

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
 Application And
 Notes, If Any,
 Attached

BUILDING INSPECTION

PERMIT

Permit Number: 070572

This is to certify that A G CAR CO INC /A&M P...ers, LLC

has permission to Change of use from auto garage to Office Interior renovation

AT 105 WASHINGTON AVE 012 P018001

provided that the person or persons firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission proceed before this building or part thereof is started or closed-in. 4 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. _____

Health Dept. _____

Appeal Board _____

Other _____
 Department Name

Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

DENIED

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 07-0572	Issue Date:	CBL: 012 P018001
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Location of Construction: 105 WASHINGTON AVE	Owner Name: A G CAR CO INC	Owner Address: 120 EXCHANGE ST	Phone:
Business Name:	Contractor Name: A&M Partners, LLC	Contractor Address: 120 Exchange Street Portland	Phone: 2077752100
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: B2b

Past Use: Commercial - Auto Garage	Proposed Use: Commercial - Office - Change of use from auto garage to Office, Interior renovations	Permit Fee: \$485.00	Cost of Work: \$38,400.00	CEO District: 1
Proposed Project Description: Change of use from auto garage to Office, Interior renovations		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See conditions</i>	INSPECTION: Use Group: B Type:	
		Signature: <i>Greg Case</i> Signature:		
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: Idobson	Date Applied For: 05/18/2007	Zoning Approval		
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<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. 	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Major <input type="checkbox"/> Minor <input type="checkbox"/> MME Date: <i>6/11/07</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input checked="" type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>8/2/07</i> Date: _____	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: _____
	<p><i>Reversed my decision - see letter →</i></p> <p><i>6/11/07</i></p>	<p style="text-align: center;">DENIED</p>	

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT ADDRESS DATE PHONE

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE



Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

June 18, 2007

A & M Partners, Inc.
120 Exchange Street
Portland, ME 04101
Attn: Lou Wood

RE: 105-107 Washington Avenue – 012-P-018 – B2b Zone – application #07-0572

Dear Lou Wood,

As you know, this office is in receipt of your permit application to add government offices at the above location. I am denying your application because governmental buildings and uses are not expressly listed in the B2b zone in which this property is located. Section 14-184 states, "Uses not enumerated in sections 14-182 and 14-183 as either permitted uses or conditional uses are prohibited". The proposed use is a State government use and is therefore not permitted within the B2b zone.

You have the right to appeal my decision concerning use. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Corporation Counsel
File

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-sec
Peter Thornton
Kate Knox
Jill E. Hunter
David Dore, chair
Gordan Smith

August 3, 2007

Lou Wood / Manager
AM Partners
120 Exchange Street
Portland, ME 04101

RE: 105-107 Washington Ave.
CBL: 012 P018
ZONE: B2b

Dear Mr. Wood:

As you know, at its August 2, 2007, meeting, the board voted 4-0 and denied the Interpretation Appeal.

Enclosed please find the board's decision.

Should you have any questions please feel free to contact me at 207-874-8701.

Sincerely,



Gayle Guertin
Office Assistant

COPY

CITY OF PORTLAND, MAINE ZONING BOARD OF APPEALS

APPEAL AGENDA

The Board of Appeals will hold a public hearing on Thursday, August 02, 2007 at 6:30 p.m. on the second floor, Room 209, City Hall, 389 Congress Street, Portland, Maine to hear the following appeals:

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: August 3, 2007
RE: Action taken by the Zoning Board of Appeals on August 2, 2007.

The meeting was called to order at 6:35pm.

Roll call as follows:

Members Present: David Dore, Philip Saucier, Jill Hunter, Peter Coyne, Peter Thornton and Gordan Smith.
Members Absent: Kate Knox.

1. Old Business:

A. Practical Difficulty Variance Appeal:

745 Forest Avenue, Stephen E. Mardigan, owner, Tax Map # 130 Block K Lot #001, in the B2 Business Zone. The appellant is seeking a Practical Difficulty Variance Appeal under section 14-185 (c) 2 of the City of Portland Zoning Ordinance. Appellant is requesting a one foot (1') rear setback instead of the required ten foot (10') rear set back. Representing the appeal is Robert Greenlaw, surveyor of Back Bay Boundary, Inc. Continued from the meeting of June 21, 2007 and July 19, 2007 due to a lack of quorum. **Board voted 5-0 and denied the Practical Difficulty Appeal.**

2. New Business:

A. Interpretation Appeal:

105-107 Washington, A & M Partners, LLC owners, Tax Map #012 Block P Lot 018 in the B2b Community Business Zone. The Appellant is seeking an Interpretation Appeal regarding section 14-182 of the City of Portland Zoning Ordinance and a Zoning Determination letter given by Marge Schmuckal. The appellant is proposing to change the use from an automobile repair garage to government offices. Representing the appeal is Lawrence Clough (Attorney) and the owners of A&M Partners, LLC (Michael Scarks & Art Girard). **Board voted 4-0 and denied the Interpretation Appeal.**

3. Other Business: None

4. Adjournment: 8:00pm

Enclosure:

Agenda of August 2, 2007
Copy of Board's Decision
CC: Joseph Gray, City Manager
Alex Jaegerman, Planning Department
Lee Urban, Planning & Development Director
T.J Martzial, Housing & Neighborhood Services

COPY

ZBA Members
Council:

Gordon Smith
Philip Saucere

CITY OF PORTLAND, MAINE ZONING BOARD OF APPEALS

"Governmental use" in B-2b Zone:

Interpretation Appeal

DECISION

Date of public hearing:

Aug. 2, 2007

Name and address of applicant:

A + M Partners

Location of property under appeal:

105-107 Washington Ave, Portland ME

For the Record:

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

~~None in favor~~

- Opponents - 1. Chris Brunij 118 Washington Ave. businessman
2. Arlene Kelly, 92 Snelidan, resident
3. Ronald Gann 15 Longfellow
4. Cheryl Leeman

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

1. Similar use listing
2. Portland zoning map, purporting to show offices in list above not in B2b zone as well as others in the B2b zone. Maye stated that she had no time to research whether the ^{listed} properties had permits

Proponents

Michael Searles

120 Exchange St. Portland

Lawrence Clough, Esq.

3 Canal Plaza

Portland

COPY

Findings of Fact and Conclusions of Law:

The Board's authority to review an interpretation of the Zoning Administration is pursuant to Section 14-472 of the zoning ordinance.

The City's Zoning Administrator issued an Interpretation on June 18, 2007, stating that a proposed probation office for the state Department of Corrections to be located at 105-107 Washington Avenue would be a "governmental use" (*see e.g.* B-4, B-5, B-5b and B-7 Zones, Sections 14-229.11(b), 230.1(b) and 14-295(d)) and therefore prohibited in the B-2b zone, rather than a "general, business [or] professional office" use which would be permitted under Section 14-182(b)(1).

Appellant has demonstrated that the Interpretation of the Zoning Administrator was incorrect or improper.

Satisfied Not Satisfied

Reason:

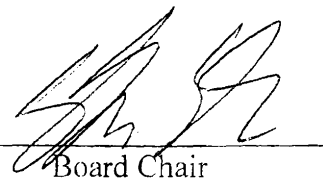
Not explicitly allowed in B2b

Decision: (check one)

Option 1: The Board finds that the Appellant has satisfactorily demonstrated that the Interpretation of the City's Code Enforcement Officer was incorrect or improper, and therefore GRANTS the application.

Option 2: The Board finds that the Appellant has NOT satisfactorily demonstrated that the Interpretation of the City's Code Enforcement Officer was incorrect or improper, and therefore DENIES the application.

Dated: 8/2/07


Board Chair



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Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

May 29, 2007

A & M Partners, LLC
120 Exchange Street
Portland, ME 04101
Attn: Lou Wood

RE: 105-107 Washington Avenue – 012-P-018 – B-2b zone – permit #07-0572

5/31/07
hand delivered to
Lou Wood

Dear Lou Wood,

As you know this office is in receipt of your application to change the use of the present building located at 105-107 Washington Avenue from an auto repair garage to offices. I did receive the site plan information that I needed in regards to parking. At this time I would need more information regarding the specific square footage of area that this building encompasses. There seems to be some question as to the size of the area regarding the change of use.

If your plan provider, Archetype, P.A., could specifically document the square footage of this building, it would then allow me to determine what other reviews might be necessary.

Very truly yours,

Marge Schmuckal
Zoning Administration

OK - See
Attached

Cc: file

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

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Proposed Project Description: Change of use from auto garage to Office, Interior renovations		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature:			Date:	

Permit Taken By: Idobson	Date Applied For: 05/18/2007	Zoning Approval		
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Major <input type="checkbox"/> Minor <input type="checkbox"/> MM	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
	Date:	Date:	Date:

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
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RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE	DATE	PHONE
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General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>107^{1/2} Washington Ave</u>		
Total Square Footage of Proposed Structure <u>5000 SF</u>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# Block# Lot#	Owner: <u>AJM Partners LLC</u> <u>120 Exchange St.</u> <u>PORTLAND, ME 04101</u>	Telephone: <u>Lou Wood</u> <u>207-450-6128</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>SAME AS OWNER</u> <u>Louis Wood</u> <u>207-874-6959 OFFICE</u> <u>207-450-6128-CELL</u>	Cost Of Work: \$ <u>38,400.⁰⁰/₁₀₀</u> Fee: \$ _____ C of O Fee: \$ _____
Current legal use (i.e. single family) <u>VACANT</u> If vacant, what was the previous use? <u>Auto Garage</u> Proposed Specific use: <u>office space</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Interior renovations, Wall Construction of Non-load Bearing</u> <u>Paint/Carpet</u>		
Contractor's name, address & telephone: <u>SAME AS OWNER</u> Who should we contact when the permit is ready: <u>Louis Wood</u> Mailing address: _____ Phone: <u>450-6128</u>		

Please submit all of the information outlined in the Commercial Application Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: Louis Wood Date: 5/17/07

This is not a permit; you may not commence ANY work until the permit is issued.



STATE OF MAINE
DEPARTMENT OF CORRECTIONS
111 STATE HOUSE STATION
AUGUSTA MAINE
04333-0111

JOHN ELIAS BALDACCI
GOVERNOR

MARTIN A. MAGNUSSON
COMMISSIONER

June 5, 2006

Lou Wood

RE: Proposed Portland Office Use

Dear Lou,

Below is a brief summary of the staffing and intended usage of the proposed office site on Washington Avenue. Please let me know if you have any additional questions.

