

76-90 AUBURN STREET



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 00 144

MAR 28 1980

ZONING LOCATION PORTLAND, MAINE, March 27, 1980

CITY of PORTLAND

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

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

LOCATION 84 Auburn St. Fire District #1 [], #2 []
1. Owner's name and address Terminal Oil 84 Auburn St. Telephone
2. Lessee's name and address Telephone
3. Contractor's name and address Erskine Constr. 1634 Broadway So Portland 773-4004
4. Architect Specifications Plans No. of sheets
Proposed use of building service station No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ Fee \$ 10.

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION

This application is for: @ 775-5451
Dwelling Ext. 234 To install 10,000 gal. gasoline tank as per plan (unleaded)
Garage
Masonry Bldg.
Metal Bldg. Stamp of Special Conditions
Alterations
Demolitions
Change of Use
Other

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

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

DETAILS OF NEW WORK

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

IF A GARAGE

No. cars now accommodated on same lot, to accommodate 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? YES
Others:

Signature of Applicant Mr. Erskine Phone #
Type Name of above 1 [] 2 [] 3 [x] 4 []
Other
and Address

FIELD INSPECTOR'S COPY

CITY OF PORTLAND, MAINE
FIRE DEPARTMENT



JOSEPH T. CHIRKO
Clement E. Dodd
XXXXXXXXXXXX

FIRE PREVENTION BUREAU
300 CONGRESS STREET
PORTLAND, MAINE

6 August 1975

To: Office of Building Inspection.
Subj: Change of use, gas station to self-service station, 84 Auburn Street.

Approved providing: Floor mounted, pressure type deadman switch to be installed for console control. TV camera to be allowed for outside island, to be connected to the console, so that it is functional at all times, when the console is operated.

Permit to be issued upon approval of Public Safety Committee.

HERBERT P. MILLER, Captain
Fire Prevention Bureau.



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION B-1 PORTLAND, MAINE, August 5, 1975

AUG 19 1975

678
CITY of PORTLAND

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

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

LOCATION 84 Auburn St Fire District #1 , #2

1. Owner's name and address Kernco Inc. - 40 Lee Burbank Highway, Revere, Mass. Telephone 617-2897700

2. Lessee's name and address

3. Contractor's name and address

4. Architect

Proposed use of building

Last use

Material

Other buildings on same lot

Estimated contractual cost \$

Fee \$ 5.00

FIELD INSPECTOR - Mr. Reitze GENERAL DESCRIPTION

This application is for: Change of use from a gas station to a self-service gas station.

Dwelling

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

8/5/75
Sent to Fire Dept.
Rec'd from Fire Dept. 8/17/75

Stamp of Special Conditions
Approved By William J. [Signature]
8/18/75

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

PERMIT IS TO BE ISSUED TO 1 2 3 4

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?

Has septic tank notice been sent?

Height average grade to top of plate

Size, front

Material of foundation

Kind of roof

No. of chimneys

Framing Lumber—Kind

Size Girder

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

On centers: 1st floor

Maximum span: 1st floor

If one story building with masonry walls, thickness of walls?

IF A GARAGE

No. cars now accommodated on same lot

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

APPROVALS BY:

BUILDING INSPECTION—PLAN EXAMINER

ZONING: C.A. [Signature]

BUILDING CODE: [Signature]

Fire Dept. [Signature]

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

Type Name of above Jose H. Reis - Kernco Inc.

FIELD INSPECTOR'S COPY

76-90 Auburn Street

December 23, 1975

Mrs. Jacqueline Cohen
316 Ocean Avenue
Portland, ME 04103

Dear Mrs. Cohen:

I have checked our records in issuing a building permit for a canopy over the existing gas pumps for the Gibbs Oil Company at the above named location. Our records show that on September 10, 1975 the Board of Appeals granted the Gibbs Oil Company the right to erect this canopy. The permit applied for, with the plans submitted, made no mention of any lights for this canopy. There were a number of specifications on the plans that they were to abide by. A copy of these is enclosed, and you will note that no mention of lights is made. A further check of our records revealed that on November 5, 1975 this company, through their contractor, applied for an electrical permit to install 12 lights. Application for electrical permit does not state where on this property the lights will be located. The permit was issued and approved by the electrical department on November 6, 1975.

