

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS DECISION FROM MAY 5, 2022

To: City Clerk
From: Ann Machado, Zoning Administrator
Date: May 9, 2022
RE: Actions taken by the Zoning Board of Appeals on May 5, 2022 at a remote Zoom Webinar meeting

Attendance: Donna Katsiaficas (Chair), Joseph Zamboni (Secretary), Dan Black, Ben McCall, William Sedlack, and Jared Falcon present. Kent Avery, absent.

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. **The Board voted 6-0 to table the appeal to the June 16, 2022 Zoning Board of Appeals meeting.**
- B. **Hardship Variance ([ZBA-001985-2022](#))**
1 Ryefield Street, owners Holly A. Perry & Barbra 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. **The Board voted 6-0 to table the appeal to the June 16, 2022 Zoning Board of Appeals meeting.**
- 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. **The Board voted 6-0 to grant the Conditional Use Appeal for a period of 24 months.**

2. A. Election of Zoning Board Chair

The Board voted 5-0 (Zamboni abstained) to elect Joseph Zamboni as the Chair.

B. Election of Zoning Board Secretary

The Board voted 5-0 (Falcon abstained) to elect Jared Falcon as the Secretary.

3. Adjournment (meeting started at 6:00 pm) and adjourned at 6:30 pm

cc: Danielle West, Acting City Manager
Christine Grimando, Director Planning & Urban Development
City Councilors
Planning Board Members