

-2-

and said that there were very objectionable odors of alcohol about the neighborhood evidently due to spraying cars and that it was so bad in warm weather that all of the windows on one side of his house had to be kept closed.

Warren McDonald

21/26

City of Portland, Maine
IN BOARD OF MUNICIPAL OFFICERS

ORDERED, that the appeal under the Zoning Ordinance of Ripley & Fletcher Company at 18 Ashmont Street, relating to proposed conversion of the use of a certain part of the all-metal garage there for the repair of motor vehicles or parts of motor vehicles contrary to the precise terms of the ordinance in the Apartment House Zone where the property is located, be sustained conditionally and that the conversion be approved and that whatever building permits are required be issued subject to full compliance with all terms of the Building Code and subject to the condition that before the approval under this order becomes effective and before any required building permits are issued, the owners of the property and the present lessees shall both agree in writing for themselves, their successors and assigns that no part of this building will ever be used for the repair or servicing of motor vehicles or any part of motor vehicles other than the motors of such vehicles; that such motors as are worked upon within this building shall always be removed from and replaced in the vehicles which they serve at some other location than in this building, then on the open land around the building, and then the public street; and that should any odors, noise or other features, obnoxious in the opinion of the Municipal Officers, be caused by any operations whatever directed by or under the control of either the lessees or the owners of this property, all operations and use of the building authorized under this order will be immediately and permanently discontinued and abandoned;

BECAUSE enforcement of the ordinance in this specific case involved unnecessary hardship by needlessly preventing expansion of the business of the lessees; and desirable relief may be granted without substantially derogating from the intent and purpose of the ordinance in that with the conditions imposed, the proposed use of the building would not become obnoxious or offensive to the neighborhood.

WILLIAM L. CLARK, PRESIDENT
SUMNER W. JOHNSON, SECRETARY & TREASURER



FREDERIC C. DUDLEY, VICE PRESIDENT
HARRY L. CRAM, ATTORNEY

CUMBERLAND SAVINGS AND LOAN ASSOCIATION

185 MIDDLE STREET

PORTLAND, MAINE

September 4, 1941

Mr. Harry E. Martin, Chairman
Committee on Zoning and Building
Ordinance Appeals
Room 21, City Hall
Portland, Maine

RECEIVED

SEP 8 1941

DEPT. OF PUB. EXP.
CITY OF PORTLAND

Dear Sir:

I have received notice of appeal by Ripley & Fletcher Co. from the inspector of buildings relative to the garage on 18 Ashmont Street.

I am sorry to say that I shall be out of town on the date of the hearing and I want to state that I was one of the abutters consenting to the garage being built in lieu of the land being used for parking of old cars, with the understanding that the garage would take care of the situation, so that there would be no parking of old cars in that area.

Since the garage was built there has been more cars parked there than before and I wish to enter my protest against this position, especially where they say the machinery will be installed in the section farthest from the street, which would be nearer to our place on Longfellow Street. And, I am sure that the machinery to be installed for repairs of motor vehicles could not be done in a quiet manner and, I am sure it is not fair to the owners of the adjoining lots to have any added encumbrance, which apparently, this would be.

Yours truly,

Sumner W. Johnson
21 Longfellow St

EWJ/8

41/66

41/66

Room 11, City Hall
September 8, 1941

Ripley-Fletcher Co.
550 Forest Avenue,
Portland, Maine

Gentlemen:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, September 12, 1941 at 4:30 o'clock in the afternoon upon the appeal of your company under the Zoning Ordinance relating to the use of the all-metal building at 13 Chestnut Street.

A copy of this notice is being sent to your tenant now occupying the building and the tenant's attorney.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

Harry E. Martin, Chairman

CC: Champion Motors, Inc.
530 Forest Avenue,

Leslie Norwood, Esq.
Clerk of Courts
County Court House

41/66

CITY OF PORTLAND, MAINE
BOARD OF MUNICIPAL OFFICERS
COMMITTEE ON ZONING AND BUILDING ORDINANCE APPEALS

Room 21, City Hall
September 2, 1941

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall, on Friday, September 12, 1941, at 4:30 o'clock in the afternoon upon the appeal under the Zoning Ordinance of Ripley & Fletcher Co. relating to the use of the garage building at 18 Ashmont Street.

The Inspector of Buildings is unable to issue a permit to cover installation of certain heat generating appliances in this building because the appliances and a certain portion of the building are intended to be used for the repair of motor vehicles contrary to the terms of the Zoning Ordinance in the Apartment House Zone where the property is located. The building existed as a garage, but for storage only of motor vehicles, at the time of adoption of the ordinance, and is allowed to continue for that non-conforming use, but the ordinance provides that the established non-conforming use shall not be changed to any other distinctive non-conforming use such as the proposed repair garage.

