

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 MARCH 4, 2016

To: City Clerk
From: Christina Stacey, Zoning Specialist
Date: March 4, 2016
RE: Action taken by the Zoning Board of Appeals on March 3, 2016

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

1. New Business:

A. Variance Appeal:

328 Island Avenue, Peaks Island, Sandra K. Radis, owner, Tax Map 087, Block R, Lot 002, I-R2 Island Residential Zone: A single-family dwelling/boathouse was constructed on the property in 2005. The standard boundary survey submitted as part of the building application showed the setback from the southern side property line as 23 feet. The property was re-surveyed in 2015, revealing that the original survey was erroneous and that the foundation is actually located 12 feet from the southern side property line. An access boardwalk and ramp were also constructed on that side of the dwelling without permit approval, reducing the side setback further to 6.5 feet. The applicant seeks a variance to reduce the side property line setback from the required 20 feet [section 14-145.11(c)(3)] to 6.5 feet. Representing the appeal is Brenda M. Buchanan, Esq. and the owner. ***The Board voted 4-0 to grant the Variance Appeal to reduce the side property line setback from 20 feet to 6.5 feet.***

B. Conditional Use Appeal:

58 Deering Run Drive, Michele Clayton, owner, Tax Map 353, Block E, Lot 005, R-2 Residential Zone: The applicant is seeking a Conditional Use Appeal under section 14-78(c)(3) to operate a licensed child care center for up to 12 children at an existing single-family residence. Representing the appeal is the owner. ***The board voted 4-0 to grant the Conditional Use Appeal to operate a licensed child care center for up to 12 children at the existing single-family residence.***

2. Adjourned (meeting started at 6:30 p.m.; adjourned at 7:20 p.m.)

Enclosures:

1. DVD of 3-3-16 Meeting

cc: Jon Jennings, City Manager;
Jeff Levine, AICP, Director Planning & Urban Development
Tuck O'Brien, City Planning Director

Tammy Munson, Director of Inspection Services
Mary Davis, Housing and Neighborhood Services Division