

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

Leonard F. Morley, Jr.  
c/o Shapiro & Kreisman  
75 Market Street - Suite 505  
Portland, ME 04101

July 29, 1996

RE: 284 Congress Street - 28-D-8

Dear Attorney Morley, Jr.,

I have interpreted the parking section, 14-332(1), of the Land Use Ordinance to mean that any dwelling units existing prior to June 5, 1957 need only to show 1 parking space for each existing dwelling unit. If there is any increase of units within the existing structure, then an additional 1-1/2 parking spaces would need to be shown for each additional unit. If there is any increase of units as part of any new construction, then an additional 2 parking spaces would need to be shown for each additional unit.

Our microfiche shows that there has been 6 units in this building as of 1940 which is prior to June 5, 1957. Only 6 parking spaces need be provided for this structure.

If you have any other questions, please do not hesitate to contact me at 874-8300 ext. 8695.

Sincerely,

Marge Schmuckal  
Zoning Administrator

cc to: Joseph Gray, Jr, Dir. of Planning & Urban Development  
P. Samuel Hoffses, Chief of Code Enforcement  
Ed Rosenthal, Shalom House

CODE ENFORCEMENT OFFICER'S CHECKSHEET

TO: Code Enforcement Officer  
FROM: Maine State Housing Authority  
RE: Property Information

The Maine State Housing Authority offers a program for the financing of supportive housing projects. As part of the application package, we are requesting that the local code enforcement officer complete the checklist below pertaining to the proposed project. This information will help us evaluate the feasibility of the project.

We thank you in advance for your cooperation.

\*\*\*\*\*

Please complete, to the best of your knowledge, the following checklist to assist the Maine State Housing Authority in determining the feasibility of the following project:

PROJECT DATA:

Project Owner: SHALOM HOUSE, Inc.  
Project Address: 284 Congress Street 28-D-8 / e.d.u.

Does this property have any known code violations? yes  no

Does the building currently comply with local zoning requirements?  yes no

Are you familiar with the proposed changes/rehabilitation to the property?  yes no  
*prelim.*

Will the proposed changes comply with all applicable codes and requirements?  yes no  
*should*

If not, please describe in detail

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: Maya Schmuck  
Code Enforcement Officer

Inspection Services  
P. Samuel Hoffses  
Chief



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P. Samuel Hoffses, Chief of Code Enforcement  
Ed Rosenthal, Shalom House

# CITY OF PORTLAND, MAINE

Dept. of Planning & Urban Development

City Hall

389 Congress Street

Portland, Maine 04101

## FACSIMILE MESSAGE COVER SHEET

Return Fax #

(207) 874-8716

Date: 7/29/96

Time:

To the Attention of: ED Rosenthal

Company/Entity:

Message From: Marge Schumaker

Department: Code Enforcement  
Phone #: 874-8300 x8695

Receiving FAX #: 871-1503

Total # of Pages including cover sheet: 2

Message: Info you requested

(3) Such helistops shall not be subject to review under article V of this chapter.  
(Ord. No. 48-93, 7-19-93)

**Secs. 14-328–14-330. Reserved.**

## DIVISION 20. OFF-STREET PARKING

### **Sec. 14-331. Defined.**

Off-street parking, either by means of open-air spaces or by garage spaces which meet the standards set forth in the City of Portland Technical and Design Standards and Guidelines, as hereafter amended, in addition to being a permitted use in certain zones, shall be considered as an accessory use when required or provided to serve conforming uses in any zone.

(Code 1968, § 602.14.A; Ord. No. 272-77, 5-16-77; Ord. No. 389-89, § 1, 4-3-89)

**Cross reference—**Definitions and rules of construction generally, § 1-2.

### **Sec. 14-332. Uses requiring off-street parking.**

In all zones where off-street parking is required, the following minimum off-street parking requirements shall be provided and maintained in the case of new construction, alterations which increase the number of units, and changes of use:

- (1) *Residential structures:*
  - a. For new construction, two, (2) parking spaces for each dwelling unit, plus one (1) additional parking space for every six (6) units or fraction thereof.
  - b. For alterations or changes of use in existing structures, which create new or additional dwelling units in such structures, one and one-half (1½) additional parking spaces for each such unit. Existing parking spaces shall not be used to meet the parking requirements of this paragraph, unless the existing parking spaces exceed one (1) space for each dwelling unit.
- (2) *Tourist home, tourist court, motel, cabins:* One (1) parking space for each sleeping room.
- (3) *Hotels:* One (1) parking space for each four (4) guest rooms.
- (4) *Schools providing instruction for students up to and including those fifteen (15) years of age:* One (1) parking space for each room used for purposes of instruction.
- (5) *Schools providing instruction for students sixteen (16) years of age and over:* One (1) parking space for each ten (10) seats or major fraction thereof, used for purposes of instruction; if no fixed seats, one (1) parking space for each one hundred (100) square feet or major fraction thereof used for purposes of instruction.
- (6) *Hospitals:* One (1) parking space for each five hundred (500) square feet or major fraction thereof, of floor area, exclusive of cellar.

