BI BUSINESS ZONT



APPLICATION FOR PERMIT

PERMIT ISSUED

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16/12716 Y	Type of StructureTustalla	*	OCT 21 1959
,	Fortland, Maine,October 7.	1959	ATTIVY C TO A TO
To the INSPECTOR OF BUILDING	S, PORTLAND, MAINE		CITY OF FURTLAN
The undersigned hereby applies for in accordance with the Laws of the State specifications, if any, submitted herewith	or a permit to erect alter repair demol of Maine, the Building Code and Z and the following specifications:	oning Ordinance of th	City of Portland, plans and
Location 73-113 Auburn Gra	onat (0+2 o) 177		· ·
Owner's name and address	h Gate Shopping Center Sh	1210's Realty	Corologham
Lessee's name and address Boone.!	s Restaurant \ Eugen	A.F. Cond	EUS to my HO VY
Contractor's name and address	B. Bourne & Son 56 Cross	2 h	Tolombana 2 2007
Architect	Specifications	Dlane	1 elephone2-3907_
Proposed use of building	Restaurant	yes	No. of sheets
Last use	13	***************************************	No. families
Material No. stories	Hont Ct.1.		No. families
Other buildings on same lot	TreatStyle of ro	01	
Other buildings on same lot			
	G 13 15		Fee \$_2.00
•	General Description of New	Work	
To install air conditioning	erret am		
		_	
To install kitchen range ho	od and exhaust Ian as per	plan	•
	1		
		1 . E - Ahme	*
	Permit Issued wit	in Letten	
It is understood that this permit does not the name of the heating contractor. PERI	Details of New Work	M. B. Bourne &	Son
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Is any plumbing involved in this work? Is connection to be made to public sewe	Details of New Work	M. B. Bourne & cal work involved in s proposed for sewar	Son this work?
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INSPECTION COPY Signature of owner By:

AP - 73-113 Auburn Street(Northgate Shopping Center) Installation of Air Conditioning System of Lango Hood & Ventilating System Thereof for Boone's destaurant by H. B. Brurne & Son

Octobor 21, 1959

B. Bourno & Son, 55 Cross Street

Copy 60; Eugene A. Boone, 6 Custom House Wharf

Attention Mr. Bell

Shaw Realty Co. 585 Congress St.

Gentloner:

Building parait for the above installations are issued, herewith, subject to the following conditions relating particularly to the range hood and its vantilation system.

According to Section 602d2 of the Building Code, the articlet duct of the hood is According to Section 602d2 of the Building Code, the exhaust duct of the hood is to be no less than 18 gage motal, and it is understood that there will be no burnable material within 18 inches of any part of the hood or any part of the duct, except the to be any turnable material of any character anywhere around the consult duct of theze cut in the roof. If there can the total roof deck, this office should be consulted before the opening

The sketch filed today by Mr. Bell showing the proposed arran event for protection around the duct at the roof opering, represents a wide departure from the usual properties indicated by the Building Code; but, if Mr. Boone and the owners of the building prefer it that any, it will be acceptable at the basis that there is no burnable and the metal dock. In substance the proposed plan substitutes a concrete orbanism the roof opening in place of the metal thinble through the roof. The curb if serving as a thinble is required to extend at least nine inches above the roof marface, and of course cars must be taken in supporting it for the curb of concrete, even though evidently is to have upon it, of about 300 pounds. To this must also be added the beams in the roof frame to support it without deflection.

The wore usual method which may be followed under this permit, if you desire, The more usual method which may be followed under this permit, if you desire, would be to use a wooden metal covered curb, in which case the roof opening would be semewhat larger but the curb need not extend as high. In that case there would be metal this ble extending from the surface of the coiling to a height no less then nine would have to be at least one inches from the metal covered curb, in the curb but otherwise between this ble and dust could be filled with mineral wool or dimilar non-combustible insulating material to keep the cold air from the outside drawing down into the building. between thimble and due tould be filled with mineral wool or almiler non-computative insulating material to keep the cold air from the outside drawing down into the buildings mathem anatomist have recommend in this case over the made between thimble and insulating material to keep the cold air from the outside grawing down into the cold dust would require a clearance from the top of the thimble of at locat three inches.

M. P. Bourne & Bon---

October-21,-1959

If the sprinkler system in the building is "met pipe", and the sprinkler pipes run between ceiling and undereide of roof deck consideration should be given of course to the possibility of extremely cold weather freezing water in the pipes.

The details of the air conditioning system are to comply with the requirements of Standards of the National Board of Fire Underwriters for the Installation of Air Conditioning and Ventilating Systems (Famphlet No. 90).

