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To the INSPECTOR OF BUILDINGS, POSTLAND, MAINE The underlighed bridy applies for a pormit or cost adversated essentiable will the following postlands on a coronave with the Laws of the Subset of the Copy of Postland, Maine Sept. 10, 1953 The underlighed bridy applies for a pormit or cost adversated essentiable will the following postlands on the Copy of Postland, Building Code and Zewing Ordinance of the City of Postland, Postlands of the City of Postland, Building Specifications. Location. Int 7:1583. Congress to the Company of the City of Postland, Building Specifications. Domer's name and address into August 1: White Fire Limited. 10 Dist. No. Owner's name and address. Into August 1: Specifications. Location. Int 7:1583. Congress to the Contractor's name and address. Into August 1: Specifications. Plans 125. No. of above 3 Contractor's name and address. In the Contractor's name and address. No. families. In the Contractor's name and	APP	,			
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The undersigned Arreby applies for a permit to rest attrospected and the following the following applies for a conscious with the Lowe of the State of Maire, the Building Code and Zoning Ordinance of the City of Portland, plant is no accordance with the Lowe of the State of Maire, the Building Code and Zoning Ordinance of the City of Portland, plant specifications: Location 1/17-1873 Congress if Contracts a name and address 170 Lardan, 8 Exercised Avy. So, Fortland Telephone. Lesso's amme and address 170 Lardan, 8 Exercised Avy. So, Fortland Telephone. Contractor's anne and address 170 Lardan, 8 Exercised Avy. So, Fortland Telephone. Contractor's anne and address 170 Lardan, 8 Exercised Avy. So, Fortland Telephone. Contractor's anne and address 170 Lardan, 8 Exercised Avy. So, Fortland Telephone. Contractor's anne and address 170 Lardan, 8 Exercised Avy. So, Fortland Telephone. Architect Some and the Solidan Plant 170 Set State Solidan Plant 170 No. families		D41 1 2 - 4			OCT 7 1953
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Owner's name and address TID Jordan, & Borestead Ave. So, Furthered Telephone Lessee's name and address Lessee's name and address Lessee's name and address Jelynny J. 31, Sear-orgue Telephone Architect Proposed use of building dealthing house No. families No. stories Material No. stories Heat Style of roof Roofing Other buildings on same lot Estimated cost \$7,760. General Description of New Work To construct 1-story frame dwelling house 20: 8" x 33" 6". General Description of New Work It is understood that this termit does not include installation of hosting appearatus which is to be taken out separately by and it have not of the hosting contractor. PERMIT TO BE ISSUED TO A. H. Nelson, Jr. Details of New Work Is any plumbing involved in this work? Permy Issued with the severy no. If not, what is proposed for swager septile tank Height average grade to top of plate 10! Height average grade to foundation socientes and the state of the	Location 11.77 - 11.02	was the joilouring	L'specifications:		we cay of Portland, plu
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INSPECTION COPY Signature of owner by: Q 96 Welcom

1/-

AT 1677-1683 Congress St.

October 7, 1953

Hr. Arlo Jordan
8 Homestead Ave.
Sout Portland, Me.
Mr. A. H. Place, Jr.
R.F.D.
Sea A. a, Me.

Gentlemen:-

Building permit for construction of a single family dualling at 1677-1683 Congress St. is issued herealth to Mr. Nelson based on the plan filed with the application for permit, but subject to the following conditions as discussed with Mr. Helson:

- 1. It is understood that the lot fruntage is to be increased to 100 feet so that the septic tank and seepage bed may be located at the side of the building.
- 2. The lot at the rear of the building is to be filled in so that there will be at 1 of twenty-five feet between the water and any part of the bulling at all points.
- 3. The wilding is to be set high enough and the lot graded up so that the cellar floor will be above the level of high tide water.
- 4. If, after excavation has been made, conditions making necessary the use of feetings for support of the 'oundation walls are uncovered, information as to width and thickness of such footings is to be furnished before any further work is done.

Very truly jours,

Warren McDonald Inspector of Buildings

AJS/G

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AP 1677-1681 Congress St.

October 5, 1953

Hr. Arlo Jorlan 8 Homestead Avu., South Fortland, ke.

