

# CITY OF PORTLAND, MAINE

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## ZONING BOARD OF APPEALS

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

### ZONING BOARD OF APPEALS DECISIONS FROM JULY 13, 2017

**To:** City Clerk  
**From:** Ann Machado, Zoning Administrator  
**Date:** July 18, 2017  
**RE:** Action taken by the Zoning Board of Appeals on July 17, 2017

**Attendance:** Kent Avery (chair), Donna Katsiaficas (secretary), Eric Larsson, Benjamin McCall and Robert Bartels present; Joseph Zamboni absent.

#### 1. New Business:

- A. **Conditional Use Appeal:** 11 Gertrude Avenue, Sholeh Misaghian, owner, Tax Map 402, Block B, Lot 020, R-3 Residential Zone: The applicant is seeking a Conditional Use Appeal under section 14-88(d)(3) to operate a licensed child care center for up to 12 children at her existing single-family home. Representing the appeal is the owner. ***The Board of Appeals voted 5-0 to grant the Conditional Use approval to allow a licensed child care center for up to 12 children in the existing single family home.***
- B. **Interpretation Appeal:** 191 Marginal Way, ConvenientMD LLC, lessee, Tax Map 24, Block C, Lot 021, B-7 Mixed Development District Zone: The applicant is challenging the Zoning Administrator's interpretation of the term "building identification sign," from an e-mail dated July 21, 2017 (Section 14-369.5). Representing the appeal is Natalie L. Burns, Esq. ***The Board of Appeals voted 5-0 to grant the Interpretation Appeal to reverse the Zoning Administrator's determination that the two proposed signs for the tenant Convenient MD Urgent Care do not meet the definition of a building identification sign.***

#### 2. Other Business:

At the July 13, 2017 meeting, the board discussed whether to change the start time of the Zoning Board of Appeals meetings to 6:00 PM, from the current start time of 6:30 PM. After the meeting the Zoning Administrator checked the availability of Room 209 to change the start time to 6:00 PM. It was discovered that the Portland Development Corporation Board meets in Room 209 from 4:00 PM to 6 PM the third Thursday of the month. The Zoning Board would not be able to start at 6:00 PM on those nights. The board decided to keep the start time of the meeting at 6:30 PM.

#### 3. Adjournment (meeting started at 6:30 PM; adjourned at 7:55 PM)

**Enclosures:**

1. DVD of 8/17/17 Meeting

cc: Jon Jennings, City Manager;  
Michael Russell, Director Permitting & Inspections  
Jeff Levine, Director Planning & Urban Development  
Tuck O'Brien, City Planning Director  
Mary Davis, Housing and Neighborhood Services Division