



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

*Penny St. Louis - Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

September 8, 2011,

Kevin Tardiff
Anthony Tardiff's Towing
PO Box 1212
Portland, ME 04104

RE: 128 Anderson Street – 010 H005 – I-Lb Zone – Variance Appeal Request

Dear Mr. Tardiff,

I received your incomplete Variance Appeal application by mail on Wednesday, September 7, 2011. Section 14-472(b)(1) states that you have thirty days to appeal a decision made by the building authority. I wrote you a letter on August 4, 2011 informing you that the use of the property at 128 Anderson Street as a tow lot was not a permitted use. The letter also stated that you had thirty days to appeal. The thirty day period to appeal this decision was up on September 3, 2011. You have lost your right to appeal. I am returning your check for the application since the period for you to appeal has expired.

We spoke on the telephone on August 18, 2011. You said that you had not received my letter. I explained to you that a tow lot was not a permitted use and that you needed to relocate your business to a zone that allowed it. I also told you that you had the right to appeal and that the period to appeal was up thirty days from the date of the letter. I emailed you a copy of the August 4, 2011 letter and the Variance Appeal Application. Our office received your Variance Appeal application by mail on August 6, 2011, and I found it in my mailbox the morning of September 7, 2011.

Since you have lost your right to appeal, you cannot continue to operate your business at 128 Anderson Street. You need to relocate it to a zone that allows tow lots. It is my understanding from our telephone conversation today, that you have relocated your tow lot to 355 Warren Avenue as of last week. The use of this property is a tow lot (#10-0513), so you are all set as far as zoning is concerned.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc file