

048-E-026

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IN REPLY REFER TO:

44983.7766

February 15, 1991

William Giroux, Zoning Administrator
City of Portland
Building Inspection Department
389 Congress Street
Portland, Maine 04101

Re: *Appeal of Richard and Priscilla Jordan, 523 Cumberland Avenue, Portland, Maine*

Dear Bill:

This letter is to confirm, for the record, that the Jordans received a favorable interpretation by the Zoning Board of Appeals on February 14, 1991, to overturn the decision of the Building Inspector that the property at 523 Cumberland Avenue had been abandoned as an eight unit apartment building. As I understand it, the effect of the interpretation appeal is that the property may continue with its grandfathered status as a lawful non-conforming use as an eight unit apartment building provided it does not become abandoned in the future.

Would you please provide me with notice of the Board's decision of this matter.

Very truly yours,

GARY D. VOGEL

GDV/rpm
Enclosure
cc: Richard and Priscilla Jordan
Fred Andrews
X021506.RM

FEB 19, 1991

ENCLOS

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



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DEWEY MARTIN, JR.
MICHAEL E. WESTORT

January 24, 1991

523 Cumberland Avenue

Gary D. Vogel, Esquire
Richardson & Troubh, Attorneys
P.O. Box 9732
Portland, Maine 04104

Dear Mr. Vogel:

Receipt is acknowledged of your Interpretation and Variance Appeals on behalf of Richard and Priscilla Jordan, owners, for the property located at 523 Cumberland Avenue in Portland's R-6 Residence Zone. An interpretation appeal is being filed to determine whether the use of the building as an eight unit apartment house has been abandoned due to its being vacant for more than a year, or whether its grandfathered status still prevails.

In the event that the interpretation appeal is denied, then the applicants are requesting that a space and bulk variance be considered by the Board of Appeals at a public hearing based upon Sections 14-136 and 14-273 of the City Zoning Ordinance. If granted, this variance would allow the use of the building at 523 Cumberland Avenue for an eight unit property notwithstanding the restrictions contained in the R-6 Residence Zone. A change of use permit may then be issued as a result of such approval by the Board of Appeals.

These two appeals will be scheduled for review by the Board of Appeals at its next regular meeting on Thursday evening, February 14, 1991, at 7 P.M. in Room 209, City Hall, Portland, Maine. A copy of the agenda for that meeting will be sent to you as soon as copies become available for distribution to the public.

Sincerely,

A handwritten signature in cursive script that reads 'Warren J. Turner'.

Warren J. Turner
Administrative Assistant

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Kevin Carroll, Code Enforcement Officer
William D. Giroux, Zoning Administrator
Charles A. Lane, Associate Corporation Counsel

CITY OF PORTLAND, MAINE

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MICHAEL E. WESTORT

523 Cumberland Avenue
(48-E-26)

February 15, 1991

48-E-26
Mr. Gary Vogel, Esquire
Richardson & Troubh
465 Congress Street
Portland, Maine 04101

Dear Mr. Vogel:

At the meeting of the Board of Appeals on Thursday evening, February 14, 1991, the Board voted by a vote of four in favor to one opposed to grant your appeal in behalf of Richard and Priscilla Jordan for the building at 523 Cumberland Avenue in the R-6 Residence Zone. As a result of the Board's action, your building will continue to be recognized as an eight unit apartment building.

A copy of the Board's decision is enclosed for your records and those of your clients, Richard and Priscilla Jordan, owners of the building.

Sincerely,

Warren J. Turner
Administrative Assistant

Enclosure: Copy of the Board's Decision

cc: Thomas F. Jewell, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
Kevin Carroll, Code Enforcement Officer
William D. Giroux, Zoning Administrator
Charles A. Lane, Associate Corporation Counsel