Dear hr. Jordan:

Copies to kr. A. H. halsonJr. R. F. D. 1 scarborough, He. Health Department Att: Koman M. Winch, Engineer

After victing the location of the proposed dwelling to be erected at 1677-1681 Con ross St., it appears that we shall need considerable more inforcation concerning your plans as to grading of the lot before we shall feel able to issue a permit for construction of the building. Heckuse of the closeness of the site of the proposed building to timesater and the nature of the filled land on which it is to be located, the possibility of poor soil bearing conditions being found as well as the question of seepage of water through the fill it to the cell r of the building needs to be considered.

he unierstand that the Heelth Department has approved senage disposal arrangements on the basis of a seppage hed being provided for the septic tank. In view of the fact that the rear of the building is so close to the water's edge, it appears that no room is available for tank and seepage bed at the rear of the bulling. Since a lot only 75 feet wide is being set off, it is doubtful that there will be room at either site of the building for such construction. What are your plans in this regard? -100' Cot

We also would like information as to whether you plan to fill at the rear of the building and, if so, to what extent. Also what is the relationship to be of the bottom of the foundation wall as regards the level of high tide mater? Has any consideration teen given to the need for designing specis. footings for shade support of the foundation valls because of poor soil bearing conditions? - foundation valls because of poor soil bearing conditions? - foundation which the conditions of the cond

The manner in which all of these details are to be cared for is of great importance in determining how construction of such a nature as to prevent difficulties arising in the future is to be provided. We shall need to know that such construction is to be provided before issuance of any permit for construction of the lvilding.

Very truly yours,

Warren McDonald Inspector of Buildings

AJS/B

SEPTIC TANKS Request for approval of:

CITY OF PORTLAND, MAINE

Department of Building Inspection

October 2, 1953

Location - Congress Street Owner - Arlo Jordan Contractor - A. H. Nelson, Jr. Type Bldg. - New dwelling

alth Dfficer:

Application for building permit identified as above has been filed in this office; indicating that a septic tank installation is proposed, as a means of sewage disposal. Applicant represents that connection to a public sewer is not feasible. Copy to owner and contractor is attached.

Your approval as to the method of sewage disposal is requested before a building permit is issued, therefore will you complete and return the appended report as expeditiously as possible.

Inspector of Buildings

Attachment:

Copy of this notice Copy of letter to owner

Proposed sewage disposal method is is approved.

Remarks: Percolation test made 16 July was sotisfacting Thu.

Sevadulch m Heralth Officer

Deate 10/5/53

RECEIVED

UU! .. 1953

DEPT OF ELD'S INSP

AF Congress 30.

October 2, 1953

Copy to: A. d. Belson, Jr.
LED 51, Compared by Faule

Mr. Arlo Jordon, 3 Nomestead Ave., 3o. Fortland, laine

Dear Er. Jordon:

Application today by hr. helson to construct a dwelling nouse at Congress Direct for you indicates that no connection is possible to a public sewer, and that sewage disposal is proposed by septic tank.

The building Code directs, where connection to a public sewer is not possible, that the proposed method of sewage disposal must be approved by the Hashin off per before any building permit is issued.

that the Health Department may be aware of the proposed method of sewage disposal, you should explain, by plan or otherwise, the details and location of the septic tank system, i cluding nature of the soil where overglow lines will be located, to Sanitary Engineer Norman Winch.

Yery truly years,

WEED/R

Inspector of Eullaings

DLOT PLACE
SCALE X'-10-0

ARLO JOLDAN

AND 23-6"

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O"

TO ARRESS ST

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STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

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	at	2-49 170 75176
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	 Do you understand that in case changes work or in eny of the details specified plen and application must be submitted 	to this office before the change
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City of Portland, Maine Board of Appeals -ZONING-

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To the Board of Appeals:

Your appellant. Mrs. Elanche P. Jordan, who is the owner of property at 1657-1677 Congress 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.

Building permit intended to authorize construction of a one story refreshment stand about 20' x 30' at 1657-1677 Congress Street is not issuable under the Zoning Criinance because the property is located in a Residence C Zone where, according to Section 10A of the Zoning Ordinance, applying to such zones, the proposed business use is not

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

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

Blancha Dordan.

After public hearing held on the 18th

day of July

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Since on exception to the zoning Ordinance may be granted only by a unanimous vote
of the Board of appeals and since vote in this case was as follows, the appeal must
be denied.

