

527-541 AUBURN STREET

STAMM LICKER  
9200-3R

*Granted Cond. 10/1/59  
59/86*

DATE: October 1, 1959

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF RUDOLPH W. KASLEMAN

AT 527-541 AUBURN STREET, CORNER OF SUMMIT STREET

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

BOARD OF APPEALS

VOTE

|  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| <del>XXXXXXXXXXXX</del> Ralph L. Young | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Joseph T. Gough                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Harry M. Swartz                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Record of Hearing:

No opposition.

Granted Conditionally

CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

VARIANCE APPEAL

September 14, 1959

Rudolph W. Kaserman, owner of property at 527-541 Auburn Street, corner Summit  
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respect-  
fully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit:  
Erection of a detached temporary wood sign approximately 4 feet by 8 feet on vacant land at  
the above location, the sign to be owned by the Rufus H. Stone Co. but to advertise the Crest  
View Acres housing development under construction off Summit Street at the top of the hill.  
This permit is presently not issuable under Section 4-A of the Zoning Ordinance applying  
to the R-3 Residence Zone in which the property is located.

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.

Rudolph W. Kaserman

By: Rudolph W. Kaserman  
APPELLANT

DECISION

After public hearing held October 1, 1959, 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, for a period of not more than five years from the date hereof or until six months  
after completion or construction of this project, whichever is the sooner.  
It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should  
be granted in this case, as provided above.

Joseph T. [Signature]  
Harry M. [Signature]  
[Signature]  
BOARD OF APPEALS



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

September 21, 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, October 1, 1959, at 4:00 p.m. to hear the appeal of Rudolph W. Kaserman requesting an exception to the Zoning Ordinance to permit erection of a detached temporary wood sign approximately 4 feet by 8 feet on vacant land at 527-541 Auburn Street, corner of Summit Street, the sign to be owned by the Rufus H. Stone Co., but to advertise the Crest View Acres housing development under construction off Summit Street at the top of the hill.

This permit is presently not issuable under Section 4-A of the Zoning Ordinance applying to the R-3 Residence Zone in which the property is located.

This appeal is taken under Section 24 of the Zoning Ordinance 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

~~cc: Rufus H. Stone Co., Inc.  
10 Gleckler Road~~

~~Kopel Sign Company  
29 Portland Street~~

September 28, 1959

~~Mr. Rudolph W. Kaserman  
57 Veranda Street  
Portland, Maine~~

~~Dear Mr. Kaserman:~~

October 1

cc: Rufus H. Stone Co., Inc.  
10 Gleckler Road

Kopel Sign Company  
29 Portland Street

ALBERT J. SEARS  
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE  
Department of Building Inspection

AP-527-541 Auburn Street, corner of Summit Street

September 11, 1959

Rufus H. Stone Co. Inc.  
10 Gleason Road  
Mr. Rudolph W. Kaserman  
57 Veranda Street

✓  
cc to: Kopel Sign Company  
29 Portland, Street  
cc to: Corporation Counsel

Gentlemen:

Building permit for erection of a detached temporary wood sign approximately 4 feet by 8 feet on vacant land owned by Mr. Kaserman at the above named location, the sign to be owned by the Rufus H. Stone Co. Inc. to advertise the Great View Acres housing development under construction off Summit Street at the top of the hill, ~~is~~ not issuable under Section 4-A of the Zoning Ordinance applying to the R-1 Residence Zone in which the property is located.

We understand that you would like to exercise your appeal rights concerning this discrepancy as permitted by Section 24-E-5 of the Ordinance. Accordingly we are certifying the case to the Corporation Counsel, to whose office in Room 208, City Hall, you should go to file the appeal.

Very truly yours,

Albert J. Sears  
Inspector of Buildings

AJS/jg

CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

September 21, 1959

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This appeal is taken under Section 24 of the Zoning Ordinance 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.

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BOARD OF APPEALS

Franklin G. Hinckley

Chairman



R3 RESIDENCE ZONE  
APPLICATION FOR PERMIT

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

Portland, Maine, Sept. 11, 1959

PERMIT ISSUED

OCT 12 1959

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

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

Location 529 Auburn St. cor. Summit St. Within Fire Limits? no Dist. No. ....  
 Owner's name and address Rudolph W. Kaserman, 57 Veranda St. (LAND OWNER) Telephone ....  
 Lessee's name and address Rufus H Stone Co. Inc. 10 Gleckler Road (SIGN OWNER) Telephone ....  
 Contractor's name and address Kopel Sign Service, 29 Portland St. Telephone 2-6854  
 Architect .. Specifications .. Plans yes No. of sheets 3  
 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 erect a temporary detached wooden sign 4' by 8' with top about 7' above the ground as per plans submitted.