The reasons for the appeal are set forth by the appellant company as follows:

"The installation of necessary machinery for repairing and greasing motor vehicles, while perhaps a technical deviation from the present permissible use of the building, presents no material change and no change in the exterior whatever. The machinery will be installed in the interior of an existing metal constructed building in the section farthest from the street. The operation of the machinery will create no noise. Denial of this appeal would cause unnecessary hardship upon the appellants. More extensive and detailed reasons for appeal will be presented at the time of hearing upon this appeal."

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

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

Harry E. Martin, Chairman

41/66

September 17, 1941

Ripley & Fletcher Co.
630 Forest Avenue,
Portland, Maine

Leslie E. Korwood, Esq.
Attorney for Champion Motors, Inc.

Gentlemen:

On September 15th, the Municipal Officers of Portland, as the Appeal Board under the Zoning Ordinance, voted to sustain conditionally the appeal of Ripley & Fletcher Company relating to the use of the building at 18 Ashmont Street.

The order recites: that the appeal "be sustained conditionally and that the conversion be approved and that whatever building permits are required be issued subject to full compliance with all terms of the Building Code and subject to the conditions that before the approval under this order becomes effective and before any required building permits are issued, the owner of the property and the present lessees shall both agree in writing for themselves, their successors and assigns that no part of this building will ever be used for the repair or servicing of motor vehicles or any part of motor vehicles other than the motors of such vehicles; that such motors as are worked upon within this building shall always be removed from and replaced in the vehicles which they serve at some other location than in this building, than on the open land around the building, and than the public street; and that should any odors, noise or other features, obnoxious in the opinion of the Municipal Officers, be caused by any operation whatever directed to, or under the control of either the lessees or the owners of this property, all operations and use of the building authorized under this order will be immediately and permanently discontinued and abandoned;"

In order that this transaction may be completed will you be kind enough to agree in writing accordingly in consideration of appeal sustained conditionally and building permits issued, and file with the City Clerk. I presume that an informal agreement is intended, but the form of it ought to be approved by the Corporation Council of the City.

Very truly yours,

WMOD/H

Inspector of Buildings

Dear Mr. Korwood:

Pending settlement of the appeal the matter of building permits has not been raised. Mr. Blake, apparently after installation was completed, applied for a permit to install the gas-fired degreasing appliance. As far as I know that is the only piece of equipment that requires a permit to cover its installation. When out there I noted at least one feature with regard to the venting of this

41/61

Rept. 730-1

August 26, 1941

Champion Motors, Inc.,
530 Forest Avenue,
Portland, Maine

Gentlemen:

Apparently the gas-fired cleaning unit for cleaning motors and the gas-fired furnace which you propose to have installed at 18 Ashmont Street would be in the open garage.

If you will examine Section 204-f-3 of the Building Code, you will find that I can not allowed to issue a permit for the installation of such heat generating apparatus in an open garage, but that such apparatus unless specially equipped to the satisfaction of the Chief of the Fire Department must be in separate rooms cut off from all parts where motor vehicles may be by separations of one-hour fire resistance.

I understand you are planning to convert the all-metal building, formerly used for storage only of motor vehicles, to a repair shop. Change of any part of this garage to a repair garage constituted a change of use under both Building Code and Zoning Ordinance; and such a change requires a permit from this department before it is put into effect although no physical changes in the building are contemplated.

Unfortunately this building is located in an Apartment House zone where it existed as a multiple car storage garage and a use non-conforming with the Zoning Ordinance in such a zone when the ordinance became effective in 1935. Under such circumstances the Zoning Ordinance does not allow this permit for conversion to be issued and, therefore, short of successful appeal to the Municipal Officers, the change cannot be made.

Obviously I am unable to issue a permit for the installation of this gas-fired equipment, even though the question of protection under the Building Code is taken care of, until such time as the Zoning requirements are thoroughly satisfied.

If you are not acquainted with appeal procedure, I will try to explain it fully to your representative. It is best to make an appointment by phone before coming into the office as the large volume of business going through the office at this time makes it necessary for me to be out a great deal.

Very truly yours,

WMed/H

Inspector of Buildings

CC: Wilbur F. Blake
3 Forest Street



FILL IN COMPLETELY AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

(A) APARTMENT HOUSE ZONE

Permit No. _____

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.
The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 18 Ashmont Street Use of Building Repair Garage No. Stories 1 NEW BUILDING
Name and address of owner of appliance Champion Motors, Inc. 530 Forest Avenue Existing " "
Installer's name and address Wilbur F. Blake, Inc. 9 Forest St. Telephone 2-5988

General Description of Work

To install gas fired cleaning unit for motors, and gas fired furnace
(Rex DeGreaser, Circo Co., Cleveland)

Is appliance or source of heat to be in cellar? no If not, which story 1st Kind of Fuel GAS
Material of supports of appliance (concrete floor or what kind) concrete (furnace on metal bench)
Minimum distance to wood or combustible material, from top of appliance or casing top of furnace, no woodwork
from top of smoke pipe from front of appliance from sides or back of appliance

Size of chimney flue 10,000 BTU Other connections to same flue
Name and type of burner IF OIL BURNER

Will operator be always in attendance? Labeled and approved by Underwriters' Laboratories?
Location oil storage Type of oil feed (gravity or pressure)

Will all tanks be more than seven feet from any flame? No. and capacity of tanks
How many tanks fireproofed?

