

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Kent Avery, Chair
Donna Katsiaficas, Secretary
Chip Gavin
William Getz
Eric Larsson

ZONING BOARD OF APPEALS DECISIONS FROM JANUARY 7, 2016

To: City Clerk
From: Christina Stacey, Zoning Specialist
Date: January 11, 2016
RE: Action taken by the Zoning Board of Appeals on January 7, 2016

Attendance: Kent Avery (chair), Donna Katsiaficas (secretary), Chip Gavin, and Eric Larsson present; William Getz absent.

1. Old Business:

A. Disability Variance Appeal: 39 Skylark Road, Robert E. Shaw owner, Tax Map 347, Block E, Lot 003, R-3 Residential Zone: The applicant is seeking a disability variance under section 14-90(d)(1) to install a handicap ramp. The appellant is requesting a front setback of twenty-three feet instead of the required twenty-five foot front yard setback [section 14-90(d)(1)]. The appeal was tabled by the Board on December 3, 2015 because the owner could not attend the meeting. Representing the appeal is the owner. ***The Board of Appeals voted 4-0 to grant the Disability Variance Appeal to install the handicap ramp with a front setback of 23 feet.***

2. New Business:

A. Interpretation Appeal: 50 Industrial Way, Allagash Brewing Company, lessee, Tax Map 326, Block B, Lot 008, I-M Industrial Zone: The applicant is challenging the Zoning Administrator's determination in a letter dated November 3, 2015 that selling pre-packaged food is not an incidental accessory use to a brewery and therefore cannot be allowed under the zoning ordinance (section 14-247). Representing the appeal is Gordon R. Smith, Esq. and Jill Perry from Allagash Brewing. ***The Board of Appeals voted to table the appeal to be continued at a future meeting.***

B. Conditional Use Appeal: 14 Alba Street, Emily Hickey, owner, Tax Map 133, Block C, Lot 013, R-5 Residential Zone: The applicant is seeking a Conditional Use Appeal under section 14-118(a)(5)(a) to add two dwelling units to her existing two-family home. Representing the appeal is Christopher Hickey, the spouse of the owner. ***The Board of Appeals voted 4-0 to grant the Conditional Use Appeal to add two dwelling units to the existing two-family dwelling.***

3. Adjourned (meeting started at 7:31 p.m.; adjourned at 8:42 p.m.)

Enclosures:

1. DVD of 1-7-16 Meeting

cc: Jon Jennings, City Manager;
Jeff Levine, AICP, Director Planning & Urban Development
Tammy Munson, Director of Inspection Services
Mary Davis, Housing and Neighborhood Services Division