensington St. Telephone  
Owner of property Mary A & Francis E Curran, 926 Brighton Ave. Telephone  
Lessee's name and address Sun Oil Company, 93 Kensington St. Telephone  
Contractor's name and address Sun Oil Company, 93 Kensington St. Telephone  
Architect Specifications Plans Yes No. of sheets  
Proposed use of building No. families  
Last use No. families  
Material No. stories Heat Style of roof Roofing  
Other buildings on same lot  
Estimated cost \$ Fee \$ 2.00

General Description of New Work

To install (1)-1000 gallons fuel oil storage tank.  
To install (1)-1000 " waste oil storage tank.  
To install (3)-6000 " gasoline storage tanks, (all outside underground).  
Tanks will be buried 3' underground and covered with asphaltum.  
Tanks bear Und. Label.  
To install (4)-electric pumps.  
Size of piping from tank to pump 2"  
Vent pipe 2"

(Approved)  
9/5/68  
2/10/68

Sent to Fire Dept. 9/5/68  
Rec'd from Fire Dept. 2/10/68

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

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work?  
Is connection to be made to public sewer? If not, what is proposed for sewage?  
Has septic tank notice been sent? Form notice sent?  
Height average grade to top of plate Height average grade to highest point of roof  
Size, front depth No. stories solid or filled land? earth or rock?  
Material of foundation Thickness, top bottom collar  
Kind of roof Rise per foot Roof covering  
No. of chimneys Material of chimneys of lining Kind of heat fuel  
Framing Lumber-Kind: Dressed or full size? Corner posts Sills  
Size Girder Columns under girders Size Max. on center  
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:  
Deputy Chief [Signature] 9/10/68  
R. [Signature]

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

Sun Oil Company

CS 301

INSPECTION COPY

Signature of owner by

[Signature]

[Handwritten mark]



B1 BUSINESS ZONE APPLICATION FOR PERMIT

Class of Building or Type of Structure Installation

Portland, Maine, December 20, 1968

application renewed 12-20-1968

PERMIT ISSUED 1321 DEC 20 1968 CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 40-56 Auburn St. Within Fire Limits? Dist. No. Owner's name and address New owners W. A. & Francis E. Curran, 926 Brighton Ave. Telephone Lessee's name and address Sun Oil Company, 93 Kensington St. Telephone Contract name and address not let Telephone Architect Specifications Plans yes No. of sheets Proposed use of building No. families Last use No. families Material No. stories Heat Style of roof Roofing Other buildings on same lot Estimated cost \$ Fee \$ 2.00

General Description of New Work

To install (1)-1000 gallons fuel oil storage tank. To install (1)-1000 " waste oil storage tank. To install (3)-3000 " gasoline storage tanks (all outside underground).

Tanks will be buried 3' underground and covered with asphaltum. Tanks bear Und. Label.

To install (4) electric pumps. Size of piping from tank to pump 2" Vent Pipe-2"

Sent to Fire Dept 9/5/68 Rec'd from Fire Dept 9/10/68

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

Details of New Work

Is any plumbing involved in this work? Is any electrical work involved in this work? Is connection to be made to public sewer? If not, what is proposed for sewage? Has septic tank notice been sent? Form notice sent? Height average grade to top of plate Height average grade to highest point of roof. Size, front depth No. stories solid or filled land? earth or rock? Material of foundation Thickness, top bottom cellar Kind of roof Rise per foot Roof covering No. of chimneys Material of chimneys of lining Kind of heat fuel Framing Lumber-Kind Dressed or full size? Corner posts Sills Size Girder Columns under girders Size Max. on centers Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet. Joists and rafters: 1st floor, 2nd, 3rd, roof On centers: 1st floor, 2nd, 3rd, roof Maximum span: 1st floor, 2nd, 3rd, roof If one story building with masonry walls, thickness of walls? height?

If a Garage

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

APPROVED: O.K. E.S.S. 12/20/68

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

Sun Oil Company

CS 301

INSPECTION COPY

Signature of owner by: [Signature]

[Signature]



**CITY OF PORTLAND, MAINE**  
**Application for Permit to Install Wires**

Permit No. 56804  
 Issued 5/6/68

Portland, Maine ..... 19.....

To the City Electrician, Portland, Maine:

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

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

Owner's Name and Address Douglas Reed Tel. 774-4083  
 Contractor's Name and Address Galbraith Electric Tel. 781-3095  
 Location 40 Auburn Street Use of Building Fruit Stand  
 Number of Families ..... Apartments ..... Stores ..... Number of Stories 1  
 Description of Wiring: New Work ..... Additions ..... Alterations .....  
relocation to permanent mast. 6 x 6  
 Pipe ..... Cable  Metal Molding ..... BX Cable ..... Plug Molding (No. of feet) .....  
 No. Light Outlets ..... Plugs ..... Light Circuits ..... Plug Circuits .....  
 FIXTURES: No. Light Switches ..... Fluor. or Strip Lighting (No. feet) .....  
 SERVICE: Pipe ..... Cable ..... Underground ..... No. of Wires ..... Size .....  
 METERS: Relocated ..... Added ..... Total No. Meters .....  
 MOTORS: Number ..... Phase ..... H. P. ..... Amps ..... Volts ..... Starter .....  
 HEATING UNITS: Domestic (Oil) ..... No. Motors ..... Phase ..... F.P. .....  
 Commercial (Oil) ..... No. Motors ..... Phase ..... H.P. .....  
 Electric Heat (No. of Rooms) .....  
 APPLIANCES: No. Ranges ..... Watts ..... Brand Models (Size and No.) .....  
 Elec. Heaters ..... Watts .....  
 Miscellaneous ..... Watts ..... Extra Cabinets or Panels .....  
 Transformers ..... Air Conditioners (No. Units) ..... Signs (No. Units) .....  
 Will commence 5/10/68 Ready to cover in 5/10/68 Inspection 5/16/68  
 Amount of Fee \$ 1.00  
 Signed Lowell W Weeks

DO NOT WRITE BELOW THIS LINE

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

REMARKS:

INSPECTED BY J W Hatten  
 (COVER)

Inquiry - 40-44 Auburn Street

October 24, 1967

Turner Barker Realty, Incorporated  
c/o Mr. James E. Demetrios  
432 Congress Street  
Portland, Maine

Gentlemen:

In answer to your inquiry to subdivide land at 40-56 Auburn Street as shown on our plot plan here on file (copy of plan submitted by you) would be allowable for the non-conforming restaurant use at the above named location if the following Zoning Ordinance requirements are met:

1. No side yard is required, but if provided, side yard must be not less than 3 feet in width.
2. Parking for at least three cars must be provided for existing restaurant use. At the rear of the restaurant along Washington Avenue the R-2 Residence Zone is 70 feet deep. Where a zone boundary line divides a lot in a single or joint ownership of record the less restricted portion of such shall extend not more than thirty feet into the more restricted portion; therefore, parking would be allowable as close as 40 feet to the street line of Washington Avenue.
3. Any use planned for 46-56 Auburn Street would have to meet Zoning Ordinance and Building Code requirements. Any entrances from Auburn Street would have to be approved by the city traffic engineer for this new lot.

