

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: October 6, 2003
RE: Action taken by the Zoning Board of Appeals on October 2, 2003.

The meeting was called to order at 7:05 p.m.

Roll call as follows:

Members present: Patric Santerre, Nan Sawyer, John Thompson, Jr., William Hall, Catherine Decker

Members Absent: Joseph Lewis

APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, October 2nd, 2003 at 7:00 p.m. on the second floor in Room 209 on the 2nd Floor at the Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following Appeals:

1: Unfinished Business:

A. Findings of Fact

98 Falmouth Street, University of Maine System, owner (Tax Map #114A-A-001 in the R-5 Zone). The Board will review prepared Findings of Facts for the Practical Difficulty Appeal of September 18, 2003, which was approved. The Board adopted the Findings of Fact as presented 4-0, Patric Santerre did not vote as he had recused himself due to a potential conflict

B. Miscellaneous Appeal

468 Forest Avenue, Old Dog LLC, d/b/a Blue Mango, tenant (Tax Map #116-A-003 in the B-2b Zone). Applicant is requesting relief from §14-334 of the City of Portland Zoning Ordinance, which states that required off-street parking in nonresidential zones shall be located either on the same lot with the principal building or within 100' measured along lines of public access. The Applicant is proposing to provide additional off-street parking for their business at 494 Forest Ave., (Tax Map #116-E-002) approximately 300' from their business. This is continued from the September 18, 2003, meeting. The Applicant faxed his withdrawal on September 26, 2003. The Board voted to accept the withdrawal without prejudice.

2: New Business:

A. Conditional Use Appeal

496 Woodford Street, Robert and Laura Butler, d/b/a Rachel's, tenant, (Tax Map #184-D-015, 016 in the B-1 Zone). The Applicants are requesting permission to operate a restaurant on the premises under §14-163 of the City of Portland Zoning Ordinance. The Board voted to grant the Appeal 5-0.

B. Reconsideration of 15-17 Grant St. Interpretation Appeal

15-17 Grant Street, (Tax Map #036-D-015 in the R-6 Zone). The City of Portland is requesting authorization to reconsider the Interpretation Appeal granted by the Zoning Board of Appeals at the September 4, 2003, meeting, Thomas Jewell representing Portside Properties, owner. The

Applicant received an Interpretation Appeal Approval in the matter of the permitted number of units for the property. The Board voted 0-4 to approve the reconsideration, thus sustaining their previous Appeal decision. Catherine Decker could not vote on the reconsideration as she did not vote on the Appeal.

3: Other Business:

4: Adjournment:

The meeting was adjourned at 8:30 pm.

Enclosure: Agenda of October 2, 2003
1 Standard size tapes
Findings of Fact

CC: Joseph Gray, City Manager
Mark Adelson, Housing & Community Services
Alex Jaegerman, Planning Department
Lee Urban, Planning & Development Director