

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

*McCall
Larson
Avery
Katsouracos
Zamboni
Burdell*

I-B – Island Business Zone
Conditional Use Appeal

DECISION

Date of public hearing: June 1, 2017

Name and address of applicant: Heather Thompson & Mario Proia
9 Adams Street, Peaks Island
Portland, Maine 04108

Location of property under appeal: 2 Island Avenue, Peaks Island
CBL 084 R030001

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

*Mario Proia
Heather Thompson
9 Adams St.
Peaks Island*

Exhibits admitted (e.g. renderings, reports, etc.):

Applications & Exhibits

Findings of Fact and Conclusions of Law:

The applicants received a conditional use permit on December 1, 2016 pursuant to § 14-224(a) of the City of Portland Code of Ordinances to convert an existing two-family dwelling to a four-family dwelling. The applicants are seeking an extension of the conditional use permit for an additional eighteen months pursuant to § 14-474(f).

One or more extensions of the time to commence the use or begin construction is if the facts constituting the basis of the decision have not materially changed, and the total time does not exceed two years. § 14-474(f).

Findings:

1. The facts constituting the basis of this Board's December 1, 2016 decision have not materially changed.

Satisfied Not Satisfied

Reason and supporting facts:

Applicant's Preliminary states plans have not materially changed. No members of public to comment

2. An extension of time to commence the approved conditional use or begin construction is appropriate.

Satisfied Not Satisfied

Extension granted: 18 months

Reason and supporting facts:

Applicants were unaware original approval was only for 6 months. Complicated project that couldn't reasonably be completed in 6 mos. 18 months is a reasonable time to complete; 2 longer time needed for construction in Peaks Island.

Verssen, McCall

Conclusions:

Option 1: The Board finds that all of the standards described above have been satisfied, and therefore GRANTS the extension of the conditional use permit for 18 months.

Option 2: Pursuant to § 14-474(d), the Board has the authority to impose conditions on conditional use permits. The Board finds that all of the standards described above have been satisfied, however, certain reasonable conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the extension of the conditional use permit for _____ SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that all of the standards described above have not been satisfied, and therefore DENIES the extension.

Dated:

6-1-17

[Signature]

Board Chair