I have talked this over with Mr. Brown, Director of this dept. and Mr. Flaherty of Public Works to see if we can come up with some kind of requirement so that the Gibbs Oil Company would shield these lights from Auburn Street.

Very truly yours

A. Allan Soule
Assistant Director

AAS/mj



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP
B.O.C.A. TYPE OF CONSTRUCTION
ZONING LOCATION B-1 PORTLAND, MAINE, Aug. 22, 1975

PERMIT ISSUED

SEP 15 1975

CITY of PORTLAND

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

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

LOCATION 84 Auburn Street
1. Owner's name and address Gibbs Oil Co., 40 Lee Burbank Highway, Revere, Mass. Telephone 800-225-3431
2. Lessee's name and address Attorney: Harold C. Pappas, 445 Congress St., Portland, Me. Telephone 775-5831
3. Contractor's name and address RSM Co., Pine Drive, Gray, Me. Telephone 657-4329
4. Architect Specifications Plans Yes No of sheets
Proposed use of building No. families
Last use service station No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ 10,000 Fee \$ 40.00

FIELD INSPECTOR—Mr. Ray Reitze GENERAL DESCRIPTION

This application is for: @ 775-5451 To erect canopy as per plans
Dwelling Ext. 234

Garage
Masonry Bldg.
Metal Bldg.
Alterations
Demolitions
Change of Use
Other

Stamp of Special Conditions

Appeal sustained 9-10-75

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

PERMIT IS TO BE ISSUED TO 1 2 3 4

Other: 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?

APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION--PLAN EXAMINER Will work require disturbing of any tree on a public street?
ZONING:
BUILDING CODE: 0.15.2.8.9/10/75 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 Rocheville Phone #

Type Name of above John Rocheville 1 2 3 4

FIELD INSPECTOR'S COPY

Other and Address

NOTES

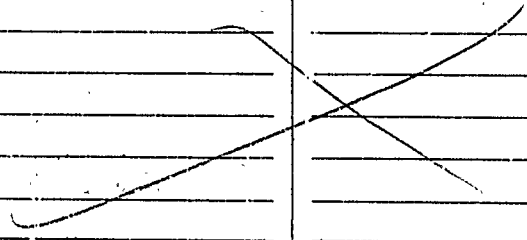
Sept 26 - 1975 work finished
B. Reitzel

Oct 16 - 1975 work finished
B. Reitzel

Oct 24 - 1975 work finished
B. Reitzel

November 3 - 1975 work finished
B. Reitzel

December 1 - 1975 work finished
B. Reitzel



Permit No. 75/765
Location 84 Railroad St
Owner E. H. C. Co.
Date of permit Sept 15, 1975
Approved



APPLICATION FOR PERMIT
 DEPARTMENT OF BUILDING INSPECTIONS SERVICES
 ELECTRICAL INSTALLATIONS

Date Nov. 5, 1975, 19____
 Receipt and Permit number A 03403

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 84 Auburn St.
 OWNER'S NAME: Gibbs Oil ADDRESS: _____

OUTLETS: (number of)
 Lights 12
 Receptacles _____
 Switches _____
 Plugmold _____ (number of feet)
 TOTAL _____ FEES 3.00

FIXTURES: (number of)
 Incandescent _____
 Fluorescent _____ (Do not include strip fluorescent)
 TOTAL _____
 Strip Fluorescent, in feet 428 FEES 7.70

SERVICES:
 Permanent, total amperes _____
 Temporary _____

METERS: (number of) _____

MOTORS: (number of)
 Fractional _____
 1 HP or over _____

RESIDENTIAL HEATING:
 Oil or Gas (number of units) _____
 Electric (number of rooms) _____

