

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 SEPTEMBER 6, 2018

To: City Clerk

From: Christina Stacey, Zoning Specialist

Date: September 10, 2018

RE: Action taken by the Zoning Board of Appeals on September 6, 2018 in Room 209, Portland City Hall

Attendance: Eric Larsson (chair), Donna Katsiaficas (secretary), Kent Avery (recused from 57 Clark Street appeal), Robert Bartels (recused from 127 Fore Street appeal), Nicole Gray, Benjamin McCall, and Joseph Zamboni present.

1. New Business:

- A. Interpretation Appeal:** 47 Chapel Street, Federal Street Phoenix, LLC, owner, Tax Map 026, Block L, Lot 014; R-6 Residential Zone: The applicant is requesting that the Board overturn a permit denial dated June 18, 2018. The permit was denied on the basis that the project did not meet the requirement for street access [Section 14-403] and emergency vehicle access [Sections 14-526(c)(2)(b) and (c)]. Representing the appeal is Benjamin Leoni, legal representative for the owner. *The Board voted 7-0 to deny the Interpretation Appeal and uphold the City's denial of the building permit.*
- B. Practical Difficulty Variance Appeal:** 57 Clark Street, Regina Haney and Matthew and Julia Mecray, owners, Tax Map 057, Block K, Lot 013, R-6 Residential Zone: The applicants are seeking a Practical Difficulty Variance to reduce the minimum rear setback for a proposed two-story porch that would serve two residential condominium units, from the required 10 feet to 3 feet [Section 14-139]. Representing the appeal are the owners. *The Board voted 6-0 to deny the Practical Difficulty Variance.*
- C. Practical Difficulty Variance Appeal:** 127 Fore Street, 86 Newbury St., LLC, owner, Tax Map 020, Block C, Lot 009, IS-FBC India Street Form-Based Code: The applicant is seeking a Practical Difficulty Variance to increase the maximum front setback for a proposed mixed-use development from the required 5 feet to 12 feet [Section 14-275.7]. Representing the appeal is the owner and Lucas Anthony, consultant to the owner. *The Board voted 6-0 to grant the Practical Difficulty Variance.*

2. Adjournment (meeting started at 6:30 PM, adjourned at 9:37 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
Tuck O'Brien, City Planning Director
Mary Davis, Housing and Neighborhood Services Division
Victoria Volent, Housing and Neighborhood Services Division