Very truly yours,

A. Allan Soule  
Field Inspector II

AAS: kc

40-44 Auburn St. - 10123167 - Allen  
Restaurant Existing  
(B1)

CHECK AGAINST ZONING ORDINANCE

- ✓ Date = Restaurant before 6/15/77
- ✓ Zone Location = B1 - Non-conforming
- ✓ Interior or corner Lot =
- ✓ 40 ft setback area? (Section 21) Yes - 46' - o.k.
- Use = Restaurant - Non-conforming
- ~~Sewage Disposal =~~
- ✓ Rear Yards = Existing
- Side Yards = 3' side yard if provided
- ✓ Front Yards = Existing
- Projections =
- Height =
- Lot Area = Not req.
- ~~Building Area = Not req.~~
- ~~Area per Family = Not req.~~
- Width of Lot =
- ~~Lot Frontage =~~
- Off-street Parking =  
100' of floor area - restaurant zone  
2 x 40 - 2 x 20' - 3 parking spaces needed.

**CITY OF PORTLAND, MAINE**  
**Application for Permit to Install Wires**

Permit No. 55107  
 Issued .....

Portland, Maine .....

To the City Electrician, Portland, Maine:

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

*(This form must be completely filled out - Minimum Fee, \$1.00)*

Owner's Name and Address Mrs. Douglas Reed Tel. ....  
 Contractor's Name and Address Lowell Weeks Telephone Tel. 781-3893  
 Location Autumn St. Use of Building Open air market  
 Number of Families ..... Apartments ..... Stores ..... Number of Stories .....  
 Description of Wiring: New Work ..... Additions ..... Alterations .....  
Temporary service & lights  
 Pipe ..... Cable ..... Metal Molding ..... BX Cable ..... Plug Molding (No. of feet) .....  
 No. Light Outlets 1250 Plugs ..... Light Circuits 2 ..... Plug Circuits .....  
 FIXTURES: No. .... Light Switches ..... Fluor. or Strip Lighting (No. feet) .....  
 SERVICE: Pipe ..... Cable  ..... Underground ..... No. of Wires 3 Size 2/0  
 METERS: Relocated ..... Added ..... Total No. Meters 1  
 MOTORS: Number ..... Phase ..... H. P. .... Amps ..... Volts ..... Starter .....  
 HEATING UNITS: Domestic (Oil) ..... No. Motors ..... Phase ..... H.P. ....  
 Commercial (Oil) ..... No. Motors ..... Phase ..... H.P. ....  
 Electric Heat (No. of Rooms) .....  
 APPLIANCES: No. Ranges ..... Watts ..... Brand Feeds (Size and No.) .....  
 Elec. Heaters ..... Watts .....  
 Miscellaneous ..... Watts ..... Extra Cabinets or Panels .....  
 Transformers ..... Air Conditioners (No. Units) ..... Signs (No. Units) .....  
 Will commence 15 July 1966 Ready to cover in 20 July 1966 Inspection 18 July 1966  
 Amount of Fee \$ 3.00  
 Signed Lowell Weeks

DO NOT WRITE BELOW THIS LINE

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

REMARKS:

INSPECTED BY Tom H. [Signature]  
 (OVER)

**PERMIT TO INSTALL PLUMBING**

**14980**

PERMIT NUMBER

Date Issued: 3/12/65  
 PORTLAND PLUMBING INSPECTOR

Address: 40 Auburn St.  
 Installation For: Ward's Drive-in  
 Owner of Bldg.: Same  
 Owner's Address: Same  
 Plumber: Dana B. Ankov Date: 3/12/65

J.P. Welch

ED FIRST INSPECTION

3/15/65

By: [Signature]

APPROVED FINAL INSPECTION

Date: 3/15/65

By: JOSEPH P. WELCH

CHIEF COMMERCIAL PLUMBING INSPECTOR

- RESIDENTIAL
- SINGLE
- MULTI FAMILY
- NEW CONSTRUCTION
- REMODELING

NEW	REPL	PROPOSED INSTALLATIONS	NUMBER	FEE
	2	SINKS	2	\$1.00
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARBAGE GRINDERS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS (Conn. to house drain)		

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

TOTAL \$1.00



(COPY)

CITY OF PORTLAND, MAINE  
Department of Building Inspection



# Certificate of Occupancy

LOCATION 48-56 Auburn Street

Issued to Antoinette Reed, 1085 Washington Ave.

Date of Issue July 11, 1966

This is to certify that the building, premises, or part thereof at the above location, built ~~or~~ altered ~~or~~ ~~reconstructed~~ under Building Permit No. 66/553, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Retail fruit and Produce Stand

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

Carl S. Bennett  
Inspector

M. E. Marberry  
Inspector of Buildings

Co 643

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



BY BUSINESS

# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, June 30, 1966

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 48-56 Auburn Street Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
 Owner's name and address Marie Curran, 1085 Washington Ave. Telephone \_\_\_\_\_  
 Lessee's name and address Antoinette Reed, 1085 Washington Ave. Telephone \_\_\_\_\_  
 Contractor's name and address B. & D. Contractors, Brighton Rd., Falmouth Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans Yes No. of sheets 2  
 Proposed use of building retail fruit & produce No. families \_\_\_\_\_  
 Last use \_\_\_\_\_ No. families \_\_\_\_\_  
 Material frame No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ 1000. Fee \$ 5.00

## General Description of New Work

To construct 1-story frame building 15' x 35' (open) wide depth

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** Mrs. Reed

## Details of New Work

Is any plumbing involved in this work? no Is any electrical work involved in this work? no  
 Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
 Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? yes  
 Height average grade to top of plate 10' - front highest pt. of roof \_\_\_\_\_  
 Size, front 15' depth 35' No. stories 1 solid or filled land? solid earth or rock? earth  
 Material of foundation 10" sc. tubes Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
 Kind of roof asphalt Rise per foot 2" Roof covering Asphalt Glass C Und Label  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 Framing Lumber—Kind hemlock Dressed or full size? \_\_\_\_\_ Corner posts 4x4 Sills \_\_\_\_\_  
 Size Girder 6x8 d.f. plate 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 dir., 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 2x4 truss  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 24"  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 12'  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

## If a Garage

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

APPROVED:

## Miscellaneous

Will work require disturbing of any tree on a public street? \_\_\_\_\_  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes  
 Antoinette Reed  
 Marie Curran

CS 101

INSPECTION COPY

Signature of owner By: Antoinette Reed

*Handwritten initials*



BI BUSINESS ZONE  
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class  
Portland, Maine July 1, 1966

PERMIT ISSUED  
JUL 6 1966  
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 48-56 Auburn St. Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Marie Curran, 926 Brighton Ave. Telephone \_\_\_\_\_  
Lessee's name and address Antoinette Reed, 1085 Washington Ave. Telephone \_\_\_\_\_  
Contractor's name and address ABC Painting Contractor, 308 Congress St. Telephone 773-6572  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans \_\_\_\_\_ No. of sheets \_\_\_\_\_  
Proposed use of building retail fruit & Produce No. families \_\_\_\_\_  
Last use \_\_\_\_\_ No. families \_\_\_\_\_  
Material frame No. stories 1 Heat \_\_\_\_\_ Style of roof shed Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ 1000 Fee \$ 5.00

