

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director

Ann Machado, Zoning Administrator

July 6, 2017

Van Meer & Belanger
Attn: Mr. Richard N. Bryant
215 Commercial Street
Portland, Maine 04101

Dear Richard,

Your Practical Difficulty Variance Appeal has been scheduled to be heard before the Zoning Board of Appeals on **Thursday, July 13, 2017, at 6:30 p.m.** in the City Council Chambers at Portland City Hall, 389 Congress Street, Portland, Maine.

Please remember to bring a copy of your application packet with you to the meeting to answer any questions the Board may have.

I have included an agenda with your appeal highlighted, as well as a handout outlining the meeting process for the Zoning Board of Appeals.

I have also included the bill for the processing fee, legal ad, and notices for the appeal. You may pay online by visiting <http://www.portlandmaine.gov/1728/Permitting-Inspections> and clicking the "Pay Your Bill Online" link in the menu on the left. You can also pay by mail at:

MAKE CHECK PAYABLE TO: City of Portland
MAILING ADDRESS: Permitting & Inspections Department, Room 315
389 Congress Street
Portland, ME 04101

All fees must be paid in full either before the hearing or by bringing payment to the hearing. If there are outstanding fees at the time of the hearing, your appeal will be tabled and rescheduled once fees are paid.

Please feel free to contact me at 207-874-8701 if you have any questions.

Sincerely,

Doreen M. Christ
Support Services Specialist

pc: New Day Farm, LLC
File

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Kent Avery, Chair
Donna Katsiaticas, Secretary
Robert Bartels
Eric Larsson
Benjamin McCall
Joseph Zamboni

APPEAL AGENDA

The Board of Appeals will hold a Public Hearing on Thursday, July 13, 2017, at 6:30 p.m. in the City Council Chambers at Portland City Hall, 389 Congress Street, Portland, Maine, to hear the following appeals:

1. New Business:

- A. **Conditional Use Appeal:** 613 Washington Avenue, BK Properties, LLC, owner, Tax Map 428, Block L, Lot 022, R-5 Residential Zone: The applicant is seeking a Conditional Use Appeal under Section 14-118(a)(5) to gain approval for an existing third dwelling unit in its building. The current legal use of the building is a two-family. Representing the appeal is Shamayel Kargar of BK Properties, LLC.
- B. **Practical Difficulty Variance Appeal:** 4 Russell Street, New Day Farm, LLC, owner, Tax Map 54, Block D, Lot 001, R-6 Residential Zone: The applicant is seeking a Practical Difficulty Variance to reduce the minimum lot area from 2,000 square feet to 1,899 square feet, to increase the maximum lot coverage from 60% to 63.67%, and to reduce the minimum lot area per dwelling unit from 725 square feet to 633 square feet [all per Section 14-139(a)]. Representing the appeal is Richard N. Bryant, Esq.

2. Adjournment

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Zoning Board of Appeals Meeting Process

You or your representative must attend the Zoning Board meeting in order to present your case and to answer any questions the Board may have concerning your appeal. Have a copy of your appeal with you.

First, the Chairperson will call the meeting to order and read the procedures.
Next, the Secretary will call the roll of the Board members present.
The meeting will then open to the first appeal on the agenda.

The first applicant will come forward to the small front table and give a verbal summary of what it is they are appealing to the Board. The Board will have already received your written application packet. You then may need to answer questions from the Board.

The public will have a chance to respond when the Chair first asks the public as to who would like to respond in favor or against the appeal application. The applicant will be able to respond after all the public comments.

When the Board is satisfied that they have all the information they need to make a decision, the Chairperson will close the meeting to public comment and will begin their deliberations.

The Board will make a motion (usually in the affirmative) and then further discuss the issues involved. On rare occasions, the Board may open the public portion again (temporarily) to ask another question to the applicant. After the deliberation, the Board will take an official vote and thus make an official decision.

The Board will then ask the next applicant to come forward. The process continues until all appeals are heard and decisions are rendered.

The Chairperson will then adjourn the meeting.

A copy of the Board's decision will be mailed to you, along with a bill for abutter's notices and legal ads. We will also include a building permit application if deemed necessary.

The Building Permit application will have to be filled out and returned to Inspection Services on the 3rd floor of City Hall, as per current application process. A document outlining the Building Permit process is available at the office or on line at: <http://www.portlandmaine.gov/DocumentCenter/View/4468>. It is the responsibility of the applicant to submit all the required documents and plans that are listed on the permit application checklist. Any outstanding fees incurred during the Appeal process must be paid before the building permit can be issued.

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-3005	Applicant: NEW DAY FARM LLC
Project Name: 4 RUSSELL ST	Location: 4 RUSSELL ST
CBL: 054 D001001	Application Type: Practical Difficulty
Invoice Date: 06/09/2017	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$341.02		\$100.00		\$241.02	On Receipt

First Billing

Previous Balance	\$0.00
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Fee Description	Qty	Fee/Deposit Charge
Processing Fee	1	\$50.00
Appeal Application Fee	1	\$100.00
Notices - ZBA	82	\$61.50
Legal Advertisements - ZBA	1	\$129.52
		<hr/> \$341.02
	Total Current Fees:	+ \$341.02
	Total Current Payments:	- \$100.00
	Amount Due Now:	<hr/> \$241.02

 Detach and remit with payment

CBL 054 D001001
Bill To: NEW DAY FARM LLC
 11 MCQUILLIANS HILL DR
 GORHAM, ME 04038

Application No: 0000-3005
Invoice Date: 06/09/2017
Invoice No: 68562
Total Amt Due: \$241.02
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.

Pay On-Line at <http://portlandmaine.gov/550/Inspections>