

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 JULY 19, 2018

To: City Clerk

From: Christina Stacey, Zoning Specialist

Date: July 20, 2018

RE: Action taken by the Zoning Board of Appeals on July 19, 2018 in Room 209, Portland City Hall

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

1. Old Business:

A. Interpretation Appeal: 59 Somerset Street, FEDEQ DV004, LLC, owner, Tax Map 025, Block B, Lot 003; B-7 Mixed Use Urban Zone: On June 21, 2018, the Board voted 5-0 to deny the Interpretation Appeal. The Board will vote on the Findings of Fact for this appeal. *The Board voted 4-0 (McCall recused, Gray absent from meeting at which the appeal was heard) to accept the Findings of Fact.*

2. New Business:

A. Interpretation Appeal: 6 Houlton Street, Marcia J. Cleveland and Daniel W. Paul, owners, Tax Map 055, Block B, Lot 032; R-6 Residential Zone: The applicant is challenging a Notice of Violation dated April 17, 2018 that cited the property owner for the lack of one-hour fire doors under the Life Safety Code, NFPA 101 (2009) 31.2.2.1. Representing the appeal are the owners. *By a 6-0 vote the Board found that the appeal was not filed within the 30-day appeal period and therefore it has no standing to be heard.*

B. Variance Appeal: 231 York Street, 231 York LLC, owner, Tax Map 044, Block E, Lot 003, B-1 Neighborhood Business Zone: The applicant is seeking a variance to waive the off-street parking requirement of nine spaces for a proposed personal services (spa) business and offices [Section 14-332(j)]. Representing the appeal is Mary Costigan, Esq., legal representative to the owner. *The Board voted 6-0 to grant the variance to waive the off-street parking requirement of nine spaces for the proposed personal services business and offices.*

C. Miscellaneous Appeal: 231 York Street, 231 York LLC, owner, Tax Map 044, Block E, Lot 003, B-1 Neighborhood Business Zone: The applicant is seeking approval for nine remote parking spaces to be used for a personal services (spa) business in the existing building [Section 14-334]. Representing the appeal is Mary Costigan, Esq., legal representative to the owner. *The applicant withdrew the appeal.*

3. Adjournment (meeting started at 6:30 PM, adjourned at 7:28 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