



CITY OF PORTLAND

June 29, 2001

Don Johnson, Vice President
Phoenix Welding Co.
557 Riverside Street
Portland, ME 04103

RE: 557 Riverside Street – 312-B-002 - I-H Industrial Zone

Dear Mr. Johnson,

I am in receipt of your letter dated May 29, 2001. I understand that you would like to develop commercial, self storage units. As you point out in your letter the I-H zone does not specifically permit such a use.

A commercial, self storage unit is much different in nature from a warehouse and distribution facility that are used by a business. I would not consider a self storage use to be under the same definition as a warehouse and distribution facility.

I have also read the permitted use section concerning “low impact industrial uses.” The basic premise is that the proposed use needs to be industrial in nature. I do not consider commercial, self storage units to be industrial.

The I-H zone restricts my interpretation of the uses allowed. Either it is “expressly enumerated” under permitted uses, or it is a prohibited use. Since your proposed use is not expressly enumerated, it is therefore prohibited in the I-H zone.

You have the right to appeal my determination to the Zoning Board of Appeals. If you wish to exercise your right to appeal, you would have 30 days from the date of this letter in which to appeal my decision. I have included the necessary paper work that you would need in order to apply for an appeal. Section 14-264 in the I-H zone would also permit you to apply for a contract or conditional rezoning of your property. All such a rezoning applications shall be submitted to the planning division (Sarah Hopkins).

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Mark Adelson, Housing and Neighborhood Services
Sarah Hopkins, Planning
File