

394-398 ALLEN AVENUE

MADE IN U.S.A.  
Fall cut 92011 - Hair bu. 92021 - Hair bu. 9203R - Hair bu.

A.P.- 394 Allen Avenue

May 17, 1968

Coyne Sign Company  
195 St. John Street  
Attn: Joseph Coyne

cc to: Shaw's Realty Company  
585 Congress Street

Dear Mr. Coyne:

Permit to erect a detached pole sign 12' x 8' with an overall height of 23'9" above the ground at the above named location is being issued subject to the following restrictions of the Board of Appeals that this sign shall have only steady, non-flashing and non-animated lighting.

Very truly yours,

A. Allan Soule  
Acting Deputy Director of  
Building & Inspection Services

AAS:IM

A.P.- 394-398 Allen Avenue

April 29, 1968

Shaw's Realty Company  
585 Congress Street

cc to: Coyne Sign Company, Att: Joseph Coyne  
195 St. John Street  
cc to: Corporation Counsel

Gentlemen:

Permit to erect a detached pole sign 12' x 8' with an overall height of 23'9" above the ground at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in a B-1 Business Zone where under provisions of Section 602.16.4a of the ordinance a detached sign is not allowable.
2. This sign will have a so called travelling bulb (animated light) which is not allowable under Section 602.16.4b.
3. This sign which will be located about 3' from the street line will be unlawful encroachment upon the 15 foot front yard setback which is required by Section 602.8c.3 and upon the 40 foot setback area required by Section 602.21.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to 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.

Very truly yours,

A. Allen Soule  
Acting Deputy Director of  
Building & Inspection Services

AAS:m

Al/22

- 4/29/68 -

394- 398 Allen Ave.  
Detached pole sign (structure)  
B1

CHECK AGAINST ZONING ORDINANCE

- ✓ Date -
- ✓ Zone Location - B1
- ✓ Interior or corner lot -
- appal ✓ 40 ft setback area? (Section 21) yes
- ✓ Use - Detached pole sign
- Sewage Disposal -
- Rear Yards -
- Side Yards -
- appal ✓ Front Yards - 18' R+S - ?
- ✓ Projections -
- ✓ Height - 23' 9"
- Lot Area -
- Building Area -
- Area per Family -
- Width of Lot -
- Lot Frontage -
- Off-street Parking -

15' 9"
+
8' 0"
-----
23' 9"

✓ Steady Lighting

appal ✓ animated or travelling bulb

✓ sign on lot 183' on curb stone

this sign is on sidewalk

Right of way is total area of sign

D.K. - Area of sign is 90"



RI BUSINESS ZONE  
APPLICATION FOR PERMIT

PERMIT ISSUED

MAY 17 1968

469

CITY of PORTLAND

Class of Building or Type of Structure Sign

Portland, Maine, April 25, 1968

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 Approx. 39<sup>th</sup> Allen Ave. Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Snaw's Realty Co. 585 Congress St. Telephone \_\_\_\_\_  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address Coyne Sign Company 195 St. John St. Telephone 772-4144  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans YES No. of sheets 1  
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 relocate existing 12' wide x 12' high detached pole sign (doublefaced) from Auburn St. location #73-see plan. (steady lighting and travelling bulb)

Appeal sustained 5/10/68

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 contractor

Details of New Work

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

0.16-5/17/68 - Allen W. Smith

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

Coyne Sign Company

CS 301

INSPECTION COPY

Signature of owner by:

[Signature]

74

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

415-Pol 5/2/68  
Granted Cond. 5/16/68  
68/32

VARIANCE APPEAL

Shaw's Realty Co., owner of property at 394-398 Allen Avenue  
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: erection of a detached pole sign 12'x8' with an overall height  
of 23'9". This permit is presently not issuable under the Zoning Ordinance because:  
(1.) The property is located in a B-1 Business Zone where under provisions of Section  
602.16.4a of the Ordinance a detached sign is not allowable; (2) This sign will have a  
so-called travelling bulb (animated light) which is not allowable under Section 602.16.4b;  
(3) This sign which will be located about 3' from the street line will be a lawful  
encroachment upon the 15 foot front yard setback which is required by Section 602.8c.3 and  
upon the 40 foot setback area required by Section 602.21.

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.

