

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

McCall
Bartels
Avery
Larson
Katsiareas
Zavosni
Gray

R5 – Residential Zone
Conditional Use Appeal

DECISION

Date of public hearing: March 15, 2018
Name and address of applicant: EZ Spanish Immersions, LLC
P.O. Box 64
South Freeport, Maine 04078
Location of subject property : 79 Clinton Street
CBL 136 B004001

For the Record:

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

ERIK ZAVOSNIK
79 Clinton St.

George Rowe
28 Hanover St.

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

Application & Exhibits

Findings of Fact and Conclusions of Law:

The applicants received an after-the-fact conditional use permit pursuant to § 14-118(a)(5) of the City of Portland Code of Ordinances to add a third unit with the conversion of existing third floor dormer into an additional unit. That conditional use permit expires on March 21, 2018, and the applicants are requesting an amendment to that permit to extend it for an additional six months. ¹²

The Board has authority to grant one or more extensions of a conditional use if the facts constituting the basis of the decision have not materially changed, and the permit is not granted in excess of two years. § 14-474(f).

Findings:

1. The facts constituting the basis of this Board's decision on September 21, 2017 granting the applicant's conditional use have not materially changed.

Satisfied Not Satisfied

Reason and supporting facts:

Applicant has stated only change is addition of sprinkler system required by code. No evidence to contrary.

2. With the requested extension of time, the conditional use approval will not be valid for more than two years.

Satisfied Not Satisfied

Reason and supporting facts:

18 months total

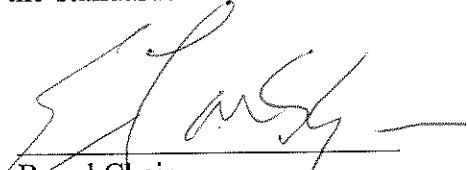
Conclusions:

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 a period of 12 months.

Option 2: The Board finds that all of the standards described above have not been satisfied, and therefore DENIES the application.

Dated:

3-15-18



Board Chair