

## Marge Schmuckal - RE: 1 City Center

---

**From:** Marge Schmuckal  
**To:** Jordan Jay  
**Date:** 12/31/2013 1:55 PM  
**Subject:** RE: 1 City Center

Hi Jordan,

The 1983 zoning ordinance under section 602.10.D states: "No off-street parking shall be required in this zone (B-3)". So the building was built in conformance with the zoning ordinance at the time it was built.

Marge

>>> "Jordan Jay" <jjay@zoning-info.com> 12/31/2013 1:33 PM >>>

That's great! Thanks for that information. As far as the parking requirement is concerned, would that still be considered legal nonconforming?

**From:** Marge Schmuckal [mailto:MES@portlandmaine.gov]  
**Sent:** Tuesday, December 31, 2013 11:33 AM  
**To:** Jordan Jay  
**Subject:** Re: 1 City Center

Hi Jordan,

My verbal information to you was false. I should know better to make conclusions before doing the research. There is evidence in our microfiche showing that on April 28, 1983 a variance appeal was granted by the Zoning Board of Appeals to allow a building height of 138.5' as measured from the mid-point of the footprint of the building instead of the 125' maximum required under section 602.10.C.6 of the Ordinance. I will be sending this documentation to Shelby Templin as part of my determination letter.

I hope this helps you,  
Marge Schmuckal  
Zoning Administrator  
City of Portland, Maine

>>> "Jordan Jay" <jjay@zoning\_info.com> 12/31/2013 10:08 AM >>>

Hi Marge,

I just wanted to confirm in writing what we talked about over the phone. So, you would consider the property at 1 City Center to be legally nonconforming, as the zoning code has changed since the time of construction. Am I correct?

Thanks for your help!

-Jordan