Amount of fee enclosed? 1.50 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time)
INSPECTION COPY

Signature of Installer Wilbur F. Blake
CHIEF OF FIRE DEPT.

REQUIREMENTS OF OIL BURNER
ON CLEANING UNIT IS MET



FILL IN COMPLETELY AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT
(A) APARTMENT HOUSE ZONE

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.
The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:
Permit No. _____
Location: 18 Ashmont Street
Portland, Maine, August 22, 1941
Use of Building: Repair Garage
No. Stories: 1
New Building / Existing: Existing

Name and address of owner of appliance: Champion Motors, Inc. 530 Forest Avenue
Installer's name and address: Wilbur F. Blake, Inc. 9 Forest St. Telephone: 2-5988

To install gas fired cleaning unit for motor, and gas fired furnace
General Description of Work
(Rex DeGreaser, Circ. Co., Cleveland)

Is appliance or source of heat to be in cellar? no
IF HEATER, POWER BOILER OR HEATING DEVICE
Material of supports of appliance (concrete or what kind) concrete (furnace on metal bench)
Minimum distance to wood or coal material, from top of appliance or casing top of furnace, no woodwork
from top of smoke pipe from front of appliance from sides or back of appliance
Size of chimney flue Other connections to same flue
enclosed burners produce not more than 10,000 BTU
vented to outside air
Name and type of burner IF OIL BURNER

Will operator be always in attendance? Labeled and approved by Underwriters' Laboratories?
Location oil storage Type of oil feed (gravity or pressure)
Will all tanks be more than seven feet from any flame? No. and capacity of tanks
Amount of fee enclosed? 1.50 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)
How many tanks fireproofed?

Signature of Installer: Wilbur F. Blake, Inc.
ORIGINAL Recd. from Fire Dept. 8/23/41

NOTIFICATION OF PERMIT LAIEN OR CLOSING IN IS WAIVED
CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

September 17, 1936

File: Rept. No. 7693B-1

Ripley Motors, Inc.,
530 Forest Ave.,
Portland, Me.

Gentlemen:

Charles Carter, Jr., a bonded sign hanger, has applied for a permit to cover a sign to project from your place of business over the public sidewalk on Ashmont St.

I understand that this sign is proposed about 200 feet from the street line of Forest Avenue. If this is the case, I am without authority to issue the permit because the sign would be located in an Apartment House Zone.

If you are not fully aware of your appeal rights under the Zoning Ordinance, they will be explained, if you will send a representative to this office, preferably between the hours of one and three any week day but Saturday.

Very truly yours,

(Signed) Warren McDonald

Inspector of Buildings.

CC Charles Carter, Jr.



DEPARTMENT HOUSE ZONE
GENERAL BUSINESS ZONE

APPLICATION FOR PERMIT TO ERECT SIGN OVER PUBLIC SIDEWALK OR STREET

Permit No. _____

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

Portland, Maine, September 15, 1938 19

The undersigned hereby applies for a permit to erect the following described sign extending over a public sidewalk or street in accordance with the Building Code of the City of Portland, and the following specifications:

Location 550 Forest Avenue Ward 8 Within Fire Limits? no Dist. No. _____
Owner of building to which sign is to be attached Shwartz & Eisenberg
Name and address of owner of sign Ripley Motors, Inc., 550 Forest Avenue
Contractor's name and address Charles Carter, Jr., 450 Congress St. Telephone 2-0500
When does contractor's bond expire? ~~xxxx~~ July, 1937

Information Concerning Building

No. stories _____ Material of wall to which sign is to be attached iron post

Details of Sign and Connections

Electric? no Vertical dimension after erection 16" Horizontal 32"
Weight 35 lbs., Will there be any hollow spaces? no Any rigid frame? no
Material of frame wood No. advertising faces 2, material metal
No. rigid connections 2 Are they fastened directly to frame of sign? yes
No. through bolts no, Size _____, Location, top or bottom _____
No. guys 2, material angl. iron, Size 1 1/2" x 1 1/2" x 3/16"
Minimum clear height above sidewalk or street 8'
Maximum projection into street ~~24"~~ 24"

