

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

ZONING BOARD APPEAL DECISION

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: May 3, 2013
RE: Action taken by the Zoning Board of Appeals on May 2, 2013.

Members Present: Gordon Smith (chair), Mark Bower, Sara Moppin (secretary) and Eric Larsson

Members Absent: William Getz

1. New Business

A. Interpretation Appeal:

372-374 Park Avenue, Hill Street Apartments, LLC, owner, Tax Map 067, Block C, Lot 003, R-6 Residential Zone: The appellant is challenging the Zoning Administrator's determination dated March 7, 2013 that the property does not meet the criteria outlined in the case Keith v. Saco River Corridor Commission and therefore cannot be functionally divided into two separate lots. Representing the appeal is Thomas Jewell, Esq. **The Zoning Board of Appeals voted 4-0 to grant the appeal to overturn the Zoning Administrator's determination that the lot could not be divided.**

B. Conditional Use Appeal:

23- 25 Caleb Street, Abigail Johnston, owner, Tax Map 187, Block A, Lot 006, R-3 Residential Zone: The appellant is seeking a Conditional Use Appeal under section 14-410 to add a home occupation to use her kitchen to produce gluten free baked goods to be sold to local businesses. Representing the appeal is the owner. **The Zoning Board of Appeals voted 4-0 to grant the appeal to allow the owner's kitchen to be used as a home occupation to bake goods to sell to local businesses.**

Enclosure:

Decision for Agenda from May 2, 2013

One DVD

CC: Mark Rees, City Manager

Jeff Levine, AICP, Director Planning & Urban Development

Alex Jaegerman, Planning Division

Mary Davis, Housing and Neighborhood Services Division