Shaw's Realty Company  
By: Allen H. Haugen, Treasurer  
APPELLANT

DECISION

After public hearing held May 16, 1968, the Board of Appeals finds that  
all of the above conditions do exist with respect to this property and that a  
variance should be granted in this case, provided that said sign shall have only  
steady, non-flashing, and non-animated lighting.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance  
should be granted in this case, provided that said sign shall have only steady,  
non-flashing, and non-animated lighting.

Franklin G. Bradley  
Harry W. Stewart  
Edith J. Jorway  
BOARD OF APPEALS

A.P.- 394-398 Allen Avenue

April 29, 1968

Shaw's Realty Company  
585 Congress Street

cc to: Coyne Sign Company, Att: Joseph Coyne  
195 St. John Street  
cc to: Corporation Counsel

Gentlemen:

Permit to erect a detached pole sign 12' x 8' with an overall height of 23'9" above the ground at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in a B-1 Business Zone where under provisions of Section 602.16.4a of the ordinance a detached sign is not allowable.
2. This sign will have a so called travelling bulb (animated light) which is not allowable under Section 602.16.4b.
3. This sign which will be located about 3' from the street line will be an unlawful encroachment upon the 15 foot front yard setback which is required by Section 602.6c.3 and upon the 40 foot setback area required by Section 602.21.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to 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.

Very truly yours,

A. Allan Soule  
Acting Deputy Director of  
Building & Inspection Services

AAS:m

DATE: May 16, 1968

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Shaw's Realty Co.  
AT 394-398 Allen Ave.

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

BOARD OF APPEALS

	YES	NO
Franklin G. Hinckley	(x)	( )
Ralph L. Young	(x)	( )
Harry M. Shwartz	(x)	( )

Record of Hearing - Granted provided that said sign shall have only steady, non-flashing, and non-animated lighting.



CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

May 6, 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, May 16, 1968, at 4:00 pm. to hear the appeal of Shaw's Realty Co. requesting an exception to the Zoning Ordinance to permit erection of a detached pole sign 12'x8' with an overall height of 23'9" at 394-398 Allen Avenue.

This permit is presently not issuable under the Zoning Ordinance because (1) The property is located in a B-1 Business Zone where under the provisions of Section 602.16.4a of the Ordinance a detached sign is not allowable; (2) This sign will have a so-called travelling bulb (animated light) which is not allowable under Section 602.16.4b; (3) This sign which will be located about 3 feet from the street line will be unlawful encroachment upon the 15 foot front yard setback which is required by Section 602.8c.3 and upon the 40 foot setback area required by Section 602.21.

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

A.P. 394 Allen Avenue

May 17, 1968

Coyne Sign Company  
195 St. John Street  
Att: Joseph Coyne

cc to: Shaw Realty Company  
585 Congress Street

Dear Mr. Coyne:

Permit to erect a detached pole sign 12' x 8' with an overall height of 23'9" above the ground at the above named location is being issued subject to the following restrictions of the Board of Appeals that this sign shall have only steady non-flashing and non-animated lighting.

Very truly yours,

A. Allan Soule  
Acting Deputy Director of  
Building & Inspection Services

AAS:m

A.P. - 394-398 Allen Avenue

April 29, 1968

Shaw's Realty Company  
585 Congress Street

cc to: Coyne Sign Company, Att: Joseph Coyne  
195 St. John Street  
cc to: Corporation Counsel

Gentlemen:

Permit to erect a detached pole sign 12' x 8' with an overall height of 23'9" above the ground at the above named location is not issuable under the Zoning Ordinance for the following reasons:

1. The property is located in a B-1 Business Zone where under provisions of Section 602.16.4a of the ordinance a detached sign is not allowable.
2. This sign will have a so called travelling bulb (animated light) which is not allowable under Section 602.16.4b.
3. This sign which will be located about 3' from the street line will be unlawful encroachment upon the 15 foot front yard setback which is required by Section 602.8c.3 and upon the 40 foot setback area required by Section 602.21.

We understand that you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to 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.