**GERALD M. SHAPIRO**

Admitted in Illinois & Florida Only

**DAVID S. KREISMAN**

Admitted in Illinois Only

## **Shapiro & Kreisman**

Attorneys at Law

75 Market Street

Suite 505

Portland, Maine 04101

(207) 775-6223

FAX (207) 775-6995

**LEONARD F. MORLEY, JR.\***

Managing Attorney

Member of the

LOGS LEGAL NETWORK

\*Also admitted in Massachusetts

July 29, 1996

Marge Schmuckal  
Zoning Administrator  
City of Portland  
City Hall  
389 Congress Street  
Portland, Maine 04101

Re: 284 Congress Street, Portland, Maine

Dear Ms. Schmuckal:

In connection with the proposed conveyance of the six-unit apartment building located at 284 Congress Street in Portland, an issue has been raised concerning the adequacy of parking exclusively dedicated to that property. The property boundary, as indicated on the attached plot plan dated July 19, 1996, includes a paved area used for access and parking for the subject property and the adjacent shopping center. Of the fourteen parking spaces to the rear of the property, the owners desire to designate six of those spaces for the exclusive use of the 284 Congress Street property, and the remaining eight for the use of the shopping center property.

It is my understanding that the current Portland zoning ordinance would require two parking spaces per apartment unit in the case of new construction, and one and one-half parking spaces per unit in the case of a change to residential use. However, existing buildings with not more than one parking space per unit are considered in conformity with current zoning.

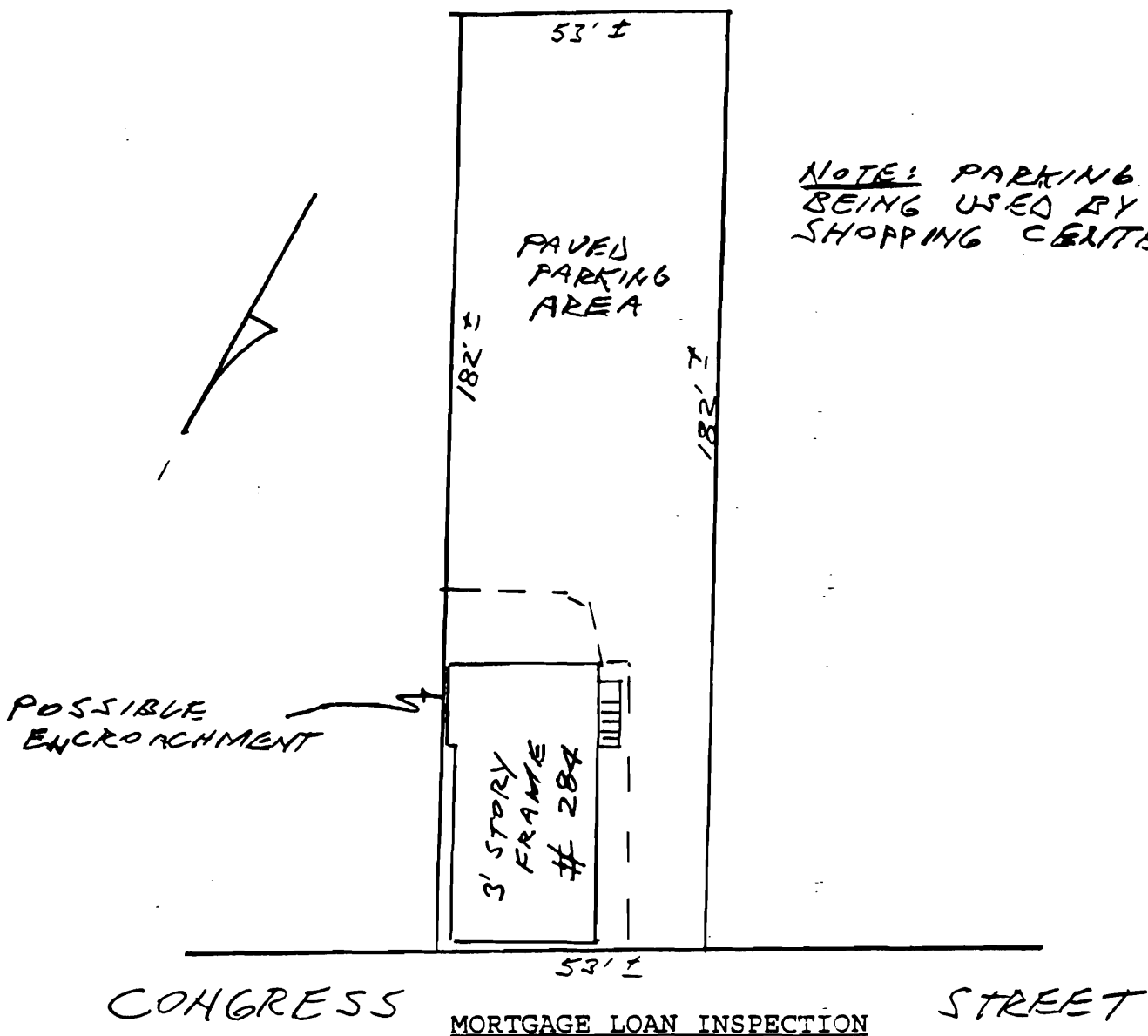
Can you confirm that designating six of the available parking spaces to the exclusive use of the 284 Congress Street property and the eight remaining spaces to the exclusive use of the adjacent property would not create a non-conformity for the 284 Congress Street property under the current ordinance?

