


Location of Construction: 12 Alder Street Owner Address: 690 Dutton Hill Rd. Gray, 04039 Contractor Name:	Owner: Michael Rokowski Leasee/Buyer's Name: Address: Proposed Use:	Phone: 657-4480 Business Name: Phone: Signature: PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.) Action: Approved with Conditions: <input type="checkbox"/> Denied: <input type="checkbox"/>	Permit No: Permit Issued: Zone: CBL: 33-J-15 Zoning Approval: Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan major <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>
Past Use: Proposed Project Description: Variance Appeal		COST OF WORK: \$ 50.00 PERMIT FEE: \$ 50.00 FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied Use Group: Type: Signature: Date: Signature: Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date:
Permit Taken By: Vicki Dover Date Applied For: 12/19/96		APPEAL DENIED 1/23/97	
1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..			
I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit			
SIGNATURE OF APPLICANT 		ADDRESS: 690 Dutton Hill Road Gray, ME 04039 DATE: 12/19/96 PHONE:	
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector PHONE:			
		#5 D. Jordan CEO DISTRICT	

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



December 26, 1996

Michael Rokowski
690 Dutton Hill Road
Gray, Maine 04039

RE: 12 Alder Street ✓

Dear Mr. Rokowski,

Receipt of your application for a Variance Appeal for the property located at 12 Alder Street is acknowledged.

This appeal is scheduled for review before the Board of Appeals on Thursday, January 9, 1997 at 7:00 p.m., Room 209, City Hall, Portland, Maine. You must plan to attend to answer any questions which the Board may have concerning this appeal.

A copy of the January 9, 1997 agenda will be mailed to you as soon as they become available.

Sincerely,

Marge Schmuckal
Asst. Chief, Inspection Services Division

cc: P. Samuel Hoffses, C, Insp Svcs Div

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



January 14, 1997

Michael Rokowski
690 Dutton Hill Road
Gray, Maine 04039

RE: 12 Alder Street

Dear Mr. Rokowski,

As you know, because of a full agenda and the late hour of the January 9, 1997 Board of Appeals meeting, it was decided to carry your Variance Appeal for the above referenced property over to the next regularly scheduled Board of Appeals meeting.

This appeal is now scheduled for review before the Board of Appeals on Thursday, January 23, 1997 at 7:00 p.m., Room 209, City Hall, Portland, Maine. You must plan to attend to answer any questions which the Board may have concerning this appeal.

A copy of the January 23, 1997 agenda will be mailed to you as soon as they become available.

Sincerely,

Marge Schmuckal
Asst. Chief, Inspection Services Division

cc: P.Samuel Hoffses, C, Insp Svcs Div

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



February 3, 1997

Michael Rokowski
690 Dutton Hill Road
Gray, Maine 04039

RE: 12 Alder Street

Dear Michael,

As you know, at its January 23, 1997 meeting, the Board of Appeals voted 6-0 to deny relief from the requirements of Section 14-387 and 14-139(2) of the Zoning Ordinance

A copy of the Board's decision is enclosed for your records.

Sincerely,

Marge Schmuckal
Asst. Chief, Inspection Services Division

cc: Joseph E. Gray, Dir, PUD
P. Samuel Hoffses, C, Insp Svcs Div
C. Lane, Corp Counsel
D. Jordan, CEO
File

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



APPEAL AGENDA

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, January 9, 1997 at 7:00 p.m. to hear the following appeals:

1. Unfinished Business: None

2. New Business:

Conditional Use Appeal:

1364 Washington Avenue, Donna Pennoyer, lessee, request the Board permit a change of use to allow the operation of a daycare center for up to 26 children. RP Zone

Miscellaneous Appeal:

33 Arthur Street, James Shea, owner, request the Board grant relief from the requirements of Section 14-424, Fences. R-3 Zone

Interpretation Appeal:

4 Island Street, Alan Wolf, attorney on behalf of Geraldine G. Wolf, owner, request the Board reconsider the interpretation of the Zoning Administrator in determining the original square footage of the structure. R-3 Zone

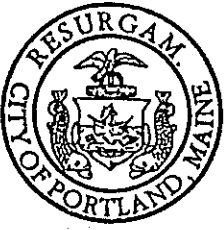
Variance Appeal:

4 Island Street, Alan Wolf, attorney on behalf of Geraldine G. Wolf, owner, request the Board grant relief from the maximum allowable expansion of 30 percent of either floor area or volume. R-3 Zone

8 Campbell Road, Albert Bresette, owner, requests the Board allow the construction of a garage without meeting the 10,000 square foot minimum lot size requirement. B-4 Zone