Use of Proposed new office space on Washington Avenue

Site will house approximately 15 Adult Probation staff. The staff is made up of a combination of probation officers, supervisory and clerical personnel.

The largest number of the staff assigned to this office are probation officers (approximately 10-11). They actually spend the majority of their time outside of the office working with the court system, doing field reporting, conducting house visits on clients, etc. The people who spend the majority of their time in the office are the clerical support staff (2), and the supervisory staff (2) who split their time between the office and working in the field.

One of the major functions of the office is client reporting. Reporting days occur four days per week. The probation officers have a certain percentage of their client caseloads that are required to report to the office. The clients come in to provide updates to their assigned probation officer. When they report, they could be required to submit to a drug test. On reporting days, one bathroom in the site will be dedicated for this use. The probation officers will take clients into the bathroom, one at a time, and make them submit to a urine test. The probation officer oversees this process. When not being used for drug testing purposes, the bathroom will be used as a second staff bathroom. This is the same set-up that we use in all of our probation offices across the state.

Other than clients reporting, our probation offices do not see a lot of public traffic at all. Occasionally, there might be a meeting with a treatment provider, etc., but they are not a common occurrence.

Sincerely,

Mark S. McCarthy

Mark McCarthy
Correctional Operations
Ph. 207-287-4389
Email – mark.s.mccarthy@maine.gov



PHONE (207) 287-2711

(207) 287-4472

FAX (207) 287-4370

A & M PARTNERS, INC.

REAL ESTATE DEVELOPMENT/MANAGEMENT

120 EXCHANGE STREET PORTLAND, MAINE 04101



(207) 879-1358

Jeanie Bourke
Division Director
Inspection Services Program
City of Portland, Maine
Re: 107 Washington Avenue Permit

June 5, 2007

12 P 18
070572

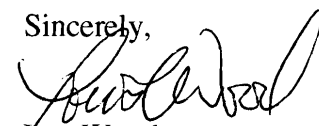
Dear Jeanie,

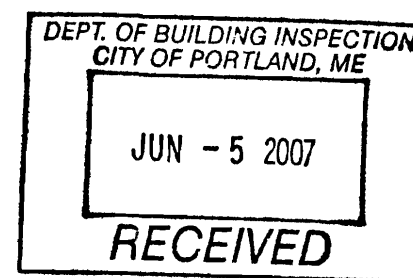
Thank you for reviewing our building permit for 107 Washington Avenue. When we met you brought up the issue regarding the bathroom facilities for the Maine Parole Board at that office. I am enclosing a letter from the Maine Parole that will explain the reasons that they have laid out the plan as it exists.

I would appreciate your review in allowing the bathroom facilities as shown. If not please call me as soon as possible so that I can work with the Department of Correction to redesign the space.

Please feel free to call my cell phone so that we can discuss this.

Sincerely,


Lou Wood
A & M Partners, LLC
450-6128 cell



5/21/07

Lease #6305.00.00

Lessor Federal ID #01-0524253

OFFICE LEASE

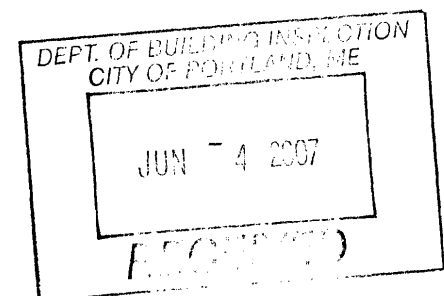
between

A & M Partners, LLC

and

THE STATE OF MAINE
Department of Administrative & Financial Services
Bureau of General Services
on behalf of the

Maine Department of Corrections
Region I Adult Community Corrections



This Office Lease is made and entered into this 21st day of May 2007, by and between A & M Partners, LLC whose address is 120 Exchange Street, Portland, Maine 04101 for themselves, their heirs, executors, administrators, successors and assigns (hereinafter called the "Lessor") and the State of Maine, Department of Administrative & Financial Services, Bureau of General Services, whose address is 77 State House Station, Augusta, Maine 04333-0077 on behalf of the Maine Department of Corrections, Region I Adult Community Corrections (hereinafter called the "Department"),

1. **LEASED PREMISES:** The Lessor does hereby lease, demise and let to the Department the following premises:

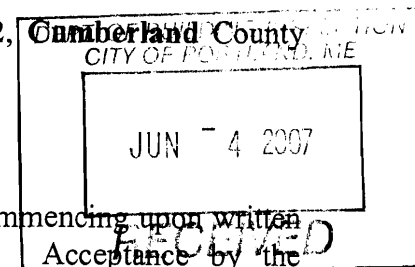
- (a) A commercial office building to be constructed or rehabilitated on the Land by Lessor at Lessor's expense in accordance with the site plan, building plans and specifications identified in **Exhibit D**, which commercial office building (the "Building"), located at 107 Washington Avenue, Portland, Maine 04101, shall contain a net usable area of **4,877** square feet of interior space; and
- (b) A parking lot on the Land by Lessor as shown in the site plan, building plans and specifications identified in **Exhibit D**, which parking lot (the "Parking Lot") shall contain spaces for a minimum of twelve (12) vehicles.

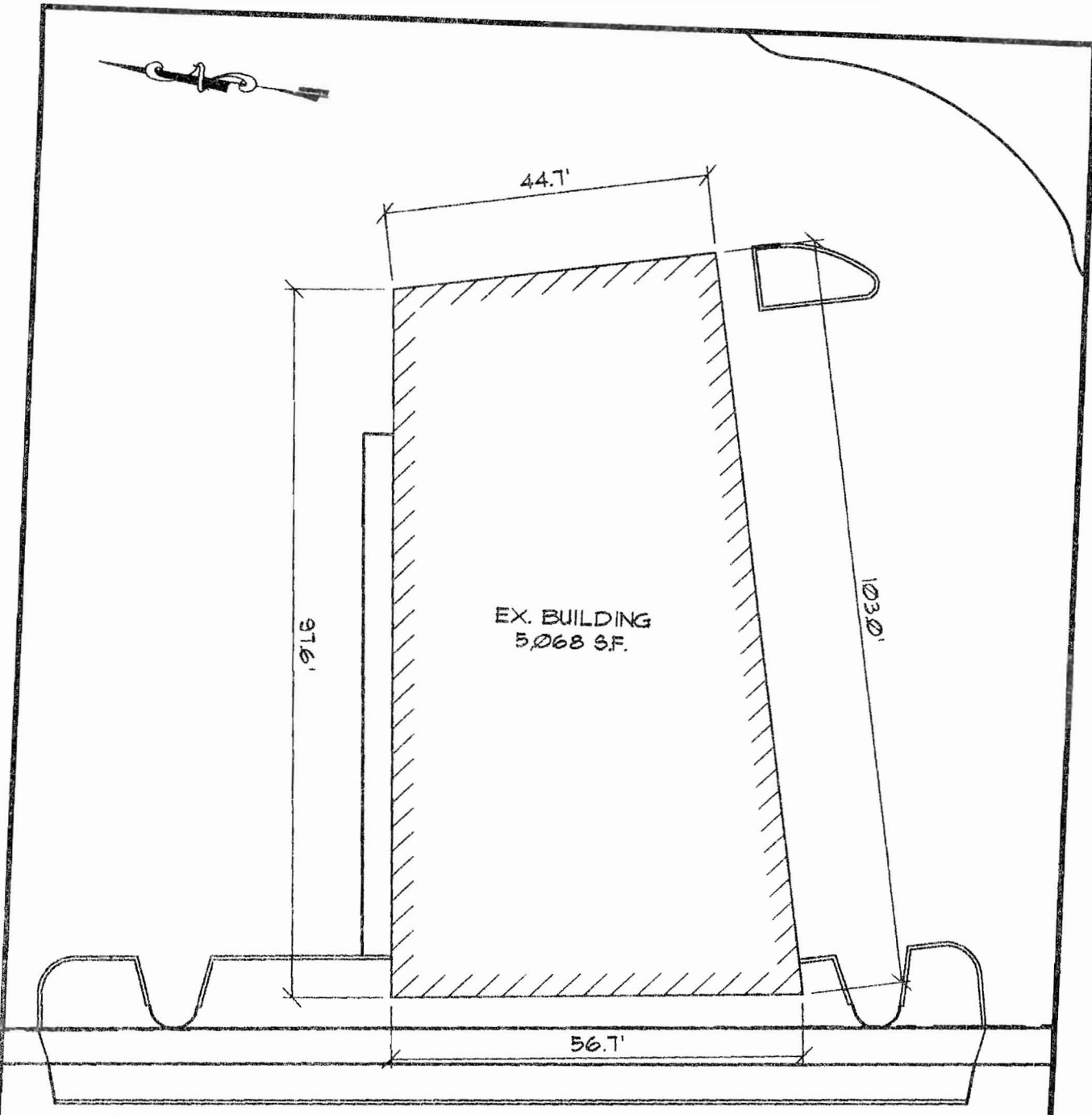
The Land, Building and Parking Lot are collectively referred to herein as the "Leased Premises".

- (c) Lessor herein warrants that it owns the Leased Premises free and clear of all encumbrances except those listed below:
 - (i) A & M Partners, LLC is the sole owner of the property at 107 Washington Avenue, Portland, Maine 04101.
 - (d) Lessor Title Reference is as follows: Book **25070**, Page **52**, **Cumberland County** Registry of Deeds.

