

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE APPEAL

May 7, 1964

Rudolph W. Kaserman, Jr., owner of property at 54-57 Veranda St.
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 creation of a six-car masonry garage 26 feet by 77 feet on a portion of the property at the above named location that has frontage on a proposed street off Sherwood Street. This permit is presently not issuable under the Zoning Ordinance because the parking of only three motor vehicles as an accessory use to the three-family dwelling on the property is allowable under the provisions of Section 10-C of the Ordinance as applied to the R-5 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, Jr.

By Walter C. Clendinning
APPELLANT Attorney

DECISION

After public hearing held May 28, 1964, 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.

Adelle Long
Henry M. Stewart
William B. Woodford
BOARD OF APPEALS