



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 readjoined 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 (4) *mini*

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