Signature of contractor: By: Charles Carter, Jr. Ripley Motors, Inc. Fee \$ 1.00

INSPECTION COPY

NO COMMUNICATION BEFORE LAID
OR CHANGING IN ANY WAY
CERTIFICATE OF GUARANTEE
BY THE CITY OF PORTLAND

APARTMENT HOUSE ZONE

Complaint No. 0-78-113



CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

COMPLAINT

Date received June 8, 1958

Ward 8

Location 10-18, 18 Ashmont Street

Owner's name and address 10-16 Harry Schwartz and Jesse Rosenberg 102 Exchange Street

Tenant's name and address No. 18 Ripley & Fletcher Co. 18 Ashmont Street

Use of building _____

General Description

Using area illegally in Apartment House Zone for parking and sale of motor vehicles.

Complainant's name and address McD (property owner, name unknown, at Lewis Bernstein Petition Hearing) Telephone _____

Conditions found _____

Action taken _____

INSPECTION COPY

Board of Appeals
City Hall
Portland, Maine

Gentlemen:

It has been called to my attention that a hearing will be held on Friday, April 1, 1949 regarding the use of the building located at 18 Ashmont Street.

As a property owner in that vicinity, I would like to go on record as stating my belief that there could be no valid objection to having the building used for wholesale purposes as requested by the appellant, Cumberland & York Distributors, Inc.

Very truly yours,

William W. Thortz

March 27, 1949

Board of appeal

49/29

We own the property at 553 Forest
ave. are one of the heaviest
tax payers in this vicinity.
Being within 500 feet of the
property in question at 18
ashmont, wish to say I am
heartily in favor of the
business these young
men wish to conduct
there.

Yours Respt.

Effie M. McCormick

Mrs. Alice L. Clark

CITY OF PORTLAND, MAINE
LEGAL DEPARTMENT

April 11, 1949

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 15, 1949 beginning at 10:00 A.M. to hear the following appeals for exception to the Zoning Ordinance:

Cumberland & York Distributors, Inc. - 18 Ashmont Street - Use of premises for wholesale business of distribution of malt beverages. (Re-hearing)

Gulf Oil Corporation - 797-803 Washington Avenue - construction of service station in Local Business Zone.

Sun Oil Company - 550 Ocean Avenue - construction of service station in Local Business Zone.

Renaldo J. Terroni - 194 Park Avenue - erection of sign on front of existing store, which is non-conforming use in Apartment House Zone.

Ridlon's Garage, Inc. - 329-345 St. John Street - construction of one-story major repair garage in a Limited Business Zone.

Mitchell and Lora P. Douyard - 377 Auburn Street - construction of roadside stand for sale of light refreshments in a Residence B Zone.

Ira W. Stockwell - 146 Brighton Avenue - request to permit two-family dwelling house and dentist's office at this location, which is in Residence A Zone.

(See attached copies of notices for full details of above hearings.)

Please note that, due to the number of hearings involved and the possible length of several of these hearings, the hearings will begin at 10:00 A. M. instead of 10:30 A. M. as usual.

Robert L. Gatchell

Chairman

COPY

49/39

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 6, 1949

49/29

TO ALL OWNERS OF PROPERTY WITHIN 500 FEET OF NO. 18 ASHMONT STREET:

The Board of Appeals will hold a further public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 15, 1949 at 10:00 a. m. on the appeal of Cumberland & York Distributors, Inc., requesting an exception to the Zoning Ordinance to permit the use of the building at 18 Ashmont Street for the wholesale business of distribution of malt beverages.

The use of this building for the purpose requested is not presently permitted because the property is located in a limited business zone in which Section 5A of the Zoning Ordinance prohibits wholesale businesses. Section 17B of the Ordinance, however, provides that the Board of Appeals may permit exceptions in specific cases when the conditions therein specified are met.

The Board is postponing its decision on this appeal, pending further hearing, because of an apparent misunderstanding among those present at the hearing held on April 4, 1949 as to the provisions of the Zoning Ordinance and the nature of the exception requested. Section 5A of the Zoning Ordinance would permit the use of this building, without appeal, for a filling station, a service or major garage, a place of amusement or assembly, a storage warehouse, or for any other retail business or service not involving manufacture on the premises. The Zoning Ordinance does not permit the use of these premises for wholesale business purposes except after an appeal. The question involved on this appeal is whether the Board shall grant permission to use this building as the headquarters of a wholesale business.

All persons interested either for or against this appeal will be heard in person at the above time and place, or they may communicate their views by letter addressed to the Board of Appeals, City Hall, Portland, Maine.

BOARD OF APPEALS

Robert L. Getcnell

Chairman

ETG:M

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

49/29

April 5, 1949

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 15, 1949 at 10:30 a. m. to hear the following appeals under the Zoning Ordinance:

Sun Oil Company - 550 Ocean Avenue - Construction of one-story service garage.

