



CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Joseph Zamboni, Chair
Jared Falcon, Secretary
Thomas Loureiro
Daniel Black
William Sedlack
Benjamin McCall
Donna Katsiaficas

APPEAL AGENDA

The Zoning Board of Appeals will hold a remote Public Hearing on Thursday, May 2, 2024 at 6:00 p.m.

This meeting will take place remotely using Zoom.

This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Zoning Board of Appeals and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be available following the meeting.

For live public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

To submit written public comment on an agenda item, email zoning@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Zoning Board of Appeals meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

ZOOM MEETING INSTRUCTIONS:

You are invited to a Zoom webinar.

When: **May 2, 2024 06:00 PM** Eastern Time (US and Canada)

Topic: **Zoning Board of Appeals**

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/81073310318>

Or One tap mobile :

+16469313860,,81073310318# US

+19292056099,,81073310318# US (New York)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

1. Old Business

A. Interpretation Appeal ([ZBA-002802-2024](#))

14 Orchard St, Family Crisis Services, Inc., owner, Tax Map 061, Block E, Lot 018; R-4 Residential Zone: The applicant is challenging the Zoning Administrator's interpretation of Chapter 14 article 6.6.2(A)(3) regarding the requirement of property owners to "occupy" a property in order to construct an accessory dwelling unit. Representing the appeal is Attorney Gordon Smith. Appeal was tabled at 3/21/24 meeting due to an issue with noticing. The Board heard the appeal and tabled it to the May 2, 2024 meeting where they will deliberate and take a final vote on the Findings of Fact.

B. Practical Difficulty Appeal ([ZBA-002773-2024](#))

14 Orchard Street, Family Crisis Services, Inc. owners, Tax Map 061, Block E, Lot 006, R-4 Residential Zone: The applicant is seeking a Practical Difficulty Variance to reduce minimum required side setback of 10 feet (Article 7, Table 7-A) to 7.5 feet order to convert an accessory detached garage to a detached single family home. Representing the owner is Attorney Gordon Smith. Appeal was tabled at 3/21/24 meeting due to an issue with noticing. The Board heard the appeal and tabled it to the May 2, 2024 meeting where they will deliberate and take a final vote on the Findings of Fact.

C. Interpretation Appeal ([ZBA-002854-2024](#))

14 Orchard St, Family Crisis Services, Inc., owner, Tax Map 061, Block E, Lot 018; R-4 Residential Zone: An abutter is challenging the Zoning Administrator's Interpretation that Through These Doors' current use as a handicapped family unit is permitted. Representing the abutter is attorney Robert Papazian. The Board heard the appeal and tabled it to the May 2, 2024 meeting where they will deliberate and take a final vote on the Findings of Fact.

2. New Business

A. Interpretation Appeal ([ZBA-002889-2024](#))

62 Luke St, Karen McDonough & Steven McDonough, owners, Tax Map 339, Block G, Lot 011; R-3 Residential Zone: The owners are challenging the zoning administration's determination that they are not meeting the criteria of section 6.4.1(B)(2) due to the fact they did not own the property as of November 19, 1984. Representing the appeal are the owners.

3. Adjournment

INSTRUCTIONS FOR VIEWING APPEAL APPLICATIONS:

Please find the appeal documents by following these steps:

1. Go to the following website: https://selfservice.portlandmaine.gov/EnerGov_Prod/SelfService#/home
2. Click on “Search Public Records”
3. Choose Plan in Search Box pull down
4. Type in Plan Number from agenda (Ex: ZBA-009999-2020) and click the “Search” button.
5. Click on the blue Plan Number. This will open the record.
6. Select the “Attachments” tab and all available documents will appear and can be downloaded.