COMMERCIAL OR INDUSTRIAL HEATING:
 Oil or Gas (by a main boiler) _____
 Oil or Gas (by separate units) _____
 Electric (total number of kws) _____

APPLIANCES: (number of)
 Ranges _____
 Cook Tops _____
 Wall Ovens _____
 Dryers _____
 Fans _____
 Water Heaters _____
 Disposals _____
 Dishwashers _____
 Compactors _____
 Others (denote) _____
 TOTAL _____

MISCELLANEOUS: (number of)
 Branch Panels _____
 Transformers _____
 Air Conditioners _____
 Signs _____
 Fire/Burglar Alarms _____
 Circus, Fairs, etc. _____
 Alterations to wires _____
 Repairs after fire _____
 Heavy Duty, 220v outlets _____
 Emergency Lights, battery _____
 Emergency Generators _____

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT INSTALLATION FEE DUE: _____
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) DOUBLE FEE DUE: _____
 FOR PERFORMING WORK WITHOUT A PERMIT (304-9)
 TOTAL AMOUNT DUE: 10.70

INSPECTION:
 Will be ready on any, 19____, or Will Call _____

CONTRACTOR'S NAME: EXX George Erskine
 ADDRESS: 1634 Broadway S. Portland
 TEL.: 773-4004

MASTER LICENSE NO.: 2503
 LIMITED LICENSE NO.: _____
 SIGNATURE OF CONTRACTOR: George Erskine

iak

INSPECTOR'S COPY

30
 10.70
 91.30

CHECK LIST FOR SIGNS

Date - 10/17/75

Checked By W. J. C.

Location - 84 Hubbard St.

- ✓ Zone Location - B-1
- ✓ Fire Zone - N
- Sign & Review Committee - over 8" in least dimension - 100
- ✓ Area of sign - 64"
- Area of existing signs -
- ✓ Material - METAL & WOOD
- Design -
- Facing adjoining Residence Zone -
- ~~Flashing or Steady light -~~
- If on State road - check with State -

Attached Sign -

Height above level of roof -

Detached or pole sign -

- ✓ Height - 22'
- ✓ Required yards (single pole OK - 2 poles a structure) 40" OK
- ✓ setback OK
- Corner clearance -
- Footing -
- Certificate of Design -

Projecting Sign -

- Clearance 10' -
- Bonded -
- Height -
- Written Consent -
- Projection over sidewalk (18" from curb) -



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE, .. Oct. 7, 1975.

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

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

LOCATION 84 Auburn St. Fire District #1 , #2

1. Owner's name and address Kernca 40 Lea Burbank Highway Telephone

2. Lessee's name and address Gibbs Oil 84 Auburn St. Telephone 800-225-3431

3. Contractor's name and address RSM Co. Box 584 Gray, Maine Telephone 657-4329

4. Architect

Proposed use of building Service Station Specifications

Last use

Material

Other buildings on same lot

Estimated construction cost \$ 300

Fees \$ 5.00

FIELD INSPECTOR—Mr. Reitze

This application is for: @ 775-5451 GENERAL DESCRIPTION

Dwelling

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

To relocate existing detached pole sign
8' X 8' SIGN

Stamp of Special Conditions

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

PERMIT IS TO BE ISSUED TO 1 2 3 4

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work?

Is connection to be made to public sewer?

Has septic tank notice been sent?

Height average grade to top of plate

Size, front

Material of foundation

Kind of roof

No. of chimneys

Framing Lumber—Kind

Size Girder

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

On centers: 1st floor

Maximum span: 1st floor

If one story building with masonry walls, thickness of walls?