General Description of New Work

To construct 1-story frame open building 40' x 15'

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 Mrs. Reed

Details of New Work

Is any plumbing involved in this work? no Is any electrical work involved in this work? no  
Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? yes  
Height average grade to top of plate 6' Height average grade to highest point of roof 10'  
Size, front 40' depth 15' No. stories 1 solid or filled land? solid earth or rock? earth  
Material of foundation 10" Sonotubes at least 4" below grade thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
Kind of roof shed Rise per foot 8' O.C. Roof covering asphalt roofing Class C Unc. Lab.  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing Lumber—Kind hemlock Dressed or full size? dressed Corner posts with Sills \_\_\_\_\_  
Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. 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 ditto, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 2x8  
On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 12"  
Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 15'  
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:

M. E. Ho

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 Curran

Signature of owner By: Antoinette M. Reed

Joe H

C3-19-4C-Mark

(COPY)

CITY OF PORTLAND, MAINE  
Department of Building Inspection



# Certificate of Occupancy

LOCATION 40-56 Auburn St.

Issued to Frederick D. Gail

Date of Issue Feb. 24, 1955

This is to certify that the building, premises, or part thereof, at the above location, ~~has~~ altered  
—changed as to use ~~substantially to require~~ ~~substantially to require~~ ~~substantially to require~~ conform  
substantially to requirements of laws, ordinances and regulations is hereby approved for  
occupancy or use, limited or otherwise, as indicated below.

**PORTION OF BUILDING OR PREMISES**

Entire building, but excluding part of  
lot having depth from Washington Ave. of  
about 40 ft. toward Allen's Corner and about  
Limiting Conditions: 70 ft. on other side.  
Restaurant granted in Local Business  
Zone 2/17/56 by appeal.

**APPROVED OCCUPANCY**

Restaurant, not to exceed 20  
persons capacity at one time—  
not more than one truck to be  
parked.

CC: Mrs. Marie Aherne

This certificate superseded  
certificate issued 5/26/55

Approved:

(Date)

Inspector

Inspector of Buildings

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

DATE: FEBRUARY 17, 1956

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Frederick D. Call

AT 40-56 Auburn Street

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

<u>BOARD OF APPEALS</u>	<u>VOTE</u>	<u>MUNICIPAL OFFICERS</u>
	Yes	No
Ben B. Wilson	(X)	( )
William H. O'Brien	(X)	( )
Ruth D. Walsh	(X)	( )
Edward T. Colley	(X)	( )
Carl Lane	( )	( )
	( )	( )
	( )	( )
	( )	( )

Record of Hearing:

NO OPPOSITION

Robert Preti, Esq., representing Frederick D. Call



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

February 7, 1957

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, February 17, 1956, at 10:30 a. m. to hear the appeal of Frederick D. Call requesting an exception to the Zoning Ordinance to authorize changing the refreshment stand at 40-56 Auburn Street to a small lunch room or restaurant where food will be served for consumption within the building. It is not intended to sell malt beverages.

This permit is presently not issuable under the Zoning Ordinance because the property is located in a Local Business Zone where according to Section 6A of the Ordinance the use as a restaurant is not allowable 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 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

Ben B. Wilson

Chairman

K

Granted Cond. 8/29/68  
68/63

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL

Mary A. and Francis E. Curran, owner of property at 40-56 Auburn Street under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to: permit construction of a one-story masonry service station, 66' x 30', including retail sales of tires, batteries and small auto accessories. This permit cannot be issued for the following reasons: (1) the service station use is not allowable in this zone unless authorized by the Board of Appeals under Section 602.8a.12b of the ordinance; (2) the retail sale of tires, batteries and auto accessories is not listed among those uses allowable in this zone under Section 602.8a.8; (3) the pump islands and the pumps encroach upon the required 40-foot setback area contrary to Section 602.21; and (4) detached pole sign 35' high above grade with a flashing arrow (flashing light) located near the street line on the right side of this filling station is not allowed in the B-1 Business Zone under Section 602.16.4a.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Ordinance.

Mary A. and Francis E. Curran

By [Signature]  
APPELLANT their attorney

DECISION

After public hearing held August 29, 1968, the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Ordinance, provided that the conditions set forth on the sheet attached hereto and made a part hereof are fully met.

It is, therefore, determined that permit should        be issued in this case, provided that the conditions set forth on the sheet attached hereto and made a part hereof are fully met.

[Signature]  
[Signature]  
[Signature]  
BOARD OF APPEALS

August 30, 1968

Conditions made a part of decision of the Board of Appeals in granting appeal of Mary A. and Francis E. Curran, to erect a service station on the premises at 40-56 Auburn Street.

- (1) The detached pole sign shall not exceed 22'4" and it shall have no flashing or intermittent lighting.
- (2) A fence four feet high shall be erected along all property lines of the premises with the exception of the Auburn Street frontage.
- (3) A row of 6 to 8 feet pine trees spaced 6 inches apart shall be planted and maintained inside the fence along the entire Washington Avenue frontage and the area which is required to remain open and unused along Washington Avenue shall be kept clean and free of unsightly growth.

DATE: August 29, 1968

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Mary & Francis Curran  
AT 40-56 Auburn Street

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

BOARD OF APPEALS	YES	VOTE	NO
Franklin G. Hinckley	(x)		( )
Ralph L. Young	(x)		( )
Harry M. Shwartz	(x)		( )

Record of Hearing

Same persons appeared in opposition as at original hearing.  
Jacob Webb newly opposed  
Philip F. Lyons, 1462 Washington Avenue not opposed

August 26, 1968

Mr. Francis E. Curran  
926 Brighton Ave.

cc: Sun Oil Co.  
P.O. Box 1487  
Portland, Maine

Dear Mr. Curran:

August 2, 1968



CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

July 22, 1968

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, August 1, 1968 at 4:00 p.m. to hear the appeal of Mary A & Francis E. Juran requesting an exception to the Zoning Ordinance to permit construction of a one-story masonry service station 66' x 30' including retail sales of tires, batteries and small auto accessories at 40-56 Auburn Street.

This permit is presently not issuable under the Zoning Ordinance because: (1) The service station use is not allowable in this zone unless authorized by the Board of Appeals under Section 602.8a.12b of the Ordinance; (2) The retail sale of tires, batteries and auto accessories is not listed among those uses allowable in this zone under Sec. 602.8a.8; (3) The pump islands and the pumps encroach upon the required 40-foot setback area contrary to Sec. 602.21; (4) Detached pole sign 35' high above grade with a flashing arrow (flashing light) located near the street line on the right side of this filling station is not allowed in the B-1 Business Zone under Sec. 602.16.4a.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

h

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

August 19, 1968

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Thursday, August 29, 1968 at 4:00 p.m. to hear the appeal of Mary and Francis Curran requesting an exception to the Zoning Ordinance to construct a one-story masonry service station, 66' x 30', including retail sales of tires, batteries and small auto accessories at 40-56 Auburn Street.