Gulf Oil Corporation - 797-803 Washington Avenue - Construction of service garage.

Both of these permits are not issuable because the properties are located in a Local Business Zone where filling stations are excluded except as authorized by the Board of Appeals. Exceptions in these cases were granted on May 20, 1946 and October 31, 1947, respectively, but have expired.

These appeals are taken under Section 17E 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 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 these appeals 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 these premises as required by law.

BOARD OF APPEALS

Robert L. Getchell

Chairman

M

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 5, 1949

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 15, 1949 at 10:30 a. m. to hear the appeal of Renaldo J. Terroni requesting exception to the Zoning Ordinance to permit erection of a sign on the front of the store at 194 Park Avenue.

The Building Inspector has ruled that this sign is not allowable under the Zoning Ordinance because this store is located in an Apartment House Zone where it is a non-conforming use but allowed to continue because it existed when the Zoning Ordinance was enacted. However, any accessory use to the store such as this sign is not permissible.

This appeal is taken under Section 17E 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 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

Robert L. Getchell

Chairman

M

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 5, 1949

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 15, 1949 at ten-thirty o'clock in the forenoon to hear the appeal of Ridlon's Garage, Inc. for exception to the Zoning Ordinance to permit construction of one-story concrete block repair garage with two-story section for office at 329-345 St. John Street.

This permit has been denied because the property is located in a Limited Business Zone where section 5-A of the Ordinance provides that such a repair garage shall be excluded unless first specifically authorized by the board of Appeals after the usual appeal procedure.

An exception was previously granted to the owner of this property for such a use on February 14, 1947, but he has been unable since that time to proceed with the construction work and former authorization has now expired, necessitating this second appeal.

This appeal is taken under Section 17k 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 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

Robert L. Getchell

Chairman

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 5, 1949

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 15, 1949 at 10:30 a. m. to hear the appeal of Mitchell and Lora P. Douyard requesting exception to the Zoning Ordinance to permit erection of roadside stand for the sale of light refreshments at 377 Auburn Street.

This permit has been denied by the Building Inspector because the property is located in a Residence A Zone, in which Section 11-A of the Zoning Ordinance prohibits the erection of any building and the use of the premises for such purpose.

This appeal is taken under Section 17E 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 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, 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

Robert L. Wetchell

Chairman

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 5, 1949

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 15, 1949 at 10:30 a. m. to hear the appeal of Dr. Ira W. Stockwell requesting exception to the Zoning Ordinance to permit two-family dwelling house with one dwelling unit above the first story, one dwelling unit in the rear of the first story and a dentist's office in the front of the first story at 146 Brighton Avenue.

This change of use is not allowable under the Zoning Ordinance because this property is in a Residence AA Zone in which, a two-family dwelling house is not permissible, and the dentist's office is no longer permissible under the new arrangement because it could not be classified as accessory to a detached single family dwelling house. Further, the former non-conforming use as a two-family dwelling house on these premises can not be resumed unless first authorized by the Board of Appeals after the usual appeal procedure because such use has been discontinued for more than two years.

This appeal is taken under Section 17A 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 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

Robert L. Wetchell

Chairman

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

49/29

March 23, 1949

Cumberland & York Distributors, Inc.
226 Fore Street
Portland, Maine

Gentlemen:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 1, 1949 at 10:30 a. m. to hear your appeal requesting exception to the Zoning Ordinance relating to the premises at 18 Ashmont Street.

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

Very truly yours,

Robert L. Getchell

Chairman

M

cc: Albert Knudsen, Esq.
415 Congress Street
Portland, Maine

49139

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 11, 1949

Cumberland & York Distributors, Inc.
226 Fore Street
Portland, Maine

Gentlemen:

The Board of Appeals will hold a further public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 15, 1949 at 10:00 a. m. with respect to your appeal for exception to the Zoning Ordinance relating to the premises at 18 Ashmont Street.

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

Very truly yours,

Robert L. Getchell

Chairman

M

cc: Albert Knudsen, Esq.
415 Congress Street
Portland, Maine

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 6, 1949

TO ALL OWNERS OF PROPERTY WITHIN 500 FEET OF NO. 18 ASHMONT STREET:

The Board of Appeals will hold a further public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 15, 1949 at 10:00 a. m. on the appeal of Cumberland & York Distributors, Inc., requesting an exception to the Zoning Ordinance to permit the use of the building at 18 Ashmont Street for the wholesale business of distribution of malt beverages.

The use of this building for the purpose requested is not presently permitted because the property is located in a Limited Business Zone in which Section 5A of the Zoning Ordinance prohibits wholesale businesses. Section 17E of the Ordinance, however, provides that the Board of Appeals may permit exceptions in specific cases when the conditions therein specified are met.

