

First cut # 9208 - East cut # 9209 - Third cut # 9208 - Fifth cut # 9209



SHAMROCK

25-27 ASHMONI STREET

~~5.00~~

City of Portland, Maine
Board of Appeals
—ZONING—

August 19, 1957

To the Board of Appeals:

Your appellant, Paul H. Allen, who is the owner of property at 25-27 Ashmont 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 2~~ of said Zoning Ordinance.

Certificate of occupancy, intended to authorize off-street parking for non-residential use on a lot having a frontage of 60 feet at 25-27 Ashmont Street and a depth of about 100 feet and being a part of the larger lot identified by Assessor's Lot No. 125-J-14, is not issuable under the Zoning Ordinance because the property is in an R-5 Residence Zone where, according to Sections 6A5a and 2A14a of the Ordinance, such a use is not allowable unless first authorized by the Board of Appeals after the usual appeal procedure.

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 and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

After public hearing held on the
the Board of Appeals finds that an exception is

day of

19

It is, therefore, determined that exception to the Zoning Ordinance may
in this specific case.

be permit

9/17/57 - Legal Dept. says
appeal not applicable.
O.H.

BOARD OF APP.

CS-41

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

August 20, 1957

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, August 30, 1957, at 10:30 a.m. to hear the appeal of Ralph Allen requesting an exception to the Zoning Ordinance to authorize off-street parking for non-residential use on the lot at 25-27 Ashmont Street.

This permit is presently not issuable under the Zoning Ordinance because the property is in an R-5 Residence Zone where, according to Sections 6A4a and 2A14d of the Ordinance, such a use is not allowable unless first authorized by the Board of Appeals after the usual appeal procedure.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that the Board of Appeals, by the vote of not less than four concurring members, may grant variances in specific cases where practical difficulties or unnecessary hardship in the development of property exist, which are inconsistent with the intent and purpose of said Ordinance; where the granting of the variance is necessary to permit reasonable use of property; where exceptional or unique circumstances exist that generally do not apply to other property in the same zone or neighborhood; where property in the same zone or neighborhood will not be adversely affected by the variance; and where the granting of the variance will not be contrary to the intent and purpose of said 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

Ben B. Wilson

Chairman

(125.-5.-11)
Appeal 25-27 Ashmont St. - 8/16/57 Total - 75 - Allen

Streets Involved

✓ Ashmont St.
✓ Linden St.
✓ Cottage St.
✓ Forest Ave.
✓ Boyes St.
✓ Longfellow St.
✓ Coyle St.
✓ Lincoln St.
✓ Clifton St.
✓ Belmont St.
✓ Oakdale St.
✓ Proposed St.
✓ Deering Ave.

Assess Maps
125-126-118

Linden St. { 1-29 ✓
 { 2-30 ✓

Cottage St. { 1-29 ✓
 { 10-30 ✓

Deering Ave. - 459 - 473 ✓

Ashmont St. { 1-79 ✓
 { 2-72 ✓

Coyle St. { 49-139 ✓
 { 46-142 ✓

Forest Ave. { 517-593 ✓
 { 510-590 ✓

Lincoln St. 2-24 ✓

Boyes St. - 1-51 ✓

Clifton St. { 1-19 ✓
 { 2-6 ✓

Longfellow St. { 1-59 ✓
 { 10-50 ✓

Belmont St. { 49-67 ✓
 { 52-68 ✓

Oakdale St. { 123-131 ✓
 { 130-136 ✓

Proposed St. ad 19 Longfellow & 20
Ashmont St.
125-I-10, 6, 9.
126-B-4, 2, 16, 17, 18.

126-O-13, 14, Near
537 Forest Ave.

126-B-22 - Near 534 Forest Ave.

Diff. 25-37 Cushman St. (18) 7-22

(Forest Ave. - Court St.)

550-552

Elton B. Warren

554-556

~~Elton B. Warren~~ Dup. ✓

558-562

Nichol, Dennis J. - 59 Wall St.

564-566

Forechille, Maria M. - 564 Forest Ave.

568-570

Sam Oil Co. - 1608 Walnut St., Phila. Pa.

576-578

City of Portland

Moyce St.

1-11

Realty Exchange - 11 B. Dup.

13-19

Trapp, Edward E. & Charles E. - 24 Marshall St.

21-27

Davis, Elizabeth M. & Sarah B. Stuart - 25 Joyce St.

33-51

City of Portland

Longfellow St.

1-3

Dodge, Elizabeth M. - 1-3 Dup.

5-7

Hedges, Ethel M. - 1-7 Longfellow St.

9-11

Stewart, Sarah P. - 11 Joyce St.

13-17

Parma, Mary J. & Elizabeth J. - 13-17 Longfellow St.

21-23

Davis, Elizabeth M. - 21 Longfellow St.

25-27

Parma, Mary J. & Elizabeth J. - 25 Longfellow St.

29-31

Parma, Mary J. & Elizabeth J. - 29 Longfellow St.

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Parma, Mary J. & Elizabeth J. - 33 Longfellow St.

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Parma, Mary J. & Elizabeth J. - 37 Longfellow St.

