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May 26, 2015

*Electronically Transmitted*

Ann Machado, Zoning Administrator  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Re: Thomas Reed House, LLC, 30-32 Deering Street, Portland, 46-C-1 and 2

Dear Ann:

Please accept this letter together with the Application for Legalization of Nonconforming Dwelling Units for the above property. Payment in the amount of \$5,200.00 will follow.

This property is currently approved for five residential units per a determination letter issued by the Acting Zoning Administrator on December 4, 2014. However, since April 1, 1995, this property has been utilized for eighteen residential dwelling units.

It appears that this property has been used for eighteen units since at least the early 1990's. We have researched the records of the Assessor and Inspection Services,.

**There were three units as of April 1, 1995:**

Pursuant to the Portland Land Use Ordinance, Sec. 14-391(c)(1), the first question to be addressed is the use of the property as of April 1, 1995.

An Inspection Report from August 23, 1989 shows 17 units then in existence.

The next pertinent document we found in the records are the Assessor notes from April 25, 1990. They found 18 one-bedroom units at the property.

A subsequent Inspection Report from August 13, 1997, also shows 18 dwelling units.

We submit that these records, show clear "objective" evidence that eighteen units existed at this premises as of April 1, 1995, which should allow the Zoning Administrator to grant the requested relief.

**The Applicant did not create the illegal units:**

Ann Machado, Zoning Administrator  
May 26, 2015

As noted above, the record shows that the eighteen units at this property have been in existence from at least the early 1990's. The current owner acquired the property in 2006 pursuant to two deeds recorded at the Cumberland County Registry of Deeds in Book 24095, Page 243 and Book 24095, Page 278, which are attached. The Applicant would attest that the premises was in 2006, and has been continuously since, operated as eighteen separate rental units.

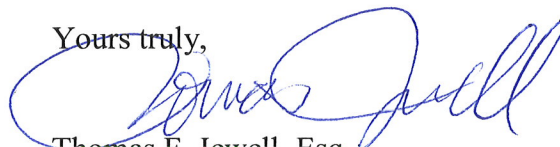
**Conclusion:**

Floor plans and a plot plan are also being submitted.

The Applicant has meet all of the requirements of Sec. 14-391, and the Zoning Administrator must grant the relief requested, unless objections are timely filed under the Ordinance, thus necessitating review by the Board of Appeals.

Thank you for your consideration of this matter.

Yours truly,



Thomas F. Jewell, Esq.

TFJ/t  
Enclosures