

Zoning Division
Marge Schmuckal
Zoning Administrator



Department of Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

November 18, 1998

45-A-34
Andy Balinski
c/o Capital Video Corp.
1060 Park Ave.
Cranston, R.I. 02910

RE: 666 Congress Street -Video Expo - 45-A-34 - B-3 Zone

Dear Mr. Balinski,

This letter is in response to our recent phone conversation concerning the property at 666 Congress Street. What presently is there is legally nonconforming to today's Zoning Ordinance. It is my understanding that you would like to expand your business to include the second floor also. This would be an expansion of the legal non-conformity and would not be allowed by ordinance. You would need to meet today's requirements under the Adult Business Establishment section. This section requires that any adult business, "shall be at least 1,000 feet from any other adult business establishment, and at least 500 feet from any residential zone as measured in a straight line, without regard to intervening structures or objects". This location is directly abutting an R-6 residential zone (i.e. it is within 500 feet of a residential zone) and is within 1,000 feet of another adult business that is located on Pine Street. It does not meet today's Ordinance. Therefore, I would not allow such an expansion.

You have the right to appeal my decision within thirty days of the date shown on this letter. I have enclosed the necessary appeal paperwork along with a copy of the City's Adult Business Establishment Ordinance.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc: Joseph Gray, JR., Dir. of Planning & Urban Dev.
Mark Adelson, Housing & Neighborhood Services
✓ Charlie Lane, Corp. Counsel
✓ File