2. **TERM:**

- (a) The term of this Office Lease shall be for ten (10) years commencing upon written acceptance of the Leased Premises by the Department. Department shall be in the form set forth in Commencement Notice, **Exhibit B**, attached hereto and made a part hereof. In the event that commencement occurs after the first day of a month, a partial first month shall be added to the initial term of this Office Lease.
- (b) The Department shall have no obligation to accept the Leased Premises until (i) all construction or renovations have been completed to the satisfaction of the Department; (ii) an unlimited and unrestricted Certificate of Occupancy has been issued by the City of Portland; (iii) receipt of an Architects Certificate of Substantial Completion; (iv) receipt of a Certified Air Balancing Report acceptable to the





WASHINGTON AVENUE

BUILDING DIMENSIONS

**107 WASHINGTON AVE.
PORTLAND, MAINE**

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME

JUN - 4 2007

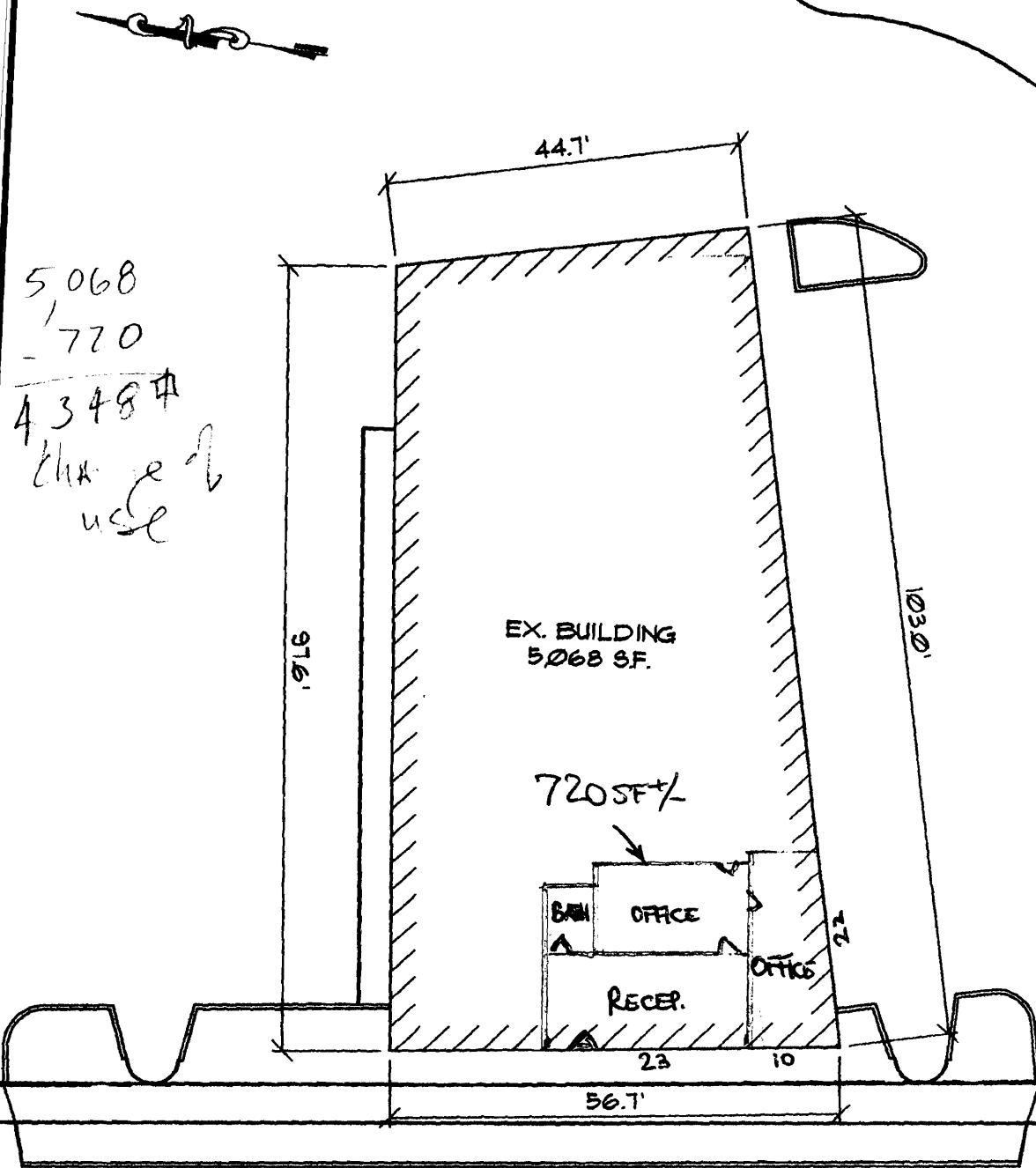
RECEIVED

PINKHAM & GREER
CONSULTING ENGINEERS

SCALE: 1"=20'
DATE: MAY 31, 2007
DESIGN BY: MRB
PROJECT: 02181

01

FORMER LAYOUT - 3G's GARAGE



5068
 - 720

 4348 #
 change of
 use

EX. BUILDING
 5068 SF.

720 SF +/-

WASHINGTON AVENUE

DEPT. OF BUILDING INSPECTION
 CITY OF PORTLAND, ME

JUN 4 2007

RECEIVED

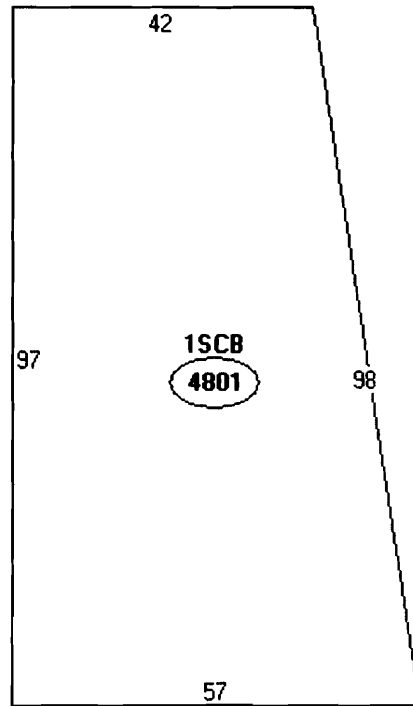
BUILDING DIMENSIONS

107 WASHINGTON AVE.
 PORTLAND, MAINE



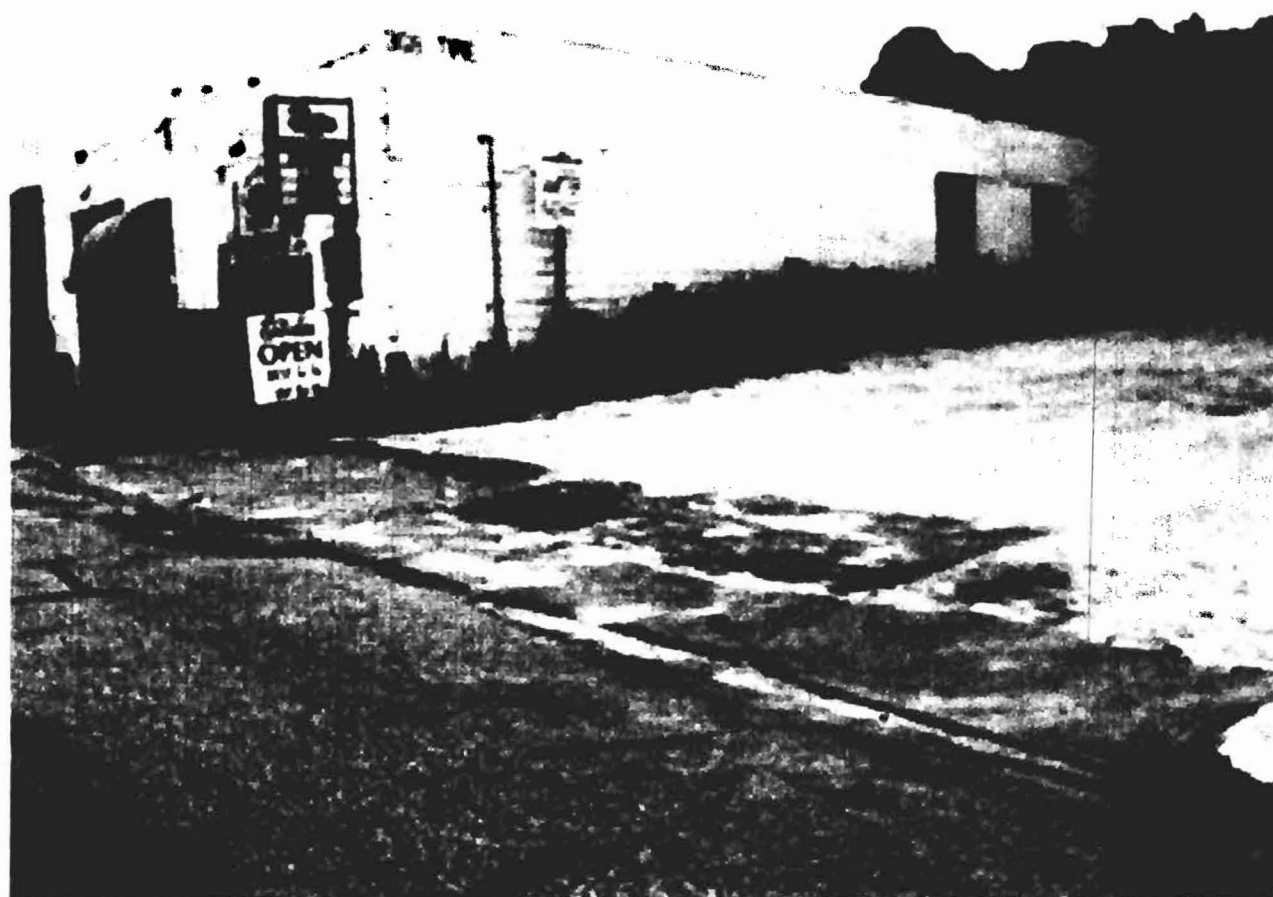
SCALE: 1"=20'
 DATE: MAY 31, 2007
 DESG BY: MRB
 PROJECT: 02181

01



Descriptor/Area

A: 1SCB
4801 sqft



City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 07-0572	Date Applied For: 05/18/2007	CBL: 012 P018001
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Business Name:	Contractor Name: A&M Partners, LLC	Contractor Address: 120 Exchange Street Portland	Phone (207) 775-2100
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

Proposed Use: Commercial - Office - Change of use from auto garage to Office, Interior renovations	Proposed Project Description: Change of use from auto garage to Office, Interior renovations
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Dept: Zoning **Status:** Denied **Reviewer:** Marge Schmuckal **Approval Date:** 06/04/2007

Note: see comments - permit denied - ZBA interpretaion appeal denied on 8/2/07

Ok to Issue:

- 1) Separate permits shall be required for any new signage.

