

5 COBB AVENUE

New folder

Oct 17 1947

Sustained 10/17/47

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City of Portland, Maine
Board of Appeals
—ZONING—

October 14, 19 47

To the Board of Appeals:

Your appellant, Mrs. Clement L. Voyer, who is the owner of property at Lot 2 Cobb Avenue 213-19-5, 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 17, Paragraph E of the Zoning Ordinance,

Building permit to cover construction of foundation and locating one-family dwelling on property at Lot 2 Cobb Avenue indicates that the main front wall of the dwelling house would be in line with the front wall of the existing dwelling house on the next lot and that would place the front wall of the enclosed front entrance porch 6'6" closer to the street line of Cobb Avenue than the existing dwelling on the next lot contrary to the provision of Section 15J of the Zoning Ordinance applying to Residence C Zone in which both properties are located.

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

An exception is necessary in this case so as to avoid unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Mrs. Clement L. Voyer
Appellant

City of Portland, Maine
Board of Appeals

—ZONING—

Decision

Public hearing was held on the 17th day of October, 1947,
on petition of Mrs. Clement L. Voyer, owner of property at
Lot 2 Cobb Avenue, seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

Building permit to cover construction of foundation and locating one-family dwelling on property at Lot 2 Cobb Avenue indicates that the main front wall of the dwelling house would be in line with the front wall of the existing dwelling house on the next lot and that would place the front wall of the enclosed front entrance porch 6'6" closer to the street line of Cobb Avenue than the existing dwelling on the next lot contrary to the provision of Section 15J of the Zoning Ordinance, applying to Residence C Zone in which both properties are located.

The Board finds that an exception is necessary in this case so as to avoid unnecessary hardship and desirable relief may 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 be permitted
in this specific case.

Edw. J. Colley
Robert K. Galt
Helen C. Frost
B. W. Hall

Serald A. Cole
Board of Appeals

October 17, 1947

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MRS. ELEMENT L. VOYER

AT Lot 2 Cobb Avenue

Public hearing on above

Present for City

appeal was held before

Board of Zoning Appeals members:-

the BOARD OF APPEALS

today.

Edw. T. Colley
Helen C. Frost
Robert L. Getchell
E. Wm. Holbrook
Gerald A. Cole

VOTE

Yes No

| | | |
|--------------|-----|-----|
| Mr. Colley | (x) | () |
| Mrs. Frost | (x) | () |
| Mr. Getchell | (x) | () |
| Mr. Holbrook | (x) | () |
| Mr. Cole | (x) | () |
| | () | () |
| | () | () |
| | () | () |

Municipal Officers:-

City officials:-

Earle R. Jordan for Mrs. Voyer
No Opposition

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

October 14, 1947

Mr. Paul E. Hodgkins
26 Cobb Avenue
Portland, Maine

Dear Mr. Hodgkins:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, October 17, 1947 at ten-thirty o'clock in the forenoon on the appeal under the Zoning Ordinance of Mrs. Clement L. Voyer requesting exception to the ordinance to permit locating one-family dwelling on property at Lot 2 Cobb Avenue.

The main front wall of the proposed dwelling house would be in line with the front wall of the existing dwelling house on the next lot and that would place the front wall of the enclosed front entrance porch 6'6" closer to the street line of Cobb Avenue than the existing dwelling on the next lot contrary to the provision of Section 15J of the Zoning Ordinance.

If you wish to be heard either for or against this appeal, please be present at the above time and place.

Yours truly,

BOARD OF APPEALS

Edward T. Colley
Chairman

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CITY OF PORTLAND, MAINE
BOARD OF APPEALS

October 14, 1947

Mr. Earle R. Jordan
11 Oak Street
Portland, Maine

Dear Mr. Jordan:

Confirming our conversation of this morning, it is understood that you will represent Mrs. Clement L. Voyer at the hearing before the Board of Appeals on Friday, October 17, 1947 at ten-thirty o'clock in the forenoon concerning her appeal for exception to the Zoning Ordinance relating to moving one-family dwelling from 143 Westbrook Street to Lot 2 Cobb Avenue.

Very truly yours,

Secretary

CITY OF PORTLAND, MAINE

Department of Building Inspection

October 10, 1947

Mrs. Clement L. Voyer
143 Westbrook Street
Portland, Maine

Subject: Application for building permit to cover construction of foundation and locating the one-family dwelling at 143 Westbrook Street on the property at Lot 2 Cobb Avenue, and proposed Zoning appeal relating thereto

Dear Mrs. Voyer:

The permit is not issuable under the Zoning Ordinance because the location as staked out on the property at Lot 2 Cobb Avenue indicates that the main front wall of the dwelling house would be in line with the front wall of the existing dwelling house on the next lot, and that would place the front wall of the enclosed front entrance porch 6" & " closer to the street line of Cobb Avenue than the front wall of the existing dwelling on the next lot contrary to the provision of Section 15J of the Zoning Ordinance, applying to the Residence C Zone in which both properties are located.

I have talked this matter over with Mr. Earle R. Jordan, who is assisting you in this transaction, and he says that he thinks you would like to follow the usual appeal procedure set forth in the Zoning Ordinance and seek from the Board of Appeals an exception to this particular provision, claiming that enforcement of the Zoning Ordinance in this particular case would work unnecessary hardship and that desirable relief may be granted without substantially departing from the intent and purpose of the ordinance. Accordingly, I am enclosing an outline of the appeal procedure to you and also a copy of the outline with a copy of this letter is being sent to Mr. Jordan.

In checking over the application for the building permit against Building Code requirements, we find certain features as to strengthening, framing and supports of the first floor of the dwelling, and when the decision of the Board of Appeals is known on your appeal, this detail may be brought to your attention in a letter.

Very truly yours,

Signed, WARREN McDONALD
Inspector of Buildings

WMC/S

Enclosure to addressee and Mr. Jordan; Outline of Appeal Procedure

CC: Mr. Earle R. Jordan
11 Oak Street

Edward Gignoux
Assistant Corporation Counsel

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