



Planning & Urban Development Department

Jeff Levine, AICP, Director

Ann Machado, Acting Zoning Administrator

JEWELL & BULGER, P. A.
477 Congress Street
Suite 1104
Portland Maine 04101

December 23, 2014

Attention: Thomas F. Jewell, Attorney-at-Law

Re: 200 Veranda Street/ Zoning Determination Letter, Portland Tax Map 432-E-3; 433-B-16-23 to 26, R-5 Residential Zone and Shoreland Overlay zone

Dear Mr. Jewell:

I am in receipt of your request for a Zoning Determination Letter on the above-referenced property.

The property at 200 Veranda Street is located in the R-5 Zone described in Chapter 14 of the Portland Land Use Ordinance (the Code). The most recent document on file is a Certificate of Occupancy from 1984 for Northern New England Peterbilt which listed the permitted use of the property for truck sales, repair, storage and rental. Although Peterbilt ceased operations in 2010, the leasing history shows that the property continues to be used for motor vehicle sales and repairs. This use of the property continues to be a legal non-conforming use.

I understand that the prospective new owner, Hewitt Properties, LLC, proposes to use the property primarily for automobile sales and repair with some storage. Your question for determination and interpretation is whether the legal non-conforming use includes automobile vehicles sales and repairs in contrast to the prior use devoted primarily to trucks.

The Portland Land Use Ordinance does not draw a distinction between automobile repairs and sales and truck sales and repairs. They would both be considered motor vehicles in this context and therefore the use proposed by the prospective owner would not constitute a change in use. Assuming these facts, the use contemplated by Hewitt Properties, LLC, would be a continuation of the existing lawfully non-conforming use under the Code.

No further approvals or determinations are needed in this regard.

Portland, Maine



Yes. Life's good here.

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Jeff Levine, AICP, Director

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Yours truly,

Ann B. Machado

Acting Zoning Administrator

City of Portland

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