This permit is presently not issuable under the Zoning Ordinance because: (1) the service station use is not allowable in this zone unless authorized by the Board of Appeals under Section 602.8a.12b of the Ordinance; (2) the retail sale of tires, batteries and auto accessories is not listed among those uses allowable in this zone under Section 602.8a.8; (3) the pump islands and the pumps encroach upon the required 40-foot setback area contrary to Section 602.21; and (4) detached pole sign 35' high above grade with a flashing arrow (flashing light) located near the street line on the right side of this filling station is not allowed in the B-1 Business Zone under Section 602.16.4a.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning Ordinance.

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

This second appeal was made necessary because of improper form of original petition.

#15-02 11/2/68  
Denial 8/1/68  
68/50

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

VARIANCE APPEAL

Mary A. & Francis E. Curran, owner of property at 40-56 Auburn Street  
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland,  
hereby respectfully petitions the Board of Appeals for a variance from the provisions of  
said Ordinance to permit: construction of a one-story masonry service station 66'x30'  
including retail sales of tires, batteries and small auto accessories. This permit  
cannot be issued for the following reasons: (1) The service station use is not allowable  
in this zone unless authorized by the Board of Appeals under Sec. 602.8a.12b of the  
Ordinance; (2) The retail sale of tires, batteries and auto accessories is not listed  
among those uses allowable in this zone under Sec. 602.8a.8; (3) The pump islands and  
the pumps encroach upon the required 40-foot setback area contrary to Sec. 602.21;  
(4) Detached pole sign 35' high above grade with a flashing arrow (flashing light)  
located near the street line on the right side of this filling station is not allowed  
in the B-1 Business Zone under Sec. 602.16.4a.

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

Francis E. Curran  
APPELLANT

Mary A. Curran  
DECISION

After public hearing held August 1, 1968, the Board of Appeals finds that  
all of the above conditions do not exist with respect to this property and that a  
variance should not be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance  
should not be granted in this case.

Freddie B. Hillley  
Henry M. [unclear]  
Ralph L. [unclear]  
BOARD OF APPEALS

DATE: August 1, 1968

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Mary A. & Francis E. Curran

AT 40-56 Auburn Street

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

BOARD OF APPEALS

	YES	VOTE	NO
Franklin G. Minckley	( )		(X)
Ralph L. Young	( )		(X)
Harry M. Shvartz	( )		(X)

Record of Hearing

Opposed: Residents of 1462 Washington Avenue  
1476 Washington Avenue  
18 Brewster Street  
Christy's Hardware  
17 Sanborn Street  
--Fisher Street  
1445 Washington Avenue

A.F. - 40-26 Auburn St.

June 28, 1958

Mary A. & Francis E. Curran  
926 Brighton Avenue

cc to: Sun Oil Company, P.O. Box 1187, Portland  
cc to: Corporation Counsel

Dear Messrs.:

We are unable to issue a permit for construct of 1-story masonry service station, 66' x 30' including retail sales of tires, batteries and small auto accessories because of the following variances in the requirements of the zoning ordinance as applied to the B-1 Business Zone in which the property is located:

1. The service station use is not allowable in this zone unless authorized by the Board of Appeals under Sec. 602.8a.12b of the ordinance.
2. The retail sale of tires, batteries, and auto accessories is not listed among those uses allowable in this zone under Sec. 602.8a.8.
3. The pump islands and the pumps encroach upon the required 40-foot setback area contrary to Sec. 602.21.
4. Detached pole sign 35' high above grade with a flashing arrow (flashing light) located near the street line on the right side of this filling station is not allowed in the B-1 Business Zone under Sec. 602.16.4a.

We understand that you would like to exercise your appeal rights in this matter. Accordingly your authorized representative should come to this office in Room 113, City Hall and file the appeal on forms which are available here. A fee of \$15.00 shall be paid at this office at the time the appeal is filed.

It is suggested that the curb cuts to this filling station be approved by the Traffic Engineer of the Public Works Department before the date set for the appeal hearing.

Very truly yours,

A. Allan Soule  
Deputy Director of  
Building Inspection

AAS:IM



July 27, 1960

Mr. Francis E. Curran  
926 Brighton Ave.

cc: Sun Oil Co.,  
Box 1487, Portland, Maine

Dear Mr. Curran:

August 1, 1960

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

July 22, 1968

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, August 1, 1968 at 4:00 p.m. to hear the appeal of Mary A & Francis E. Curran requesting an exception to the Zoning Ordinance to permit construction of a one-story masonry service station 66' x 30' including retail sales of tires, batteries and small auto accessories at 40-56 Auburn Street.

This permit is presently not issuable under the Zoning Ordinance because: (1) The service station use is not allowable in this zone unless authorized by the Board of Appeals under Section 602.8a.12b of the Ordinance; (2) The retail sale of tires, batteries and auto accessories is not listed among those uses allowable in this zone under Sec. 602.8a.8; (3) The pump islands and the pumps encroach upon the required 40-foot setback area contrary to Sec. 602.21; (4) Detached pole sign 35' high above grade with a flashing arrow (flashing light) located near the street line on the right side of this filling station is not allowed in the B-1 Business Zone under Sec. 602.16.4a.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

h

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

July 22, 1968

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, August 1, 1968 at 4:00 p.m. to hear the appeal of Mary A & Francis E. Curran requesting an exception to the Zoning Ordinance to permit construction of a one-story masonry service station 66' x 30' including retail sales of tires, batteries and small auto accessories at 40-56 Auburn Street.

This permit is presently not issuable under the Zoning Ordinance because: (1) The service station use is not allowable in this zone unless authorized by the Board of Appeals under Section 602.8a.12b of the Ordinance; (2) The retail sale of tires, batteries and auto accessories is not listed among those uses allowable in this zone under Sec. 602.8a.8; (3) The pump islands and the pumps encroach upon the required 40-foot setback area contrary to Sec. 602.21; (4) Detached pole sign 35' high above grade with a flashing arrow (flashing light) located near the street line on the right side of this filling station is not allowed in the B-1 Business Zone under Sec. 602.16.4a.

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

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

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

375-A-2-ASSESSORS  
files - Don't show  
AND change etc



**CITY OF PORTLAND**

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT  
INSPECTION SERVICES DIVISION

November 24, 1986

RE: 40 Auburn Street

Mr. Joseph Esposito  
44 Belmont Street  
Portland, Maine 04103

Dear Mr. Esposito:

Minor Site Plan approval for your proposed building addition (3,120 sq. ft.) for the Radio Shack at 40 Auburn Street was completed on February 14, 1985, but no building permit was subsequently issued.

As you may know, site plan approval expires after six months unless an extension is authorized by the Planning Director. Please advise this office concerning the status of your proposed project.

