

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

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

APPEAL AGENDA

The Board of Appeals will hold a remote Public Hearing on Thursday, November 19, 2020 at 6:00 p.m. Virtual Meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online. This meeting will be conducted using Zoom. Allow your computer to install the free Zoom app to get the best meeting experience.

ZOOM MEETING INSTRUCTIONS:

You are invited to a Zoom webinar.

When: Nov 19, 2020 06:00 PM Eastern Time (US and Canada)

Topic: Zoning Board of Appeals

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84907262538>

Or iPhone one-tap :

US: +13017158592,,84907262538# or +13126266799,,84907262538#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 849 0726 2538

International numbers available: <https://us02web.zoom.us/j/kc1L5h9RKb>

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. The property is currently used as an auto repair garage and used auto dealership. The appeal was tabled by the Board at both the September 3, 2020 and October 15, 2020 meetings at the request of the applicant. Representing the appeal is John Gove, a member of the LLC, Steve Blake of BH2M Engineers, and Richard Bryant of Van Meer and Belanger, PA.

B. **Conditional Use Appeal (CU-001310-2020):**

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. At the October 15, 2020 meeting, the Board tabled the appeal at the request of the applicant. Representing the appeal is James Duhamel, member of Higher Concept Holdings, LLC and Hannah E. King of Drummond Woodsum.

C. **Hardship Variance Appeal (ZBA-001253-2020):**

84 Auburn Street, Adam Mitchell, owner, Tax Map 375, Block A, Lot 026, B-1 Neighborhood Business Zone: The applicant is seeking a Hardship Variance to allow a drive-through as part of future development of this vacant property. Drive-throughs are not a permitted use in the B-1 zone, per section 14-162. Representing the appeal is the owner. The appeal was tabled originally at the October 1, 2020 meeting, and it was tabled a second time at the November 5, 2020 meeting.

2. Adjournment

INSTRUCTIONS FOR VIEWING APPEAL APPLICATIONS

Please find the appeal documents by following these steps:

1. Go to the following website: <https://egweb.portlandmaine.gov/EnerGovProd/SelfService/#/home>
2. Click on "Search Public Records"
3. Choose Plan in Search Box pull down

4. Type in Plan Number from agenda (Ex: ZBA-009999-2020) and click "Search" button.
5. Click on the blue Plan Number. This will open the record.
6. Select the "Attachments" tab and all available documents will appear and can be downloaded.