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CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

B-1b Neighborhood Business Zone
Miscellaneous Appeal

DECISION

Date of public hearing: November 16, 2017

Name and address of applicant: 502 Deering Center LLC
55 Hamblet Avenue
Portland, Maine 04103

Location of property under appeal: 502 Stevens Avenue
CBL 135 E009001

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

~~502~~ Denis Lachman
Kiya Smith
Business Address: 55 Hamblet Ave.
Portland

Exhibits admitted (e.g. renderings, reports, etc.):

Application + exhibits
Smart Credit Parking Best Practices - Handout

Findings of Fact and Conclusions of Law:

The applicant is seeking approval to allow for joint use, by residential and commercial uses at the property, of seven out of twelve parking spaces in the associated parking facility, pursuant to § 14-343.

Findings:

The joint use of parking facilities is permitted so long as the following criteria are met:

- A. The application includes sharing between a residential use in the B-1b Zone with another principal use in the B-1b Zone. § 14-343(a).

Satisfied Not Satisfied

Reason and supporting facts:

Proposed use - mixed use in nature. residential on upper levels, business on lower levels.

- B. The applicant has clearly demonstrated that the parking facility will substantially meet the intent of the requirements by reason of the variation in the probable time of the maximum use by patrons or employees among such establishments. § 14-343(a).

Satisfied Not Satisfied

Reason and supporting facts:

Majority of spaces used by residences & residential uses - when businesses are not being patronized. Bakery & yoga use - early morning only 2 commercial spaces are required per use.

Conclusion: (check one)


McCall Bartels

Option 1: The Board finds that all of the standards have been met and therefore GRANTS the application.

Option 2: The Board finds that all of the standards have not been met and therefore DENIES the application.

Dated:

11-16-17



Board Chair