Very truly yours,

WMcD/H Eno: Permit Card and Copy of Application

Warren McDonald Acting Deputy Inspector of Buildings

P.S. If the concrete curb is used certainly it must be securely anchored to the roof frame, and, if very high, the curb itself should be reinforced.

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

PERMIT 1546 00T 21 1953 CITY of PRATLAND

Portland, Maine, Oct. 5, 1959

To the INSPECTOR OF BUILDINGS, POR	TLAND, ME.				
The undersigned hereby applies for a pance with the Laws of Maine, the Building Cod		llowing heating, c land, and the foll	cooking or power owing specification	equipment in a ns:	ccord-
Location 73-113 Auburn St. Tection U				1 New Bu	
Name and address of owner of a liance . if	Boone's Rest.	aurant. A Cue	No. Stories	Existing	<u>;</u> ''
Installer's name and address hun'bank Doug.	lass, 36-42 Pearl	LSt.		ara - 7511	
Ger	neral Description	of Work			
To install (2) electric cooking range (HIG-7-Hotpoint)	ges -(3) electri	ic fryers (1-	-HKG-46 Hotpo	int)	
(1) electric broiler(HBB1)	-Hot moint)	(2-	нк-3 "		
		3D DOM 50			
•	EATER, OR POWE				
If so, how protected?	ny burnable material in	Kind of fuel?			******
Minimum distance to burnable material, from to			•		
From top of smoke pipe From from	ont of appliance		e des or back of ap	nlianas	
Size of chimney flue Other co		. 110111 310	des or back or ap	phance	•••••
If gas fired, how vented?		Rated maxim	ım demand sar b		
Will sufficient fresh air be supplied to the appliar	re to insure proper an	d safe combustion	ir demand per n	our	*****
					******* ,
Name and type of burner	IF OIL BURNE				
Will operator be always in attendance?	Dogs oil augustu ti		nderwriters' labor		
Type of floor beneath burner	Does oil supply li	ne teed from top vent pipe	or bottom of ta	ık ?	٠.
Location of cil storage		vent pipe or and capacity of			
Low water shut off	Make	and capacity of		• •••	
Will all tanks be more than five feet from any fla		many tanks encl		***********	*********
Total capacity of any existing storage tanks for		many tanks cher	oscii.		• •
Location of appliance First floor	COOKING APPL				
If so, how protected?	May burnable n		urface or beneath		•
711 ·	Distance to combustible	leight of Leg Leantagint Growt			•
From front of appliance	sides and back	idea	op or apphance: n top of smokepi		
Size of chimney flue Other con	inections to same flue	. Clon	и сор от ѕтокер	ре	
Is bood to be provided? yes-by others		•	 Forced or gravity		•••••
If gas fired, how vented?			m demand per he		
			=	/ 41	
MISCELLANEOUS 1	POTEMENT OK S	SPECIAL, INFO	ORMATION		
***************************************	•	•			
All as per plan			**		,,
Construence of the construence o				• •	
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Amount of fee enclosed? 4.50 (\$2.00 for	one herter etc. 80 ce				
building at same time.)	one heater, etc., 50 ce	uts additional 10	r each additional	heater, etc., in	same
OUCD					
OVED:	,				
2017 the city	how Will there b	e in charge of th	e above work a	person compete	nt to
e or non humble			requirements pe	rtaining therete	o are
or will no burner	observed? J	yes. ouglass & Co.	;		
e active tok	<u>. 0.1</u>		1	4	
Littolynaivre of	Installer by: 1726	Land Min	hayes di	stile u;	
INSPECTION COPY 10/00/10/10	≠ -	,	1	1	

Frantid 9/3/59.
59/73
DATE: September 3, 1959

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF SHAW'S REALTY COMPANY 73-113 Auburn Street

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

BGARD OF APPEALS

VOTE

Franklin G. Hinckley Joseph T. Gough Harry M. Shwartz

Record of Hearing:

No opposition.