12 Alder Street, Michael J. Rokowski, owner, requests the Board grant relief from the requirements of Sections 14-387 and 14-139(2) of the Zoning Ordinance of the City of Portland, Maine. R-6 Zone

3. Adjournment



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Nadeen Daniels, City Clerk

FROM: Marge Schmuckal, Asst. Chief, Inspection Services Division *MS*

SUBJECT: Actions taken by the Board of Appeals on January 9, 1997

DATE: January 10, 1997

The meeting was called to order at 7:01 p.m. All members were present to hear the following appeals:

1. **Unfinished Business:** None
2. **New Business:**

Conditional Use Appeal:

1364 Washington Avenue, Donna Pennoyer, lessee, the Board voted 7-0 to grant the change of use to allow the operation of a daycare center for up to 26 children. RP ZONE

Miscellaneous Appeal:

33 Arthur Street, James Shea, owner, the Board voted 7-0 to deny relief from the fence requirements stated in Section 14-426. R-3 ZONE

Interpretation Appeal:

4 Island Street, Alan Wolf, attorney on behalf of Geraldine G. Wolf, owner, the Board voted 7-0 to remand back to the Zoning Administrator for recalculation in determining the original square footage and volume of the structure. Findings will be presented at an afternoon session of the next scheduled Board of Appeals meeting. R-3 ZONE

Variance Appeal:

4 Island Street, Alan Wolf, attorney on behalf of Geraldine G. Wolf, owner, the Board voted 7-0 to carry this appeal over to the afternoon session of the next scheduled board meeting R-3 ZONE

Variance Appeal (cont'd)

8 Campbell Road, Albert Bresette, owner. due to the late hour, the Board decided to carry this appeal over the next regularly scheduled evening board meeting. B-4 ZONE

12 Alder Street, Michael J. Rokowski, owner. due to the late hour, the Board decided to carry this appeal over to the next regularly scheduled evening board meeting. R-6 ZONE

3. Adjournment at 12:01 a.m., January 10, 1997!

Enclosure: Agenda for January 9, 1997 meeting
Copy of the Board's decisions
Tape of meeting

cc: Joseph E. Gray, Dir, PUD
P. Samuel Hoffses, C, Insp Div
Charles A. Lane, Assoc Corp Counsel
Matthew D. Manahan, Chairman, ZBA

FINDINGS OF FACT
ALL APPEALS

TYPE OF APPEAL

Variance

1. Name of Applicant Michael J. Rokowski
2. Address of Applicant 690 Dutton Hill Rd Gray ME
3. Right of applicant to appeal.
Owner X
Option to Purchase _____
4. Location of property under appeal 12 Alder St.
5. Zone in which the property is located R-6
6. Present use of property Vacant Residential
7. Proposed use if the appeal is granted.

8. Names and addresses of those appearing in support of the application:

<u>Michael Rokowski</u>	<u>Gray Nisbett</u>
<u>Boyleton Hutchins</u>	_____
<u>Oran Hutchins</u>	_____
<u>Santquist</u>	_____

9. Names and addresses of those appearing in opposition to the application:

_____	_____
_____	_____
_____	_____

10. Listing of the documentary evidence presented to the Board (e.g., plans, photos, maps, etc.)

permit dated 6/21/96 (demolish interior)

If the appeal is granted, does the Board wish to impose conditions which will further the intent and purpose of this Ordinance?

Yes _____

No _____

Specific Conditions _____

Reasons _____

Date of Public Hearing 1/23/97

Motion Grant the Variance appeal for 12 Alder St.
(including conditions and findings of fact) to have 3 units.

Votes in Favor

Votes Opposed

[Handwritten signatures and names under "Votes Opposed"]
James C. ...
...
Carmack Bartsch
City



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Nadeen Daniels, City Clerk
FROM: Marge Schmuckal, Asst. Chief, Inspection Services Division
SUBJECT: Actions taken by the Board of Appeals on January 23, 1997
DATE: January 29, 1997

The meeting was called to order at 3:35 p.m. There were six members present. Elizabeth Bordowitz was absent.

1. Unfinished Business:

Interpretation Appeal:

4 Island Street, Alan Wolf, attorney on behalf of Geraldine G. Wolf, owner, the Board voted 3-3 to accept the Zoning Administrator's refiguring of floor area and volume which upheld the vote of the previous Board of Appeals meeting. R-3 Zone

Variance Appeal:

4 Island Street, Alan Wolf, attorney on behalf of Geraldine G. Wolf, owner, the Board voted 3-3 on the petition for a variance and, as a result, the appeal was denied. In voting on the four variance criteria (Section 14-473(c)(1)) the Board, by a separate 3-3 vote, had found that the applicant's hardship was self-created. Since an applicant is required to meet all four criteria in order to obtain a variance, the applicant's petition failed. The Board noted that Section 14-548 requires four affirmative votes in order to sustain an appeal. R-3 Zone

The public portion of this hearing was closed and the Board recessed at 5:55 p.m.