OPPOSED: H. Merrill Luthe - mobert h. Getchell - Helen C. Frost - byman S. Moore

IN FAVOR OF: william H. O'Brion

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

BOARD OF APPEALS

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DaTE: July 18, 1952

HERRING ON APPLIAL UNDER THE Zoning Ordinance of Elanche P. Jordan

.T 1657-1677 Congress street

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

book of ppcsis

<u> 1615</u>

Municipal Officers

H. Merrill Luthe William H. O'rrion Robert L. Getchell Helen C. Frost Lyman S. Moore

hecord of Hearing:

Opposed by:

Mrs. Rupert Lovejoy, 1266 Westbrook Street, Fortland, Maine

Mrs. Lawrence Stover

tatter from Planning Board

intition in file

Letters in ille

Judy July 18, 1952

To the members of the Board of Appeals Portland City Council Portland, Maine

The undersigned, residents of Stroudwater, vigorously or steat the erection of a proposed building for the purpose of serving refreshment to 1657 - 1677 Congruss Street is requested by Blanche Jordan, for ing the a tuilding for such a purpose would not only be detrimental to property dues, but would create a traffic congestion amounting to a hazard.

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July July 18, 1952

To the members of the Board of Appeals Portland City Council Portland, Maine

The undersigned, residents of Stroudwater, vigorously protest the erection of a proposed building for the purpose of serving refreshment at 1657 - 1677 Congress Street as request 1 by Blanche Jordan, feeling that a building for such a purpose would not only be detrimental to property values, but would create a traffic congestion amounting to a hazard.

Mr & Mrs Fred Caskey Mrs. Halter C. Hillsen him Ellen M. Tubbetts. Doton Buch

Myro E: Buck Month Longe E. Bowley Mus Lug & Brimmer Chlinton R Packer Januard Cobbins

> This group of names had time to call on. Elsie M. Stover.

LAURENCE C. PLOWMAN
CHAIRMAN
NEAL W. ALLEN
VICECHAIRMAN
CARTELL K. PIERCE
ALBIRT N. TARDIF

ROLAND H. TYLER

ROGER L. CREIGHTON



CITY OF PORTLAND, MAINE

CITY PLANNING BOARD

July 17, 1952

Zoning Board of Appeals City Hall Portland, Maine

Gentlemen:

The following report is respectfully submitted for the consideration of the Zoning Board of Appeals.

History: The use of this land has come before the Planning Board several times.

No. 1. A letter from Mr. Arthur T. Row to Mr. A. C. Jordan dated July 9, 1948, a copy of which is on file in the Planning Board, stated that Mr. Row would not recommend a change of zoning to a business zone. This letter was discussed at the meeting of the Planning Board on July 29, 1948, and the Planning Board agreed with Mr. Row's recommendation.

No. 2. At the meeting of the Planning Board held on July 31, 1950, the matter of the zone change on the same property was brought before the Board. With four members of the Planning Board present the petition to change the zone was again denied. The following paragraph is an extract from the minutes of this meeting:

"The zoning on cuter Congress Street, a problem of long standing, was again brought to the Board's attention, this time in the form of a letter from Mr. Clark Chapman, acting as attorney for Arlo Jordan. Mr. Chapman outlined the situation in which Mr. Jordan found himself in regard to the piece of land next to the bridge and made some suggestion concerning it. Mr. Playman

Zoning Board of Appeals - 2 -

July 17, 1952

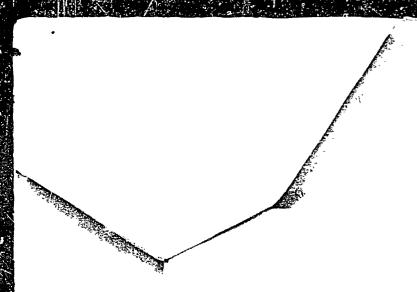
suggested that the land be developed as a park, in accord with the master plan proposals, and in conjunction with a neighborhood shopping center development at Stroudwater. The Board was in general agreement and recommended that the City purchase the tract for park purposes. Mr. Row was directed to inform Mr. Chapman that the existing business zone would not be expanded and that the Board recommended the purchase of the land for park purposes."

No. 3. This matter was again brought to the attention of the Planning Director in February 1952, and at that time Mr. Creighton wrote a letter to Mr. Jordan concluding that it would be inadvisable to change the zone in this location. This letter is dated February 23, 1952, a copy of which Planning Board files. The matter was not brought before the Planning Board itself.

