

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 JUNE 18, 2020

To: City Clerk
From: Ann Machado, Zoning Administrator
Date: June 22, 2020
RE: Actions taken by the Zoning Board of Appeals on Jun 18, 2020 at a remote Zoom Webinar meeting

Attendance: Donna Katsiaficas (Chair), Joseph Zamboni (Secretary), Robert Bartels, Eric Larsson, Jared Falcon and Benjamin McCall present; Kent Avery absent.

1. Old Business

A. Interpretation Appeal (ZBA-001071-2020):

615 Forest Avenue, Green Gnome Holistics, lessee, Tax Map 125, Block N, Lot 003; B-2(b) Community Business Zone: The applicant is challenging a Notice of Violation (NOV) dated March 2, 2020 that cited Green Gnome Holistics for operating a medical marijuana retail store without the issuance of a building permit and a certificate of occupancy from the City of Portland's Permitting and Inspections Department. Representing the appeal is Jill G. Polster, Esq. on behalf of the lessee. The Board heard the appeal on June 4, 2020 and will vote on the Findings of Fact. ***The Board voted 6-0 to deny the Interpretation Appeal and upheld the Notice of Violation issued by the Permitting and Inspections Department.***

2. New Business

A. Practical Difficulty Variance Appeal (ZBA-001131-2020):

15 South Grafton Street, Erin Quigley, owner, Tax Map 169, Block E, Lots 023 and 024, R-5 Residential Zone: The applicant is seeking a Practical Difficulty Variance to reduce the minimum front yard setback from the required 20 feet to 18 feet [Section 14-120(a)(4)(a)], for the purpose of constructing an addition to the existing single-family dwelling. Representing the appeal is Emily Mottram of Mottram Architecture, on behalf of the applicant. ***The Board voted 6-0 to deny the Practical Difficulty Appeal.***

B. Practical Difficulty Variance Appeal (ZBA-001122-2020):

517 Island Avenue, Beth B. Brown and Jonathan J. Brown, owners, Tax Map 90, Block Q, Lot 014, IR-2 Island Residential Zone: The applicants are seeking a Practical Difficulty Variance to reduce the minimum rear yard setback from the required 25 feet to 7 feet [Section 14-145.11(c)(2)]; to reduce the minimum side yard setback from the required 20 feet to 3 feet [Section 14-145.11(c)(3)]; and to allow the maximum lot coverage requirement to be

increased from 20% to 31% [Section 14-145.11(d)]. The Variance is sought for the purpose of constructing a detached two-car garage. Representing the appeal is James W. Greenwell, AIA, PLLC, on behalf of the owners. ***The Board voted 6-0 to deny the Practical Difficulty Appeal.***

3. Adjournment (meeting started at 6:30 PM, adjourned at 8:15 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