

ARLINGTON PLACE, 125-N-26

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City of Portland, Maine

Appeal denied  
7/5/37 W.M.D.  
37/16

Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned

by New Deal Stores, Inc. at Arlington Place  
Assessors Lot No. 125-N-26

February 10, 19 37

To the Municipal Officers:

Your appellant, New Deal Stores, Inc.

who is the owner of property at Arlington Place

respectfully petitions the Municipal Officers of the City of Portland to change the decision of

the Inspector of Buildings relating to this property, as provided by Section 13, Paragraph c,

of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case

involves unnecessary hardship and because relief may be granted without substantially der-

ogating from the intent and purpose of the Zoning Ordinance.

The decision of the Inspector of Buildings denies a permit to relocate a one and one-half story garage and storage building from an adjoining lot to this lot, both lots being of the same ownership on the separate grounds that, if this lot is to be considered a separate lot it is not permissible to move this building of accessory use on to it since the lot is now vacant and has no building upon it to which this building may be termed accessory; and that, if this lot is to be considered a part of the lot on which the building is now located, relocating it closer to the rear property line than it is now is not permissible because the height of the building is greater than the allowable height of 12 feet. Both lots are ~~located~~ reasons for the appeal are as follows: located in a General Residence Zone.

The appellant corporation has now under construction a new dwelling house and this garage in its present location encroaches upon the lot which would naturally go with the dwelling house. While the garage is being relocated it is the desire of the appellant corporation to move it a sufficient distance so that it will leave free still another house lot for building another dwelling house at a later date. Because this building is of definite value to the corporation at its present height and because the corporation owns the area of land which otherwise cannot use, it is the belief that this separate right should be granted and that it may be granted without detrimental to surrounding property.

New Deal Stores, Inc.

By:

that the appeal from the decision of the Inspector of Buildings  
of New Deal Stores, Inc. relating to the relocation of a garage and  
storage building at the end of Arlington Place be denied.

37/10  
PUBLIC HEARING ON THE APPEAL OF NEW DEAL STORES, INC. WITH RELATION TO  
RELOCATION OF A BUILDING AT THE END OF ARLINGTON PLACE

February 12, 1937

A public hearing on the above appeal was held before the Committee on Zoning and Building Ordinance Appeals today. Present for the city were Councillors Ward and Eskilson, Corporation Counsel Mayo Payson and the Inspector of Buildings.

Mr. Carignan appeared in support of the appeal.

Mr. J. F. Riley of 6 Arlington Place, Mrs. Edward C. Webber and Mrs. Bradford R. Hamilton of 9 and 11 Arlington Place respectively appeared in opposition to the appeal and stated that they felt that the building in its new location would be detrimental to their property.

After the hearing had adjourned Messrs. Ward, Eskilson and McDonald visited the scene of the appeal. Mr. Ward particularly called attention to the dilapidated and dangerous condition of the building which Mr. Carignan proposed to move, also that it was a hazard in that there is a quantity of lumber piled in the first story in a precarious fashion.

W. H. McDonald

37/16

February 18, 1927

To The Municipal Officers:

The Committee on Zoning and Building Ordinance Appeals to whom was referred the appeal of New Deal Stores, Inc. with relation to relocating a garage and storage building at the end of Arlington Place, reports as follows:

It is the belief of this Committee that this permit may not be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is recommended, therefore, that the appeal be denied.

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

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Chairman

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals will hold a public hearing in the City Council Chamber, Friday, February 12, 1937 at 11:00 o'clock in the forenoon with relation to the relocation of an existing garage and storage building at the very end of Arlington Place.

It was not possible for the Inspector of Buildings to issue this permit because the existing building exceeds the legal height of 14 feet permitted for a building of accessory use located in the rear yard, and because the building is proposed closer to the rear property line than is the case at present.

All persons interested either for or against this appeal will be heard at the above time and place.

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

John P. Leighton, Chairman

February 10, 1937

Mr. E. T. Carignan,  
94 Woodford Street,  
Portland, Maine

Dear Sir:

The Committee on Zoning and Building Ordinance Appeals will hold a public hearing at the City Council Chamber, City Hall, Friday, February 12, 1937 at 11:00 o'clock in the forenoon upon your appeal with relation to the relocating of your garage.

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

COMMITTEE ON ZONING AND BUILDING  
ORDINANCE APPEALS

Adrian P. Whitton, Chairman