Fact: The property at 1657-1677 Congress Street is an area of about 10 acres, having about 550 feet frontage on Congress Street, on the right hand side just before the bridge going from Portland to Stoudwater. The property is in Residence C zone. On the Master Plan of 1943 this property is shown as a City park. Nearer Portland at the corner of Frost and Congress Streets there is a filling station and across Congress Street near Frost Street there is an automobile repair business. Both of these businesses are non-conforming uses in a Residential C zone. Neither business is visible from the Jordan property.

On the other side of the Stroudwater bridge there is a small local business zone.

The property in question is at the bottom of the hill on the end of a curve on Congress Street. It has very little depth of usable land, most of the property being marsh. It might be possible to build one or two houses on this property.



Zoning Board of Appeals - 3 -

July 17, 192

Reasons for the Planning Board's position: Hr. Row's and Mr. Creighton's recommendations were based on the same line of reasoning, four points of which are outlined below.

- 1. The use of the land for a refreshment stand is dependent largely pun the traffic which is generated by the Maine Turnpike. When the Maine Turnpike is extended north, the Planning Board is of the opinion that the should be no connection between the Turnpike and Congress Street, but rather that the intersection should be located near Brighton Avenue. It is felt that any use of this property, which is dependent upon Turnpike traffic, will not survive the elimination of this traffic, and that therefore any structures would fall into disuse and would be an economic waste, both to the City and
- 2. Due to the separation caused by the bridge, a change of zone would not be a simple extension of a commercial zone but would have something of the quality of a spot zone.
- 3. The extension of commercial uses in a string along well-travelled streets has harmful effects: it is not only unattractive (compare with Route 1 in South Portland) and it is a traffic hazard.
- 4. The location of a refreshment stand close to a bridge at the bottom of a hill and at the end of a curve would make it hazardous traffic location.

Conclusion: The long-standing position of the Planning Board with respect to the commercial use of this property is brought to the attention of the Board of Appeals, together with the reasons for this position. It is hoped its decision.

Very sincerely yours,

Planning Director

,i

City of Portland, Maine. Board of Appeals Dear Sirs: 1717 Congress St., Portland, Maine. July 17th, 1952.

In 1936 Iopened my store at the above addressand in 1940 I but in a Sode Fountain and Luncheonette. In 1949 I contacted a Mr. Maxfield at City Hall for the purpose of moving my fountain over to the other side of the store so that I might be able to serve customers outside the building on my parking lot. As near as I om able to judge 50% of my Sandwich business are coders to be taken away from the premises. Mr. Maxfield at that time told me that to the best of his judgement he did not believe the city planning board would approve of me enlarging on my Luncheonette business to the point where I would have to make considerable changes on the inside of my premises, he ask me to come book and see him and he would try to give me more definate information. I went back to see him about two weeks later, and he informed me that I could put in for an appeal of the zoning regulation, but to the best of his judgement he did not think it would do any good, So I have continued to opperate to the best of my ability with what facilities I heve under the present zoing regulation.

under the present zoing regulation.

On Friday morning June 18th, 1852 at 10:30 A.M. Mrs. Blanch P.Jordan has an appeal to construct a refreshment stand at 1867-1877 Gongress St., the main purpose I understand to serve Sandwiches to be taken out. If that appeal is granted it will be necessary for me to ask for the same privilege to protect my present business.

Yours truly,

George W. Berry
Roberts O. Berry

Roberts C. Berry

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and all and

CITY OF PORTLAND, MAINF BOARD OF APPEALS

July 15, 1952

Mrs. Blanche P. Jowan 1967 Congress Street Portland, Maine

Desr Mrs. Jordan:

The Board of Appeals will hold a public hearing in the Council Chamber at the City Hall, Portland, Maine on Friday, July 18, 1952 at 10:30 a. m. to hear your appeal under the Zoning Ordinance.

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

Very truly yours,
H. MFFRILL LUTHE
Chairman

HML:K

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A STATE OF THE PARTY OF THE PAR

WARREN MCDONALD

On reply refer

to the 1657-1677 Congress Street

CITY OF PORTI AND, MAINE

Department of Building Inspection

July 2, 1952

Mrs. Blanche P. Jordan 1967 Congress Street Mr. Edward F. Finks 2388 Congress Street

Copy to Corporation Counsel

Dear Madam & Sir:

Building permit intended to authorize construction of a one story refreshment stand about 20°x30° at 1657-1677 Congress Street is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 10A of the Zoning Ordinance, applying to such zones, the proposed business use is not allowable.

