

NEW AT 7820B - MEXICO 7820B - TROPIC 7820B - FINE OF 7820B



17-21 AVON STREET

City of Portland, Maine
Board of Appeals

—ZONING—

April 14, 19 50

Denied
4/28/50

50/3

To the Board of Appeals:

Your appellant, Mrs. Mae E. Gilmartin, who is the owner of property at 17-21 Avon Street, 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 said Zoning Ordinance.

Use of the lot at 17-21 Avon Street for parking motor vehicles is not an allowable use in the Apartment House Zone where this property is located unless such use is authorized by the Board of Appeals after the usual appeal procedure as required by Section 8A of the Zoning Ordinance.



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

An exception is necessary in this case to grant reasonable use of property where necessary to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Mae E. Gilmartin
Appellant

After public hearing held on the 28th day of April, 19 50, the Board of Appeals finds that an exception is not necessary to grant reasonable use of property and can not be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may not be permitted in this specific case.

Edward O. Colby
John W. Lake
Helmut C. Frost
W. Holt
Donald A. Cole
BOARD OF APPEALS

DATE: April 28, 1950

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MRS. MAE E. GILMARTIN
AT 17-21 Avon Street

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

Board of Appeals

VOTE

Municipal Officers

	Yes	No
Mr. Colley	()	(x)
Mr. Lake	()	(x)
Mr. Cole	()	(x)
Mr. Holt	()	(x)
Mrs. Frost	()	(x)
	()	()
	()	()
	()	()

Record of hearing:

Mrs. Gilmartin, pro se

Petition and letters in file

Speaking against: George Hinckley, Esq.
William Boyd, 15 Avon Street
Dr. O. R. Johnson, 18 Deering Street
Anderson, 21 Deering Street
Dr. Luther A. Brown, 13 Deering Street
Henry J. Chandler and Mrs. Chandler, 11 Henry Street
Mr. Swan, 7 Deering Street
Miss Larrivee, corner of Deering and Avon Street

CARROLL B. SKILLIN
ATTORNEY AND COUNSELLOR AT LAW
485 CONGRESS STREET
PORTLAND 3, MAINE

April 23, 1950

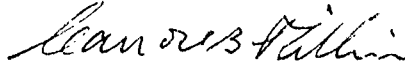
Hon. Edward T. Colley
Chairman - Board of Appeals
City of Portland
Portland, Maine

Dear Mr. Colley:

I am in receipt of your letter of April 18th regarding appeal of Mrs. Mae E. Gilmartin requesting exception to the Zoning Ordinance to permit use of the lot at 17-21 Avon Street for parking of motor vehicles.

As a resident and property owner on Deering Street I am opposed to the further use of property on this street and vicinity for business purposes at this time.

Very truly yours,



CARROLL B. SKILLIN

CBS/ECG

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 18, 1950

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 28, 1950 at 10:30 a. m. to hear the appeal of Mrs. Mae E. Gilmartin requesting exception to the Zoning Ordinance to permit use of the lot at 17-21 Avon Street for parking of motor vehicles.

This permit is presently not issuable because use of this lot for parking of motor vehicles is not an allowable use in the Apartment House Zone where this property is located unless such use is authorized by the board of Appeals after the usual appeal procedure.

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 and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, 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 having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Edward T. Colley

Chairman

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CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 25, 1950

Mrs. Mae E. Gilmartin
20 Deering Street
Portland, Maine

Dear Mrs. Gilmartin:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 28, 1950 at 10:30 a. m. to hear your appeal under the Zoning Ordinance relating to the premises at 17-21 Avon Street.

Please be present or be represented at this hearing in support of your appeal.

Very truly yours,

Edward T. Colley

Chairman

Inquiry 17-21 Avon Street

April 13, 1950

Mrs. Mae E. Gilmartin
20 Deering Street
Portland, Maine

Dear Mrs. Gilmartin:

The lot at the rear of 20 Deering Street about which you have inquired is actually numbered in the record 17-21 Avon Street, and we will refer to it as such.

Use of this lot for parking motor vehicles is not an allowable use in the Apartment House Zone where the property is located unless such use is authorized by the Board of Appeals after the usual appeal procedure-- according to Section 2A of the Zoning Ordinance.

In your letter of April 10 I take it that you desire to seek such special authorization from the Board of Appeals; so, there is enclosed an outline of the appeal procedure. If you desire an answer from the Board of Appeals at the earliest possible date, it is important that you file the appeal at the office of Corporation Counsel no later than Friday, April 14, 1950. Otherwise an additional delay of three or four weeks will ensue.

The record indicates that there is on this otherwise vacant lot a garage for two or three automobiles. If your proposal contemplates alterations of this building either physically or as to use, or if you intend a separate building for an attendant at such a parking lot, application for a building permit to make such changes, physical or as to use, to the existing building or construction of any new building, or installation of gasoline tanks and pumps, to be filed in preliminary fashion at this office well in advance of the public hearing on the appeal.

