

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department  
Michael A. Russell, MS, Director

Ann Machado, Zoning Administrator

November 20, 2017

502 Deering Center LLC  
Attn: Denis Lachman and Kiya Smith  
55 Hamblet Ave.  
Portland, ME 04103

Re: 502 Stevens Ave., CBL 135-E-009; B-1b Neighborhood Business Zone

Dear Mr. Lachman and Ms. Smith:

On November 16, 2017, the Zoning Board of Appeals voted 6-0 to grant the Miscellaneous Appeal to allow the joint commercial and residential use of seven off-street parking spaces at the above-referenced property. I am enclosing a copy of the Board's decision.

Appeals from decisions of the Board may be filed in Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

Should you have any questions, please contact me at (207) 874-8695 or [estacey@portlandmaine.gov](mailto:estacey@portlandmaine.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Christina Stacey'.

Christina Stacey  
Zoning Specialist

cc: file

11/16 Cell  
Harrison  
Avery  
Kate Lofgren  
Zamboni  
Bartels

# CITY OF PORTLAND, MAINE

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## 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 Cradle 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)

*McCaig 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*

*[Signature]*

Board Chair