## City of Portland, Maine Board of Appeals --ZONING-

Qualing 16/56

November 1, 1956, 19

To the Board of Appeals.

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Your appellant, Union Wharf Proprietors , who is the owner of property at End of Union Wharf West side , respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of sand Zoning Ordinance.

Building permit intended to authorize change of use of the building formerly used for a whlesale fish business at the west side of the end of Union Wharf toward the harbor (part of Assessors' Lot No. 31-L-35) to a plant for processing fish refuse and the like by reduction for the manufacture of fishconcentrates by Maine Marine Products, Inc. is not issuable under the Zoning Ordinance because the property is in an Industrial Zone where the proposed use is not allowable, according to Section 3A of the Ordinance applying to such zones.

The facts and conditions which make this exception legally permissible are as follows

in exception is necessary in this case to grant reason; ble use of property where secessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

UNION WHARF PROPRIETORS

By Column Attorney for Appellant

After public hearing held on the 16th day of November , 19 56, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted vithout substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may

be permitted

in this specific case.

BOARD OF APPEALS

CS-41

DATE: November 16, 1956

HEARING ON APPEAL UNDER THE Zoning Ordinance OF Union Wharf Proprietors AT End of Union Wharf West Side

Public hearing on the above appeal was held before the Board of Appeals

BOARD OF APPEALS

VOTE

MUNICIPAL OFFICERS

Ben B. Wilson John W. Lake Ruth D. Walch William H. O'Erion Summer T. Bernstein Carletou & Lour

Record of Hearing:

NO OPPOSITION

CITY OF PORTLAND, MAINE BOARD OF APPEALS

November 13, 1956

Edward T. Gignoux, Esquire 57 Exchange Street Portland, Maine

Re: Union Wherf Proprietors - End of Union therf West Side

Dear Mr. Gignouy:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, Not suber 16, 1956 at 10:30 a. m. to hear your client's appeal und. the Zening Ordinance.

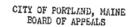
Please be present at this hearing in support of this apposl.

BOARD OF APPEALS

Bon B. Wilson

Chairman

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November 6, 1956

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, November 16, 1956, at 10:30 a. m. to hear the appeal of Union Wharf Proprietors requesting an exception to the Zoning Ordinance to authorize change of use of the building formerly used for a wholesale fish business at the west side of the end of Union "arf toward the harbor (part of Assessors' Lot No. 31-1-35) to a plant for processing fish refuse and the like by reduction for the manufacture of fish concentrates by Maine Marine Products, Inc.

This permit is presently not issuable under the Zoning Ordinance because the property is in an Industrial Zone where the proposed use is not allowable, according to Section 3% of the Ordinance applying to such zones.

This appeal is taken under Section 18E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zening Ordinance, subject always to the rule that said Board shall give due consideration to premoting public health, safety, convenence and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, naxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing assing been sent to the owners of property within 500 feet of the precises in question as required by law.

BOARD OF AFPLALS

Ben B. Wilson

Chairman

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CITY OF PORTLAND, MAINE BOARD OF APPEALS

November 6, 1956

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BOARD OF APPEALS

Ben B. Wilson

Chairman

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