

100-2-140
Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Nicholas P. & Dorothy B. Koutsivitis
148 Summit Park Avenue
Portland, ME 04103

RE: 699 & 707 Congress Street (Parking lots area)

November 26, 1997

Dear Mr. & Mrs. Koutsivitis,

As I notified you in my November 3, 1997 letter, fencing is required between your parking lot and the adjoining residential zone. So that you could do the proper test borings, I had given an extension of the time to replace that fence which was removed. You had both Tom Gruber, of Mercy Hospital and B. Sharan Vijay, PE., of Indus Engineering contact me promising that the fence would be replaced the day after the test borings were done, or on November 19, 1997. As of today's date that required fence (Sec. 14-339(2)) has still not been properly reinstalled. It is necessary that this fence be replaced immediately.

If this violation is not rectified within ten (10) days from the receipt of this letter, this matter shall be turned over to our Corporation Counsel for legal action without further notice to you.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc: Joseph Gray, Jr., Dir. of Planning & Urban Dev.
Mark Adelson, Housing & Community Dev.
David Jordan, Code Enforcement Officer
Corporation Counsel
File

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CITY OF PORTLAND

Nicholas P. & Dorothy B. Koutsivitis
148 Summit Park Avenue
Portland, ME 04103

RE: 699 & 707 Congress Street (Parking lots area)

November 3, 1997

Dear Mr. & Mrs Koutsivitis,

This letter is due to numerous complaints regarding the removal of required fencing at the boundaries between the parking lot and residential zones at 699 and 707 Congress Street.

This is a violation of the municipal Land Use Code, Section 14-339(2), a copy which is attached. This violation must be rectified within ten (10) days from receipt of this letter. That means that the required fencing shall be reinstalled properly as to City Codes. If the violation is not corrected within this time period, this matter will be forwarded to our Corporation Counsel for legal action.

As a reminder, a site plan review (for which you already have all the requirements for a submittal) is required for your proposed parking lot changes. No work should begin on this site prior to the conclusion and approval of your site plan. The sooner you get your site plan information in for review, the sooner the review can begin and approvals can be given.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc: Joseph Gray, Jr., Dir. of Planning & Urban Dev.
Mark Adelson, Housing & Community Dev.
David Jordan, Code Enforcement Officer
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Sent Certified

is located, the following requirements shall be met:

- (1) A continuous curb guard, rectangular in cross-section, at least six (6) inches in height and permanently anchored, shall be provided and maintained at least five (5) feet from the street or lot line between such off-street parking and that part of the street or lot line involved; or a continuous bumper guard of adequate strength, the top of which shall be at least twenty (20) inches in height, shall be provided and maintained between such off-street parking and that part of the street or lot line involved so that bumpers of vehicles cannot project beyond its face toward the street or lot line involved, either above or below the impact surface.
- (2) Where such off-street parking shall abut a lot in residential use or an unoccupied lot which is located in a residence zone, a chain link, picket or sapling fence, not less than forty-eight (48) inches in height, shall be provided and maintained between such off-street parking and that part of the lot line involved.

(b) Notwithstanding the provisions of subsection (a) of this section, parking shall be prohibited in the front yard of lots containing two (2) or more dwelling units, except within one (1) driveway on the lot. "Driveway," as used in this paragraph, shall not include any turn-around area.

(Code 1968, § 602.14.H; Ord. No. 231-90, § 2, 3-5-90)

Sec. 14-339. When located adjacent to a street or a residential use. > 4

Where off-street parking for more than six (6) vehicles is required or provided on a lot in any business zone, the following requirements shall be met:

- (1) Where vehicles are to be or may be parked within ten (10) feet of any street line, a continuous curb guard, rectangular in cross-section, at least six (6) inches in height

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and permanently anchored, shall be provided and maintained at least five (5) feet from the street line between such off-street parking and that part of the street line involved; or a continuous bumper guard of adequate strength, the top of which shall be at least twenty (20) inches in height, shall be provided and maintained between such off-street parking and that part of the street line involved so that bumpers of vehicles cannot project beyond its face toward the street line involved either above or below the impact surface.

- (2) Where such off-street parking shall abut a lot in a residence zone or a lot in residential use, a chain link, picket or sapling fence, not less than forty-eight (48) inches in height, shall be provided and maintained between such off-street parking and that part of the lot line involved.

(Code 1968, § 602.14.1)

Sec. 14-340. Construction requirements when more than six vehicles parked. > 6 SP

Where off-street parking for more than six (6) vehicles is required or provided, the following construction requirements shall apply:

- (1) Appropriate driveways from streets or alleys, as well as maneuvering areas, shall be provided. Location and width of approaches over public sidewalks shall be approved by the traffic engineer.
- (2) The surface of driveways, maneuvering areas and parking areas shall be uniformly graded with a subgrade consisting of gravel or equivalent materials at least six (6)