

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Eric Larsson, Chair
Donna Katsiaficas, Secretary
Kent Avery
Robert Bartels
Nicole Gray
Benjamin McCall
Joseph Zamboni

ZONING BOARD OF APPEALS DECISIONS FROM FEBRUARY 7, 2019

To: City Clerk
From: Christina Stacey, Zoning Specialist
Date: February 13, 2019
RE: Action taken by the Zoning Board of Appeals on February 7, 2019 in Room 209, Portland City Hall

Attendance: Eric Larsson (chair), Donna Katsiaficas (secretary), Kent Avery, Robert Bartels, Nicole Gray, and Joseph Zamboni present; Benjamin McCall absent.

1. New Business:

A. Conditional Use Appeal:

38 Noyes Street, Lars Whelan, owner, Tax Map 118, Block D, Lot 005, R-5 Residential Zone:
The applicant is seeking a Conditional Use Appeal under Section 14-391(f) to legalize one non-conforming dwelling unit. The existing building is legally a two-family home, and the applicant has presented evidence showing that a third dwelling unit has existed in the building since before April 1, 1995 and therefore qualifies for a legalization under Section 14-391. The legalization requires a conditional use approval from the Zoning Board of Appeals because an objection from an abutter was received. Representing the appeal is Bill Corrigan on behalf of the owner. ***The Board voted 5-0 (Zamboni recused) to grant the Conditional Use approval to legalize the third dwelling unit in the existing legal two-family home.***

B. Conditional Use Appeal:

52 Fessenden Street, Patrick Roche, owner, Tax Map 116, Block D, Lot 018, R-5 Residential Zone:
The applicant is seeking a Conditional Use approval under Section 14-118(a)(5) to create a third dwelling unit within a detached garage that is accessory to the existing legal two-family dwelling. Representing the appeal is the owner. ***The Board voted 6-0 to grant the Conditional Use approval to create a third dwelling unit with a detached garage at this existing two-family property.***

2. Adjournment (meeting started at 6:30 PM, adjourned at 7:17 PM)

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

cc: Jon Jennings, City Manager
Jeff Levine, Director Planning & Urban Development

Christine Grimando, Acting City Planning Director
Mary Davis, Housing and Neighborhood Services Division
Victoria Volent, Housing and Neighborhood Services Division