IF A GARAGE

No. cars now accommodated on same lot

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: O.K. D.A.G.W. 10/7/75

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? Yes

Signature of Applicant

Type Name of above John Rocheville

Phone # 657-4329

1 2 3 4

Other

and Address

FIELD INSPECTOR'S COPY

lak



APPLICATION FOR PERMIT TO ERECT
SIGN OVER PUBLIC SIDEWALK OR STREET

PERMIT ISSUED
OCT 28 1975
950
CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME. Portland, Maine. Oct. 20, 1975. 19

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

Location 84 Auburn St. Within Fire Limits? _____ Dist. No. _____
Owner of building to which sign is to be attached Kernco 40 Lee Burbank Highway
Name and address of owner of sign Gibbs Oil 84 Auburn St.
Contractor's name and address to be let Telephone _____
When does contractor's bond expire? _____

Information Concerning Building

No. stories 1 Material of wall to which sign is to be attached plastic w/ metal case

Details of Sign and Connections

Building owner's consent and agreement filed with application _____
Electric? yes Vertical dimension after erection 23' Horizontal 8'
Weight 800 lbs Will there be any hollow spaces? no Any rigid frame? yes
Material of frame aluminum No. advertising faces 2 material plexiglas
No. rigid connections _____ Are they fastened directly to frame of sign? _____
No. through bolts _____ Size _____ Location, top or bottom _____
No. guys _____ material _____ Size _____
Minimum clear height above sidewalk or street 15'
Maximum projection into street 4' Fee \$ 6.20

Signature of contractor J. Cortright

INSPECTION COPY Pole sign projecting over sidewalk

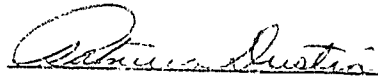
ZONING OK 10/28/75

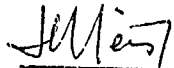
WRITTEN CONSENT AND AGREEMENT RELATING TO A CERTAIN SIGN PROPOSED
TO BE ERECTED PROJECTING OVER A PUBLIC SIDEWALK FROM THE
PREMISES AT 76-90 Auburn Street IN PORTLAND, MAINE

Kernco, Inc. being the owner of the
premises at 76-90 Auburn Street in Portland, Maine hereby
gives consent to the erection of a certain sign owned by
Kernco, Inc. projecting over the public sidewalk
from said premises as described in application to the Inspector
of Buildings of Portland, Maine for a permit to cover erection
of said sign;

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

In Witness whereof, the owner of said premises has signed
this consent and agreement this 23rd
day of October 1975 .


Witness


Owner
Jose H. Reis, P. E.
Engineering and Construction
Manager

CITY OF PORTLAND, MAINE
BUILDING INSPECTION DEPARTMENT

It has not been possible to gain admittance to your property at the above location to check your for safety features.

You are entitled to this safety service as part of the inspections required by the City of Portland Building Code under the building permit taken out by your installer.

Please notify this office of a convenient time for this inspection to be made.

Very truly yours,

Date: 8/26/45

Applicant: *Cable & Dale Co.*

Address: *76-90 AUBURN ST.*

Assessors #: *375-A-26*

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - *B-1*

Interior or ~~corner~~ lot -

602.21 → 40 ft. setback area (Section 21) - *YES*

Use - *CANOPY 48' X 32'*

Sewage Disposal -

Rear Yards -

Side Yards -

Front Yards - *6' — 40' MIN.*

Projections -

Height -

Lot Area - *28445 sq ft*

Building Area -

Area per Family -

Width of Lot -

Lot Frontage -

Off-street Parking -

Loading Bays -

Site Plan -

September 12, 1975

Gibbs Oil Co.
40 Lee Burbank Highway
Revere, Mass.

cc to: Harold C. Facios
Prety & Flaherty
443 Congress St.
cc to: RSM Co.
Pine Drive
Gray, Maine

RE: 76-90 Auburn St.

C
O
P
Y

Enclosed herewith is the decision of the Board of Appeals regarding your petition to erect a 48' x 32' canopy over the existing gas pumps at the above named location. Please note that your appeal was granted.

Your permit will be issued as soon as our plan examiner approves the structural plans.