CITY OF PORTLAND, MAINE BOARD OF APPEALS

VARIANCE APPEAL

August 17, 1959

Shaw's Realty Company , owner of property at 73-113 Auburn St.

under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for riance from the provisions of said Ordinance to REMERKE Establishing a cafeteria restaurant in Section #3 f the Northgate Shopping Center at this location and for advertising signs in connecting greater a. This permit is presently not issuable in the B-1 Business Zone for the following reasons. (1) the restaurant use is among those excluded in Section 3-A-8. (2) Area of new signs is be erected, including those on the edge of the canopy and an addition to an existing detached sign on the property, will be about 100 square feet, thus increasing by the amount the area of signs already located on the property amounting to over 500 square feet, the allowable total area of signs on the premises being limited to 200 square feet by Sec. 16-A-4a of the Ordinance. (3) The proposed signs are not allowable under Sec. 16-A-4a since they are not to be attached to the wall of the building. (4) The existing detached signs are not allowable in the B-1 Business Zone and is located within the 40 foot setback area required to be kept free and open by Sec. 21 of the Ordinance, any increase in the degree of non-conformity of an existing non-conforming use being forbidden by Sec. 17-B of the Ordinance.

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisic s of the Ordinance would result in undue hardship in the development of property which is anconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the provision 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

ADDELLAND

DECISION

After public hearing held <u>September 3, 1959</u>, 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.

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

BOARD OF APPEATS

BOARD OF APPEALS

CITY OF PORTLAND, MAINE BOARD OF APPEALS

August 24, 1959

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. September 3, 1959, a 4:00 p.m. to hear the appeal of Shaw's Realty Company requesting an exception to the Zoning Ordinance to permit establishing a colleteria restaurant in Section #3 of the Northgate Shopping Center at 73-113 Auburn Street and for advertising signs in connection therewith.

This permit is presently not issuable under the Zoning Ordinance in the B-. Business Zone where the property is located for the following reasons:

(1) The restaurant use is among those excluded by Section 8-A-8. (2) Area of new signs to be erected, including those on the edge of the canopy and an addition to an existing detached sign on the property, will be about 100 square feet, thus increasing by ther amount the area of signs already located on the property amounting to over 500 square feet, the allowable total area of signs on the premises being limited to 200 square feet by Section 16-A-4a of the Ordinance. (3) The proposed signs are not allowable under Section 16-A-4a since they are not to be attached to the wall of the building. (4) The existing detached sign to which the addition is to be made is non-conforming under Section 16-A-4a in that detached signs are not allowable in the B-1 Fusiness Zone and is located within the 40 foot setback area required to be kept free and open by Section 21 of the Ordinance, any increase in the degree of non-conformity of an existing non-conforming use being forbidden by Section 17-B of the Ordinance.

This appeal is tak in under Section 24 of the Zoning Orcinance which provides that 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 premises in question as required by the Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

August 31, 1959

Shaw's Realty Company 58) Congress Street Portland, Mains Att: Mr. H. Halsey Davis Gentlemen:

Setpember 3

1

ALBERT J. SEARS

CITY OF PORTLAND, MAINE

Department of Building Inspection

AF-73-113 Auburn St.

August 13, 1959

Shaw's lealty Comp Att: H. Halsey' 585 Congress St pno's Restauran 6 Cuptom House

ce to: Corporation Counsel

Gentlessen:

Building permits and a certificate of occupancy for establishing a cafeteria restaurant in Section #3 of the forthgate Shopping Center at the above maked location and for advertising signs in connection therewith are not issuable under the Zoning Ordinance in the F-1 Business Zono where the property is located for the following reasons:

- 1. The restaurant use is among those excluded by Suction 8-A-8.
- 2. Free of new signs to be erected, including those on the edge of the campy and an addition to an existing ideached sign on the property, will be about 100 square feet, thus increasing by that amount the area of signs already housted on the property amounting to over 500 square feet, the allowable total area of signs on the premises being limited to 200 square feet by Section 16-A-4s of the Ordinance.
- 3. The proposed signs are not allowable under Section 16-4-4a since they are not to be attached to the wall of the building.
- 4. The existing deteched eight to which the addition is to be mide is non-conforming under Section 16-A-As in that detached signs are not allowable in the B-I Business Zone and is located within the 40 foot setback area required to be kept free and open by Section 21 of the Ordinance, any increase in the degree of non-conformity of an existing non-conforming use being for-bidder by Section 17-B of the Ordinance.

We understand that you would like to exercise your appeal rights concerning all of these discrepancies. According to the Corporation Counsel, to whose office in Roca 208, City Hell, you should go to file the appeal.

It is understood that if appeal is custained, the permit application is to be completed by filing a layout plan of the restaurant and its facilities and by paying the permit fee based on the cost of the work. Separate permits will be required for installation of the signs. It is understood that any illumination of the signs is to be by non-flashing or non-intermittent lighting since lighting other than this is not permitted by the Zoning Ordinance.

Very truly yours, Albert J. Scars
Inspector of Buildings

WikeDem

AP-73-113 Auburn 3.

