

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



838-842 Congress St.

MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERMAN
MICHAEL E. WESTOFT
CHRISTOPHER DINAN

October 19, 1988

Ms. Catherine O'Connor, Attorney
Bernstein, Shur, Sawyer & Nelson
P. O. Box 9729
Portland, Maine 04104-5029

Dear Ms. O'Connor:

This is in reference to the requested extension of the space and bulk variance for 838-842 Congress Street for Mr. Gene Cohen to enable the construction of a proposed addition and parking structure for a proposed medical office building on that site. On October 13, 1988, the Board of Appeals voted by a vote of four in favor to one opposed to grant the extension requested for this variance for a 0 foot rear yard setback for the property soon to occupy the site.

Your recent request on behalf of Mr. Gene Cohen for an extension of the variance from November 14, 1988 until May 14, 1989 has therefore been approved and a certificate of variance approval form is enclosed for recording at the Cumberland County Registry of Deeds.

Sincerely,

Warren J. Turner

Warren J. Turner
Zoning Enforcement Inspector

Enclosure: Certificate of Variance Approval

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief, Inspection Services
Merlin Leary, Code Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

CERTIFICATE OF VARIANCE APPROVAL

I, MERRILL S. SELTZER, the duly appointed Chairman of the Board of Zoning Appeals for the City of Portland, Cumberland County and State of Maine, hereby certify that on the 13th day of October, 1988, the following variance was granted pursuant to the provisions of 30 M.R.S.A. § 4963 and the City of Portland's Code of Ordinances.

1. Property Owner: Gene R. Cohen, Portland Glass Co., 832 Congress St. Portland, 04102
2. Property: Cumberland County Registry Book 3373, Page 71. (Last recorded 4/4/73 Deed in Chain of Title). Book 3598 Page 285; Book 3378 Page 69; Book 3022 Page 402
3. Variance and Conditions of Variance: Book 3022 Page 405
The Board of Appeals on October 13, 1988, voted by a 4 to 1 vote to grant approval for a six months extension from November 14, 1988 to May 14, 1989 for a 0 foot rear yard setback variance for the proposed medical office and parking garage at 832-842 Congress Street in

IN WITNESS WHEREOF, I have hereto set my hand and seal the P-2 Zone,* this 24 day of OCT, 1988.

*on condition that height elevation of the proposed building remains the same as that originally approved by the Board of Appeals on Oct. 22, 1987.

Merrill S. Seltzer
MERRILL S. SELTZER Chairman

MERRILL S. SELTZER, CHAIRMAN
(Printed or Typed Name)

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named Merrill S. Seltzer and acknowledged the above certificate to be his/her free act and deed in his/her capacity as Chairman of the Portland Board of Zoning Appeals.

Margaret Schmuckel

(Printed or Typed Name)
Notary Public

PURSUANT TO 30 M.R.S.A. § 4963, THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN 30 DAYS OF THE GRANTING OF THE VARIANCE FOR THE VARIANCE TO BE VALID. FURTHERMORE, THIS VARIANCE IS SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 14-474 OF THE CITY OF PORTLAND'S CODE OF ORDINANCES.

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MICHAEL E. WESTORT
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September 18, 1988

RE: 838-842 Congress Street
Rear Yard Setback Variance for Gene Cohen, Portland Glass Co.

Ms. Catherine O'Connor, Attorney
Bernstein Shur Sawyer & Nelson
P.O. Box 9729
Portland, Maine 04104-5029

Dear Ms. O'Connor:

This is in further reference to the variance for Mr. Gene Cohen at 838-842 Congress Street in the B-2 Business Zone for a proposed medical office addition and parking structure for that site. On October 22, 1987, the Board of Appeals granted a rear yard setback variance for the property in the B-2 Zone owned by Mr. Gene Cohen. On May 12, 1988, the Board voted to grant approval for an extension of the variance for the proposed medical office and parking garage until November 14, 1988.

Your recent request for an extension of the variance from November 14, 1988 until May 14, 1989 has been received and is being placed on the agenda for consideration at the meeting of October 13, 1988. This extension would allow Mr. Cohen another building season in which to commence construction. A copy of the agenda for the October 13th meeting will be distributed as soon as copies become available for mailing.

Sincerely,

Warren J. Turner
Warren J. Turner
Zoning Enforcement Inspector

/el

cc: Mr. Gene Cohen, Portland Glass Co., 832 Congress Street, Portland 04102
T. Scott Teas, Architect, 100 Commercial Street, Portland, 04101
Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director of Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief of Inspection Services
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838-842 Congress St.

April 27, 1988

Mr. T. Scott Teas, A.I.A., President
Teas Feely and Kingston
100 Commercial Street
Portland, Maine 04101

Dear Mr. Teas:

This will acknowledge receipt of your letter of April 22nd 1988, in which you requested that an extension be granted for the rear yard setback which was granted by the Board of Appeals on October 22, 1987 to Gene Cohen for the proposed medical office and parking garage project at 838-842 Congress Street in the B-2 Business Zone.

The Zoning Ordinance requires a twenty foot rear yard setback whenever the B-2 Business Zone abuts a residence zone, in this case the R-6 Residence Zone. It is understood that your request for an extension of the variance is for an additional six months.

This item will appear on the agenda for the Board of Appeals on Thursday evening, May 12, 1988, at 7 P.M. in Room 209, City Hall, Portland, Maine. A copy of the agenda for that meeting will be sent to you as soon as copies become available for distribution.

Sincerely,

Warren J. Turner
Warren J. Turner
Zoning Enforcement Inspector

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
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