Very truly yours,

A. Allan Soule
Asst. Director of
Building Inspections

August 26, 1975

Gibbs Oil Co.
40 Lee Burbank Highway
Revere, Mass.

c.c. Harold C. Pacios,
Proty & Flaherty,
443 Congress St.

c.c. RSM Co.
Pine Drive
Gray, Maine

Re: 76-90 Auburn St.

Gentlemen:

A building permit to erect a 48' x 32' canopy over the existing gas pumps at the above named location, is not issuable under the Zoning Ordinance, because the canopy which is to be located about 6' back from Auburn Street would be an unlawful encroachment upon the 40' 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 \$5. shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter, then consider this letter as a matter of formality.
Section 602.24.C.3.b.1

Very truly yours,

Malcolm G. Ward
Plan Examiner

MGW:kk

Recd.
8/35

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

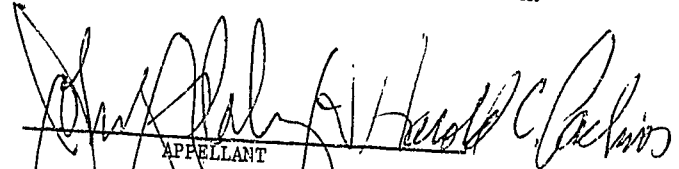
SPACE AND BULK VARIANCE (OTHER THAN FOR DWELLING UNIT CONVERSIONS)

Gibbs Oil Co., owner of property at 76-90 Auburn Street

under the provisions of Section 602.24 C of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit: the erection of a 48' x 32' canopy over the existing gas pumps at the above named location. This permit is not issuable under the Zoning Ordinance because the canopy which is to be located about 6' back from Auburn Street would be an unlawful encroachment upon the 40' setback area required by Section 602.21.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(1) of the Zoning Ordinance have been met. (See reverse side hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan approval is required, a preliminary or final site plan is attached hereto as Exhibit A.


APPELLANT
ATTORNEYS IN FACT

602.24 C(3)(b)(1) Space and Bulk Variances other than for Dwelling Unit Conversions:

- (a) The subject lot or parcel is exceptional as compared to other lots or parcels subject to the same provision by reason of unique physical condition, including irregularity, narrowness, shallowness, or substandard or marginal size; exceptional topographical features; and other extraordinary physical conditions peculiar to and inherent in the lot or parcel in question, which amount to more than a mere inconvenience to the owner.
- (b) The aforesaid unique physical condition existed at the time of the enactment of the provision from which a variance is sought or were created by natural forces or were the result of governmental action.
- (c) The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the lot or parcel in question of substantial use and enjoyment of this property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision.
- (d) The hardship is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision.
- (e) Property in the same zone or neighborhood will not be adversely affected by the granting of the variance and the granting of the variance will not create conditions which would be detrimental to the public health or safety.

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

All persons interested either for or against this space and bulk variance appeal will be heard at a public hearing in room 209, City Hall, Portland, Maine on Wednesday, September 10, 1975 at 3:00 p.m. This notice of required public hearing has been sent to the owners of property directly abutting, and directly across a street or alley from the subject property as required by Ordinance.

Gibbs Oil Co., owner of property at 76-90 Auburn Street, under the provisions of Section 602.24 C of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit the erection of a 48' x 32' canopy over the existing gas pumps at the above named location. This permit is not issuable under the Zoning Ordinance, because the canopy which is to be located about 6' back from Auburn Street would be an unlawful encroachment upon the 40' setback area required by Section 602.21.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(1) of the Zoning Ordinance has been met.

Thomas J. Murphy
Secretary

abutters:

51-115 Auburn St./ Shaws Realty, 585 Congress St., 04101

68-74 Auburn St./ Ralph T & Yvonne Morrill, 72 Auburn St.

92-102 Auburn St. & R.76-90 Auburn St./Jacob H & Veronica A. Webb, 51 Merrill Rd.,
Falmouth, Me. 04105

1481-1483 Washington Ave./ Clarence J & Irene W. Cressey, Jr., 1481 Washington Ave.

