

Zoning Division
Marge Schmuckal
Zoning Administrator



Department of Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

191-A-16
Onex Co.
440 Forest Avenue
Portland, ME 04101

September 21, 1998

RE: 32-34 Lassell Street - 191-A-16 - R-5 Zone

Dear Sir/Madam,

It has recently come to the attention of our office that the property at 32-34 Lassell Street is running a car repair business out of their residence. Along with this illegal activity, there is a constant storage of unregistered vehicles which is also violating our City Zoning Ordinance. The R-5 zone is a residential zone which strictly prohibits car repair businesses. All residential zones prohibit the accumulation of unregistered vehicles (see attached).

These illegal uses must cease immediately, within 10 working days of the receipt of this letter. Our Code Enforcement Officer will be reinspecting this property within that time period in order to ensure compliance. If compliance is not met at that time, it will be necessary to turn this matter over to our Corporation Counsel for legal action.

Please feel free to contact me regarding this matter.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc: Kevin Carroll, Code Enforcement Officer
Mark Adelson, Housing & Neighborhood Services
✓ File

Sec. 14-333. To be located on lot with principal use in residence zones; exceptions.

Required off-street parking in all residence zones and accessory off-street parking in R-1 through R-5 zones shall be located on the same lot with the principal building or use, except that the board of appeals may permit such off-street parking to be located at a distance of not more than three hundred (300) feet from the principal building or use, measured along lines of public access where it cannot reasonably be provided on the same lot if the premises to be used for parking are held under the same ownership or lease as the building or use served and if said premises are located in the same or a less restricted zone as the building or use served. Evidence of such control, either deed or lease, shall be required.

(Code 1968, § 602.14.C)

Sec. 14-334. To be located on lot with principal use in nonresidential zones; exceptions.

Required off-street parking in all nonresidential zones shall be located on the same lot with the principal building or use, or within one hundred (100) feet measured along lines of public access, except that where off-street parking cannot be provided within these limits, the board of appeals may permit such off-street parking to be located a reasonable distance from the principal building or use measured along lines of public access if the premises to be used for parking are held under the same ownership or lease. Evidence of such control, either deed or lease, shall be required.

(Code 1968, § 602.14.D; Ord. No. 430-83, § 1, 4-25-83)

Sec. 14-335. Off-street parking restricted.

Off-street parking shall not include:

- (1) More than one (1) commercial motor vehicle in any residence zone, the R-P zone or any B-1 zone;
- (2) More than six (6) commercial motor vehicles in any B-2 zone;
- (3) Loading, sales, dead storage, repair, or servicing of any kind, except when customarily incidental or accessory to a conforming principal building or use when located in an I-2, I-2b, I-3 zone and I-3b zone;
- (4) Except in the case of a car dealer, more than one (1) unregistered motor vehicle stored outside for a period in excess of thirty (30) days in any residence zone, the R-P zone or any business zone;
- (5) Notwithstanding (1) above, any truck body, commercial trailer or similar commercial vehicles in any residence zone or the R-P zone.

(Code 1968, § 602.14.E; Ord. No. 298-88, 5-31-88)

Sec. 14-336. Location in residence zones for six or fewer vehicles.

- (a) Where off-street parking for six (6) or fewer vehicles is required or provided in any residence zone, it shall not be located closer than fifty (50) feet to any street line if less than