



PORTLAND MAINE

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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

December 11, 2006

Michael Benefield
Key Bank
8115 Preston road, Suite 500
Dallas, TX 75225

RE: 15 & 17 Deering Street – 046-B-19 & 20 – R6 Zone with a Historic Overlay Zone
(the “Property”)


Dear Mr. Benefield,

I am in receipt of your request for a determination letter concerning the Property. The Property is located within a R-6 Residential zone with a Historic Overlay Zone. 15 Deering Street is considered to have six (6) legal residential dwelling units, and 17 Deering Street is considered to have thirteen (13) legal residential dwelling units, for a total of nineteen (19) residential dwelling units on the entire property.

Under the City’s Land Use Ordinance 14-385 (see enclosed), there is an allowance to rebuild a legal, nonconforming building within a year’s time after it is destroyed by sudden or accidental acts. This section of the Ordinance applies to all areas and zones within the City of Portland, Maine. This office has not been supplied with a site plan or other information to determine the extent of all existing nonconformities on the Property.

I have attached copies of the City of Portland’s parking requirements. The structure on the Property was built prior to the current Land Use Zoning Ordinance. The number of existing parking spaces may be legally nonconforming using today’s requirements.

Very truly yours,


Marge Schmuckal
Zoning Administrator

Cc: File

November 15, 2006

CITY OF PORTLAND PLANNING DEPARTMENT
389 CONGRESS STREET ROOM 315
PORTLAND, MAINE 04101

Re: Individual zoning letters for the following properties:

- ✓ 88-90 Carleton Avenue ✓ 5A-G-008 R-6 Historic overlay
- ✓ 92 Carleton Avenue ✓ 5A-G-006 R-6/B2b zone historic
- ✓ 15-17 Deering Street ✓ 46-B-19-20 R-6 Historic overlay - 6/13/19DU
- ✓ 85 Falmouth Street ✓ -117-A-10 - 1977 EDU - R-5

Dear Marge Schmuckal:

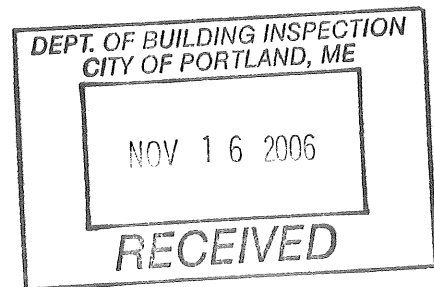
KeyBank Real Estate Capital is processing a loan application for the above referenced project, pursuant to the Commercial Mortgage Direct Loan Program. As part of our due diligence, it is necessary that we verify the subject property's zoning as well as conformance to the appropriate zoning regulations.

Please indicate below the appropriate zoning of this property and whether it represents a legal conforming or a legal non-conforming use. Also, please enclose a copy of the applicable zoning regulations. If the property does represent a legal non-conforming use, please indicate to what extent the property could be rebuilt if it was destroyed.

_____ Zoning Designation (Please indicate zoning)

_____ Legal Conforming Use

_____ Legal Non-Conforming Use



Explanation of extent to which the subject property could be rebuilt if it were destroyed:

Current Parking Space Requirements

By: _____

Title: _____

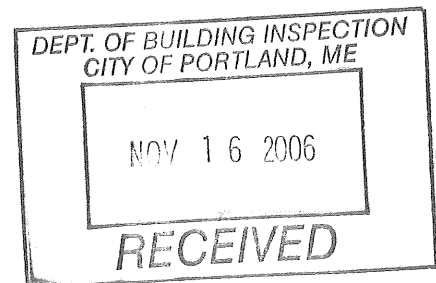
Please fax your written response to my attention at (214-696-5162)..

Please contact me at (214-540-9118) or via e-mail at Michael_G_Benefield@keybank.com if you have any questions or need further information regarding this request.

Sincerely,



Michael Benefield
8115 Preston Rd. Suite 500
Dallas, TX 75225
Phone: 214-540-9118
Fax: 214-696-5162



FAX



To: Michael Benefield

Fax Number: ~~(214) 540-9118~~

From: Marge Schmuckat
Fax Number: (214) 696-5162

Date: 12/8/06

Regarding:

Total Number Of Pages Including Cover: 3

Phone Number For Follow-Up:

Comments:

The Originals & Attachments
are being sent

92 Carlton St
i. 85 Falmouth St

City Of Portland, Maine
Inspections Division Services
389 Congress St Room 315 Portland Me 04101-3509
Phone: (207) 874-8703 or (207)874-8693
Fax: (207) 874-8716
<http://www.portlandmaine.gov/>

FAX



To: Michael Benefield

Fax Number: (214)-696-5162

From: Marge Schmuets

Fax Number:

Date: 12/11/06

Regarding: 8890 Guletan; 1517 Deering St

Total Number Of Pages Including Cover:

Phone Number For Follow-Up:

Comments:

The originals are being sent

City Of Portland, Maine
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