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

SPACE & BULK VARIANCE APPEAL

Findings of fact

The applicant is Gibbs Oil Co. and he is interested in
the property located at 76-90 Auburn Street as owner.
The owner of the property is same as above and his address is
40 Lee Burbank Highway, Revere, Mass. The property is located in a B-1 Zone.
The present use of the property is gas station.

The applicant respectfully petitions the Board of Appeals for a variance
from the provision of Section 602.21 of the Ordinance to permit
the erection of a 48' x 32' canopy over the existing gas pumps at the
above named location.

Further Findings of Fact

Appearances

The names and addresses of those appearing in support of the application
are: Harold Pachios of Prety & Flaherty, 443 Congress St., attorney

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not by
way of limitation, plans, specification, photographs, etc. consisted of the following:
tracing, photo, site plan, construction plans

REASONS FOR DECISIONS

The parcel of land in question (is/is not) exceptional, compared to other lots or parcels subject to the same provision by reasons of its physical characteristics which may be described as follows: _____

_____;

and also by reason of the following topographical features: _____

and they (do/do not) amount to more than a mere inconvenience to the owner.

The aforesaid physical conditions (strike out inapplicable references).

- (a) existed at the time of the enactment of the provision for which a variance is sought; or
- (b) were created by natural forces; or
- (c) were a result of governmental action.

The carrying out of the strict letter of the provision from which a variance is sought (would/would not) deprive the applicant of the substantial use or enjoyment of the property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision, because of the following: _____

The hardship (is/is not) merely the inability of the applicant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision, as evidenced by: _____

Property in the same zone or neighborhood (will/will not) be adversely effected by the granting of the variance and the granting of the variance (will/will not) create conditions which would be detrimental to the public health or safety, because of the following: _____

SPECIFIC RELIEF GRANTED

After a public hearing held on September 10, 1975, the Board of Appeals find that all of the conditions required by the Ordinance (do/~~not~~) exist with respect to this property and that space & bulk variance should _____ be granted in this case.

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

W. Earle Eskilson

Richard Bearor

Earle Wahl

Jacqueline Cohen



APPLICATION FOR PERMIT
 DEPARTMENT OF BUILDING INSPECTIONS SERVICES
 ELECTRICAL INSTALLATIONS

Date August 26, 1975
 Receipt and Permit number A 03182

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 84 Auburn St.
 OWNER'S NAME: Gibbs Oil ADDRESS: Revere Mass.

OUTLETS: (number of)
 Lights _____ control panel
 Receptacles 3
 Switches no. of units FEES
 Plugmold _____ (number of feet)
 TOTAL _____ 3.00

FIXTURES: (number of)
 Incandescent _____
 Fluorescent _____ (Do not include strip fluorescent)
 TOTAL _____
 Strip Fluorescent, in feet _____

SERVICES:
 Permanent, total amperes _____
 Temporary _____

METERS: (number of) _____

MOTORS: (number of)
 Fractional _____
 1 HP or over _____

RESIDENTIAL HEATING:
 Oil or Gas (number of units) _____
 Electric (number of rooms) _____

COMMERCIAL OR INDUSTRIAL HEATING:
 Oil or Gas (by a main boiler) _____
 Oil or Gas (by separate units) _____
 Electric (total number of kws) _____

APPLIANCES: (number of)
 Ranges _____ Water Heaters _____
 Cook Tops _____ Disposals _____
 Wall Ovens _____ Dishwashers _____
 Dryers _____ Compactors _____
 Fans _____ Others (denote) _____
 TOTAL _____

MISCELLANEOUS: (number of)
 Branch Panels _____
 Transformers _____
 Air Conditioners _____
 Signs _____
 Fire/Burglar Alarms commercial _____
 Circus, Fairs, etc. _____ 5.00
 Alterations to wires 8 control circuits _____
 Repairs after fire _____
 Heavy Duty, 220v outlets _____
 Emergency Lights, battery _____
 Emergency Generators _____