Dept: Building **Status:** Pending **Reviewer:**

Approval Date:

Note:

Ok to Issue:

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Capt Greg Cass **Approval Date:** 06/07/2007

Note:

Ok to Issue:

- 1) Application requires State Fire Marshal approval.
- 2) An evacuation plan is required
- 3) All life safety equipment shall be installed per NFPA 101

Comments:

5/21/2007-mes: I called Lou Wood and talked to Lannie - No site plan has been included with this application - no required parking shown. - permit on hold until I receive the info.

5/25/2007-ldobson: Maybe connected w/ 012 P019 and site plan 2005-0026

5/29/2007-mes: see letter dated 5/29/07 - requesting more information regarding the exact size of the building - to be documented by Archtype- I did receive the site plan information as requested.

5/31/2007-mes: Lou Wood in the office & I gave him a copy of my letter requesting exact size of the building in writing. I am forwarding the permit on to Fire for further review while I am waiting for a response.

6/4/2007-mes: Lou Wood & Mike Sparks came in and showed me that the entire building (outside measurements) are 5,068 sq ft. However, there was 720 sq ft of area that was office previously, therefore there is only 4,384 sq ft of a change of use that is not office space.

6/18/2007-mes: I revisited the actual use of the building. This is not just offices. These are governmental offices which is a separate and more specific use under the ordinance and stated as such in about 5 other zones. See letter. I have spoken to Lou Wood to let him know the letter was coming.

8/2/2007-mes: The Zoning Board of Appeals denied the interpretation appeal to reverse Marge's zoning determination (see original letter). This permit is denied

From: Penny Littell
To: Lee Urban; Marge Schmuckal; Sonia Bean
Date: 10/5/2007 1:17:48 PM
Subject: Re: Mike Scarks/Washington Ave

I believe the attached went out to Mike. I did draft it and I thought Sonia had sent it out. She is out today so I am copying her on this.

>>> Lee Urban 10/5/2007 11:59:04 AM >>>

Hello, I just spoke with Mike Scarks who was wondering what was the response to his letter.

Did Joe ask that someone draft up a response for him? I thought so.

Location of Construction: 105 WASHINGTON AVE	Owner Name: A G CAR CO INC	Owner Address: 120 EXCHANGE ST	Phone:
Business Name:	Contractor Name: A&M Partners, LLC	Contractor Address: 120 Exchange Street Portland	Phone (207) 775-2100
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

11/14/2008-mes: On October 28th Superior Court Justice Thomas E. Delahanty II ruled that basically the zoning ordinance is improper in its requirements for governmental uses and buildings. The Judge ordered the building permit to be issued. A new permit will be generated.

Dear Mike:

Thank you for your letter of September 12, 2007. I have reviewed its content and discussed the matter with City staff. While I certainly appreciate all development efforts to bring vitality to the City of Portland, your included, your letter raises an issue of zoning interpretation which rests within the sole province of the Zoning Board of Appeals. I also understand that your attorneys have filed an appeal of the ZBA decision with the Superior Court, and that body will be addressing the legal position of both yourself and the ZBA.

You are certainly free to request the City Council to change the zone along Washington Ave to include your proposed tenant's use. I do not know what kind of support there may be for a text change to broaden uses in the B-2 zone.

Sincerely,

Joseph E. Gray
Portland City Manager

Cc: Lee Urban
Marge Schmuckal
James Adolf

OFFICE COPY
WBA

June 16, 2005

Mr. Mike Scarks
Neptune Properties
120 Exchange Street
Portland, ME 04101

RE: 107 Washington Avenue, parking lot
ID #2005-0026, CBL #012-P-019

Dear Mr. Scarks:

On June 15, 2005, the Portland Planning Authority approved a parking lot to be located at 107 Washington Avenue as shown on the approved plan with the following condition:

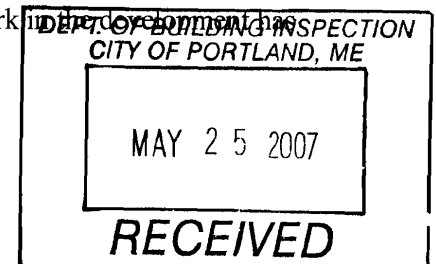
- i. that when the existing building is occupied, the Zoning Administrator shall review the number of parking spaces required for the reuse.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. The site plan approval will be deemed to have expired unless work is completed within 180 days.

O:\PLAN\DEVREV\WASHINGTON107\APPROVAL LETTER6-15-05.DOC



commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
7. The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Kandice Talbot at 874-8901.

Sincerely,

Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director

Sarah Hopkins, Development Review Services Manager
Kandice Talbot, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File

TOMPKINS, CLOUGH, HIRSHON & LANGER, P.A.

COUNSELORS AT LAW
Three Canal Plaza
Post Office Box 15060
Portland, Maine 04112-5060

Lawrence R. Clough
David M. Hirshon
Leonard W. Langer
Marshall J. Tinkle*

Tel (207) 874-6700
Fax (207) 874-6705
E-Mail mjtinkle@tchl.com
*also licensed in MA, NH and DC

July 16, 2007

VIA HAND DELIVERY

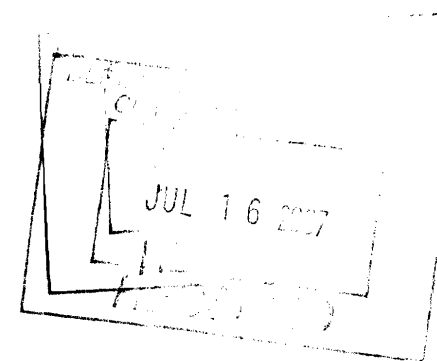
William Hall, Chairman
Zoning Board of Appeals,
Room 315
City Hall
389 Congress Street
Portland, ME 04101

**Re: A & M Partners, LLC
Interpretation Appeal Application**

Dear Mr. Hall:

Enclosed please find the Interpretation Appeal Application of A & M Partners, LLC. Specifically, please accept as our appeal application 11 separate packets of the following, together with our check for the \$100.00 application fee:

- A. This letter;
- B. Appeal Application;
- C. Plot plan;
- D. Floor plan;
- E. Copy of Tax Map with property highlighted;
- F. Photo of building;
- G. Office Lease (partial);
- H. Letter from Department of Corrections;
- I. Zoning map excerpts;
- J. Memorandum of Law.




The purpose of this application is to appeal the denial of A & M Partners' general building permit application dated May 17, 2007 by the Zoning Administrator, Marge Schmuckal, dated June 18, 2007. We are seeking a determination that the proposed use of the building is a permitted use pursuant to section 14-182 of the Land Use Ordinance. Consequently, the Zoning Administrator's denial of the building permit application should be reversed and the application should be granted.

Mr. William Hall, Chairman
July 16, 2007
Page 2 of 2

Please schedule a hearing on this matter on the next available date. If any additional information is needed, please contact the undersigned.

Thank you for your assistance.

Sincerely,



Marshall J. Tinkle

MJT:tds
cc: Mr. Louis Wood

f:\larry\my documents\condos\chestnut st parking\ltr william hall, 7.12.07.doc



City of Portland, Maine
Department of Planning and Urban Development
Zoning Board of Appeals
Interpretation Appeal Application

Applicant Information:

A & M Partners, LLC

Name

Same

Business Name

120 Exchange Street

Address

Portland, ME 04101

(207) 879-1358

Telephone

(207) 874-6988

Fax

Applicant's Right, Title or Interest in Subject Property

Owner

(e.g. owner, purchaser, etc.):

Current Zoning Designation: B-2b

Existing Use of Property:

vacant

(previous use: auto garage)

Type of Relief Requested:

Order granting building permit application

and declaring proposed use to be permitted

use.

Subject Property Information:

105-107 Washington Avenue

Property Address

012-P-018

Assessor's Reference (Chart-Block-Lot)

Property Owner (if different):

Same

Name

Address

Telephone

Fax


Disputed Provisions from Section 14 - 182

Order, decision, determination, or interpretation under dispute: Zoning Administrator's denial letter