You have indicated a desire to seek an exception from the Board of Appeals; so, there is enclosed an outline of the appeal procedure.

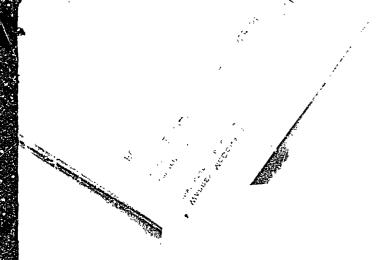
Apparently Mrs. Jordan still holds title to the property, but Mr. Finks has a contract to buy if the business use is allowed. Under these circumstances I presume that Mrs. Jordan will have to sign the appeal.

Very truly yours,

Warren McDonald Inspector of Buildings

WMcD/B

Enclosure to each addressee: Outline of appeal procedure



CITY OF PORTLAND, M/INL BOARD OF APPEALS

July 8, 1952

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a more ic hearing in the Council Chamber, City Hall, Portland, France on Friday, July 18, 1952 at 10:30 a.m. to hear the appeal of Mrs. Blanche P. Jordan requesting exception to the Zoning Ordinance to authorize construction of a one story refreshment stend about 20' x 30' at 1657-1677 Congress Street.

This permit is presently not issueble under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 10A of the Zoning Ordinance, applying to such zones, the proposed business use is not allowable.

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 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 confideration to promoting public health, safety, convente and welfare, encouraging the most appropriate use of 1 m. and conserving property values, that it shall permit no rule 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 ϵs required by law.

BOARD OF APPLALS

H. MERFILL LUTHE

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(RC) RESIDENCE ZONE . C



TION FOR PERMIT

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1657-1677 Congress Street

July 2, 1952

Mrs. Blanche P. Jordan 1967 Congress Street Mr. Elward F. Finks 2368 Congress Street Copy to Corporation Counsel

Dear Madam & Sir:

Building parmit intended to authorize construction of a one story refreshment stand about 201x30° at 1657-1677 Congress Street is not issuable under the Zoning Ordinance because the property is located in a Residence C Zone where, according to Section 10A of the Zoning Ordinance, applying to such zones, the proposed business use is not allowable.

Now have indicated a desire to seek an exception from the Board of Appeals; so, there is enclosed an cutline of the appeal procedure.

Apparently Mrs. Jordan still holds title to the property.
but hir. Finks has a contract to buy if the business use is allowed.
Under these circumstances I presume that hirs. Jordan will have to sign the appeal.

Very truly yours,

Warren Behonald Inspector of buildings

WMcD/B

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June 27, 1950

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Jery truly yours,

carren notocale Inspector of Buildings

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(RC) RESIDENCE ZUNE . C

APPLICATION FOR PERMIT

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INSPECTION COPY

Permit No. 5.0/
Location 1/599-105 June 1/2

Crew Care Handary Ne.

Date of permit

Notif. closing-in

layso. choing-in

Frank Notif.

Final Irron.

Cert of Occupancy is used

19/84 HHIS

City of Portland, Maine Board of Appeals —ZONING—

January 19, ,1949

To the Board of Appeals:

Your appellant, Blands P. Jorden , who is the owner of property at 1651-1703 Congress 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 17, Paragraph E of the Zoning Ordinance,

Building permit to cover construction of gasoline filling station building (Service barage) at 1651-1703 Congress Street is not issuable under the Zoning Ordinance because the property is in a Residence C Zone where, according to Section 10A of the Ordinance applying to such zones, use as a gasoline filling and service station is not allowed.

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

Blanche P Jadan
Appellant
Py arlo & Jordan

February 4, 1949

HEARING ON APPEAL UNDER THE ZORING ORDINANCE OF BLANCHE P. JORDAN AT 1651-1703 Congress Street

Public hearing on above

Present for City

appeal was held before

Board of Zoning Appeals members:-

the Board of Appeals

today.