INSTALLATION FEE DUE: _____
 FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE: _____
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) _____
 FOR PERFORMING WORK WITHOUT A PERMIT (304-9) _____
 TOTAL AMOUNT DUE: _____ 8.00

INSPECTION:
 Will be ready on _____, 19__; or Will Call

CONTRACTOR'S NAME: George W. Erskine
 ADDRESS: 1634 Broadway S., Portland
 TEL.: 773-4004

MASTER LICENSE NO.: 2503 SIGNATURE OF CONTRACTOR: _____
 LIMITED LICENSE NO.: _____

INSPECTOR'S COPY



APPLICATION FOR PERMIT

Class of Building or Type of Structure _____
Portland, Maine, Jan. 25, 1973

PERMIT ISSUED

JAN 26 1973

0000
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 84 Auburn St. Within Fire Limits? _____ Dist. No. _____
Owner's name and address North Gate - Tulsa same Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Breggy Oil Co. 84 Auburn St. Telephone _____
Architect _____ Specifications _____ Plans _____ No. of sheets _____
Proposed use of building service Station No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 60. Fee \$ 3.

General Description of New Work

To erect a Metalbestos prefab chimney. Size 7"

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.
Joins 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.B. 1/26/73

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

Breggy Oil Co.

CS 301

INSPECTION COPY

Signature of owner By: [Signature]

76-90 Auburn Street

August 27, 1970

Canteen Company of Maine
650 Main Street
South Portland

cc to: Terminal Oil Company
585 Forest Avenue
cc to: Corporation Counsel

Gentlemen:

Permit to erect a detached pole sign 6'x10' (22' high) at the above named location in the E-1 Business Zone in which this property is located is presently not issuable under the Zoning Ordinance because a detached pole sign is not an allowable use as stated under Section 602.16.4 of the Zoning Ordinance.

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 the time the appeal is filed.

Very truly yours,

A. Allan Soule
Assistant Director of Building Inspection
Department

EWL:m

P.S.

It is our understanding that this sign will have steady internal light and upon that premise we are considering this appeal.

CHECK LIST FOR SIGNS

Date - 8/27/70

Checked by - EUL

Location - 84 Auburn St.

Zone Location - B-1

Fire Zone - No

Sign & Review Committee - over 8' in least dimension - No

Area of sign - 120^{sq}

Area of existing signs -

Material -

Design -

Facing adjoining Residence Zone -

Flashing or Steady light -

If on state road check with State -

Attached Sign -

Height above level of roof -

Detached or pole sign -

No. under 602.16 4

Height - 22'

Required yards (single pole OK - 2 poles a structure) 40' setback

Corner clearance -

Footing -

Certificate of Design -

Projecting Sign -

Clearance 10' -

Bonded -

Height -

Written Consent -

Projection over sidewalk (18" from curb) -



BI BUSINESS ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Sign
Portland, Maine, August 26, 1970

PERMIT ISSUED
SEP 21 1970
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 84 Auburn St. Within Fire Limits? _____ Dist. No. _____
Owner's name and address owner of land- Canteen Company of Maine, 650 Main St. So. Portland Telephone _____
Lessee's name and address owner of sign- Terminal Oil Company, 585 Forest Ave. Telephone 774-9896
Contractor's name and address owners Telephone _____
Architect _____ Specifications _____ Plans on file No. of sheets _____
Proposed use of building _____ with original plans _____ No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ _____ Fee \$ 16.00

General Description of New Work

*fee pd.
8/26/70*

To erect (1)-doublefaced detached pole sign 6' x 10' as per plans.