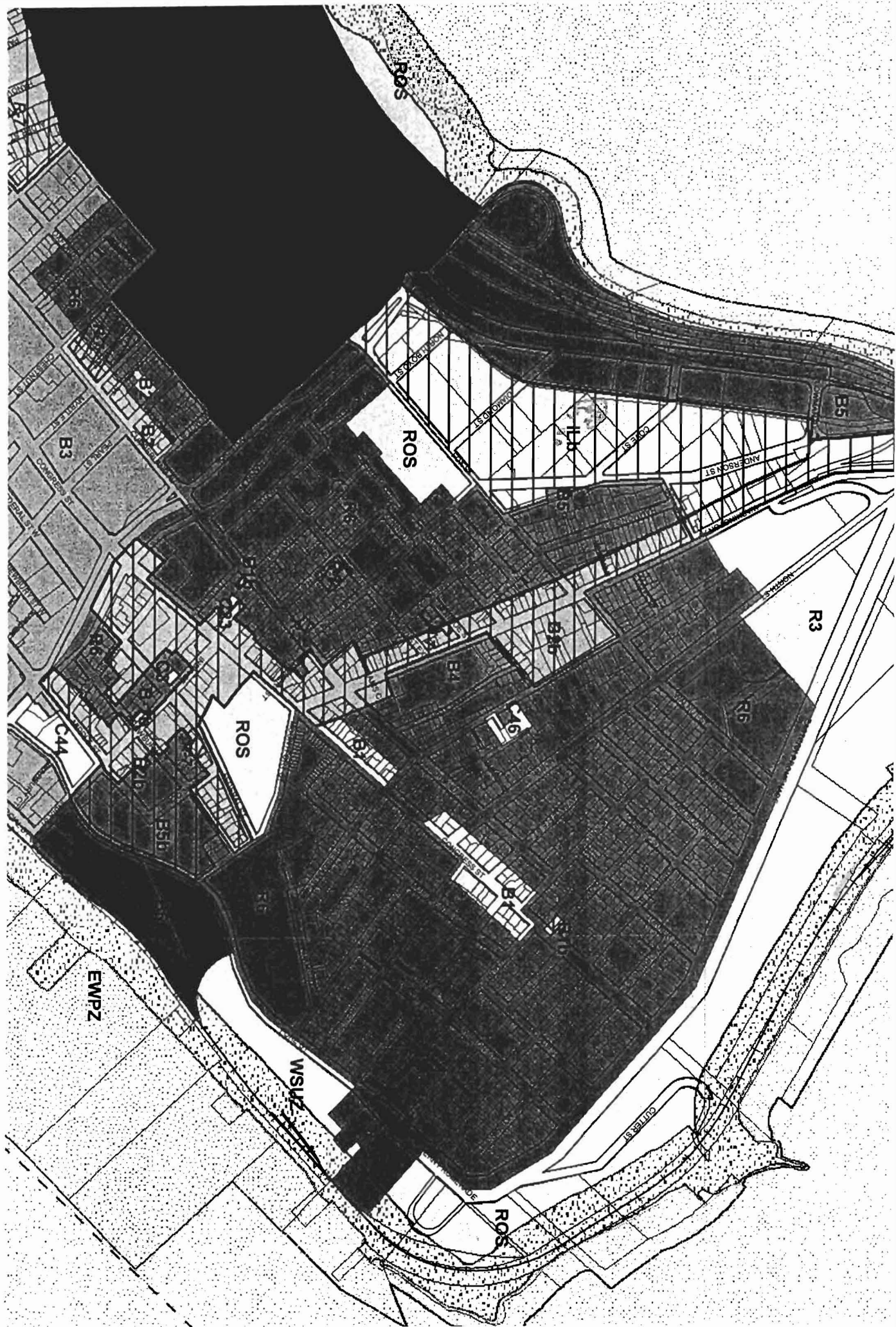
dated June 18, 2007

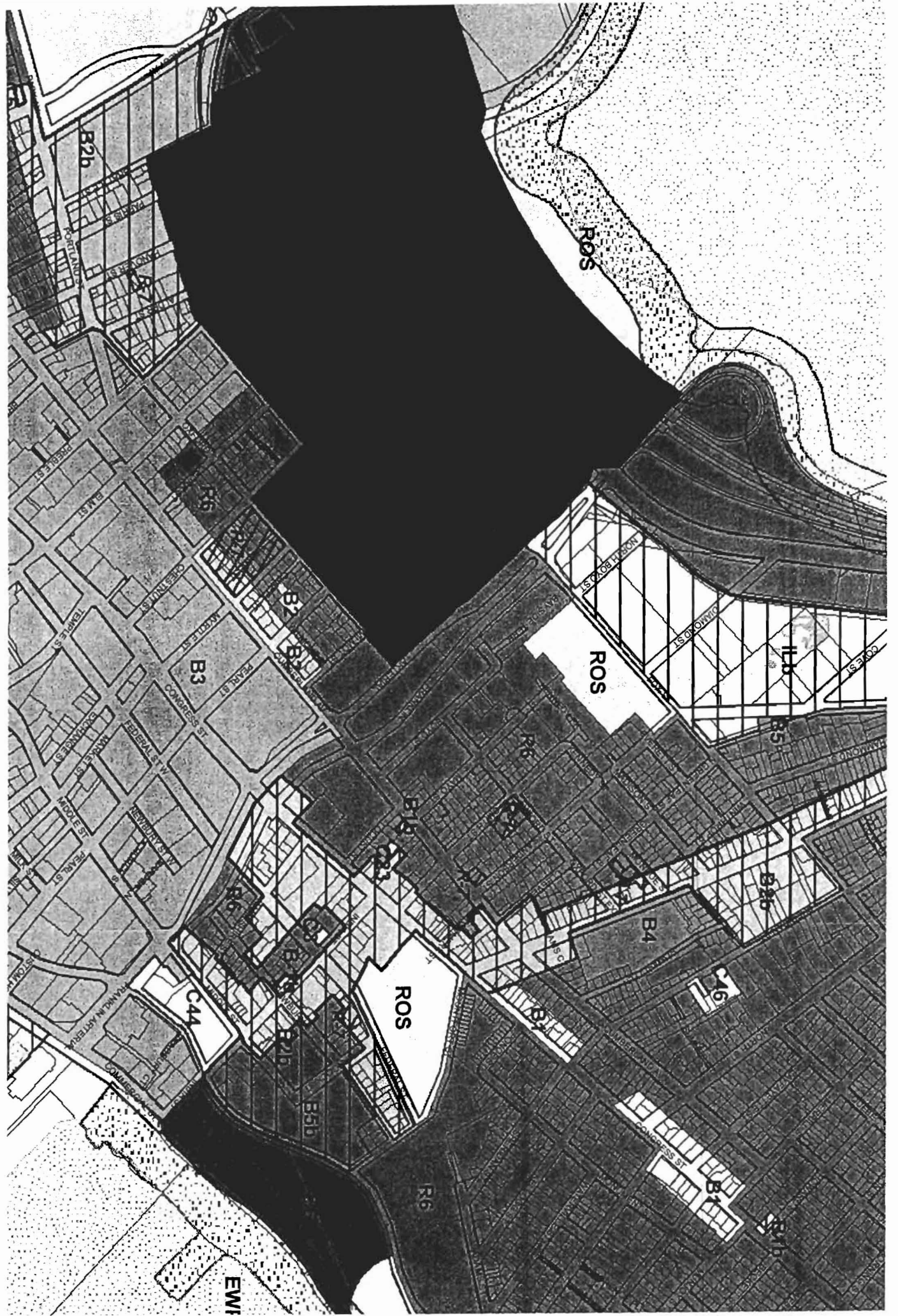
NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for the relief above described, and certified that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.


Signature of Applicant

7/11/2007
Date





5/21/07

Lease #6305.00.00

Lessor Federal ID #01-0524253

OFFICE LEASE

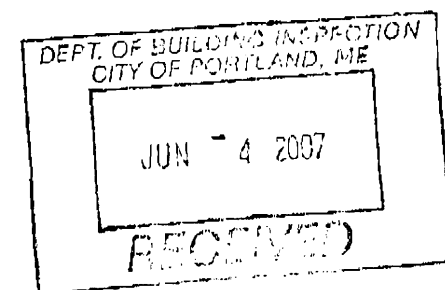
between

A & M Partners, LLC

and

THE STATE OF MAINE
Department of Administrative & Financial Services
Bureau of General Services
on behalf of the

Maine Department of Corrections
Region I Adult Community Corrections



5/21/07

Lease #6305.00.00

This Office Lease is made and entered into this 21st day of May 2007, by and between A & M Partners, LLC whose address is 120 Exchange Street, Portland, Maine 04101 for themselves, their heirs, executors, administrators, successors and assigns (hereinafter called the "Lessor") and the State of Maine, Department of Administrative & Financial Services, Bureau of General Services, whose address is 77 State House Station, Augusta, Maine 04333-0077 on behalf of the Maine Department of Corrections, Region I Adult Community Corrections (hereinafter called the "Department"),

1. **LEASED PREMISES:** The Lessor does hereby lease, demise and let to the Department the following premises:

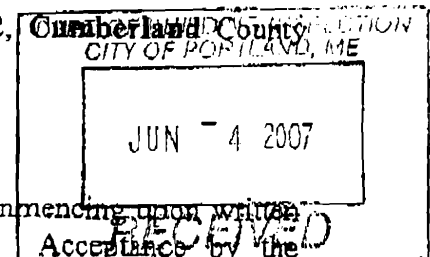
- (a) A commercial office building to be constructed or rehabilitated on the Land by Lessor at Lessor's expense in accordance with the site plan, building plans and specifications identified in **Exhibit D**, which commercial office building (the "Building"), located at 107 Washington Avenue, Portland, Maine 04101, shall contain a net usable area of 4,877 square feet of interior space; and
- (b) A parking lot on the Land by Lessor as shown in the site plan, building plans and specifications identified in **Exhibit D**, which parking lot (the "Parking Lot") shall contain spaces for a minimum of twelve (12) vehicles.

The Land, Building and Parking Lot are collectively referred to herein as the "Leased Premises".

(c) Lessor herein warrants that it owns the Leased Premises free and clear of all encumbrances except those listed below:

(i) A & M Partners, LLC is the sole owner of the property at 107 Washington Avenue, Portland, Maine 04101.

(d) Lessor Title Reference is as follows: Book 25070, Page 52, Registry of Deeds.



2. **TERM:**

- (a) The term of this Office Lease shall be for ten (10) years commencing upon written acceptance of the Leased Premises by the Department. Department shall be in the form set forth in Commencement Notice, **Exhibit B**, attached hereto and made a part hereof. In the event that commencement occurs after the first day of a month, a partial first month shall be added to the initial term of this Office Lease.
- (b) The Department shall have no obligation to accept the Leased Premises until (i) all construction or renovations have been completed to the satisfaction of the Department; (ii) an unlimited and unrestricted Certificate of Occupancy has been issued by the City of Portland; (iii) receipt of an Architects Certificate of Substantial Completion; (iv) receipt of a Certified Air Balancing Report acceptable to the



STATE OF MAINE
DEPARTMENT OF CORRECTIONS
111 STATE HOUSE STATION
AUGUSTA MAINE
04333-0111

JOHN ELIAS BALDACCI
GOVERNOR

MARTIN A. MAGNUSSON
COMMISSIONER

June 5, 2006

Lou Wood

RE: Proposed Portland Office Use

Dear Lou,

Below is a brief summary of the staffing and intended usage of the proposed office site on Washington Avenue. Please let me know if you have any additional questions.

Use of Proposed new office space on Washington Avenue

Site will house approximately 15 Adult Probation staff. The staff is made up of a combination of probation officers, supervisory and clerical personnel.

The largest number of the staff assigned to this office are probation officers (approximately 10-11). They actually spend the majority of their time outside of the office working with the court system, doing field reporting, conducting house visits on clients, etc. The people who spend the majority of their time in the office are the clerical support staff (2), and the supervisory staff (3) who split their time between the office and attending meetings at other locations.

One of the major functions of the office is client reporting. Reporting days occur four days per week. The probation officers have a certain percentage of their client caseloads that are required to report to the office. Clients report to the office to meet with their probation officer regarding their compliance with probation conditions and to review and update case plans. This is also an opportunity for officers to assist clients in locating resources and programs that may be helpful. Officers see approximately 20-25 clients in one day. Report days last from 8:00-5:00. This amounts to an officer seeing approximately 4 clients per hour. Some officers have reports in the Portland office but others have been able to use space in other locations such as the Maine State Police Barracks. During a typical report day clients check in with the officer for 10-15 minutes. There is a waiting room that accommodates these clients similar to a waiting room you would find in a doctors office. Clients do not wait outside as we have ample office space. We have never had any problem with parking for clients as they are in and out relatively quickly. In addition while some clients use their own personal cars others walk or take public transportation. Anyone visiting a probation office would find that it looks very much like many other professional offices such as attorneys or doctors offices.