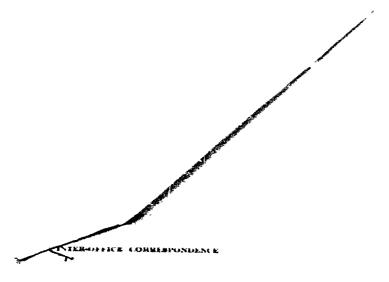
VOTE

	Yes	No	
Mr. Getchell Mr. o'Erion Mr. Holbrook Mr. Lake Mr. Colley		(x) (x) (x) (x) () ()	Matcipal Officers:-

Richard Chapman, esq. for appellant
(Jordan purchased property 11/12/48 - paid \$2,000)

RC Zone, no residence in close proximity
Property absolutely not useable for any purposeity officials:
except this sort - too close to marsh for residence construction

Against: Frank G. Johnson, representing Stroudwater Church Hrs. Rupert Lovejoy (1266 Westbrook Street) Hrs. Lawrence St ver (2 Waldo Street)



CITY OF PORTLAND, MAINE

CITY PLANNING BOARD

To: Edward T. Gignoux
Asst. Corporation Counsel
From A. T. Row, Jr.
Planning Director

Dare February 2, 1949

Summer: Petition of Blanche P. Jordan to Zoning Board of Appeals

It is noted that a petition has been filed with the Board of Appeals by Blanche P. Jordan for a permit to construct a gasoline filling station in a Residence "C" zone at 1651 - 1703 Congress Street.

The Plenning Board rarely takes any part in zoning appeal cases but in this instance I think the Board of Appeals should know the status of the Planning Board's study of the zoning on Congress Street.

Several inquiries have been received in this office and in the office of the Building Inspector, and one formal petition has been filed, for zone changes on Congress Street. Most of the inquiries indicated a desire to erect filling stations, all of them have been prompted by the heavy increase in traffic moving over western Congress Street since the opening of the Turnpike.

The rezoning problem of this section is not simple because the highway program on which the rezoning depends, is in a state of flux. For example, if the Turnpike were extended and/or the proposed new Fore River Bridge were built as an integral part of the through-city expressway from the Turnpike and Route 1 in South Portland across the Marginal Way to East Deering, the traffic load on Congress Street would decline sharply. If, therefore, additional business zones were established on Congress Street based on the volume of traffic today, this street would probably be overzoned when either or both of the two above mentioned possibilities became fact. On the other hand there are other possibilities, such as the State's Payne Road proposal, perhaps necessitating the

page 1

Edward T. Gignoux, Asst. Corporation Counsel (2) Feb.2,1949

widening of Congress Street, which further complicate the problem. Finally of course the time element is involved.

For these reasons the staff of the Planning Board has not completed the zoning study of Congress Street and probably will not make any recommandations until the highway plan of the master plan has been revised. Work on this revision has been started.

It should be obvious that any sound rezoning of Congress-Street should be based on a clearer idea of the future of the street than we now have.

ATR:ys cc: Lyman S.Moore City Manager A. T. Row, Jr.
Planning Director

ÿ



The Congress Square

Feb. 5, 1949

Portland, Me.

Im. Robert L. Getchell, C. airman Board of Appeals City of Portland, waine.

Dear ir . Getonell:

I have just non received the notice of the hearing of yesterday on the appeal of Blanchs 2. Jordan to permit construction of a filling station at 1651 - 1705 Congress Street -- and hope very much that my protest, as guardian for my son, william Leavitt who is owner of property at 1741 Congress Street, may be heard.

We feel that one of the greatest assets of Strondwater as a residential section is the lack of such filling stations on every corner. The needs are being cared for I am some by the existing stations.

As we are residing at the Motal Bastland for a few months this Winter, while kelph is at the Legislature, our mail is often wery much delayed in reaching us.. hence this delay, I am sure.

Sincerely yours,

Futte & Leant

Prs. Relph A. Loevitt Guardian for Wilkiam Lauvi t. minor

1282 Westbrook Street Portland 4 Waine

Strondwater Baptist Church - portland 4, Maine

REV JAMES D MACLEOD. PASTOR 1737 CONGRESS STREET PORTLAND 4 MAINE

MAURICE B. JOHNSON, CLERK 3 CLIFF STREET PORTLAND 4 MAINE

Fet. 2, 1949.

