

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 OCTOBER 17, 2019

To: City Clerk
From: Christina Stacey, Zoning Specialist
Date: October 21, 2019
RE: Actions taken by the Zoning Board of Appeals on October 17, 2019 in Room 209, Portland City Hall

Attendance: Eric Larsson (chair), Donna Katsiaficas (secretary), Kent Avery, Robert Bartels (abstained from 0 Eastern Promenade appeal), Benjamin McCall, and Joseph Zamboni present.

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 [Section 14-449(a)(1)], for the purpose of constructing a 6,600-square-foot accessory structure for storage. The property is currently used as a railroad. This variance was previously approved at the Board's June 6, 2019 meeting, but expired due to the Certificate of Variance not being recorded within 90 days of the decision, as required. Representing the appeal is Mark Johnson of SMRT Architects and Engineers, on behalf of the lessee. ***The Board voted 5-0 (Bartels abstained) to grant the Hardship Variance, to reduce the Shoreland Zone setback from 75 feet to 0 feet.***

B. Hardship Variance Appeal:

33 Oregon Street, Glenn Morse, owner, Tax Map 433, Block I, Lot 001, R-5 Residential Zone and Shoreland Overlay Zone: The applicant is seeking a Hardship Variance to reduce the minimum lot size from 6,000 square feet to 3,499.89 square feet [Section 14-120(a)(1)(a)], the minimum street frontage from 50 feet to 41.5 feet [Section 14-120(a)(3)], the minimum lot width from 60 feet to 41.5 feet [Section 14-120(a)(6)], the minimum side setback on a side street (Bismark Street) from 15 feet to 3 feet 7 inches [Section 14-120(a)(4)(d)], and the minimum Shoreland Zone setback from 75 feet to 50 feet [Section 14-449(a)(1)], for the purpose of constructing a single-family dwelling. The property is currently vacant. Representing the appeal is Paul Bulger, Esq., on behalf of the owner. ***The Board denied all of the Hardship Variance requests by votes of 6-0.***

2. Adjournment (meeting started at 6:30 PM, adjourned at 9:35 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