



CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Todd Morse, Chair
Andrew Weaver, Secretary
Dan Black
Laura Burden
Thomas Loureiro
Nancy English
Ryan Lizanecz

ZONING BOARD OF APPEALS DECISION FROM MARCH 20, 2025

To: City Clerk
From: Ann Machado, Zoning Administrator
Date: March 21, 2025
RE: Actions taken by the Zoning Board of Appeals on March 20, 2025 at a remote Zoom Webinar meeting

Attendance: Todd Morse (Chair), Andrew Weaver (Secretary) Laura Burden, Thomas Loureiro, Nancy English, and Ryan Lizanecz present. Dan Black absent.

1. New Business

- A. Hardship Variance (ZBA-003176-2024)**
148 Cove Side DR, Coveside LLC, Tax Map 083F, Block A, Lots 690, C0 Contract Zone: The applicants are seeking a Hardship Variance to reduce the required BFE of 21' (Section 12.4.5(R)) for the substantial improvement and change of use for an existing structure in the VE zone with a BFE of 14'. Representing the owners is Katherine Lermond. **The board voted 4-2 (Weaver & Lizanecz opposed) to grant the variance.**
- B. Hardship Variance**
148 Cove Side DR, Coveside LLC, Tax Map 083F, Block A, Lots 690, IR-3 Residential Island Zone: The applicants are seeking a Hardship Variance from the requirement that uses for structures within the 75' shoreland zone setback must be water dependent, Section 11.4.1.

Representing the owners is Katherine Lermond. **The Board voted 5-1 (Weaver opposed) to grant the variance.**

2. Other

- A.** Discussion of ZBA Rules and Procedures. **Board voted 6-0 to update the Rules of Procedure**

3. Adjournment.

Meeting started at 6:00 pm and adjourned at 8:25 pm.

cc: Danielle West, City Manager
Kevin Kraft, Director Planning & Urban Development
Mayor and City Councilors
Planning Board Members



CITY OF PORTLAND
Permitting and Inspections Department

Ann Machado, Zoning Administrator

ZONING BOARD OF APPEALS - RULES OF PROCEDURE

Good evening ladies and gentlemen,

Welcome to the **(month, date, year)** meeting of the Zoning Board of Appeals of the City of Portland. The Zoning Board of Appeals will conduct this meeting by **hybrid or remote** methods/technology in accordance with the requirements of 1 M.R.S. section 403-B and the Zoning Board of Appeal's Remote Participation Policy. This meeting is being conducted using Zoom. Before we begin the public hearing, I would like to read to you our rules of procedure:

1. The Board and members of the public are expected to act with civility and to treat each other with mutual respect.
2. Applicants will state their case before the Board, and may present witnesses and offer documentary evidence.
3. Following the conclusion of the applicant's case, the opponents may present witnesses and offer documentary evidence.
4. Applicants and any abutter or similar person with standing shall have the right to present witnesses on applicant's behalf and offer rebuttal evidence.
5. Acting through the Chair, parties may cross-examine witnesses. The Chair may limit irrelevant, immaterial, or unduly repetitious evidence.
6. At the conclusion of the rebuttal evidence, the public portion of the proceeding will be closed and the Board will rule on the application, pursuant to the applicable provisions of Portland's Land Use Ordinance, the City of Portland Code of Ordinances and Maine Law.
7. No business shall be transacted by the Board of Appeals without a quorum consisting of four members being present. The vote of a majority of the members present shall be necessary to authorize any action by the board.
8. This meeting is being recorded. A link to this recording and to recordings of past meetings is available on the City's website.
9. Appeals from decisions of the Board may be filed in the Superior Court, pursuant to 30-A MRSA §2691(2)(G).
10. All other matters pertaining to the conduct of hearings shall be governed by the provisions of the relevant state statutes, Chapter 14 of the City of Portland Code of Ordinances, and the rules promulgated by the Board of Appeals.