



# PORTLAND MAINE

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*Penny St. Louis Littell - Director of Planning and Development  
Marge Schmuckal, Zoning Administrator*

January 2, 2009

Evalin Stearns  
26 Deerfield Road  
Portland, ME 04101

Re: 26 Deerfield Road – 112 G002 – R-5 – Catering by Evalin

Dear Ms. Stearns,

This letter is a follow up to when we met at the counter in the Building Inspection/Code Enforcement Office in room 315 at City Hall. Tammy Munson, Inspections Division Director, Alex Murphy, Business License Administrator and I all spoke to you about your business Catering by Evalin which you run out of your home.

One issue we discussed was whether you needed a separate kitchen for your business. Tammy Munson said that she would look into whether you were “grandfathered” by the state since you had been running this business for a while. Tom Markley, code enforcement officer, and Gerald Giberson, State Health Inspector, inspected your house on December 4, 2008 and determined that your existing kitchen met the food service preparation requirements and that you did not need a separate kitchen for your catering business.

The other issue we discussed was that the legal use of your property is a single family home. In order to run a business out of your home, you need to apply for a home occupation and get a certificate of occupancy. I have enclosed the home occupation application which includes the section of the ordinance that addresses the home occupation. Since a catering business is not specifically listed in section 14-410(b), you will have to apply for a conditional use appeal before the Zoning Board of Appeals to run a catering business from your home [section 14-410(c)]. I have also enclosed the conditional use application and the application process for the Zoning Board of Appeals.

You have thirty days from the date of this letter to apply for a conditional use appeal for a home occupation to run a catering business out of your house. If we have not received your application in thirty days, we will turn the matter over to our corporation counsel, and they may start legal proceedings to bring your property into compliance.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

Ann B. Machado  
Zoning Specialist  
(207) 874-8709

Cc. file