August 13, 1959

Shawto Realty Company
Atto H. Walney Davis
565 Congress Street
Boors's hestometric
6 Custon Pouse Shark

se to: Corporation Coursel

Contlemen:

Building permits and a certificate of occupancy for establishing a cafeteria restaurant in Section 33 of the Northgate Shapping Center at the above named location and for advertising signs it connection therewith are not issuable under the Zoning Ordinance in the B-1 Expiness Zone where the property is located for the following reasons:

- 1. The restaurant use is among those excluded by Section 6-4-3.
- 2. Area of new signs to be eracted, including the continuous and an addition to an existing such has sign on the property, will be about 100 square fact, thus increasing by that amount the area of signs already located on the property amounting to over 500 square (set, the alleady ble total area of signs on the presides being lindted to aquare fact by Section 16-A-42 of the Ordinance.
- 3. The proposed signs are not allowable under Jerden 16-A-La since the are not to be attached to the hall of the building.
- 4. The existing detached eight to which the addition is to be made is non-conferming under Section 16-4-48 to that detached might are not allowable in the B-1 Business form and is located within the A- feet setback area required to be kept free and upon by Section 21 of the A-dinance, any increase in the degree of non-confermity of an existing non-conferming use being for-bidden by Section 17-8 of the Ordinance.

We understand that you would like to exercise your topeal rights concerning all of these discrepancies. Accordingly we are certifying the case to the Corporation Councel, to whose office in foom 208, tity Hall, you should go to file the openal.

It is understood that if appeal is sustained, the permit explication is to be completed by filing a layout plan of the restaurant and its facilities and by paying the permit fee based on the cost of the work. Separate permits will be required for installation of the signs. It is understood that any illumination of the signs is to be by non-flashing or non-intermittent lighting since lighting other than this is not permitted by the coming Ordinance.

For truly jours, Albert J. Soars Improtor of Buildings

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APPLICATION FOR PERMIT

Class of Building or Type of Structure and class

Portland, Maine, August 12, 1959

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

To the INSPECTOR OF BUI		
in accordance with the Laws of (pplies for a permit to erect alter repair demolish insta the State of Malne, the Building Code and Zoning O herewith and the following specifications:	ll the following building structure equipment rdinance of the City of Portland, plans and
Location 73-113 Auburn	St. Within Fi	re Limits? no Dist. No.
Owner's name and address	Horthgate Shopping Center, h.w.l.s	Realty Co. Telephone
Lesse's name and address	Roone's Restaurant, 6 Custom House	Wharf Telephone
Contractor's name and address	3	Telephone
	Specifications	
Proposed use of building	Cafeteria Restiurant	No families
Material No. stor	iesStyle of roof	Roofing
	· manual	
Estimated cost \$		Fee \$
	General Description of New Wor	
	a restaurant in Section #3-Northgate	
This application is In event the appeal	proliminary to get settled the quest is sustained the applicate will furn	tion of Zoning Appeal, nich complete information.
	n de la companya del companya de la companya del companya de la co	
\mathcal{O}		in Matanan 7/3/59
It is understood that this permit the name of the heating contracto	does not kinclude installation of heating apparatus w	which is to be taken out separately by and in
\wedge	Details of New Work	
Is any plumbing involved in the	ns work?Is any electrical wor	ik involved in this work?
Is connection to be made to p	ublic sewer? If not, what is prop	posed for sewage?
	ent?Form notice sent?	
	f plate Height average grade to	
	Thickness, top bottor	
	Rise per foot	
No. of chimneys	Material of chimneys of lining Corne	Kind of heat fuel
	dumns under girders Size	
	sheathing of exterior walls?	
Studs (outside walls and carry	ring partitions) 2x4-16" O. C. Bridging in every fl	oor and flat roof span over 8 feet.
Joists and rafters:	1st floor	
On centern:	1st floor	
Maximum ep a:	1st floor	
•	sonry walls, thickness of walls?	
		THE PERSON OF TH
	If a Garage	
	on same lot, to be accommodatednumber lone othe. than minor repairs to cars habitually sto	
PATER.		Miscellaneous
ROVED:	} '	ng of any tree on a public street?.
жарынын меңийшингендинафиян пойнай		of the above work a person competent to
g	t t	City requirements pertaining thereto are
ng taming on a gament and a participant of the state of t	observed?yes	ore reducencine between a catero ma
and the second s		
	ph1	1.65
Sign	delire of owner	Charles Comments