City of Fortland, Maine Board of Appeals Fortland, Maine

Att: Mr. Robert L. Getchell, Chm.

sentlemen:

At a special meeting of the Stroudwater Baptist Church, the affect of Blanche B.Jordan for exception to the zoning ordinance to permit construction of a gasoline filling station at 1651-1703 Congress Street, was considered.

Upon motion, duly seconded, it was voted: That the Church go on record as opposing this exception of the zoning ordinance

Respectfully yours,

MB Johnson Clerk.

Mrs Dlauche P Jordan 1552 (Ing. ss Street Fulland, Thains 1603 Congress St Vortland Maine February 1 1949

Dear Mrs. Jordan

This is to certify that I. It Foster Starley, owning property within five hundredftof the property owned by you on the northerly side of Congress It. Nor 1651 to 1703 have no objection to the granting of a permit to erect a filling station on the above mentioned property.

Wery Toly yours H. Forter Stanley 1608 bongres St. Portland Me.

EBEN WINTHROP FREEMAN FRANC S P FREEMAN

LAW OFFICES OF FREEMAN & FREEMAN 95 EXCHANGE STREET FORTLAND 3 MAINE

Mrs. Blanche F. Jordan 1552 Congress Street Fortland, Maine

February 1, 1949

Dear Mrs. Jordan:

On behalf of Frank P. Cummings and myself as cotrustees under the will of Frank F. Cummings, deceased, I beg to advise that as owners of the property adjoining the land purchased by you, we have no objection to the granting of a permit to enable you to erect a filling station on the premises numbered 1651 to 1703 Congress Street.

Very truly yours,

ESTATZ OF FRANK F. CUNVINGS

41/2

1552 Congress Street Fortland 4, Maine January 15, 1949.

Mr. Barnett I Shur, Corporation Counsel City Hall Portland, Maine

Dear Sir:

I am writing you in connection with an application for a building permit which I filed at the office of the building Inspector on Jacuary 12, 1949.

My application is for a permit to erect a modern, attractive servaice station at Nos. 10.1 to 1703 Congress Street, Portland.

This site or plot of land is situated on the northerly side of Congress Street and extends from the tow path of the old Fortland and Oxford anal, for a distance of five hundred and twenty-five feet, more or less, of the Stroudwater Bridge over the fore hiver.

Congress Street at this point is bordered on each side by salt water and marsh, and is of low elevation, lying between much higher elevations at Prost Street on one end and westbrook Street on the other end, so that the premises numbered above are hardly suitable for residential responses. But are well idented for small suitable for residential purposes, but are well adapted for small

Because of the marsh land and the low elevation of this section, there are no ducllings within a distance of a thousand feet or more in any direction. so that a small business conducted at this site would in no way affect any dwelling on the higher

I should like to develop the property in question, which is now more or less unkempt, by eracting a modern, up-to-date service station, with well landscaped surroundings, to the end that I may earn a livelihood for myself in to secure a return on my invest-

The site in question immediately borders the business zone of Stroudwater Village, and it would seem that it could logically be included in the Stroudwater business zone, because it adjoins it, no dwelling houses are involved, and it is even further away from churches, schools and dwellings than the village itself.

The Maine Turnpike, the Air Port and other factors have thanged Congress Street at this point from a more or less neighborhood atreet to a main artery of the tity.

As Forest Avenue, Washington Avenue, Morrills Corner, Allens Corner, Woodfords Square and other sections of the city have all changed in the last few years from residential to more or less business districts, it would seem logical for business in view of the fact that Congress Street at Stroudwater, main artery of the city.

Were the premises in question situated in the middle of a residential district I would not present this appeal from the zoning laws, but situated as they are at tidewater and marshland, adjoining a business center on one end and widely separated from any dwelling on the other end, the proposed site is a most natural one for a modern gasoline station.

Therefore, I respectfully request the consideration of the Board of Appeals and others concerned, in connection with my application for a business building permit at Nos. 1651 to 1703 with the trend of traffic in this area, and with the intent and purpose of the Zoning Ordinance.

Very truly yours, Arlo 6. Jordan

CITY OF PORTLAND, MAINE BOARD OF APPEALS

January 31, 1949

Mrs. Blanche P. Jordan 1552 Congress Street Portland, Maine

Dear Mrs. Jordan:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, February 4, 1949 at ten-thirtyo'clock in the forencen to hear your appeal under the Zoning Ordinance relating to the premises at 1651-1703 Congress Street.