Sincerely,

Warren J. Turner  
Zoning Enforcement Inspector

/el

- cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
- Alexander Jaegerman, Chief Planner
- P. Samuel Hoffses, Chief of Building Inspections
- Hugh Irving, Code Enforcement Officer

**CITY OF PORTLAND, MAINE**  
**SITE PLAN REVIEW**  
 Processing Form

404

Applicant Joseph Esposito Date Oct. 23, 1984  
 Mailing Address 44 Belfort Street Address of Proposed Site 40 Auburn Street  
 Proposed Use of Site radio shack addition to bldg. Site Identifier(s) from Assessors Maps \_\_\_\_\_  
 Acreage of Site / Ground Floor Coverage 3,120 sq ft. Zoning of Proposed Site B-1  
 Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors \_\_\_\_\_  
 Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area \_\_\_\_\_  
 Planning Board Action Required: ( ) Yes ( ) No  
 Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: \_\_\_\_\_

**BUILDING DEPARTMENT SITE PLAN REVIEW**  
 (Does not include review of construction plans)

- Use does NOT comply with Zoning Ordinance
  - Requires Board of Appeals Action
  - Requires Planning Board/City Council Action

Explanation \_\_\_\_\_

- Use complies with Zoning Ordinance — Staff Review Below

Zoning:  
 SPACE & BULK,  
 as applicable

	DATE	ZONE LOCATION	INTERIOR OR CORNER LOT	40 FT. SETBACK AREA (SEC. 21)	USE	SEWAGE DISPOSAL	REAR YARDS	SIDE YARDS	FRONT YARDS	PROJECTIONS	HEIGHT	LOT AREA	BUILDING AREA	AREA PER FAMILY	WIDTH OF LOT	LOT FRONTAGE	OFF-STREET PARKING	LOADING BAYS	
COMPLIES																			
COMPLIES CONDITIONALLY																			CONDITIONS SPECIFIED BELOW
DOES NOT COMPLY																			REASONS SPECIFIED BELOW

REASONS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE OF REVIEWING STAFF / DATE

BUILDING DEPARTMENT - ORIGINAL



**CITY OF PORTLAND, MAINE**  
**SITE PLAN REVIEW**  
**Processing Form**

407

Joseph Esposito

Applicant: \_\_\_\_\_ Date: Oct 23 1994

Mailing Address: \_\_\_\_\_ Address of Proposed Site: 40 Auburn Street

Proposed Use of Site: ratio back addition to bidu. Site Identifier(s) from Assessors Maps: \_\_\_\_\_

Acreage of Site: 3.12 sqft. Zoning of Proposed Site: \_\_\_\_\_

Ground Floor Coverage: \_\_\_\_\_

Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors: \_\_\_\_\_

Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area: \_\_\_\_\_

Planning Board Action Required: ( ) Yes ( ) No

Other Comments: \_\_\_\_\_

Date Dept. Review Due: \_\_\_\_\_

**PUBLIC WORKS DEPARTMENT REVIEW**

(Date Received) \_\_\_\_\_

	TRAFFIC CIRCULATION	ACCESS	DRIVE CUTS	ROAD WIDTHS	PARKING	SIGNALIZATION	TURNING MOVEMENTS	LIGHTING	CONFLICT WITH CITY CONSTRUCTION PROJECT	DRAINAGE	SOIL TYPES	SEWERS	CURBING	SIDEWALKS	OTHER
APPROVED	✓	✓	✓	✓	✓	NA	✓	✓	✓		✓	✓	NA	NA	
APPROVED CONDITIONALLY										✓					
DISAPPROVED															

CONDITION SPECIFIED BELOW  
 REASONS SPECIFIED BELOW

REASONS: Runoff from the proposed paved area shall be directed into the catch basin on the property.

(Attach Separate Sheet If Necessary)

*Robert J. Ray* Nov 6 1994

SIGNATURE OF REVIEWING STAFF/DATE

PUBLIC WORKS DEPARTMENT COPY

**CITY OF PORTLAND, MAINE**  
**SITE PLAN REVIEW**  
**Processing Form**

407

Applicant: Joseph Asposito Date: Oct. 23, 1988  
 Mailing Address: 40 Auburn Street Address of Proposed Site: \_\_\_\_\_  
 Proposed Use of Site: radio shack addition to Bldg. Site Identifier(s) from Assessors Maps: \_\_\_\_\_  
 Acreage of Site: / 3,120 sq. ft. Ground Floor Coverage: \_\_\_\_\_ Zoning of Proposed Site: \_\_\_\_\_  
 Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors: \_\_\_\_\_  
 Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area: \_\_\_\_\_  
 Planning Board Action Required: ( ) Yes ( ) No  
 Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: \_\_\_\_\_

**FIRE DEPARTMENT REVIEW**

(Date Received) \_\_\_\_\_

	ACCESS TO SITE	ACCESS TO STRUCTURES	SUFFICIENCY VEHICLE TURNING ROOM	SAFETY HAZARDS	HYDRANTS	SIAMOSE CONNECTIONS	SUFFICIENCY OF WATER SUPPLY	OTHER	
APPROVED	✓	✓	✓		✓		✓		CONDITIONS SPECIFIED BELOW  REASONS SPECIFIED BELOW
APPROVED CONDITIONALLY									
DISAPPROVED									

REASONS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Attach Separate Sheet if Necessary)

*James P. Collins*  
 SIGNATURE OF REVIEWING STAFF/DATE  
 10-27-88

FIRE DEPARTMENT COPY:

**CITY OF PORTLAND, MAINE**  
**SITE PLAN REVIEW**  
 Processing Form

407

Applicant: Joseph Esposito Date: Oct. 23, 1984  
 Mailing Address: 44 Gelfort St Address of Proposed Site: 40 Auburn St  
 Proposed Use of Site: radio shack addition to bldg Site Identifier(s) from Assessors Maps: \_\_\_\_\_  
 Acreage of Site / Ground Floor Coverage: 3,120 sq. ft. Zoning of Proposed Site: \_\_\_\_\_

Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors: \_\_\_\_\_  
 Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area: \_\_\_\_\_  
 Planning Board Action Required: ( ) Yes ( ) No

Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: \_\_\_\_\_

**PLANNING DEPARTMENT REVIEW**

Nov. 7, 1984  
 (Date Received)

- Major Development — Requires Planning Board Approval: Review Initiated  
 Minor Development — Staff Review Below

	LOADING AREA	PARKING	CIRCULATION PATTERNS	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	CONFLICT WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN
APPROVED	✓	✓	✓	✓	✓			✓	✓	✓		
APPROVED CONDITIONALLY						✓	✓					CONDITIONS SPECIFIED BELOW
DISAPPROVED												REASONS SPECIFIED BELOW

REASONS: The plan shows 4 rhododendron flowering crabs in front of the building and only 2 are listed. Four must be planted. The plant list indicates 10 PJM rhododendron along the front foundation; however, the plan does not depict 10 plants. Again, 10 PJM rhododendron must be planted along the front foundation. All of the arborvitae must be three to four feet in height.

