

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 OCTOBER 15, 2020

To: City Clerk
From: Ann Machado, Zoning Administrator
Date: October 16, 2020
RE: Actions taken by the Zoning Board of Appeals on October 15, 2020 at a remote Zoom Webinar meeting

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

1. Old Business

A. Hardship Variance Appeal (ZBA-001253-2020):

513 Washington Avenue, East Deering Properties, LLC d/b/a Portland Motor Sales, owner, Tax Map 429, Block C, Lot 004, B-2 Community Business Zone: The applicant is seeking a Hardship Variance to waive the conditional use standard requiring a 5-foot wide landscaped buffer along street frontages [Section 14-183(a)(3)(a)]. The property is currently used as an auto repair garage and used auto dealership. Representing the appeal is John Gove, a member of the LLC. The appeal was tabled by the Board at the September 3, 2020 meeting at the request of the applicant. **At the request of the applicant, the Board voted 6-0 to table the appeal for a second time. The appeal will be heard at the November 19, 2020 meeting.**

2. New Business

A. Conditional Use Appeal (CU-001030-2020):

301 Forest Avenue, Higher Concept Holdings, LLC, lessee, William C. Rowell Limited Family Partnership, owner, Tax Map 112, Block F, Lot 004, B-2b Community Business Zone: The applicant is seeking Conditional Use approval under Section 14-182 to operate a marijuana retail store within the leased unit. The last approved use of the unit was non-marijuana retail. Representing the appeal is James Duhamel, member of Higher Concept Holdings, LLC and Hannah E. King of Drummond Woodsum. **At the request of the applicant's attorney, the Board voted 6-0 to table the appeal until the November 19, 2020 meeting.**

B. Conditional Use (CU-001313-2020):

21 Harvey Street, Megan Hevenor and Christopher Keister, owners, Tax Map 224A, Block B, Lot 008, R-3 Residential Zone and S-P Stream Protection Zone: The applicants are seeking a Conditional Use approval under Section 14-88(a)(2) to create an accessory dwelling unit within the existing single-family dwelling. Representing the appeal is Shannon Richards on behalf of the owners. **The Board voted 6-0 to grant the Conditional Use Appeal for a period of two years.**

3. **Adjournment (meeting started at 6:00 PM, adjourned at 6:25 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