Appeal sustained 9/17/70

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 Terminal 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:

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

Terminal Oil Company

CS 301

INSPECTION COPY

Signature of owner by: Audon B. Lilly

7M

T/15a

CITY OF PORTLAND, MAINE Application for Permit to Install Wires

Permit No. 196
Issued 1-25-73
Portland, Maine Jan 24, 1973

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 North Gate, Tulsa, Tel.
Contractor's Name and Address Breggy Oil & Gas, Tel.
Location 4 Auburn St Use of Building Gas Station
Number of Families _____ Apartments _____ Stores _____ Number of Stories _____
Description of Wiring: New Work Additions _____ Alterations _____

Pipe _____ Cable _____ Metal Molding _____ BX Cable _____ Plug Molding (No. of feet) _____
No. Light Outlets _____ Plugs _____ Light Circuits _____ Plug Circuits _____
FIXTURES: No. _____ 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 _____ Voits _____ Starter _____
HEATING UNITS: Domestic (Oil) No. Motors 1 Phase 1 H.P. 1/8
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 2 19 _____ Ready to cover in _____ 19 _____ Inspection _____ 19 _____
Amount of Fee \$ 2.00

Signed Breggy Oil & Gas

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 G.W. Hebert

BP 84 Auburn Street

June 10, 1971

Terminal Oil Company
585 Forest Avenue

cc to: Jack Berman, Public Works Dept.

Gentlemen:

This office is in receipt of the new plot plan which reveals the following discrepancy which is contrary to the requirements of the Public Works Traffic Ordinance. The item in question is the 40' driveway. The Traffic Ordinance requires this be cut to a 35' maximum between curbs.

If you have any question concerning these distances or anything which has to do with curbs, drainage, etc. please contact Mr. Jack Berman of the Public Works Department.

Very truly yours,

Earle S. Smith
Plan Examiner

ESS:m

76-90 Auburn Street

June 7, 1971

Archie Howe,
Terminal Oil Company
585 Forest Avenue

Dear Mr. Howe:

Jose Reis was in this office some time ago and said that he would provide us with a set of revised plans for the station at the above address. Before we can make final approval of this station it will be necessary that these plans be sent to us so that we may check them out and if all is found in order, a certificate of occupancy for the station may be issued.

Very truly yours,

Earle S. Smith
Plan Examiner

ESS:m

76-90 Auburn Street

July 7, 1970

Canteen Company of Maine
84 Auburn Street

cc to: Archie Howe, Terminal Oil Co.
585 Forest Avenue
cc to: Corporation Counsel

Gentlemen:

Permit to construct a 1-story masonry service station 15' x 30' at the above named location in the B-1 Business Zone in which this property is located is presently not issuable under the Zoning Ordinance because the property is located in a zone where the proposed use is not allowable unless authorized by the Board of Appeals under provisions of Section 602.9a.12b of the Ordinance.

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,

Edwin W. Locke, Jr.
Plan Examiner II

EWL:m

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Terminal Oil Co. of Maine
585 Forest Ave.

July 8, 1970

Gentlemen:

With relation to permit applied for to demolish a building or portion of building at 15-19 Washington Ave. (service st^h) is unlawful to commence demolition work until a permit has been issued from this department.

Section 6 of the Ordinance for rodent and vermin control provides: "It shall be unlawful to demolish any building or structure unless provision is made for rodent and vermin eradication. No permit for the demolition of a building or structure shall be issued by the Building Inspection Department until and unless provisions for rodent and vermin eradication have been carried out under supervision of a pest control operator registered with the Health Department.

The building permit for demolition cannot be issued until the provisions of this section have been satisfied. It is the obligation of owner or demolition contractor or both to take up with the Health Department the matter of complying with this section, being prepared to inform that department what registered pest control operator is to be employed.

Very truly yours,

R. Lovell Brown
Director

h

Eradication of this building has been completed, 7/10/70
No rodent activity observed

R. Lovell Brown
A. H. Hallway

Contractor:

Not let

Copy to:

Archie Howe
Terminal Oil Co.
585 Fourth Ave

96-7

MEMORANDUM FROM DEPARTMENT OF BUILDING INSPECTION, PORTLAND, MAINE

Location: 484 Auburn St.

October, 1970

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 (3)-3000 gallon tank--~~each~~ each

These tanks of ~~gallons~~ gallons capacity are required to be of steel or wrought iron no less in thickness than # ~~1/2~~ 1/2; 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.