

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS DECISIONS FROM FEBRUARY 6, 2020

To: City Clerk
From: Christina Stacey, Zoning Specialist
Date: February 11, 2020
RE: Actions taken by the Zoning Board of Appeals on February 6, 2020 in Room 209, Portland City Hall

Attendance: Donna Katsiaficas (chair), Joseph Zamboni (secretary, absent from 1202 Washington Avenue appeal), Kent Avery, Jared Falcon, Eric Larsson (acting secretary for the 1202 Washington Avenue appeal), and Benjamin McCall present; Robert Bartels absent.

1. New Business

A. Practical Difficulty Variance Appeal:

1202 Washington Avenue, Michael Hutchins and Abby Hutchins, owners, Tax Map 439, Block D, Lot 014, R-3 Residential Zone: The applicants are seeking a Practical Difficulty Variance to reduce the minimum side yard on a side street setback from the required 20 feet to 18 feet [Section 14-90(d)(4)], for the purpose of constructing an attached two-car garage. Representing the appeal is the owner, Michael Hutchins. ***The Board voted 5-0 to deny the Practical Difficulty Variance.***

B. Interpretation Appeal:

31 Benjamin Way, Judith Richard, owner, Tax Map 193, Block E, Lot 057; R-3 Residential Zone: The applicant is appealing the Building Authority's interpretations of the definitions of "Yard, front" and "Yard, side" in Section 14-47, and how they are applied to a subdivision lot that the owner wishes to develop with a single-family dwelling. Representing the appeal are the owner, Josh Wagner of WB Group Inc. (the developer of the subdivision), and Jim Fischer of Northeast Civil Solutions. ***The Board voted 6-0 to sustain the appeal and overturn the Building Authority's interpretation.***

C. Practical Difficulty Variance Appeal:

275 State Street, Nicholas Herold, Emily Bridgham, and James Herold, purchasers, Tax Map 036, Block E, Lot 001, R-6 Residential Zone: The applicants are seeking a Practical Difficulty Variance to reduce the minimum land area per permitted hostel guest from the required 250 square feet to 148.7 square feet [Section 14-139(a)], for the purpose of converting the building to a hostel for up to 20 guests. Representing the appeal are the purchasers. ***The Board voted 6-0 to deny the Practical Difficulty Variance.***

D. Conditional Use Variance Appeal:

275 State Street, Nicholas Herold, Emily Bridham, and James Herold, purchasers, Tax Map 036, Block E, Lot 001, R-6 Residential Zone: The applicants are seeking a Conditional Use approval under Section 14-137(c)(8) to convert the existing principal structure into a hostel for up to 20 guests. The current legal use of the property is a handicapped family unit. Representing the appeal are the purchasers. ***The applicants withdrew the application after the denial of their Practical Difficulty Variance Appeal.***

2. Adjournment (meeting started at 6:30 PM, adjourned at 8:47 PM)

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

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