Permit Issued with Letter

*to be furnished conditionally 10/1/59*

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

Details of New Work

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

If a Garage

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

APPROVED:  
*with letter by [Signature]*

Miscellaneous

Will work require disturbing of any tree on a public street? no  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes  
 Kopel Sign Service

by: *[Signature]*

Signature of owner

INSPECTION COPY



AP-527-541 Auburn St., corner of Summit St.

Oct. 12, 1959

Kopel Sign Service  
29 Portland Street  
Lufus W. Stone Co., Inc.  
10 Gleckler Road

cc to: Mr. Earl N. Christensen  
357 Summit Street  
cc to: Mr. Rudolph W. Kasserman  
57 Veranda Street

Gentlemen:

Appeal under the Zoning Ordinance having been sustained conditionally, permit for erection of a detached temporary wood sign approximately 4 feet by 8 feet on vacant land at the above named location is issued herewith subject to the following conditions:

1. The Board of Appeals in granting the appeal approved the sign for a period of not more than one year from date of sustaining of appeal (10/1/1959) or until six months after completion of construction of the housing development which it is to advertise, whichever is the sooner. Permit is issued on the basis that it will be removed within the specified period.
2. The sign is to be located on the property so that no part of it will be closer than 25 feet to the street line of Auburn Street or nearer than 20 feet to the line of Summit Street.

Very truly yours,

Albert J. Boers  
Inspector of Buildings

AJB:m

Conditions:

for a period of not  
more than five years  
from date hereof or  
until six months  
after completion of  
construction of this  
project, whichever is  
the sooner.

RUFUS H. STONE, President  
RAYE RICHARDSON STONE, Treasurer

RUFUS H. STONE CO. INC.  
Real Estate

September 2, 1959

Mr. Rudolph W. Kaserman  
57 Veranda St  
Portland, Maine

Re- Land at Jct of  
Auburn St and Summitt  
owned by Rudolph Kaserman

Dear Mr. Kaserman:

Mr. Earl N. Christensen, Proprietor and Builder of Crest View Acres, has informed me that you have granted him permission to have a suitable sign approximately 4'x3' erected on the land owned by you at the Junction of Summitt and Auburn Street, for the purpose of directing the public to his Development of Crest View Acres.

Mr. Christensen has directed us as his agents to take the necessary steps to obtain a permit from the City Building Inspector's Office for the erection of such a sign, and we have employed the Kopel Sign Service to apply for this permit and to prepare and erect same.

So that Mr. Kopel may have evidence of his authority to proceed in this matter will you kindly acknowledge at the bottom of this letter that you do grant the permission for the erection of said sign.

Sincerely

RUFUS H. STONE CO., INC.  
*[Signature]*  
Pres.

TO THE BUILDING INSPECTOR  
City of Portland,

This is to acknowledge the above request and to advise that I have granted permission to Mr. Earl Christensen and/or his agent to erect the sign referred to above

*[Signature]*  
Rudolph Kaserman



10 GLECKLER ROAD  
PORTLAND, MAINE

Telephone CP 4-3211

*The sign referred to  
may remain on the premises  
of said Kaserman for one year from  
date, or the day another Rudolf Kaserman*

AP-527-541 Auburn Street, corner of Summit Street

September 21, 1939

Rufus H. Stone Co. Inc.  
16 Glocker Road  
Mr. Rudolph W. Kneerzen  
57 Veranda Street

cc to: Kopel Sign Company  
29 Portland, Street  
cc to: Corporation Counsel

Gentlemen:

Building permit for erection of a detached temporary wood sign approximately 4 feet by 8 feet on vacant land owned by Mr. Kasamen at the above named location, the sign to be owned by the Rufus H. Stone Co. but to advertise the Great View Acres housing development under construction off Summit Street at the top of the hill, is not issuable under Section 4-A of the Zoning Ordinance applying to the R-3 Residence Zone in which the property is located.

We understand that you would like to exercise your appeal rights concerning this discrepancy as permitted by Section 24-E-2 of the Ordinance. Accordingly we are certifying the case to the Corporation Counsel, to whose office in Room 208, City Hall, you should go to file the appeal.

Very truly yours,

Albert J. Sears  
Inspector of Buildings

ASB/jg