The Board is postponing its decision on this appeal, pending further hearing, because of an apparent misunderstanding among those present at the hearing held on April 4, 1949 as to the provisions of the Zoning Ordinance and the nature of the exception requested. Section 5A of the Zoning Ordinance would permit the use of this building, without appeal, for a filling station, a service or major garage, a place of amusement or assembly, a storage warehouse, or for any other retail business or service not involving manufacture on the premises. The Zoning Ordinance does not permit the use of these premises for wholesale business purposes except after an appeal. The question involved on this appeal is whether the Board shall grant permission to use this building as the headquarters of a wholesale business.

All persons interested either for or against this appeal will be heard in person at the above time and place, or they may communicate their views by letter addressed to the Board of Appeals, City Hall, Portland, Maine.

BOARD OF APPEALS

Robert L. Getchell

Chairman

EX-101

49/20

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 6, 1949

TO ALL OWNERS OF PROPERTY WITHIN 500 FEET OF NO. 18 ASHMONT STREET

The Board of Appeals will hold a further public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 15, 1949 at 10:00 a. m. on the appeal of Cumberland & York Distributors, Inc., requesting an exception to the Zoning Ordinance to permit the use of the building at 18 Ashmont Street for the wholesale business of distribution of malt beverages.

The use of this building for the purpose requested is not presently permitted because the property is located in a limited Business Zone in which Section 5A of the Zoning Ordinance prohibits wholesale businesses. Section 17B of the Ordinance, however, provides that the Board of Appeals may permit exceptions in specific cases when the conditions therein specified are met.

The Board is postponing its decision on this appeal, pending further hearing, because of an apparent misunderstanding among those present at the hearing held on April 4, 1949 as to the provisions of the Zoning Ordinance and the nature of the exception requested. Section 5A of the Zoning Ordinance would permit the use of this building, without appeal, for a filling station, a service or major garage, a place of amusement or assembly, a storage warehouse, or for any other retail business or service not involving manufacture on the premises. The Zoning Ordinance does not permit the use of these premises for wholesale business purposes except after an appeal. The question involved on this appeal is whether the Board shall grant permission to use this building as the headquarters of a wholesale business.

All persons interested either for or against this appeal will be heard in person at the above time and place, or they may communicate their views by letter addressed to the Board of Appeals, City Hall, Portland, Maine.

BOARD OF APPEALS

Robert L. Getchell

Chairman

RTD:M

49/29

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

March 22, 1949

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 1, 1949 at 10:30 a.m. to hear the appeal of Cumberland & York Distributors, Inc. requesting exception to the Zoning Ordinance to permit change of use of building at 18 Ashmont Street to use for storage, office and general headquarters for wholesale business of distribution of malt beverages.

This permit is presently not issuable under the Zoning Ordinance because this property is located in a Limited Business Zone where, according to Section 5A of the Ordinance, a wholesale business is not an allowable use.

This appeal is taken under Section 17E 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 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
Robert L. Getchell
Chairman

M

Copy to Thomas Skinner Co.-127 Main St., S. P., Maine

#4168A-1

April 7, 1931

Cook-Ripley, Inc.
530 Forest Avenue
Portland, Maine

We are issuing today to the Thomas Skinner Company, the building permit to cover general construction work of your proposed garage at No. 15 Ashmont Street situated on the corner of Ashmont Street and a proposed street which lies about two hundred feet from Forest Avenue.

The following matters are called to your attention:

The plans as filed in this office show no interior partitions whatever, and therefore this permit does not cover any such partitions. If any dividing partitions are to be put in this building, it will be necessary to apply for an amendment to this permit, or to apply for a separate permit before the work of putting in such partition is commenced.

Neither does the permit include any kind of heat in the building as the application for the permit stated that there will be no heat and no chimneys.

You should also bear in mind that the special permission which you have received from the City Council to construct this building does not include the right to conduct the business of repairing automobiles in any way in the building, and does not include the right to store more than one commercial automobile.

Attached hereto are the requirements of the Building Code pertaining to the maintenance of garages. Before this building is put into use, all of the equipment mentioned in this Section should be provided, a notice to this office should be given for a final inspection, and a certificate of occupancy received from this Department.

Please be governed accordingly. We are giving the contractors a copy of this letter.

Very truly yours,

Copy to Thomas Skinner Co.
31/385-T

June 1, 1931

Portland, Maine

Gentlemen:

With reference to the building constructed for a garage at 18 Ashmont Street, we find that the building is being occupied without final inspection and without a certificate of occupancy from this Department as required by law.

I am sure this must be an oversight on your part, because this Department tried to help in every way possible when you were making application for the building permit, and, of course, have the right to expect the same cooperation on your part.

The only omissions we noticed in the building were the providing of proper waste cans, and of fire extinguishers.

Attached hereto is a copy of Section 417 of the Building Code covering the maintenance of garages.

