

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Kent Avery, Chair
Donna Katsiaficas, Secretary
Robert Bartels
Eric Larsson
Benjamin McCall
Joseph Zamboni

ZONING BOARD OF APPEALS DECISIONS FROM NOVEMBER 2, 2017

To: City Clerk
From: Christina Stacey, Zoning Specialist
Date: November 6, 2017
RE: Action taken by the Zoning Board of Appeals on November 2, 2017

Attendance: Kent Avery (chair; recused from the appeal for 1531 Congress Street), Donna Katsiaficas (secretary; acting chair for the appeal for 1531 Congress Street), Eric Larsson, Benjamin McCall and Joseph Zamboni (acting secretary for the appeal for 1531 Congress Street) present; Robert Bartels absent.

1. New Business:

- A. Conditional Use Appeal:** 240 Brighton Avenue, Joseph P. & Sylvia R. Guidi, owners, Tax Map 186A, Block F, Lots 009 & 022, R-5 Residential Zone: The applicant is seeking a Conditional Use Appeal under Section 118(a)(5) to gain approval for two existing dwelling units within the principal structure on the property. The current legal use of the property is a two-family dwelling. Representing the appeal is James Guidi, the owners' son. ***The Board of Appeals voted separately on the two dwelling units to be added. The Board of Appeals voted 5-0 to grant the Conditional Use Appeal to add the attic dwelling unit to the existing legal two-family dwelling. The Board of Appeals voted 5-0 to deny the Conditional Use Appeal to add the basement dwelling unit to the existing legal two-family dwelling.***
- B. Conditional Use Appeal:** 1531 Congress St, Bell Atlantic Mobile Systems of Allentown, Inc., owner, Tax Map 196, Block E, Lot 001, R-5 Residential Zone: The applicant is seeking a Conditional Use Appeal under Section 14-118(c)(2) to construct a thirty foot by forty foot telephone equipment shelter, a pad-mounted generator, and four pad-mounted HVAC units. A Conditional Use Appeal was previously approved by the board on October 20, 2016, and the Board granted an extension on April 20, 2017 for six months, but the extension expired on October 20, 2017. The applicant is close to completing the site plan and building permit process in order to start construction. Representing the appeal is the owner and Scott D. Anderson, Esq. ***The Board of Appeals voted 4-0 (Kent Avery recused himself) to grant the Conditional Use Appeal to construct the telephone equipment shelter, generator, and HVAC units. The approval is valid for 12 months.***
- C. Disability Variance Appeal:** 30 Woodlawn Avenue, Ruth M. Egle & Karen Egle-Gaber, owners, Tax Map 435, Block A, Lot 045, R-5 Residential Zone: The applicant is seeking a disability variance under Section 14-473(c)(2) to install a temporary handicapped accessible ramp to access the dwelling. The appellant is requesting a side setback of three feet instead of the

required eight foot side yard setback [Section 120(4)(c)(i)]. Representing the appeal is Jill Johanning from Alpha One. ***The Board of Appeals voted 5-0 to grant the Disability Variance Appeal to install a temporary handicapped access ramp with a side setback of three feet.***

2. Adjournment (meeting started at 6:32 PM; adjourned at 7:24 PM)

Enclosures:

1. DVD of 11/2/17 Meeting

cc: Jon Jennings, City Manager;
Jeff Levine, Director Planning & Urban Development
Tuck O'Brien, City Planning Director
Mary Davis, Housing and Neighborhood Services Division
Victoria Volent, Housing and Neighborhood Services Division