

**Minutes of the Zoning Board of Appeals  
Of the City of Portland**  
Held on Monday, March 9, 2020 at 7:00 P.M.  
In Council Chambers at City Hall

Members Present: Parsons, Stahl, Barnes, Graham, Fedewa

Staff: City Manager Gorman, City Clerk Miller

Guests: Sue Wang; Fernando Abudeye and James Barnwell of Desine, Inc.

Chair Parsons called the meeting to order at 7:00 P.M.

There were no public comments.

Motion by Graham, supported by Barnes, to approve the proposed agenda as presented.  
All in favor. Approved.

Motion by Fedewa, supported by Barnes, to approve the minutes of the November 12, 2019 meeting as presented.  
All in favor. Approved.

Chair Parsons opened the Public Hearing at 7:02 P.M.

City Manager Gorman stated the Board would be considering 2 variances as it relates to parking requirements for off-street parking in the front yard [Section 42-408 (a) (1)] and access requirements for setback from property lines [Section 42-410 (g)] for the proposed development of a Taco Bell at 1433 E. Grand River Ave.

Mr. Abudeye presented an overview of the variances requested. The first request is for a 2 ft. variance from 10 ft. required under Section 42-410 (g) for parking along the east property line. The second request is for a variance from parking in the front yard; no parking is permitted in the front setback. According to the proposed site plan five spaces are located within the required 75 ft. front setback.

Member Fedewa inquired if this restaurant would be Taco Bell only.

Mr. Abudeye stated that it would be Taco Bell only.

Chair Parsons asked if the only access to the property would be at the back of the property off from Bristie St.

Mr. Abudeye stated in addition to a proposed access off from Grand River Ave. they are planning to keep the existing easement for the access road to Olivera's at the back of the property off from Bristie St.

Mayor Barnes asked where employees will park? Is there enough parking for them as well?

Mr. Abudeye explained the proposed parking on the site plan. They anticipate there will only be a need for 3 employee parking spaces that will likely be located at the back of the property. He further stated the proposed plan meets and exceeds the required parking. They will share many parking spaces along the west side of the property with Olivera's.

City Manager Gorman read through the criteria and responses from the City's Zoning Consultant Paul LeBlanc, AICP of PLB Planning Group.

Chair Parsons read through the questions on the Zoning Variance Application and Mr. Abudeye read the responses.

Member Graham asked for clarification between the sections noted on the agenda under the Public Hearing [Section 42-410 (g)] and New Business [Section 42-412 (e)].

City Clerk Miller and City Manager Gorman confirmed that the correct section is Section 42-410 (g) as noted under Public Hearing.

Chair Parsons closed the Public Hearing at 7:29 P.M.

Under New Business, there was consideration of the variance requests.

Motion by Graham, supported by Stahl, to approve the request for a variance from the parking setback along the east property line under Section 42-410 (g) based on the criteria as reviewed. All in favor. Approved.

Motion by Fedewa, supported by Barnes, to approve the request for a variance from no parking allowed in the front yard under Section 42-408 (a)(1) based on the criteria as reviewed. All in favor. Approved.

There were no board member comments.

Motion by Graham, supported by Barnes, to adjourn the meeting at 7:32 P.M. All in favor. Approved.

Respectfully submitted,

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Jayne Graham, Secretary