

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS DECISIONS FROM SEPTEMBER 5, 2019

To: City Clerk
From: Christina Stacey, Zoning Specialist
Date: September 9, 2019
RE: Actions taken by the Zoning Board of Appeals on September 5, 2019 in Room 209, Portland City Hall

Attendance: Eric Larsson (chair), Donna Katsiaficas (secretary), Kent Avery (recused from the 70 Winter Street appeal), Robert Bartels, and Benjamin McCall present; Joseph Zamboni absent.

1. New Business

A. Interpretation Appeal:

70 Winter Street, Regan Sweeney & Lauren Guite, owners, Tax Map 045, Block E, Lot 018; R-6 Residential Zone: The applicant is challenging a Notice of Violation (NOV) dated June 6, 2019 that cited the property owners for the second floor sleeping room lacking a compliant secondary means of escape under the Life Safety Code, NFPA 101 (2009) 31.2.1.2. Representing the appeal is the owner. ***The Board voted 3-1 (Avery recused) to deny the appeal and uphold the Notice of Violation.***

B. Interpretation Appeal:

18 Sewell Street, Lucia Anderson, owner, Tax Map 189, Block A, Lot 003; R-P Residence-Professional Zone: The applicant is appealing the Building Authority's interpretation that the lot does not qualify as a lot of record under Section 14-433(a)(1) and that development of the lot would not qualify to use the small residential lot dimensional criteria of Section 14-120(b). Representing the appeal is Thomas Jewell, Esq. on behalf of the owner. ***The Board voted 5-0 to sustain the appeal and overturn the Building Authority's interpretation of Section 14-433(a)(1). At the meeting, the applicant withdrew their appeal of Section 14-120(b), so the Board did not make findings on that portion of the appeal.***

2. Adjournment (meeting started at 6:30 PM, adjourned at 9:11 PM)

Archived audio of meetings can be heard at http://townhallstreams.com/towns/portland_maine

cc: Jon Jennings, City Manager
Christine Grimando, Acting Director Planning & Urban Development
Mary Davis, Housing and Neighborhood Services Division
Victoria Volent, Housing and Neighborhood Services Division