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*Penny St. Louis Littell - Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

October 3, 2008

Angelo Roumeliotis
1223 Washington Avenue
Portland, ME 04103

RE: 1223 Washington Avenue – 408 B023 – R-3 – denial of sign application – permit #08-1225

Dear Mr. Roumeliotis,

I have reviewed your application to change the free standing sign at 1223 Washington Avenue, and I must deny the application. The property is located in the R-3 residential zone. The principal use of the property is retail. This use of the property for retail is legally nonconforming. The sign is considered an accessory use and also nonconforming. Section 14-383 of the ordinance does not allow a nonconforming use to be expanded. The proposed sign area is 72” by 72” or six feet by six feet. The proposed height of the sign from grade to the top of the sign is 168” (fourteen feet). Part of the proposed sign is to be a full color electronic message center. Our records show that the last sign permit (#618) for a free standing sign for this property was issued in June of 1964, and was authorized conditionally by the Board of Appeals. The size of the sign was four feet by four feet, and it was internally illuminated. It was replacing a sign that had been permitted in 1963 also conditionally authorized by the Board of Appeals. The height of the sign conditionally authorized in 1963 was not to exceed ten feet in height. Since this is the most recent permit that we have for a free standing sign at the property, the new sign must meet the four feet by four feet area, the maximum height of ten feet and be internally illuminated. Your proposed sign is too big and the electronic full color message board would also make it more nonconforming.

You have the right to appeal my decision. Section 14-368.5(g) of the ordinance states that an applicant who has been denied a permit or approval for failure to meet the signage regulations of section 14-369.5 “may apply to the planning authority for review of the denied signage pursuant to the standards set forth in section 14-526(a)(23)”. The person in the planning division to address your appeal to is Deb Andrews. If the planning authority disapproves the application, then under section 14-527 of the ordinance you may appeal the decision to the Planning Board within ten (10) days of the decision being rendered.

If you choose not to apply to the planning authority for a review, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit. Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

Ann B. Machado
Zoning Specialist
(207) 874-8709