Other than clients reporting, our probation offices do not see a lot of public traffic at all. Occasionally, there might be a meeting with a treatment provider, etc., but they are not a common occurrence. This would be similar to small meetings held in a variety of agencies.

Sincerely,

PHONE (207) 287-2711

(207) 287-4472

FAX (207) 287-4370

TOMPKINS, CLOUGH, HIRSHON & LANGER, P.A.
MEMORANDUM

TO: City of Portland Zoning Board of Appeals

FROM: Lawrence R. Clough &
Marshall J. Tinkle,
Counsel for A & M Partners, LLC

DATE: July 16, 2007

RE: Interpretation Appeal Application filed by A & M Partners, LLC re
105-107 Washington Avenue, B2b Zone (Tax Map 012-P-0108)

We represent A & M Partners, LLC (“A & M”) which is seeking an interpretation of the section 14-182 of the City’s Land Use Ordinance to the General Building Permit Application and is appealing the denial of its building permit submitted May 18, 2007 pursuant to a letter from the City’s Zoning Administrator dated June 18, 2007.

I. Background.

A & M wishes to refurbish the structure at 105-107 Washington Avenue, currently a derelict automobile repair garage, in order turn it into an office building. Washington Avenue is a major arterial street.

A & M owns multiple properties in the immediate Washington Avenue neighborhood, including the former Nissan’s Bakery building which it has extensively renovated since its initial acquisition in 1999. The principals in A & M, Mike Scarks and Arthur Girard have a long track record in successfully renovating and repositioning properties, including the former Maine National Bank building on Congress Street.

This building is to be leased to the State and used as a probation office for the Department of Corrections (*see* Office Lease). The offices will be occupied primarily by

probation officers, together with supervisory and support staff (*see* letter from Mark S. McCarthy, Correctional Operations). The offices will be open during normal business hours and used for the routine business of probation officers, including general office work as well as reporting by clients. Office parking will be provided by the parking lot that is currently used by tenants of the Nissan's Bakery building.

II. Analysis.

The building is situated in the B-2b Business Zone, which under Section 14-182(b)(1) of the Ordinance expressly permits "General, business and professional offices, as defined in section 14-47." None of the terms "general," "business," "office," "general office" or "business office" is a defined term. "Professional office" is defined as an "office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional." See Ordinance §14-47.

Because zoning ordinances curtail the uses of property and are in derogation of the common law, the Maine Supreme Court has repeatedly held that they must be strictly construed and may not be extended by implication. *Pitcher v. Wayne*, 599 A.2d 1155, 1157 (Me. 1991); *Moyer v. Board of Zoning Appeals*, 233 A.2d 311, 316 (Me. 1967).

In the absence of specific definitions, words in an ordinance must be given their plain meaning. *City of Portland v. Grace Baptist Church*, 552 A.2d 533, 535 (Me. 1988). "[A]ny ambiguity should be resolved in favor of the property owner." 6 Rohan, *Zoning and Land Use Control* §36.03[2] (2007). General terms must be given a broad meaning. *Id.*, §36.03[9][a].

Under these well-settled standards, the phrase "general, business and professional offices" clearly encompasses the public offices contemplated here. A "general" or "business" office is not restricted to a "for profit" business, as opposed to non-profit and public businesses.

Other business uses permitted in the B-2b Business Zone include the following:

- Building Tradesmen;
- Retail Establishments;
- Restaurants;
- Drinking Establishments;
- Billard parlors;
- Mortuaries and funeral homes;
- Veterinary hospitals;
- Theaters and performance halls;
- Hotels and motels of less than 150 rooms

Another category of use permitted in the B-2b zone is “institutional” which again is not a defined term but which does expressly allow “clinics” which in turn is defined as:

Clinics: Any establishment where patients are admitted for examination and treatment by one (1) or more professionals such as, but not limited to, physicians, dentists, psychologists or social workers.

The Zoning Administrator denied the application on the sole ground that the offices were for “governmental” purposes. However, nothing in the Ordinance makes an exception for “governmental” offices. Indeed, the Ordinance focuses on categories of property usage, not on whether the identity of the user happens to be a government agency, a non-profit institution or a profit-making entity.

The fact that section 14-182 does not specifically refer to governmental offices is of no import, because it broadly covers all office buildings. Furthermore, this section was adopted in 1988, when local zoning laws were not binding on the State. *See Senders v. Town of Columbia Falls*, 647 A.2d 93 (Me. 1994); 30-M.R.S.A. §4352(6) (1988). Hence, there was no reason to specify that uses by the state government, including the Department of Corrections, were permitted. Under the plain terms of section 14-182(b)(1), a governmental probation office should be considered either a “business office,” a “professional office” or a “general office.”

III. Legal Precedents.

A. The proposed use is a “business office.” In common parlance, when a state agency carries out its statutory functions, it is engaged in government “business.” *See, e.g., State v. Bouchard*, 2005 ME 106, ¶8, 881 A.2d 1130, 1133; *Tinker v. Continental Insurance Co.*, 410 A.2d 550, 551 (Me. 1980); 1 M.R.S.A. §402(3). Hence, the “operations of the instrumentalities of government” constitute “business.” *La Porte v. United States*, 300 F.2d 878, 880 (9th Cir. 1962). A business may include such governmental operations as a prison, *Wheeler v. Sims*, 951 F.2d 786, 802 n.5 (7th Cir. 1992), *cert. denied*, 506 U.S. 914 (1992); a police department, *Johnson v. State*, 253 A.2d 206, 208 (Del. 1969); law enforcement agencies, including the National Criminal Information Center, *Gassett v. State*, 532 S.W. 2d 328, 329-30 (Tex. App. 1976); and other public agencies, *see Prater v. Cabinet for Human Resources*, 954 S.W. 2d 954, 958 (Ky. 1997). It follows that the offices where government officials conduct their business are “business offices.”

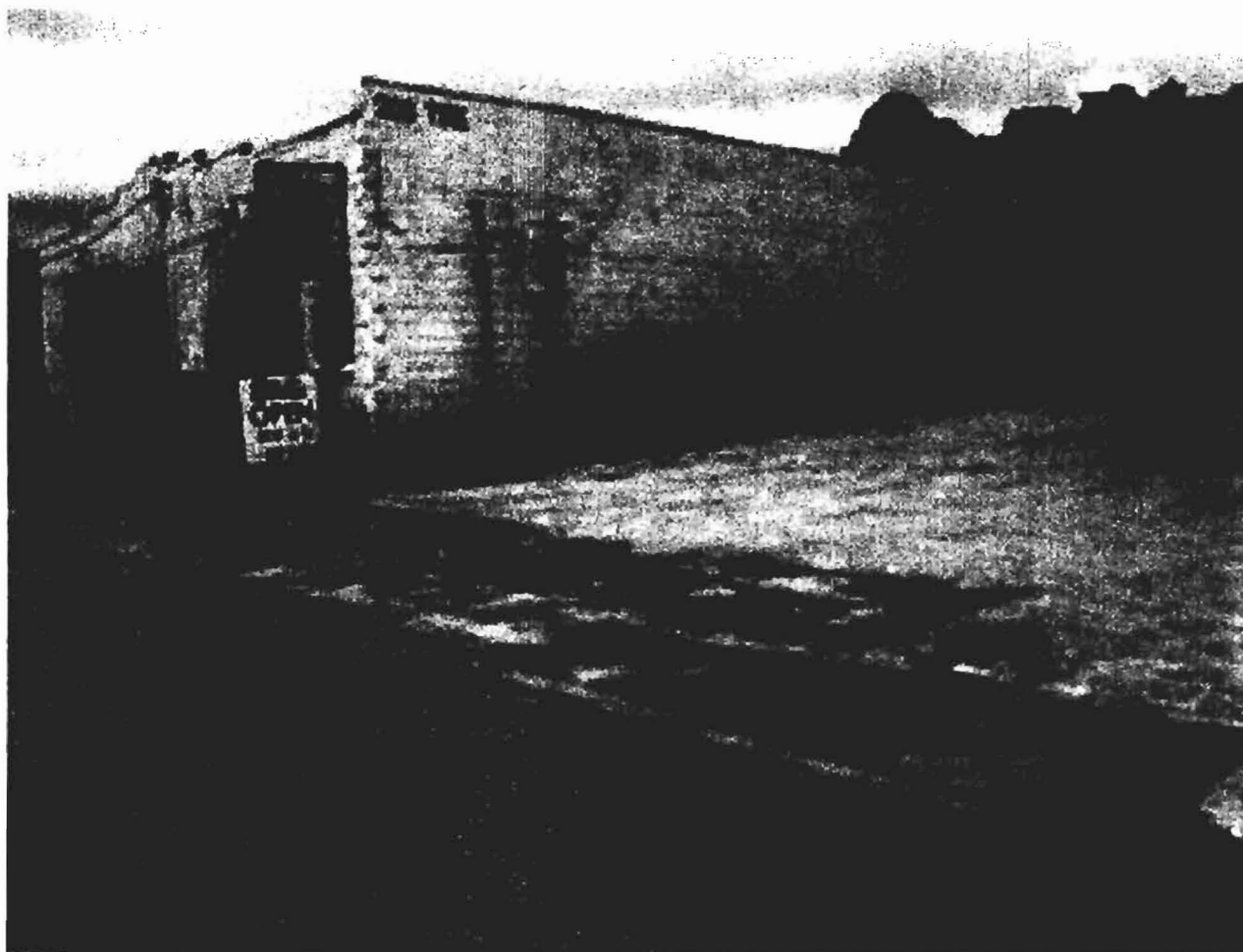
B. The proposed use is a “professional office.” One may be employed by the government and still be considered a professional. *See, e.g., Cavanaugh v. City of Phoenix*, 87 F. Supp. 2d 958, 963-64 (D. Ariz. 2000) (police department specialists were professionals); *Martin v. Wyoming*, 770 F. Supp. 612, 619-20 (D. Wyo. 1991), *aff’d*, 993 F.2d 739 (10th Cir. 1993) (state game wardens were professionals). Maine probation officers must have specialized training. *See* 34-A M.R.S.A. §5402(2)(K). Their work demands considerable discretion and independent judgment. They work with “clients.” They may reasonably be considered “professionals” under the vague guidelines of section 14-47.

