

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 SEPTEMBER 3, 2020

To: City Clerk
From: Ann Machado, Zoning Administrator
Date: September 4, 2020
RE: Actions taken by the Zoning Board of Appeals on September 3, 2020 at a remote Zoom Webinar meeting

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

1. Old Business

A. Interpretation Appeal (ZBA-001013-2020):

188 Danforth Street, Thomas W. Thomsen, owner, Tax Map 057, Block K, Lot 009; R-6 Residential Zone: The applicant is challenging a Notice of Violation and Order to Correct dated January 17, 2020, issued by the City, citing the property owner for various fire and life safety violations at the property. The applicant is appealing the requirement that he install a fire alarm system in NFPA 101 § 31.3.4.1.1. Representing the appeal is Clarke C. Hambley, Esq., on behalf of the owner. ***The Board heard the appeal on August 6, 2020. The Board voted 5-0 (Bartels and Falcon abstained) to accept the Findings of Fact and deny the appeal.***

2. New Business

A. Conditional Use Appeal (CU-001227-2020):

453 Ray Street, Nilo Hejabian, owner, Tax Map 400, Block A, Lot 010, R-3 Residential Zone: The applicant is seeking a Conditional Use approval under Section 14-88(d)(3) to operate a day care facility for up to (12) children on the first floor of the building. Representing the appeal is the owner. ***The Board voted 7-0 to grant the Conditional Use Appeal for a period of two years.***

B. Interpretation Appeal (ZBA-001237-2020):

100 Fore Street, 100 Fore Street, LLC, owner, Tax Map 019, Block A, Lot 010, B-6 Eastern Waterfront Mixed Zone: The applicant is requesting that the Stop Work orders dated June 24, 2020 and July 8, 2020 issued by the Planning and Urban Development Department be rescinded. Representing the appeal is Natalie L. Burns, Esq., on behalf of the owner. ***The Board heard the appeal and will take a final vote on the Findings of Fact at the September 17, 2020 meeting. McCall and Bartels recused themselves.***

3. Adjournment (meeting started at 6:00 PM, adjourned at 8:05 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