Thank you for your assistance, and please call with any questions.

Very truly yours,



Leonard F. Morley, Jr.



NOTE: PARKING AREA IS BEING USED BY ADJACENT SHOPPING CENTER

POSSIBLE ENCROACHMENT

MORTGAGE LOAN INSPECTION

THIS IS NOT A BOUNDARY SURVEY. This plan does not purport to nor does it identify or delineate the limits of ownership on the face of the earth of the subject parcel. The purpose of this plan is to show the approximate relationship of the major structures to the subject parcel as per deed description.

CERTIFICATION IS HEREBY MADE TO: COMMONWEALTH LAND TITLE INSURANCE COMPANY & PEOPLES HERITAGE SAVINGS BANK BUYER:  
 That the existing structures shown on this plan are situated on the lot as designated and do comply with current or/applicable setback requirements at the time of construction. Certification is also made that the structures and premises do not lie within a special flood hazard area defined by H.U.D.

OWNER: KOKONI MELANI INC.

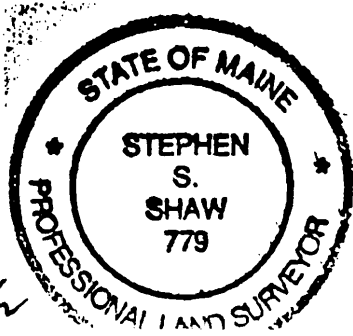
SELLER:

LOCATION: PORTLAND, MAINE

OWEN HASKELL, INC.  
 16 CASCO STREET  
 PORTLAND, ME 04101-2979

JOB # M 96023 P  
 FB  
 DATE JULY 19, 1996

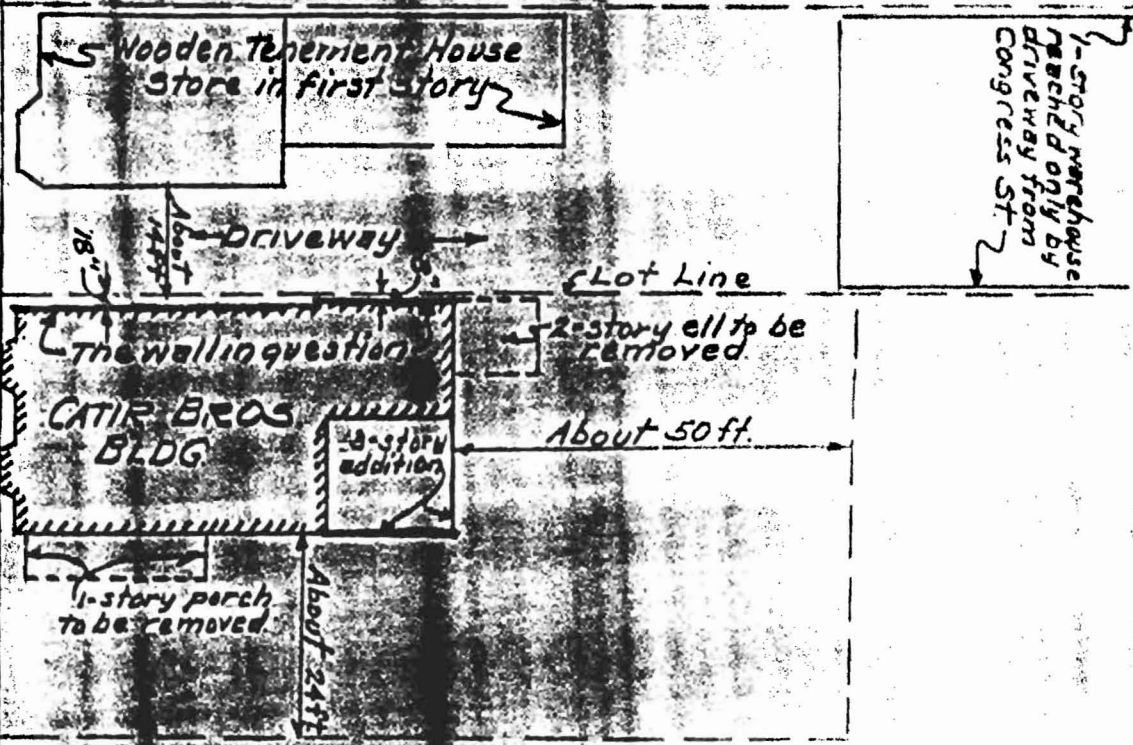
*H. S. Shaw*



DEED REFERENCE  
 CUMBERLAND COUNTY  
 REGISTRY OF DEEDS  
 BOOK 12172, PAGE 237

LOT \_\_\_\_\_

To Mary Jay Hill  
CONGRESS ST. No. 278  
No. 284  
To City Hall



APPEAL OF CATIE BROS  
284 CONGRESS ST  
Scale: 1" = 20' - PL 416