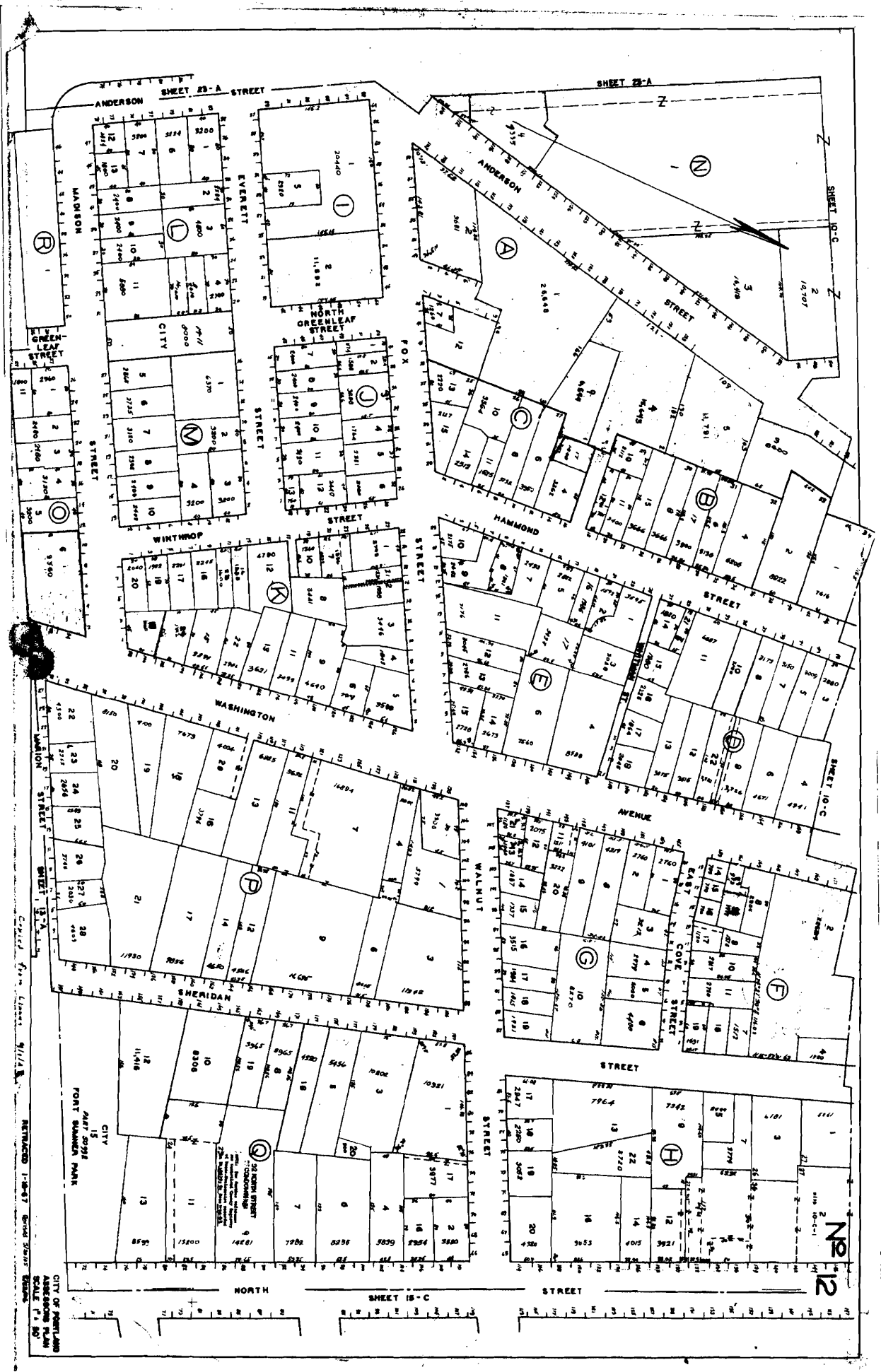
C. The proposed use is a “general office.” Even if probation offices are not deemed business offices or professional offices, they fall under the broad category of “general offices.”

Although the term is vague, it obviously must include offices other than business offices or professional offices since, otherwise, the term would be superfluous. We are aware of no authority suggesting that “general offices” would not include probation offices or other governmental offices.

It would be unreasonable to interpret the Ordinance as creating a blanket prohibition on federal, state and county uses of property throughout the City of Portland unless “governmental uses” are expressly permitted. Such a prohibition would not apply to any municipal use, including police stations or city-run homeless shelters. *See* Ordinance §14-182(c)(7). State governmental facilities *per se* can scarcely be deemed inimical to the public welfare, particularly in such a mixed-use area as the B-2b zone. To be valid, restrictions in a zoning ordinance “must bear a substantial relation to public health, safety, morals or general welfare” and may not be unreasonable or discriminatory as applied. *La Pointe v. City of Saco*, 419 A.2d 1013, 1015 (Me. 1980). A blanket prohibition on non-municipal governmental facilities in a mixed-use zone could not be rationally related to any legitimate public goal and, hence, could not be valid. Conversely, if any governmental offices are permitted under section 14-182(b)(1), then the denial of A & M’s application as a “governmental use” was erroneous.

For all of these reasons, the denial of A & M’s application should be vacated and A & M should be granted a building permit.





