



CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

TO: Nadeen Daniels, City Clerk  
FROM: ✓ Marge Schmuckal, Zoning Administrator  
SUBJECT: Actions Taken by the Board of Appeals on October 9, 1997  
DATE: October 14, 1997

There were six members present. Nan Sawyer was absent.

1. Unfinished Business: None
2. New Business:

Conditional Use Appeal:

6 Sara Lane, Craig R. and Sheryl K. Treadwell, owner, the Board voted 6-0 to grant the change of use to a single family dwelling with daycare for up to 12 children on the condition that a six foot stockade fence be erected and/or repaired within 30 days.  
R-3 Zone

Use Variance Appeal:

27 Forest Avenue, Heads-U-Win, lessee, the Board voted 6-0 to deny relief from Section 14-217 which would allow for a drinking establishment as a coffee and dessert bar. B-3c Zone

Interpretation Appeal:

92 Farnham Street, Alfred J. Waxler, owner, the Board voted 6-0 to deny relief from Section 14-87(1)e. to allow for the placement of a manufactured home. R-3 Zone

\*\* 112-120 West Street, Gordon D. Simonds for Ruth G. Simonds, appellant, the Board voted 4-0 to deny the revocation of the June 1961 variance granted to Maine Medical Center. R-4 Zone

**Miscellaneous Appeal:**

**\*\*112-120 West Street, Gordon D. Simonds for Ruth G. Simonds, appellant, the Board voted 4-0 to deny the request to revoke the July 1997 building permit granted to Maine Medical Center. R-4 Zone**

**\*\*233 Western Promenade, Gordon D. Simonds for Ruth G. Simonds, appellant, the Board voted 4-0 to deny the request to reverse the decision of the building authority allowing for a school with ancillary residential facilities without prejudicing the right of the appellant to raise the argument at a later date as to the nonconforming status of the use.**

**3. Discussion: Due to the late hour of the meeting, scheduled discussion was tabled until the next scheduled Zoning Board of Appeals Meeting.**

**The meeting was adjourned at 12:15 a.m.**

**\*\*Due to a conflict of interest, Matthew Manahan and Laura Bartsch were excused from voting on these appeals.**

**Enclosures: Agenda for October 9, 1997 meeting  
Copy of the Board's decision  
Tapes of meeting (2 std size tape)**

**cc: Joseph E. Gray, Dir, PUD  
M. Adelson, Dir, Hsg & Comm Svcs  
P.S. Hoffses, C, Bldg Insp  
Charles A. Lane, Assoc. Corp Counsel  
Matthew D. Manahan, Chairman, ZBA**

Members Present: Andrew Braceras, Laura Bartsch, Lee Lowry III,  
Matt Mahan, Bill Nulski, Elizabeth Bordowitz

Absent: NAN Sawyer

**CITY OF PORTLAND, MAINE**

BOARD OF APPEALS



Meeting called to order: 7:02 pm

**APPEAL AGENDA**

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

1. Unfinished Business: None

2. New Business:

**Conditional Use Appeal:**

Granted  
6-0

6 Sara Lane, Craig R and Sheryl K. Treadwell, owner, request the Board permit a change of use from a single family dwelling to a single family dwelling with daycare for up to 12 children. R-3 Zone 14-88 4(d) condition's 6' stockade fence to be erected and quickly repaired within 30 days

**Use Variance Appeal:**

Denied  
6-0

27 Forest Avenue, Heads-U-Win, lessee, request the Board grant relief from Section 14-217 which would allow for a drinking establishment as a coffee and dessert bar. B-3c Zone

**Interpretation Appeal:**

Denied  
6-0

92 Farnham Street, Alfred J. Waxler, owner, request the Board grant relief from Section 14-87(1)e.iv to allow for the placement of a manufactured home. R-3 Zone

Denied  
4-0

112-120 West Street, Gordon D. Simonds for Ruth G. Simonds, appellant, request the Board revoke the June 1961 variance granted to Maine Medical Center. R-4 Zone

23-24 students

**Miscellaneous Appeal:**

Matt Mahan and Laura Bartsch excused themselves because of conflict 4-0

Denied  
4-0

112-120 West Street, Gordon D. Simonds for Ruth G. Simonds, appellant, request the Board revoke the July 1997 building permit granted to Maine Medical Center. R-4 Zone on the basis that it was filed too late for the Board's jurisdiction

Denied  
4-0

233 Western Promenade, Gordon D. Simonds for Ruth G. Simonds, appellant, request the Board reverse the decision made in April 1980 by the building authority allowing for a school with ancillary residential facilities. R-4 Zone without prejudice for the right to raise 16 students see the Decision form

3. Discussion: Suggestions on areas of the Ordinance that might need to be revisited for updating. NOT Discussed

4. Adjournment - 12:15 Am

(P.S. I'll be in x Noon)