



Planning & Urban Development Department

Jeff Levine, AICP, Director

Ann Machado, Zoning Administrator

October 15, 2015

Brenda Sylvester
CHOM
One City Center, 4th Floor
Portland, ME 04101

Re: 106 Cumberland Avenue – the "Property" - B2b Community Business Zone & R-6 Residential Zone

Dear Ms. Sylvester,

I am in receipt of your request for a determination letter for the Property.

The majority of the Property is located in the B-2b Community Business Zone with the right rear corner of the building and property located in the R-6 Residential Zone. Since the street frontage for the Property is completely located in the B-2b zone and the Property is almost completely within the B-2b zone, the permitted uses for the property fall under the requirements of the B-2b Zone. Our files show that the legal use of the Property is four residential dwelling units which is a permitted use in the B-2b Zone. There have been four dwelling units on the Property since before the current ordinance went into effect in 1957. Since the units have existed since before 1957, they are legally nonconforming to the current parking requirement of one parking space per unit, and therefore no off-street parking spaces need to be provided on the Property.

I do need to bring to your attention possible violations with the NFPA 2009 Fire Code and/ or NFPA Life Safety Codes that the Fire Department found during an inspection of the Property on July 28, 2015. I have included the Notice of Intent to Prosecute dated August 3, 2015 and the list of violations. You may contact the Fire Prevention Bureau at 207-874-8400 to find out the current status of the violations. I am not aware of any other pending or threatened violations against the Property.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado", written over a horizontal line.

Ann B. Machado

Zoning Administrator

City of Portland, Maine

amachado@portlandmaine.gov

207.874.8709