Very truly yours,

A. Allan Soule  
Acting Deputy Director of  
Building & Inspection Services

AAS:m

394- 370 Allen Ave  
- 4/29/93 -  
extended bill sign (structure)  
B1

CHECK AGAINST ZONING ORDINANCE

- ✓ Date -
- ✓ Zone Location - B1
- ✓ Interior or corner lot -
- ✓ 40 ft setback area? (Section 21) *yes*
- ✓ Use - *Detached pole sign*
- ✓ Sewage Disposal -
- ✓ Rear Yards -
- ✓ Side Yards -
- ✓ Front Yards - *15' req - ?*
- ✓ Projections -
- ✓ Height - *22' 9"*
- ✓ Lot Area -
- ✓ Building Area -
- ✓ Area per Family -
- ✓ Width of Lot -
- ✓ Lot Frontage -
- ✓ Off-street Parking -

*check with  
? Comp  
d. detail  
f. unid  
201*

✓ Steady Lighting  
*animated or travelling bulb*  
✓ Sign on lot 1130 - Giant store  
This sign is on Shamis  
right of way. Total area of sign  
O.A. - Area of sign is 90"

$$\begin{array}{r} 15' 9" \\ \times 5' \\ \hline 22' 9" \end{array}$$



BI BUSINESS ZONE  
APPLICATION FOR PERMIT

PERMIT ISSUED

MAY 17 1968 469

CITY of PORTLAND

Class of Building or Type of Structure Sign  
Portland, Maine, April 25, 1968

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 Approx. 394 Allen Ave. Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Shaw's Realty Co., 585 Congress St. Telephone \_\_\_\_\_  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address Coyne Sign Company 195 St. John St. Telephone 772-4144  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 1  
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 relocate existing 12' wide x 12' high detached pole sign(doublefaced) from Auburn St. location #73-see plan. (steady lighting and travelling bulb)

Appeal sustained 5/16/68

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

Details of New Work

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

0.46-5/17/68 - Allen W. Little

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

Coyne Sign Company

CS 301

INSPECTION COPY

Signature of owner by: [Signature]

76

#15-Pol 5/2/68  
Granted Cond. 5/16/68  
68/32

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

VARIANCE APPEAL

Shaw's Realty Co., owner of property at 394-398 Allen Avenue  
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: erection of a detached pole sign 12'x8' with an overall height  
of 23'9". This permit is presently not issuable under the Zoning Ordinance because:  
(1.) The property is located in a B-1 Business Zone where under provisions of Section  
602.16.4a of the Ordinance a detached sign is not allowable; (2) This sign will have a  
so-called travelling bulb (animated light) which is not allowable under Section 602.16.4b;  
(3) This sign which will be located about 3' from the street line will be unlawful  
encroachment upon the 15 foot front yard setback which is required by Section 602.8c.3 and  
upon the 40 foot setback area required by Section 602.21.

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.

Shaw's Realty Company  
By: William H. Nauman, Jr. Treasurer  
APPELLANT

DECISION

After public hearing held May 16, 1968, the Board of Appeals finds that  
all of the above conditions do exist with respect to this property and that a  
variance should be granted in this case, provided that said sign shall have only  
steady, non-flashing, and non-animated lighting.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance  
should be granted in this case, provided that said sign shall have only steady,  
non-flashing, and non-animated lighting.

Franklin G. Hallen  
Harry W. Stewart  
John J. Torrey  
BOARD OF APPEALS

A.P.- 394-398 Allen Avenue

April 29, 1968

Shaw's Realty Company  
585 Congress Street

cc to: Coyne Sign Company, Atts: Joseph Coyne  
195 St. John Street  
cc to: Corporation Counsel

Gentlemen:

Permit to erect a detached pole sign 12' x 8' with an overall height of 23'9" above the ground at the above named location is not issuable under the Zoning Ordinance for the following reasons:

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Very truly yours,

A. Allan Soule  
Acting Deputy Director of  
Building & Inspection Services

AAS:m

DATE: May 16, 1968

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Shaw's Realty Co.

AT 394-398 Allen Ave.

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 - Granted provided that said sign shall have only steady, non-flashing, and non-animated lighting.



CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

May 6, 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, May 16, 1968, at 4:00 pm. to hear the appeal of Shaw's Realty Co. requesting an exception to the Zoning Ordinance to permit erection of a detached pole sign 12'x8' with an overall height of 23'9" at 394-398 Allen Avenue.

This permit is presently not issuable under the Zoning Ordinance because (1) The property is located in a B-1 Business Zone where under the provisions of Section 602.16.4a of the Ordinance a detached sign is not allowable; (2) This sign will have a so-called travelling bulb (animated light) which is not allowable under Section 602.16.4b; (3) This sign which will be located about 3 feet from the street line will be unlawful encroachment upon the 15 foot front yard setback which is required by Section 602.8c.3 and upon the 40 foot setback area required by Section 602.21.

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

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