

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

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

### APPEAL AGENDA

The Zoning Board of Appeals will hold a Public Hearing on Thursday, June 6, 2019 at 6:30 PM in Room 209, Second Floor, at Portland City Hall, Portland, Maine to hear the following appeals:

#### 1. New Business

##### A. **Hardship Variance Appeal:**

0 Eastern Promenade, The Trust for the Preservation of Maine Industrial History & Technology d/b/a Maine Narrow Gauge Railroad Co., lessee, Tax Map 005, Block E, Lot 005 and Tax Map 006, Block B, Lot 002, R-OS Recreation and Open Space Zone and Shoreland Overlay Zone: The applicant is seeking a Hardship Variance to reduce the Shoreland Zone setback from 75 feet to 0 feet , for the purpose of constructing a 6,600-square-foot accessory structure for storage. The property is currently used as a railroad. Representing the appeal is Mark Johnson of SMRT Architects and Engineers, on behalf of the lessee.

##### B. **Conditional Use Appeal:**

81 Gray Street, Matthew Lemon and Nicholas Urbanek, owners, Tax Map 057, Block D, Lot 035, R-6 Residential Zone: The applicants are seeking a Conditional Use Appeal for the legalization of a non-conforming dwelling unit. The existing building is legally a two-family dwelling. The applicants applied for a legalization permit for a third dwelling unit in the attic, which the Zoning Administrator denied on the basis that the dwelling unit does not currently exist and therefore cannot qualify for legalization under Section 14-391. The Zoning Administrator also found that the applicants did not present competent evidence of the unit existing on April 1, 1995, as required under Section 14-391(c)(1). The applicants are filing a conditional use appeal of the Zoning Administrator's denial under the provisions of Section 14-391(f). Representing the appeal are the owners.

**C. Conditional Use Appeal:**

721 Stevens Avenue, The Children's Center, owner, Tax Map 146, Block A, Lot 003, R-5 Residential Zone: The applicant is seeking a Conditional Use approval under Section 14-118(c)(3) to expand the existing nursery school. The expansion would include construction of a new addition. Representing the appeal are Audra Wrigley of Bild Architecture, on behalf of the owner.

**2. Adjournment**

**INSTRUCTIONS FOR VIEWING APPEAL APPLICATIONS**

Please find the appeal documents by following these steps:

1. Go to the following website: <https://www.portlandmaine.gov/1730/Applications>
2. Click on the link for "Citizens Self Service"
3. Click on "Search Plans"
4. Enter address of appeal into the address box. Just enter the street number and name (not street/road/avenue). Click the "Search" button.
5. Results will appear below (scroll down).
6. Click on the blue Plan Number that is of interest. This will open the record.
7. Select the "Attachments" tab and all available documents will appear and can be downloaded.