

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

R-6 Residential Zone Interpretation Appeal

DECISION

Date of public hearing: April 19, 2018

Name and address of Appellant: Robert van Wert
107 Anderson Street
Portland, Maine 04101

Location of property under appeal: 34 Howard Street
CBL 014 E019001

The Zoning Board of Appeal makes the following FINDINGS:

1. The appeal applicant is Robert VanWert.
2. The subject property is located at 34 Howard Street, Portland, Maine.
3. The Property is located in the R-6 Zone.
4. The appellant received a building permit for a structure on July 14, 2017.
5. This appeal is from a Notice of Violation dated March 3, 2018.

The Board also makes the following CONCLUSIONS:

1. The Board concludes that it has jurisdiction pursuant to 30-A M.R.S. § 2891(4) as this is an appeal from a Notice of Violation that was filed within 30 days of the date of that Notice of Violation. (Vote: 7-0 in favor).
2. The Board also GRANTS the appeal of the applicant and finds that *Juliano v. Town of Poland*, 1999 ME 42, does apply to this appeal and that the City was required to appeal the building permit within 30 days of the date of the permit. (Vote: 5-2 in favor).

Dated:

Board Chair