



Planning &amp; Urban Development Department

*Jeff Levine, AICP, Director**Ann Machado, Zoning Administrator*

Nicholas Morrill  
c/o Jensen Baird Gardner Henry  
10 Free Street  
PO Box 4510  
Portland, ME 04112-4510

June 19, 2015

Re: 1186 Congress Street – 189-A-015 (the "Property ") - B-2 Community Business Zone

To Whom It May Concern:

I am in receipt of your request for a determination letter for the Property. The Property is located within a B-2 Zone as described in Division 10, section 14-181 through section 14-195 of the City of Portland's Land Use Ordinance. The current use of the Property is "accessory" off-street parking for the other tenants in the vicinity, Norway Savings Bank at 1200 Congress Street and the hotel at 1230 Congress Street as approved by the Planning Board on May 24, 2005 under Site Plan Application #2005-0070 which were "Coordinated Site Plan applications for OEI I, II, and XIII".

To the best of my knowledge, the Property, as developed, conforms with all requirements of the City of Portland's Land Use Ordinance, including applicable building, land use and subdivision regulations, and that all required City permits, licenses and approvals have been issued for the current uses and development of the Property. I am not aware of any current violations or enforcement actions involving the Property.

The question was asked if "parking facilities and structures (ie a parking garage)" would be allowed on the Property under the Land Use Ordinance as a separate use. The current use was approved as an accessory surface parking lot. It was not allowed as a stand-alone use. It was approved as accessory to the principal uses at 1200 Congress Street and 1230 Congress Street. Section 14-182 lists the permitted uses in the B-2 Zone and Section 14-183 lists the Conditional Uses for the B-2 zone. A "parking facility and structure" is not listed as a permitted or conditional use, therefore under section 14-184 the use is prohibited and would not be allowed.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado".

Ann B. Machado  
Zoning Administrator  
City of Portland, Maine  
207.874.8709