Barbara Banhart 2/14/85  
 SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY

APPLICATION FOR PERMIT

B.O.C.A. USE GROUP
B.O.C.A. TYPE OF CONSTRUCTION
ZONING LOCATION PORTLAND, MAINE Oct. 22, 1984

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE
The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:
LOCATION 40 Auburn Street Fire District #1 [ ], #2 [ ]
1. Owner's name and address Joseph Esposito - 44 Belfort St. Telephone 797-5871
2. Lessee's name and address Telephone
3. Contractor's name and address Allied Constr. Co., 92 Darling Ave. Telephone 772-5229
Proposed use of building radio shack No. families
Last use same No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ Appeal Fees \$
FIELD INSPECTOR-Mr. @ 775-5451 Base plan 300.00
Late Fee
TOTAL

Minor site plan review
To construct 3,120 sq ft. addition to already existing building
Stamp of Special Conditions

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

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing Lumber-Kind Dressed or full size? Corner posts Sills
Size Girder Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

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

APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION-PLAN EXAMINER Will work require disturbing of any tree on a public street?
ZONING:
BUILDING CODE: Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?
Fire Dept.:
Health Dept.:
Others:
Signature of Applicant John Malley Phone # same
Type Name of above John Malley for Joseph Esposito
Sebago Technics, Inc. and Address







## APPLICATION FOR PERMIT

B.O.C.A. USE GROUP .....  
 B.O.C.A. TYPE OF CONSTRUCTION .....  
 ZONING LOCATION ..... PORTLAND, MAINE ..Oct..22, 1984

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

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

LOCATION ..... 40 Auburn Street ..... Fire District #1  #2   
 1. Owner's name and address .. Joseph Esposito - 44 Belfort St. .... Telephone 797-5871.  
 2. Lessee's name and address ..... Telephone .....  
 3. Contractor's name and address .. Allied Constr. Co. 92 Darling Ave. Telephone .. 772-5229  
 ..... 94106. No. of sheets .....  
 Proposed use of building .... ~~radio shack~~ shack ..... No. families .....  
 Last use .... same ..... No. families .....  
 Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....  
 Other buildings on same lot .....  
 Estimated contractual cost \$.....

FIELD INSPECTOR—Mr. ....  
 @ 775-5451

Appeal Fees \$ .....  
 Site plan 300.00  
 Base Fee .....  
 Late Fee .....  
 TOTAL \$ .....

Minor site plan review  
 To construct 3,120 sq ft. addition to  
 already existing building

Stamp of Special Conditions

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

### DETAILS OF NEW WORK

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....  
 Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....  
 Has septic tank notice been sent? ..... Form notice sent? .....  
 Height average grade to top of plate ..... Height average grade to highest point of roof .....  
 Size, front ..... depth ..... No. stories ..... solid or filled land? ..... earth or rock? .....  
 Material of foundation ..... Thickness, top ..... bottom ..... cellar .....  
 Kind of roof ..... Rise per foot ..... Roof covering .....  
 No. of chimneys ..... Material of chimneys ..... of lining? ..... Kind of heat ..... fuel .....  
 Framing Lumber—Kind ..... Dressed or full size? ..... Corner posts ..... Sills .....  
 Size Girder ..... Columns under girders ..... Size ..... Max. on centers .....  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
 Joists and rafters: 1st floor ..... 2nd ..... 3rd ..... roof .....  
 On centers: 1st floor ..... 2nd ..... 3rd ..... roof .....  
 Maximum span: 1st floor ..... 2nd ..... 3rd ..... roof .....  
 If one story building with masonry walls, thickness of walls? ..... height? .....

### IF A GARAGE

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

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

Signature of Applicant ..... Phone # ..... same .....  
 Type Name of above .. John Malley for Joseph ..... #2  3  4   
 Esposito .....  
 Sebago Technics, Inc. and Address .....

**APPLICATION FOR PERMIT**

B.O.C.A. USE GROUP .....  
 B.O.C.A. TYPE OF CONSTRUCTION .....  
 ZONING LOCATION ..... PORTLAND, MAINE Oct. 22, 1984

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

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

LOCATION ..... 40 Auburn Street ..... Fire District #1 , #2   
 1. Owner's name and address .. Joseph Esposito .. 44 Belfort St. .... Telephone .. 797-5271 ..  
 2. Lessee's name and address ..... Telephone .....  
 3. Contractor's name and address .. Allied Constr. Co. .. 92 Darling Ave. Telephone .. 772-5225 ..  
 ..... 14106. No. of sheets .....  
 Proposed use of building .... radio ~~signal~~ shack ..... No. families .....  
 Last use .... same ..... No. families .....  
 Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....  
 Other buildings on same lot .....  
 Estimated contractual cost \$ .....  
 FIELD INSPECTOR—Mr. ....  
 @ 775-5451

Appeal Fees \$ .....  
 Site plan .. 300.00 ..  
 Late Fee .....  
 TOTAL \$ .....

Minor site plan review  
 To construct 3,120 sq ft. addition to  
 already existing building

Stamp of Special Conditions

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

**DETAILS OF NEW WORK**

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....  
 Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....  
 Has septic tank notice been sent? ..... Form notice sent? .....  
 Height average grade to top of plate ..... Height average grade to highest point of roof .....  
 Size, front ..... depth ..... No. stories ..... soil or filled land? ..... earth or rock? .....  
 Material of foundation ..... Thickness, top ..... bottom ..... cellar .....  
 Kind of roof ..... Rise per foot ..... Roof covering .....  
 No. of chimneys ..... Material of chimneys ..... of lining ..... Kind of heat ..... fuel .....  
 Framing Lumber—Kind ..... Dressed or full size? ..... Corner posts ..... Sills .....  
 Size Girder ..... Columns under girders ..... Size ..... Max. on centers .....  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
 Joists and rafters: 1st floor ..... 2nd ..... 3rd ..... roof .....  
 On center: 1st floor ..... 2nd ..... 3rd ..... roof .....  
 Maximum span: 1st floor ..... 2nd ..... 3rd ..... roof .....  
 If one story building with masonry walls, thickness of walls? ..... height? .....

**IF A GARAGE**

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

**APPROVALS BY:** ..... **DATE** .....  
 BUILDING INSPECTION—PLAN EXAMINER .....  
 ZONING: .....  
 BUILDING CODE: .....  
 Fire Dept.: .....  
 Health Dept.: .....  
 Others: .....

**MISCELLANEOUS**  
 Will work require disturbing of any tree on a public street? .....  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? .....

Signature of Applicant ..... Phone # ..... same .....  
 Type Name of above .. John Malley for Joseph .....  
 Esposito .....  
 Sebago Technics, Inc. and Address .....



R3 RESIDENCE ZONE B1 BUSINESS ZONE  
APPLICATION FOR PERMIT

Class of Building or Type of Structure: Installation  
Portland, Maine, January 11, 1961

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: 40 Auburn Street  
Owner's name and address: Marie Ahern, 40 Auburn St.  
Lessee's name and address: \_\_\_\_\_  
Contractor's name and address: Consumers Gas & Appliance Co., 377 Cumb. Ave.  
Architect: \_\_\_\_\_  
Proposed use of building: \_\_\_\_\_  
Last use: \_\_\_\_\_  
Material: \_\_\_\_\_ No. stories: \_\_\_\_\_ Heat: \_\_\_\_\_ Style of roof: \_\_\_\_\_ Roofing: \_\_\_\_\_  
Other buildings on same lot: \_\_\_\_\_  
Estimated cost \$: \_\_\_\_\_ Fee \$: 2.00

General Description of New Work

To install 1-1000 gal. propane gas tank outside above ground.

Tank to set on concrete block on top of ground, piped directly from tank to building - gas to be used for cooking purposes

8/11/61 Appr. never filed so permit not issued

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 Consumers Gas & Appliance Co.

Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
Has septic tank notice been sent? \_\_\_\_\_ Form notice sent: \_\_\_\_\_  
Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing Lumber-Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_  
Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Kind and thickness of outside sheathing of exterior walls? \_\_\_\_\_  
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  
Consumer's Gas & Appliance Co.

INSPECTION COPY

Signature of owner: Fred B. Guller

PH

AP- 40-48 Auburn Street

Jan. 16, 1961

Consumer's Gas Appliance Co.  
377 Cumberland Avenue  
Mrs. Marie Ahearno  
40 Auburn Street

cc to: Mr. Frederick D. Call, 179 Pleasant Ave.  
cc to: Corporation Counsel.

Dear Madam & Gentlemen:

Permit for installation of a 1000 gallon above ground tank for storage of propane gas at rear of restaurant at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The tank is to be accessory to the restaurant use, which is non-conforming in the B-1 Business Zone in which the building is located, such an extension of a non-conforming use being forbidden by section 17-B of the Ordinance.
2. The tank location is to be in that part of the property located in an R-3 Residence Zone beyond the allowable 30-foot extension of the business use into the residential zone.

We understand that you would like to exercise appeal rights concerning these discrepancies. Accordingly we are certifying the case to the Corporation Counsel, to whose office in Room 208, City Hall, you should go to file the appeal.

Very truly yours,

Albert C. Sears  
Director of Building Inspection

AJS:m

1/17/61 - Mr. Call called and said he no longer owns this property, having sold it to Mrs. Ahearno last August - CJS

Consumers Gas & Appliance Co.

PHONE SP 2-2511

GAS APPLIANCES — WATER HEATERS

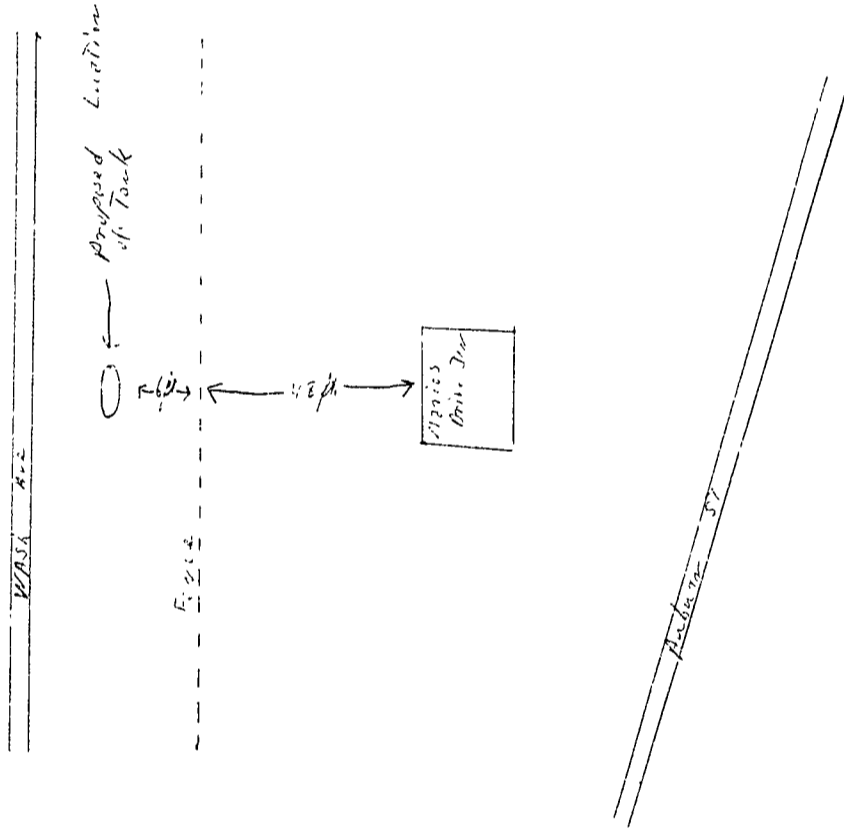
377 CUMBERLAND AVENUE  
PORTLAND, MAINE

• DEPENDABLE • VERSATILE • CONVENIENT



Request to install 1000 gal propane bulk tank. This installation would be to already existing equipment, replacing 8 160 lb. cylinders.

We propose a two stage regulator installation of adequate pressure. The portion of pipe going under the drive way will be sleeved and capped.



RECEIVED  
JAN 11 1961  
DEPT. OF BLD'G. INSP.  
CITY OF PORTLAND





B1 BUSINESS ZONE

# APPLICATION FOR PERMIT

Class of Building or Type of Structure .....

Portland, Maine, December 10, 1959

PERMIT ISSUED

01842

DEC 11 1959

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 10 Auburn St. Within Fire Limits? no Dist. No. ....  
 Owner's name and address Marie's Drive-in Restaurant, 10 Auburn St. Telephone.....  
 Lessee's name and address ..... Telephone.....  
 Contractor's name and address United Neon Display, 74 Elm St. Telephone..... 2-0695  
 Architect ..... Specifications..... Plans yes No. of sheets 1  
 Proposed use of building Restaurant No. families .....  
 Last use ..... No. families .....  
 Material..... No. stories ..... Heat ..... Style of roof ..... Roofing .....  
 Other buildings on same lot .....  
 Estimated cost \$..... Fee \$ 2.00

### General Description of New Work

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

Permit Issued with Letter

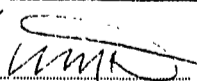
It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** contractor

### Details of New Work

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....  
 Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....  
 Has septic tank notice been sent? ..... Form notice sent? .....  
 Height average grade to top of plate ..... Height average grade to highest point of roof.....  
 Size, front..... depth ..... No. stories ..... solid or filled land?..... earth or rock? .....  
 Material of foundation ..... Thickness, top ..... bottom..... cellar .....  
 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 .....  
 Size Girder ..... Columns under girders ..... Size ..... Max. on centers .....  
 Kind and thickness of outside sheathing of exterior walls? .....  
 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: 12/11/59  


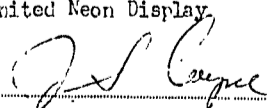
### Miscellaneous

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  
 United Neon Display

INSPECTION COPY

Signature of owner

by:



F.M

AP- 40 Auburn St.  
Detached pole sign for Marie's Drive-in by United Neon Display

Dec. 11, 1959

Mrs. Marie Ahern  
40 Auburn Street  
Neon Display  
74 Elm Street

cc to: Mr. Turner Jones, Jr.  
Plant Manager, Coca Cola Bottling Plant, Inc  
650 Main Street, South Portland

Dear Mrs. Ahern & Gentlemen:

With the issuance of the permit for the above sign to United Neon, it seems advisable to draw the attention of both of you to the additional limitations on outdoor advertising signs in the B-1 Business Zone where the drive-in is located, established by the Zoning Ordinance in June 1957.

Under these limitations, the permit for this sign would not be issuable but for the fact that it replaces a similar <sup>sign</sup> (perhaps larger in area than this one) in the same location.

Mrs. Ahern has considerable area of outdoor advertising signs besides this sign; and, if she should contemplate any new signs or alteration of existing signs, she is urged to consult this department or have her sign people consult this department before authorizing the change.

Very truly yours,

Warren McDonald  
Acting Deputy Insptr. of Bldgs.