Please make provisions so that your building will comply with this Section without delay, and notify for final inspection so that the certificate of occupancy may be issued.

Very truly yours,

Inspector of Buildings.

WV/HG



(A) APARTMENT HOUSE ZONING No. 0385

APPLICATION FOR PERMIT

APR 7 1931

Class of Building or Type of Structure First Class

Portland, Maine, February 26, 1931

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect ~~and~~ 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 Lot #1 Astmont Street Ward 8 Within Fire Limits? no Dist. No. _____
 Owner's or Lessee's name and address Corner of Proposed St. 200' Cook-Ripley, Inc. 530 Forest Avenue Telephone _____
 Contractor's name and address Thomas Skinner Co., 127 Main St. So. Port. Telephone F 7738
 Architect's name and address _____ No. families _____
 Proposed use of building Garage
 Other buildings on same lot none

Description of Present Building to be Altered

Material _____ No. stories _____ Heat _____ Style of roof _____ Roofing _____
 Last use _____ No. families _____

General Description of New Work

To erect one story metal building, angle iron frame, as per plan submitted

Petition granted and permit ordered by City Council March 4, 1931
12/21 Preliminary permit issued for excavation and foundation only
 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

Size, front _____ depth _____ No. stories 1 Height average grade to highest point of roof 20'
 To be erected on solid or filled land? fill earth or rock? earth
 Material of foundation concrete piers Thickness, top _____ bottom _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof pitch Roof covering metal
 No. of chimneys no Material of chimneys _____ of lining _____
 Kind of heat no Type of fuel _____ Distance, heater to chimney _____
 If oil burner, name and model _____
 Capacity and location of oil tanks _____
 Is gas fitting involved? _____ Size of service _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Material columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-10' 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 concrete, 2nd _____, 3rd _____, roof metal
 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 repairing 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
 Plans filed as part of this application? yes No. sheets 1
 Estimated cost \$ 4500. Fee \$ 2.50
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Signature of owner _____
 By Thomas Skinner Co.,
Cook-Ripley, Inc.
 By C. G. Mc Lemmick

INSPECTION COPY

416.54

Ward 8 Permit No. 31/385

#18
Lot #1 Ashmont St.

W.C. Ripley, Inc.

Date of permit 4/7/31

Closing-in

Inspn. closing-in

Final Inspn.

12/9/37

Cert. of Occupancy issued None

NOTES

3/7/31 - Lot has been staked out. ~~is apt over location building with M. M. Conlon and building so there was no pt and ca. to 2- later on lot. - A.G.S.~~

3/16/31 - Better boards + lines for check O.K. A.G.S.

3/29/31 - No change. A.G.S.

3/27/31 - Excav. for foundation - A.G.S.

4/3/31 - Foundation poured. A.G.S.

4/15/31 - Grading site part of structure. A.G.S.

4/29/31 - Concrete slab-poured. A.G.S.

4/28/31 - Erection steel frame with floor & int. walling.

5/5/31 - Putting on metal siding. A.G.S.

5/15/31 - Putting on roof steel. A.G.S.

5/25/31 - Building complete. No certificate. A.G.S.

6/5/31 - No extra - found.

1/15/32 - One - 1/2 at city water department. A.G.S. apparently the only existing building with 1/2 at city.

Approx. - 4300 sqft area.

City Office
Date:



STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for garage
at Lot #1 Ashmont Street

Date... 2/26/51

1. In whose name is the title of the property now recorded? *Book Ripley Inc*
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? *Yes*
3. Is the outline of the proposed work now staked out upon the ground? *Yes* If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced?
4. What is to be maximum projection or overhang of eaves or drip? *6"*
5. *responsibility* for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections? *Yes*
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? *Yes*
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? *Yes*

Thomas J. Ripley Inc
McDonnell

(COPY)

31/4



City of Portland, Maine

Petition to the City Council to permit

A multiple car garage

On the Property at #18 Ashmont Street.

March 2, 19 31

To the City Council:

Your petitioner, Cook-Ripley, Inc.,

who is the owner of property at #18 Ashmont Street

respectfully petitions the City Council of the City of Portland to permit on this property, a multiple car garage, such use being otherwise excluded, the property being located in an Apartment House Zone

Attached hereto are the written consents to this proposed use of the owners of seventy-five per cent of the frontage set forth in Section 10, Paragraph F of the Zoning Ordinance.

Cook-Ripley, Inc.

by..... Atty. in Fact.

31/4

February 25, 1931

PUBLIC HEARING ON PETITION OF COOK-RIPLEY, INC. FOR ESTABLISHMENT
OF MULTIPLE CAR GARAGE AT 18 ASHMONT STREET.

A public hearing was held upon the above petition before the Committee on Zoning and Building Ordinance Appeals, Wednesday afternoon, February 25th.

