

# CITY OF PORTLAND, MAINE

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## 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 JUNE 21, 2018

**To:** City Clerk

**From:** Christina Stacey, Zoning Specialist

**Date:** June 22, 2018

**RE:** Action taken by the Zoning Board of Appeals on June 21, 2018 in Room 209, Portland City Hall

**Attendance:** Eric Larsson (chair), Donna Katsiaficas (secretary; recused from 450 Commercial Street appeal), Kent Avery, Robert Bartels (recused from 450 Commercial Street appeal), Benjamin McCall (recused from 59 Somerset Street appeal), and Joseph Zamboni (acting secretary for 450 Commercial Street appeal) present; Nicole Gray absent.

#### 1. New Business:

- A. Practical Difficulty Variance Appeal:** 68 Felicia Lane, Odias Bachelder II, owner, Tax Map 409, Block H, Lot 010, R-3 Residential Zone: The applicant is seeking a Practical Difficulty Variance to reduce the minimum rear setback for the single-family dwelling with attached garage from the required 25 feet to 18 feet [Section 14-90(d)(2)(a)]. Representing the appeal is the owner. *The Board voted 6-0 to deny the Practical Difficulty Variance.*
- B. Conditional Use Appeal:** 27 Brentwood Street, Travis Kroot, owner, Tax Map 135, Block E, Lot 021, R-5 Residential Zone: The applicant is seeking a Conditional Use Appeal under Section 14-118(a)(5) to create an additional dwelling unit within an existing detached garage. The current use of the property is a two-family dwelling. Representing the appeal is the owner. *The Board voted 6-0 to grant the Conditional Use approval for an additional dwelling unit within the existing detached garage. The approval was granted for a period of 18 months.*
- C. Interpretation Appeal:** 59 Somerset Street, FEDEQ DV004, LLC, owner, Tax Map 025, Block B, Lot 003; B-7 Business Zone: The applicant is requesting that the Board overturn a permit denial dated March 27, 2018. The permit was denied on the basis that a performance guarantee was not posted as required [Section 14-530(b)(4)], that the site plan had expired [Section 14-532(c)], and that required traffic movement permit fees and street tree fees had not been paid. Representing the appeal is Patrick Venne, legal representative for the owner. *The Board voted 5-0 to deny the Interpretation appeal.*
- D. Interpretation Appeal:** 450 Commercial Street, General Marine Construction Corporation, owner, Tax Map 043, Block H, Lot 001; WCZ Waterfront Central Zone and WPDZ Waterfront Port Development Zone: The applicant is challenging a Notice of Violation dated April 25, 2018 that cited the property owner for not maintaining an operable automatic fire sprinkler system as

required under the Life Safety Code, NFPA 101 (2009) 4.58 and 4.6.13. Representing the appeal is Edward S. MacColl, legal representative for the owner. *The Board voted 4-0 to table the appeal.*

**2. Adjournment (meeting started at 6:00 PM, adjourned at 8:15 PM)**

**Archived audio of meetings can be heard at [http://townhallstreams.com/towns/portland\\_maine](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