At 7:05 p.m., the Board readjourned for deliberation on 4 Island Street and to continue the Board of Appeals meeting as scheduled.

1. Unfinished Business (continued):

Variance Appeal:

8 Campbell Road, Albert Bressette, owner, the Board voted 6-0 to grant construction of garage without meeting the 10,000 square foot minimum lot size requirement. B-4 Zone

12 Alder Street, Michael J. Rokowski, owner, the Board voted 6-0 to deny relief from the requirements of Sections 14-387 and 14-139(2) of the Zoning Ordinance of the City of Portland, Maine. R-6 Zone

2. New Business:

Miscellaneous Appeal:


168 Curtis Road, Christopher S. Neagle, attorney on behalf of appellants, the Board voted 5-1 to deny the request to overturn the original determination made by the building authority that subject lot meets current buildable requirements R-2 Zone

3. Adjournment at 12:15 a.m., January 24, 1997!!!

Enclosures: Agenda for January 23, 1997 meeting
Copy of the Board's decisions
Tapes of meeting

cc: Joseph E. Gray, Dir, PUD
P. Samuel Hoffses, C, Insp Svcs Div
Charles A. Lane, Assoc Corp Counsel
Matthew D. Manahan, Chairman, ZBA

INTEROFFICE MEMORANDUM

To: Matt Manahan, Chair, and Board Members
CC: Charlie Lane, Corporation Counsel
From: Marge Schmuckal 
Date: December 27, 1996
Subject: 12 Alder Street

Enclosed is some background information in reference to this property. The original permit to rehab this previously abandoned building was issued on June 18, 1996 to the owner at that time. At the time of issuance, that owner was made very much aware of the use of this property. Actually, prior to that owner purchasing the property, there were several discussions along the same lines. Please see attached copies from that permit.

FROM THE DESK OF...

MARGE SCHMUCKAL
ASSISTANT CHIEF OF CODES/ ZONING ADMINIST.
CITY OF PORTLAND, MAINE
389 CONGRESS STREET - CITY HALL, ROOM 315
PORTLAND, MAINE 04101

(207) 874-8300 EXT. 8695
Fax: 874-8716

Permit No: **9605**

Location of Construction: **12 Alder St**
 Owner: **Orea Jahnke**
 Phone: **332 4295**

PERMIT ISSUED

Lease/Buyer's Name: _____
 Phone: _____
 Business Name: _____

Permit Issued: **JUN 2 1 1996**
CITY OF PORTLAND

Contractor Name: **Scarborno ME 04074**
 Address: _____
 Past Use: **3-fam**

Zone: **CBL: 33-J-1**
 Zoning Approval: **to R-1**

Proposed Use: **3-fam interior**
 Signature: *[Handwritten Signature]*
 PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.)

- Special Zone or Reviews:
- Shoreland
 - Wetland
 - Flood Zone
 - Subdivision
 - Site Plan

Signature: _____
 Date: **5/13/95**
 Action: Approved
 Approved with Conditions
 Denied

- Zoning Appeal
- Variance
 - Miscellaneous
 - Conditional Use
 - Interpretation
 - Approved
 - Denied

Permit Taken By: **L. Chase**
 Date Applied For: **5/13/95**

- Historic Preservation
- Not in District or Landmark
 - Does Not Require Review
 - Requires Review
- Action:
- Approved
 - Approved with Conditions
 - Denied
- Date: _____

PERMIT ISSUED WITH REQUIREMENTS

PERMIT ISSUED WITH REQUIREMENTS

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT: _____ ADDRESS: _____ DATE: _____ PHONE: _____

CEO DISTRICT **5**

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: _____
 White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

LAND USE - ZONING REPORT

ADDRESS: 12 Alder Street DATE: 6/18/96

REASON FOR PERMIT: interior-demolish & remove sheetrock

BUILDING OWNER: Oren Ahlquist C-B-L: 33-J-15

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: _____

#6 & #9

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.

2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.

3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.

4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will **not** be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.

5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.

6. Our records indicate that this property has a legal use of 2 units. Any change in this approved use shall require a separate permit application for review and approval.

7. Separate permits shall be required for any signage.

8. Separate permits shall be required for future decks and/or garage.

9. Other requirements of condition Please Note That only the demolition of sheetrock is being approved. The use at this location has been determined to be two units. Any change of use will need a separate permit.

Marge Schmuckal

Marge Schmuckal, Zoning Administrator,
Asst. Chief of Code Enforcement