Through unforeseen delays, Mr. Arthur Paul, Attorney for the petitioner, reported that it had not been possible to secure the written consents of the owners of nearby property frontage required by Section 10, Paragraph f of the Zoning Ordinance, but he believed that the required consents could be secured before the Council Meeting on Monday night next.

Present for the City were Councillor Craig, and the Inspector of Buildings.

Herbert J.

Mr. ~~Welch~~ Welch, Attorney, was present at the hearing but did not state whom he represented. He did say, however, that he had no objections to the granting of the petition.

Inspector of Buildings.

31/4
February 21, 1921.

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals of the City Council will hold a public hearing at Room 35, City Hall, Wednesday afternoon, February 25th at four o'clock upon the petition of Cook-Slipley, Inc. with relation to the erection of a garage upon a proposed street running between Ashmont Street and Longfellow Street.

The petitioner desires to erect a one-story garage approximately 60' x 95' to be located on the proposed street approximately ninety feet from Ashmont Street. This property is located in an Apartment House Zone where construction of such a garage is not ordinarily permissible under the Zoning Ordinance.

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

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS.

ARTHUR E. GRATO, Chairman

(COPY)

3/4



City of Portland, Maine

IN THE CITY COUNCIL

March 2, 1933

To the City Council:

The Committee on Zoning and Building Ordinance Appeals to whom was referred the petition of Cook-Ripley, Inc. seeking the right to construct and establish a multiple car garage in the Apartment House Zone at 13 Ashmont Street, reports as follows:

A public hearing has been held upon this petition at which no opponents appeared.

The Commissioner of Public Works reports that the written consents of the owners of nearby property frontage required by Section 10, Paragraph f of the Zoning Ordinance have been filed with the City Clerk.

Recommended that the petition be granted subject to full compliance with the terms of the Building Code.

COMMITTEE ON ZONING AND BUILDING ORDINANCE APPEALS.

Chairman.

PLUMBING APPLICATION

PROPERTY ADDRESS

Town Or Plantation: PORTLAND

Street: ASHMONT ST.

Subdivision Lot #: 18

PROPERTY OWNERS NAME

Last: BASS First: PETER

Applicant Name: PAUL BEEM

Mailing Address of Owner/Applicant (if Different): PO BOX 120
50 FREEPORT ME 04020

PORTLAND PERMIT # 1,032 TOWN COPY

Date Permit Issued: 5/16/85 \$ FEE Double Fee Charged

L.P.I. #

Paul Beem

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

Paul Beem 5/15

Signature of Owner/Applicant Date

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Paul Beem MAY 28 1985

Local Plumbing Inspector Signature Date Approved

PERMIT INFORMATION

This Application is for:	Type Of Structure To Be Served:	Plumbing To Be Installed By:
1. <input type="checkbox"/> NEW PLUMBING	1. <input type="checkbox"/> SINGLE FAMILY DWELLING	1. <input checked="" type="checkbox"/> MASTER PLUMBER
2. <input checked="" type="checkbox"/> RELOCATED PLUMBING	2. <input type="checkbox"/> MODULAR OR MOBILE HOME	2. <input type="checkbox"/> OIL BURNERMAN
	3. <input type="checkbox"/> MULTIPLE FAMILY DWELLING	3. <input type="checkbox"/> MFG'D. HOUSING DEALER/MECHANIC
	4. <input checked="" type="checkbox"/> OTHER - SPECIFY: <u>Commercial Rental</u>	4. <input type="checkbox"/> PUBLIC UTILITY EMPLOYEE
		5. <input type="checkbox"/> PROPERTY OWNER
		LICENSE # <u>1021461</u>

Number	Hook-Ups And Piping Relocation	Number	Column 2 Type Of Fixture	Number	Column 1 Type Of Fixture
	HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.		Hosebibb / Sillcock		Bathtub (and Shower)
			Floor Drain		Shower (Separate)
			Urinal	1	Sink
	HOOK-UP: to an existing subsurface wastewater disposal system.		Drinking Fountain		Wash Basin
			Indirect Waste	1	Water Closet (Toilet)
			Water Treatment Softener, Filter, etc.		Clothes Washer
	PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.		Grease/Oil Separator		Dish Washer
			Dental Cuspidor		Garbage Disposal
			Bidet	1	Laundry Tub
	Hook-Ups (Subtotal)		Other: _____	1	Water Heater
\$	Hook-Up Fee		Fixtures (Subtotal) Column 2	4	Fixtures (Subtotal) Column 1
				4	Fixtures (Subtotal) Column 2
				4	Total Fixtures
				\$ 12.	Fixture Fee
				\$ -	Hook-Up Fee
				\$ 12.	Permit Fee (Total)

SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE

TOWN COPY