INSPECTION COPY

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Sapproper nell

APPLICATION FOR PERMIT

Class of Building or Type of Structure

Portland, Maine, Sept. 18, 1759

PIRMIT ISSOL 01295 sep 23 1939

CHY CHOUSE AND

To the INSPECTOR OF PUILDINGS, PORTLAND, MAINE

o his inspector of fo		* ** ** ** ****************************		
n accordance with the Laws of pecifications, if any, submitted	the State of Maine, the I l herewith and the following	Building Cods and Zong specifications:	oning Ordinance of	ing building structure equipment the City of Portland, plans and
ocation 73-113 Aulum	.St.		thin Fire Limits?	no Dist. No
wner's name and address	Northgate Shoppi	ng Center, Shay	vis Pealty Co.	Telephone Telephone
essee's name and address	Epone's Restaur	ant , 5 Custom	House "harf	Telephone
Contractor's name and addre	ssUnited Neon Di	srlay, 74 Elm S	it.	Telepnone 2-0695
				yes
Proposed use of building	deinig jugengillunge dessentigen is de Mariffellere - mertereter	ALIEMBER ANDRES SELECT C		No. families
ast use	antingeren 6. belggerkertersterrer ergeren beratigeren.	4-42 WING! 1998	145 CF 7 PF 7 PF CF	
Material No. sto	ories Heat	Style of ro	oof	Roofing
Other buildings on same lot	and conditional state and a side			
Estimated cost \$				Fee \$. 2.00
	General De	escription of Mer	w Work	
To erect 3' x 19' s	iga on roof as per	r plan.		
	ν .			52570Tood 4/3/59
			14,421	Sentamet
Is connection to be made to Has septic tank notice been	this work? public sewer?	ails of New Wor	rk trical work involved to it is proposed for s te sent?	d in this work?
Size, front depth	No. stories		d landr	earth or rock?
Material of foundation	annucleocolor annucleocolor at a r. 1.7	reality	, OOLLOM	Thickness
Material of underpinning		Part	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	THICKNESS
Kind of roof		Rooi cover	IIII; Vind	of hone fred
No. of chimneys	Material of chimney	a	Corner mets	of heat fuel fuel
_				Max. on centers
Size Girder				THE CONTROL OF THE PARTY OF THE
Kind and thickness of outs				
Studs (outside walls and ca				
Joists and rafters:				roof
On centers:				, roof
Maximum spau:				, roof
	maganer walls thickness	of walk?		1.4.4.5
If one story building with r	madnity wants emeries	OI Merricanininin minin	and the parties of the same of	height?
	maomy wans, energe	II a Garage		height?
If one story building with r		II a Garage		
If one story building with r No. cars now accommodate	ed on same lot, to be	If a Garage	number commerci	ial cars to be accommodated
If one story building with r	ed on same lot, to be	If a Garage	number commerci	ial cars to be accommodated ne proposed building?
If one story building with r No. cars now accommodate Will automobile repairing t	ed on same lot, to be	If a Garage	number commerci itually stored in th Miscella	ial cars to be accommodated ne proposed building?
If one story building with r No. cars now accommodate Will automobile repairing t	ed on same lot, to be	If a Garage c accommodated repairs to care hab Will work require	number commerci itually stored in th Miscella e disturbing of any	ial cars to be accommodated ne proposed building? neous
If one story building with r No. cars now accommodate Will automobile repairing t	ed on same lot, to be	If a Garage coccommodated repairs to care hab Will work require Will there be in	number commerci itually stored in th Miscella e disturbing of any a charge of the abo	ial cars to be accommodated ne proposed building? neous r tree on a public street? nove work a person competent to
If one story building with r	ed on same lot, to be	If a Garage c accommodated	number commerciatually stored in the Miscella edisturbing of any a charge of the aboute and City requ	ial cars to be accommodated ne proposed building? neous
If one story building with r No. cars now accommodate Will automobile repairing t	ed on same lot, to be	If a Garage c accommodated	number commerce itually stored in th Miscella e disturbing of any a charge of the abo ate and City requ	ial cars to be accommodated ne proposed building? neous r tree on a public street? nove work a person competent to
If one story building with r No. cars now accommodate Will automobile repairing t	ed on same lot, to be	Will work require Will there be in see that the Strobserved? Yes	number commerciatually stored in the Miscella edisturbing of any a charge of the aboute and City require	ial cars to be accommodated ne proposed building? neous r tree on a public street? nove work a person competent to
If one story building with r No. cars now accommodate Will automobile repairing t	ed on same lot, to be done other than min.	If a Garage c accommodated	number commerciatually stored in the Miscella edisturbing of any a charge of the aboute and City require	ial cars to be accommodated ne proposed building? neous r tree on a public street? nove work a person competent to