

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 MAY 3, 2018

To: City Clerk

From: Christina Stacey, Zoning Specialist

Date: May 8, 2018

RE: Action taken by the Zoning Board of Appeals on May 3, 2018 in City Council Chambers

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

1. Old Business:

A. **Conditional Use Appeal:** 970 Forest Avenue, Alyssa Harvey d/b/a Growing Learners Child Care, potential lessee, Tax Map 143, Block B, Lot 001, R-P Residence-Professional Zone: The applicant is seeking a Conditional Use Appeal under Section 14-147.5(e) to operate a licensed child care center for up to 80 children at an existing commercial building, which was most recently used for medical offices. The appeal was tabled by the board on April 19, 2018 to give the applicant time to provide additional information on the project. Representing the appeal is the potential lessee. *The Board of Appeals voted 5-0 to grant the Conditional Use for a child care center. The approval is valid for 18 months.*

2. New Business:

A. **Practical Difficulty Variance Appeal:** 116 Christy Road, Donna and Andrew Walker, owners, Tax Map 381, Block A, Lot 048, R-2 Residential Zone: The applicant is seeking a Practical Difficulty Variance to reduce the minimum side setback from the required 12 feet to 7 feet [Section 14-80(d)(3)(a)] for the purpose of constructing an attached garage. Representing the appeal are the owners. *The Board of Appeals voted 5-0 to deny the Practical Difficulty Variance appeal.*

B. **Miscellaneous Appeal:** 502 Stevens Avenue, 502 Deering Center, LLC, owner, Tax Map 135, Block E, Lot 009, B-1b Neighborhood Business Zone: The applicant is seeking approval for two remote parking spaces to be used for a live/work unit to be located within a new mixed-use commercial and residential building at 502 Stevens Ave [Section 14-334]. The development was previously approved for 10 joint use parking spaces in an on-site parking lot and 2 remote parking spaces within 1,500 feet of the project site. One of the first floor units was changed from an entirely commercial use to a live/work use, thereby requiring two additional parking spaces above what was previously approved. Representing the appeal are Denis Lachman and Kiya Smith,

principals of 502 Deering Center, LLC. *The Board of Appeals voted 5-0 to grant the Miscellaneous Appeal approval for two remote parking spaces to serve the live/work unit.*

3. Adjournment (meeting started at 6:31 PM, adjourned at 7:16 PM)

Archived audio of meetings can be viewed 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