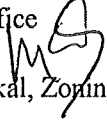


CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

To: City Clerks Office 
From: Marge Schmuckal, Zoning Administrator
Date: October 8, 1999
Re: Actions taken by the Board of Appeals on October 7, 1999

MEMBERS PRESENT: Elizabeth Bordowitz, Lee Lowry, Sam Sivovlos, Julie Brady, Bill Neleski, & Andrew Braceras (came in during the initial discussions).

MEMBERS ABSENT: Peter Clifford is now off the Board due to the purchase of a new house in Falmouth

The meeting was called to order at 7:00 p.m.

1. Unfinished Business:

REQUEST FOR RECONSIDERATION - INTERPRETATION APPEAL -

Wall St., Joan M. Fortin, Bernstein, Shur, Sawyer, & Nelson. The Board of Appeals voted 6-0 that the letter of Determination from the Zoning Administrator concerning Wall St., Community Housing of Maine duplex shall not be overturned, R-5 Zone. It was also voted 6-0 not to reconsider the multiplex issue.

2. New Business:

INTERPRETATION APPEAL

47 Custom House Wharf, J&J West Trust c/o Atlantic National Trust, LLC. Owners of 50 Portland Pier. The Board of Appeals voted 0-6 to deny the overturning of the Zoning Administrator's interpretation regarding the height of the building and parking determinations concerning 47 Custom House Wharf letters dated August 30, 1998 & September 8, 1999 per Sections 14-316(5) & 14-317(8) of the Zoning Ordinance, WCZ Zone.

6-8 Walker St, Thomas Jewell, Esq., Attorney for Dubois Real Estate, owner of residential property. The Board of Appeals voted 5-1 to deny listening to this appeal based on the lapse of time (30-day right to appeal) for the determination letters of 1988 & 1994, Marge's current letter was considered not to be a letter of determination, but a letter of enforcement, R-6 Zone.

VARIANCE APPEAL

Corner of Ray St./Ivaloo St., Mr. & Mrs. Smith, owners of the property. The Board of Appeals voted 6-0 to grant relief from the provisions of Section 14-449(1) of the Zoning Ordinance with regards to the 75-ft. setback requirement and allow for a 40ft setback in its place. The proposed single family must be 24'x28' only, R-3 Zone.

3. Other Business

The Board reelected Elizabeth Bordowitz as Chair and Lee Lowry as Secretary for another year term.

4. Adjournment: 10:05 p.m.

Enclosure: Agenda for October 7 1999
Copy of the Board's Decision
Tape of meeting (1 reg. Standard standard tape)

CC: Joseph Gray, Dir. PUD
Mark Adelson, Housing and Community Services
Charlie Lane, Associate Corporate Council