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

Very truly yours,
Robert L. Getchell
Chairman

On reply refer to File

CITY OF PORTLAND, MAINE

Department of Building Inspection

AF 1651-1703 Congress Street-I

January 17, 1949

Blanche P. Jordan 1552 Congress Street, Portland, Maine

Subject: Application for building permit to cover construction of gasoline filling station building (Service Garage) at 1651-1703 Congress Street and proposed zoning appeal relating thereto

Dear Madam:

Building permit for the above work is not issuable under the Zoning Ordinance because the property is in a Residence C Zone where, according to Section 10A of the Ordinance applying to such zones, use as a gasoline Filling and Service Station is not

You have indicated your desire to seek an exception from the Board of Appeals, allowed. and there is enclosed, therefore, an outline of the appeal procedure. If you desire the public hearing at the earliest possible date—February 4—it would be well to file the appeal at the office of Corporation Counsel no later than January 20.

As explained to Mr. Jordan over the telephone the appeal clause of the Ordinance limits the powers of the Board of Appeals with relation to such cases by saying:

so is to grant reasonable use of property when necessary to avoid confiscation and without substantially departing from the intent and purpose of this 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 for use injurious, no ious, offensive or dutrimental to a neighborhood, and that it shall prescribe appropriate conditions and safesyprise appropriate appropriate appropriate conditions and safesyprise appropriate conditions and safesyprise appropriate appropr priate conditions and safeguards in each case."

Pending public hearing and action of the Board of Appeals, no check of the plans of the building against Building Code requirements will be attempted. Two features appear, however, from a cauch examination of the plans, which may have to be adjusted appear, nowever, tross resource examination of one plane, which may have to be adjusted to satisfy Buildi resource is afternate is noted in the specifications which considers to usually yof constructing the building of wooden frame construction. which considers the unsite the permitted in a building of this size because the class of contraction and be permitted in a building of this size because the floor area would be accounted to the maximum of 900 square feet—that is unless the building were the contraction of the building code as to ing the building, and the protection in any case of the proved garage heater or a separate fire resistive heater room. Very truly yours, heater room.

(Signat) the company of Inspector of buildings

WMcD/G

Enclosure: Outline of appeal procedure

CC: Edward T. Gignoux Assistant Corporation Counsel

CITY OF POPTERUD, recien

Bunt or Afterna

Jamiery 25, 1949

TO WHOM IT MAY CONCERN:

The board of Appeals will hold r public nearing in the Council Chr. ber, City hell, Portland, while on rribny, February 4, 1979 at the chirty o'clock in the forenoon to hear the appeal of Blanche. Jordan requesting exception to the Zoring Ordinance to permit construction of sepuline filling station at 1651-1703 Congress Street.

This permit is not issuable under the poling or hance because the property is in a Residence C Zone where, according to Section 10A of the Orlinance, use as a gescline filling and service station is not allowed.

This appeal is taken under poction 17% of the Zoning Ordinance which provides that the Board of appeals, by unanihous vote of its members, may permit exceptions in specific cless so as to grant reasonable use of property where necessar, to avoid confiscation and without substantial describing for the intent and purpose of the loning Ordinance, subject they so that rule that said Board shall give due consideration to promoting public health, safety, convenience and welfare, enduring the rest appropriate use of land and conserving property vines, that it shall permit no building as use injurious, no loss, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in even 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 naving been sent to the owners of property within 500 feet of the premises in question as required by law.

BURRE OF RPPEALS

kobert L. Getchell

chairman

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(A) RESIDENCE ZONE . C



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

To the INSPECTO				
Themat		Hand, Maine, Jonuary		**************************************
in accordance with the specifications, if any	he Laws of the State of	permit to erect altropopological	alisicortan the fo	llowing building structure can
UWner's name and		11	17241 * ***	
Lessee's name and	iddress Blanche	the following specifications: seet V P. Jordan, 1552 Congr	vium rire Limi	ts? <u>no</u> Dist. No
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Architect	nd address			Telep ione
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		to get settled the que, the applicant will fay legal fee.		information,
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INSPECTION COPY

Signature of owner By: Urlo 6. Jordan

Permis No. 47
Location 16.57-170.3 Conquested
Owner Canada Paradas
Date of permit 2 1.79
Notif. closing-in
Inspn. closing-in
Final Inspn.
Cert. of Occupancy issued