

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Donna Katsiaficas, Chair
Joseph Zamboni, Secretary
Kent Avery
Daniel Black
Jared Falcon
William Sedlack
Benjamin McCall

APPEAL AGENDA

The Board of Appeals will hold a remote Public Hearing on Thursday, May 5, 2022 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 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.

ZOOM MEETING INSTRUCTIONS:

You are invited to a Zoom webinar.

When: **May 5, 2022 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/84912842559>

Or One tap mobile :

US: +13017158592,,84912842559# or +13126266799,,84912842559#

Or Telephone:

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

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 849 1284 2559

International numbers available: <https://portlandmaine-gov.zoom.us/j/kdxDuNjPaY>

1. New Business

A. Interpretation Appeal ([ZBA-001986-2022](#))

1 Ryefield Street, owners Holly A. Perry & Barbara R. Perry, Tax Map 085, Block N, Lots 015 & 016, IR-2 Island Residential Zone: The owners are challenging the Zoning Administrator's denial of an after-the-fact permit, #BLDR2022-02655, for the construction of a deck that encroaches off the property into a "Marginal Right of Way". The owners are claiming that the "paper street status" has expired and therefore they can build their deck in the right of way. Representing the appeal is the property owners' lawyer, Daniel Kramer.

B. Hardship Variance ([ZBA-001985-2022](#))

1 Ryefield Street, owners Holly A. Perry & Barbara R. Perry, Tax Map 085, Block N, Lots 015 & 016, IR-2 Island Residential Zone: The owners are seeking a Hardship Variance to reduce the required rear setback from 30 feet to 9.45 [Chapter 14, Table 7-D]. The owners are also seeking to increase the allowable maximum lot coverage from 20% to 41.6% [Chapter 14, Table 7-D]. Representing the appeal is the property owners' lawyer, Daniel Kramer.

C. Conditional-Use Appeal ([CU-002004-2022](#))

874 Washington Ave, William J. Roak, owner, Tax Map 170, Block B, Lot 013, R-5 Residential Zone: The applicant is seeking a Conditional Use approval under Section 14-6.5 to operate a child care facility for up to 12 children. Representing the appeal is the owner's partner, Carly Roak.

2. Other Business

A. Election of Zoning Board Chair

B. Election of Zoning Board Secretary

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.