WMC:im  
Enc: United Neon: permit card and copy of application

United Neon: Since our conference with Mr. Jones about this and other Coca Cola signs, the fact has come to light that the standard Coca Cola signs (manufactured elsewhere) do not have in them the usual outline frame of steel angles or the usual corner braces for stiffness. This question has not been raised with regard to the sign at Marie's drive-in, because it is a pole sign and probably not subject to the same wracking from the wind as would be the case when a sign has its main supports at one end. This, however, is not to be taken as sanctioning even a pole sign in the future without the customary frame and bracing; and it is understood that plans are under way to introduce the usual frame and corner bracing in signs to be erected under permits in the future.

Warren McDonald

INQUIRY BLANK

ZONE B-1 zone  
FIRE DIST. \_\_\_\_\_

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

Date 4/25/58

MADE BY \_\_\_\_\_  
by telephone

LOCATION 40-56 Cribbman OWNER Fr. D. Call

MADE BY Frederick H. Call TEL. 3-4639

ADDRESS 179 Pleasant Avenue

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

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

REMARKS \_\_\_\_\_

INQUIRY Is an ice cream stand like a Dairy Joy  
permissible in a B-1 zone in connection  
with a small variety and confectionery  
store?

ANSWER Mr. Call had already said he wanted  
a stand (drive-in) for selling ice  
cream + candy, and was told this  
is non-conforming. He decided to  
appeal

DATE OF REPLY 4/25/58 REPLY BY [Signature]

LEWISTON BOTTLED GAS CO.

*LewBgas*

WHOLESALE

DIAL 3-0400

RETAIL

PLEASE REPLY TO  
47 RIVERSIDE ST.  
LEWISTON, MAINE

*Price will  
apply +  
change*

March 29, 1957

Dept. of Building Inspection  
City Hall  
389 Congress St.  
Portland, Maine

Attention: Mr. Warren McDonald

Dear Sir:

Please refer to your letter of March 26, 1957 relative to the installation of a 500 gallon tank at 40 Auburn Street, Portland, Maine.

We wish to advise that this tank was removed from the property of Mrs. Marie Ahern of the above address on March 28, 1957.

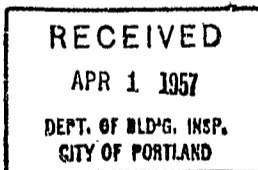
Very truly yours,

Lewiston Bottled Gas Co.

*Roland F. Cronkhite*

Roland F. Cronkhite  
Office Manager

RFC/mb



FU 4/1/57/MCD

March 26, 1957

At 40 Auburn St.—Installation of 500 gallon tank for liquefied  
petroleum gas by Lewiston Bottled Gas Co. for Mario's Drive-In

Lewiston Bottled Gas Co.  
Diverside St.  
Lewiston, Maine  
Mrs. Mario E. Ahern  
40 Auburn St.

Copies to: Mr. Frederick D. Cull  
179 Pleasant Ave.

Fire Chief

Dear Mrs. Ahern & Gentlemen:

Permit intended to authorize installation of the above tank aboveground at the rear of the restaurant at 40 Auburn St. is not issuable because the restaurant itself is a non-conforming use in the Local Business Zone where the property is located, having been allowed by the Board of Appeals on February 17, 1956. The proposed tank is clearly incidental and accessory to the restaurant, but located in another part of the property in a manner not contemplated at the time the appeal was granted.

I have talked with Mr. Fuller of the Gas Company about this proposition, and I think the reasoning with regard to the Zoning Ordinance would be the same even if the tank were to be buried beneath the surface of the ground. Appeal rights under the Zoning Ordinance exist, of course, and, if decided upon, should be filed in the name of the owner of the property.

It is unfortunate that the Gas Company has seen fit to actually locate this tank upon some type of piers without first applying for the permit. The mere location of the tank on the premises, especially setting on some type of concrete piers, is in violation of the Building Code unless a permit is first secured from this department. Under these circumstances we shall expect the tank to be removed from the premises before April 1. This ought not to be difficult because Mr. Fuller explained that the tank and the piers supporting it were picked up together and loaded on a truck to transport the assembly to its present location. There is also the important question under the Building Code if the piers extend no less than 4' below the surface of the ground.

Very truly yours,

Warren McDonald  
Inspector of Buildings

MCD/D



INTER-OFFICE CORRESPONDENCE

CITY OF PORTLAND, MAINE  
FIRE DEPARTMENT

To: Mr. Warren McDonald, Inspector of Bldgs. DATE: March 21, 1957  
FROM: C. P. Johnson, Chief of Department  
SUBJECT: Installation of 499 gallon gas tank at 40 Auburn St.

Application for installation of a 499 gallon gas tank at 40 Auburn St. is approved, providing that if there is any possibility of damage to this system from vehicular traffic, precautions against such damage are taken.

*Carl P. Johnson*

This application is approved provided that  
if there is any possibility of damage  
to this system from vehicular traffic  
precautions against such damage  
must be taken

3-21-57



# APPLICATION FOR PERMIT

Class of Building or Type of Structure \_\_\_\_\_

Portland, Maine, March 19, 1957

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~construct~~ 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 40 Auburn St. Within Fire Limits? no Dist. No. \_\_\_\_\_  
 Owner's name and address Marie's Drive-in, 40 Auburn St. Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address Lewiston Bottle Gas Co., Riverside St., Lewiston Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 1  
 Proposed use of building restaurant No. families \_\_\_\_\_  
 Last use \_\_\_\_\_ " \_\_\_\_\_ No. families \_\_\_\_\_  
 Material \_\_\_\_\_ 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 <sup>499 gallon/gas</sup> bulk/storage tank in connection with range, heater and hot water heater.  
 Tank will set on concrete piers, at least 4' below grade.  
 1/2" copper piping from tank to building.

3/19/57  
3/22/57

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** Consumers Gas & Appliance Co.  
 377 Cumberland Ave. 2.25.11

### Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
 Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
 Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? \_\_\_\_\_  
 Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
 Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
 Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
 Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 Framing lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_  
 Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
 Girders \_\_\_\_\_ Size \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. or centers \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-16" C. 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's Drive-in  
 Lewiston Bottle Gas Co.

*J. B. Fuller*

City of Portland, Maine  
Board of Appeals  
—ZONING—

*Sustained*  
*2/17/56*  
*56/9*

To the Board of Appeals:

Jan. 30, 1956, 19

Your appellant, Frederick D. Call, who is the owner of property at 40-56 Auburn Street, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Certificate of occupancy is not issuable under the Zoning Ordinance to authorize changing the refreshment stand at 40-56 Auburn Street to a small lunch room or restaurant where food will be served for consumption within the building because the property is located in a Local Business Zone where according to Section 6A of the Ordinance the use as a restaurant is not allowable unless first authorized by the Board of Appeals after the usual appeal procedure. It is not intended to sell malt beverages.

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.

*Frederick D. Call*  
Appellant

After public hearing held on the 17th day of February, 1956, 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.

*Ben Bidwell*  
*Ruth D. Walsh*  
*Carlton J. Blue*  
*William H. Bryson*  
*Edward J. Callan*  
BOARD OF APPEALS