Physical changes or change of use of buildings or structures require building permits, but merely the use or change of use of open land does not require such a permit.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMC/D/G

Enclosure: Outline of appeal procedure

CC: Mark Barrett
Assistant Corporation Counsel



PERMIT ISSUED
Original Permit No. 35/

Amendment No. 1 APR 8 1933

AMENDMENT TO APPLICATION FOR PERMIT

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

Portland, Maine, April 7, 1933

The undersigned hereby applies for an amendment to Permit No. 35/268 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 19 Avon Street Ward 5 With the Fire Limits? Yes

Owner's or Lessee's name and address Alice C. Twitchell and Emma F. Sturgis

Contractor's name and address La. A. Lane, 273 Front St., So. Port F 4519

Plans filed as part of this Amendment Yes No. of sheets 1

Description of Proposed Work

To correct the name of the owner.
To relocate a two car garage attached to the building demolished under this permit about five (5) feet toward Congress Street, and to build an addition for a third car the same height as the existing garage, the addition to be covered with metal as is the existing garage, thus making a total of three car storage on the property - building when completed to be about 25' x 60'.
Foundation brick piers, roof covered with metal.

Alice C. Twitchell and Emma F. Sturgis

Signature of Owner Alice C. Twitchell

Approved:

Approved on app. form
Chief of Fire Department

Approved: 4/8/33

Public Works

Approved by
Inspector of Buildings.

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PERMIT ISSUED

Permit No. 03233

APPLICATION FOR PERMIT

APR 1 1933

Class of Building or Type of Structure Third Class

Portland, Maine, April 1, 1933

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location 19 Avon Street Ward 5 Within Fire Limits? yes Dist. No. 1
Owner's or Lessee's name and address Alfred Sturgia, 20 Peering Street Telephone
Contractor's name and address L. A. Lane, 278 Front St. So. Port. Telephone P 4516
Architect's name and address
Proposed use of building No. families
Other buildings on same lot
Plans filed as part of this application? no No. of sheets
Estimated cost \$ Fee \$ 1.00

Description of Present Building to be Altered

Material wood No. stories 1 1/2 Heat Style of roof Roofing
Last use dwelling house No. families 1

General Description of New Work

To demolish building 40' x 24'

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.

Details of New Work

Height average grade to top of plate
Size, front depth No. stories Height average grade to highest point of roof
To be erected on solid or filled land? earth or rock?
Material of foundation Thickness, top bottom
Material of underpinning Height Thickness
Kind of Roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining
Kind of heat Type of fuel Is gas fitting involved?
Corner posts Sills Girt or ledger board? Size
Material columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.
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
Total number commercial cars to be accommodated
Will automobile repairs be done other than minor repairs to cars habitually stored in the proposed building?

Miscellaneous

Will above work require removal or disturbing of any shade tree on a public street? no
Will there be a change of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

INSPECTION COPY Signature of owner By Alfred Sturgia L. A. Lane
Oliver T. Simbawa



Location, Ownership and detail must be correct, complete and legible.
 Separate application required for every building.
 Plans must be filed with this application.

Application for Permit for Alterations, etc.

To the Inspector of Buildings: Portland, September 3, 1921 192

The undersigned applies for a permit to alter the following described building:—

Location 19 Avon Ward, 6 in fire-limits: yes
 Name of Owner or Lessee, Mrs. Frances Twitchell Address 20 Deering Street
 " " Contractor, not let " "
 " " Architect " "
 Description of Present Bldg: Material of Building is wood Style of Roof, pitch Material of Roofing, shingles
 Size of Building is 40ft feet long; 20ft feet wide. No. of Stories, 1
 Cellar Wall is constructed of stone is _____ inches wide on bottom and batters to _____ inches on top.
 Underpinning is brick is _____ inches thick; is _____ feet in height.
 Height of Building 20ft Wall, if Brick; 1st, _____ 2d, _____ 3d, _____ 4th, _____ 5th, _____
 What was Building last used for? dwelling No. of Families? 1
 What will Building now be used for? dwelling & private garage

DETAIL OF PROPOSED WORK

Small addition of wood covered with iron 20ftx25ft for two cars only, no space
to be let two feet from lot line, pyrene fire extinguisher, concrete floor
all to comply with the building ordinance

Estimated Cost \$ 400.

IF EXTENDED ON ANY SIDE

Size of Extension, No. of feet long? _____; No. of feet wide? _____; No. of feet high above sidewalk? _____
 No. of Stories high? _____; Style of Roof? _____; Material of Roofing? _____
 Of what material will the Extension be built? _____ Foundation? _____
 If of Brick, what will be the thickness of External Walls? _____ inches; and Party Walls _____ inches.
 How will the extension be occupied? _____ How connected with Main Building? _____

WHEN MOVED, RAISED OR BUILT UPON

No. of Stories in height when Moved, Raised, or Built upon? _____ Proposed Foundations _____
 No. of feet high from level of ground to highest part of Roof to be? _____
 How many feet will the External Walls be increased in height? _____ Party Walls _____

IF ANY PORTION OF THE EXTERNAL OR PARTY WALLS ARE REMOVED

Will an opening be made in the Party or External Walls? _____ in _____ Story.
 Size of the opening? _____ How protected? _____
 How will the remaining portion of the wall be supported? _____

Signature of Owner or Authorized Representative

Address

W. H. Angus
20 Deering St.

Description of Present Bldg: REPORT

MUST BE OBTAINED BEFORE BEGINNING WORK