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Parma, Mary J. & Elizabeth J. - 41 Longfellow St.

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Parma, Mary J. & Elizabeth J. - 45 Longfellow St.

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Parma, Mary J. & Elizabeth J. - 181 Longfellow St.

185-187

Parma, Mary J. & Elizabeth J. - 185 Longfellow St.

189-191

Parma, Mary J. & Elizabeth J. - 189 Longfellow St.

193-195

Parma, Mary J. & Elizabeth J. - 193 Longfellow St.

Appeal 129-137 Auburn St. (19) Page 1

Copley St. (cont'd.)

- 125-127 Little, Mrs. S. H. - 127 Copley St.
 129-133 Thompson, John C. - 133 Copley St.
 135-139 McCarroll, Dorothy & Mable - 139 Copley St.
 66-68 Luter, Orland F. & L. - 66 Copley St.
 70-76 Frankman, Herman - 70 Copley St.
 78-86 Larcher, Barbara W. Dup.
 96-100 Sun Oil Co. Dup.
 102-104 Huntington, Ruth C. - 104 Copley St.
 106-112 Allen, Ralph T. & Helen D. Dup.
 114-118 Gapafook, Herman - 118 Copley St.
 120-128 La Bay, Earl R. & Lillian P. - 126 Copley St.
 130-134 Becker, Gladys L. - 134 Copley St.
 136-142 Knox, Jennie - 142 Copley St.

Lincoln St.

- 2-4 Sp. Portland
 4-6 County Church in Portland Dup.
 8-10 Cunningham, John J. - 12 Lincoln St.
 12-14 La Chelle, Gladys P. - 14 Lincoln St.
 16-24 Peters, Clinton W. & Alice W. NP - Warehouse W.

Clyton St.

- 1-7 Katherine D. Warren - 580 Front Ave.
 9-13 Libby, Maryann C. & Theodore E. Carlson - 11 Clyton St.
 15-19 Leckman, Margaret E. - 17 Clyton St.
 21-23 Quinn, Dorothy H. Dup.

Belmont St.

- 45-51 Dagberry, Wendell H. - 45 Belmont St.
 53-57 Spear, Arthur - 55 Belmont St.
 59-67 Winkler, Josephine J. Dup.
 69-75 Epfinger, Ernest & Helen - 72 Belmont St.
 77-80 Berghel, Vincent & Lillian Dup.
 82-88 " " " "

August 9, 1957

AP CO--25-27 Ashmont St.--Off-street parking and zoning appeal relating thereto

Vincent L. McKusick, Esq.,
465 Congress St.

Copy to Mr. McKusick
Corporation Counsel

*Reading Copy sent to
Robert W. Donovan*

Dear Mr. McKusick,

Certificate of occupancy, intended to authorize off-street parking for non-residential use on a lot owned by Mr. Ralph Allen having a frontage of 60 feet at 25-27 Ashmont St. and a depth of about 100 feet and being a part of the larger lot identified by Assessors' Lot No. 125-J-14, is not issuable because the property is in an R-5 Residence Zone where, according to Sections 6A4a and 2A14d of the Ordinance, such a use is not allowable unless first authorized by the Board of Appeals after the usual appeal procedure.

You have indicated the desire of your client to seek such authorization from the Zoning Board of Appeals on the basis that the land would be leased to Mr. Alton B. Warren, owner of the office building at 550-556 Forest Ave., that the area is required to provide sufficient parking for and is to be used exclusively by customers, clients, guests, employees, or employers associated with this office building, and that no part of the lot to be so used will be closer than 25 feet to any residential structure. Accordingly, there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCB/B

Enc: Outline of appeal procedure

CHARLES L. HUTCHINSON
LEONARD A. PIERCE
EDWARD W. ATWOOD
CHARLES W. ALLEN
JOTHAM D. PIERCE
SIGRID E. TOMPKINS
VINCENT L. MCKUSICK
WILLIAM C. SMITH

HUTCHINSON, PIERCE, ATWOOD & ALLEN
465 CONGRESS STREET
PORTLAND, MAINE

TELEPHONE
SPRUE 8-3748

*Q.P. 100 Ashmont St
25-27 Forest Ave
Sept 9/57*
August 5, 1957

Mr. Warren McDonald
Building Inspector
City of Portland
Portland, Maine

Re: Permit for Parking Lot on North
Side of Ashmont Street

Dear Mr. McDonald:

We represent Mr. Ralph Allen, owner of property on the north side of Ashmont Street in the City of Portland and in his behalf request a permit for a parking lot on a rectangular plot of land sixty feet on Ashmont Street and ninety feet back from Ashmont Street, immediately adjacent to the westerly line of the property owned by Alton B. Warren at 550 Forest Avenue on which is situated an office building known as The Insurance Building and back of which there is at present a public parking lot.

The lot for which a permit for parking is requested will be leased to Alton B. Warren and will be used in connection with the said Insurance Building for the tenants of that building and their customers.

Sincerely yours,

VLM/ecs
Act 502 from 125-114 25-27 Ashmont
Vincent L. McKusick

RECEIVED

AUG 7 1957

DEPT. OF BLD'G. INSP.
CITY OF PORTLAND