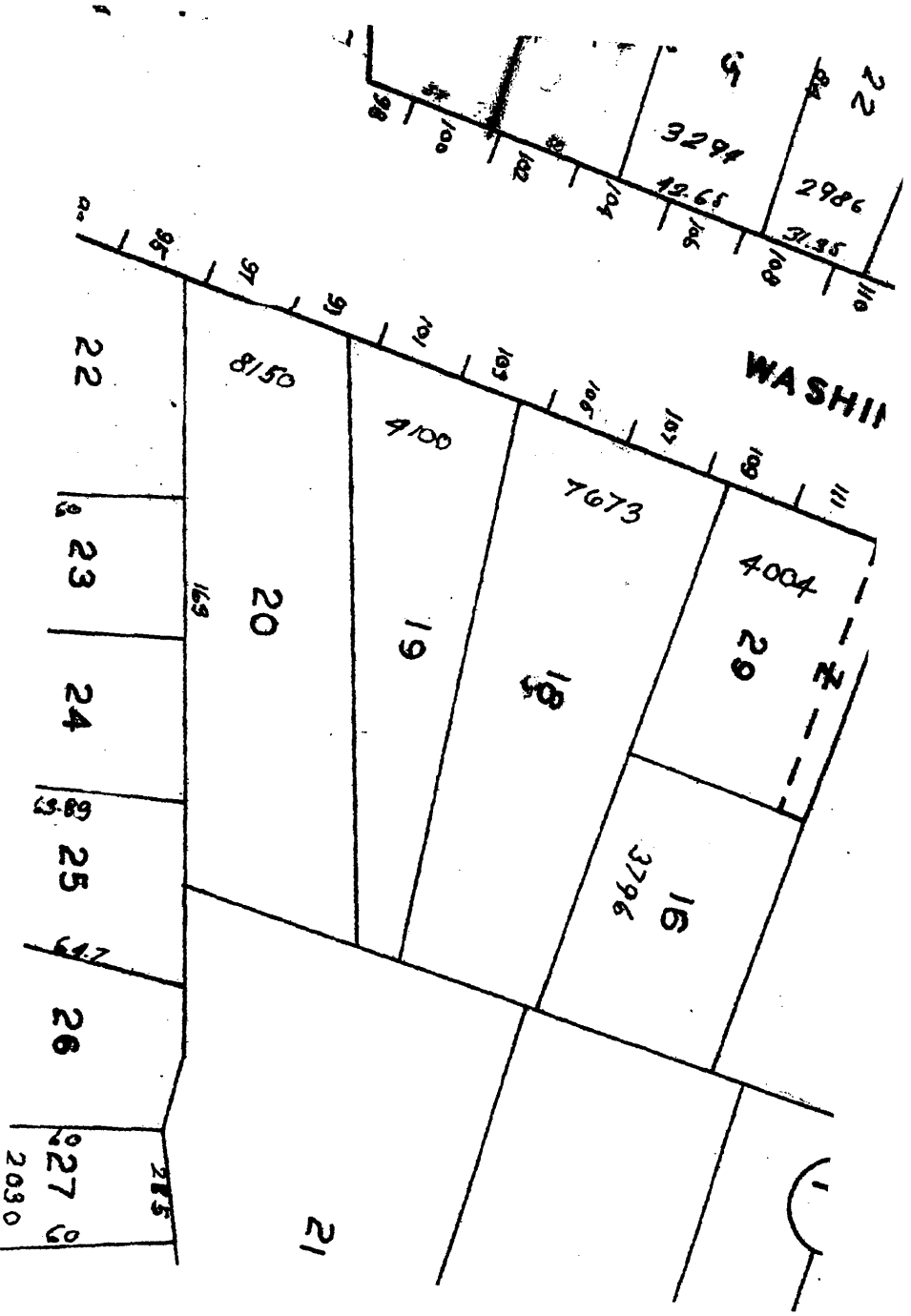
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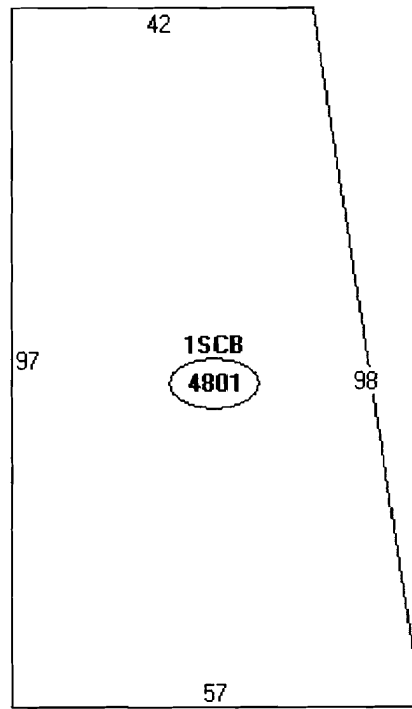
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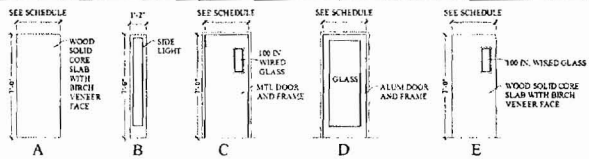
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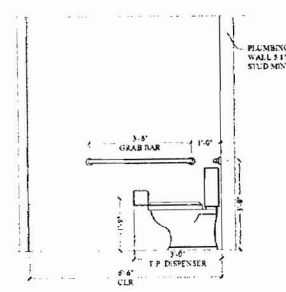
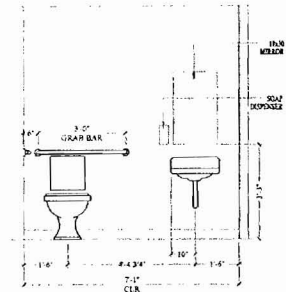
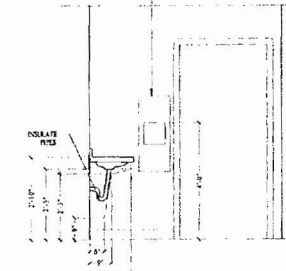
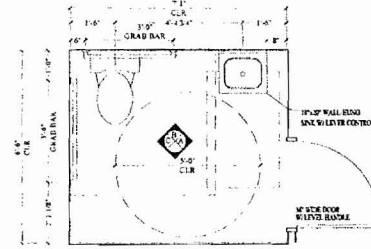
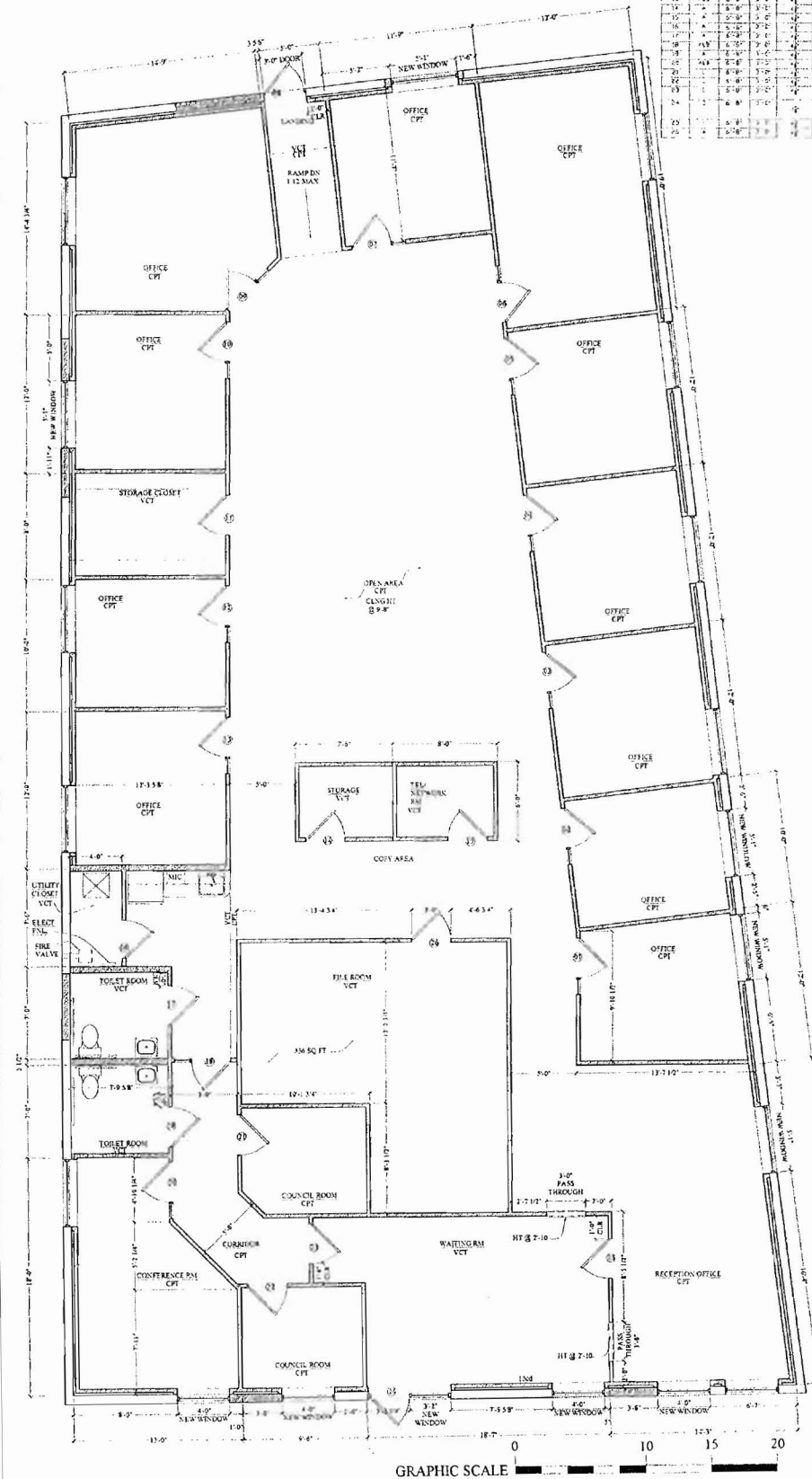


Descriptor/Area

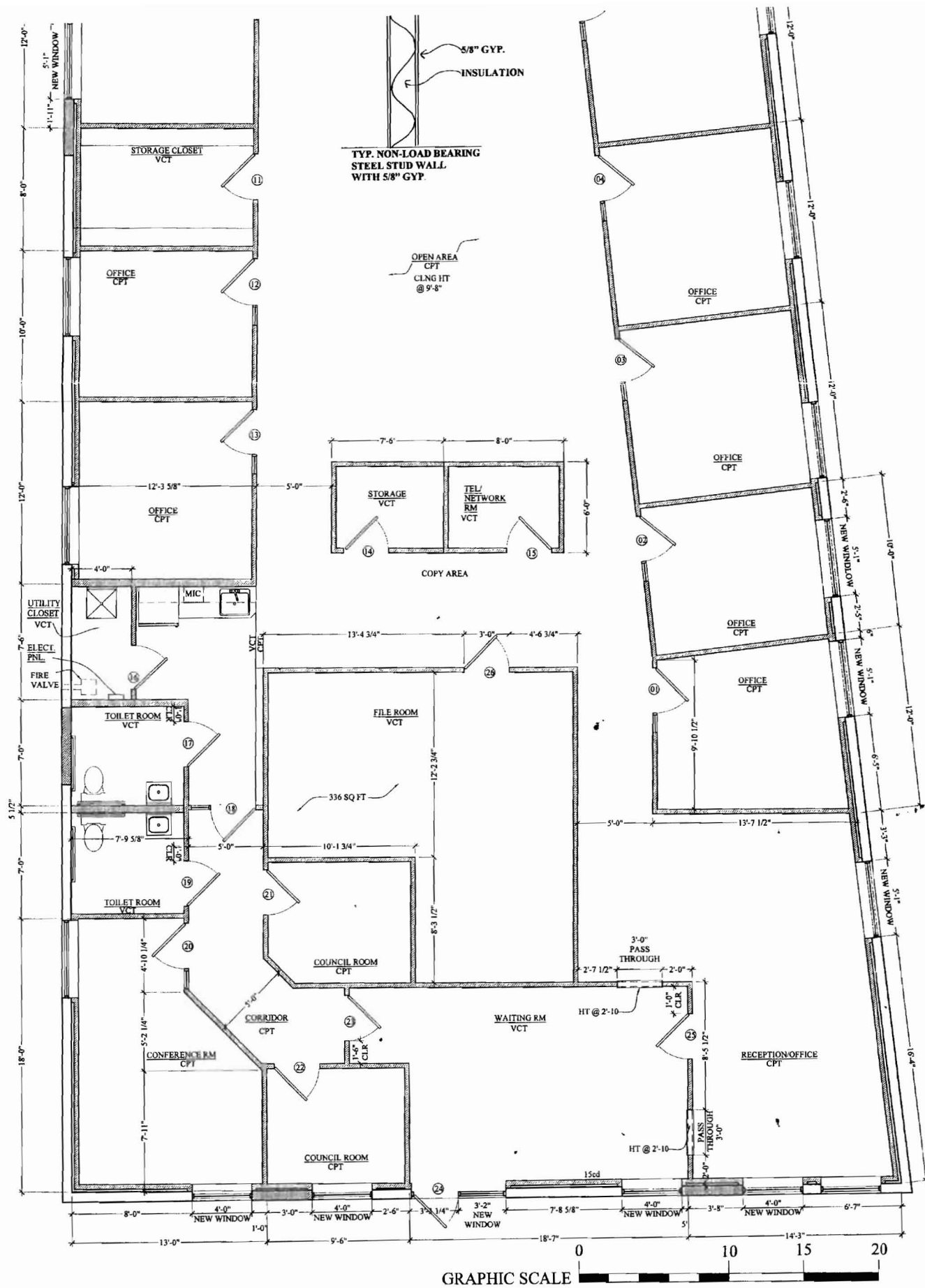
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41	WOOD SOLID CORE SLAB WITH BIRCH VENEER FACE							
42	WOOD SOLID CORE SLAB WITH BIRCH VENEER FACE							
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99	WOOD SOLID CORE SLAB WITH BIRCH VENEER FACE							
100	WOOD SOLID CORE SLAB WITH BIRCH VENEER FACE							

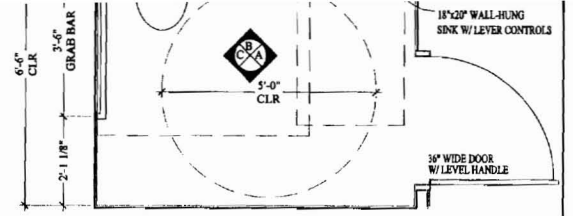


I-A-1	PROPOSED	Date: 14 FEB, 2007	Scale: AS NOTED	Project: 107 WASHINGTON STREET PORTLAND, MAINE	OWNER: A&M PARTNERS LLC 120 EXCHANGE STREET PORTLAND, ME 04101
	FLOOR PLAN	Revisions:		ARCHETYPE, P.A. ARCHITECTS 48 Union Wharf Portland, Maine 04101 (207) 772-6922 Fax (207) 772-4036	

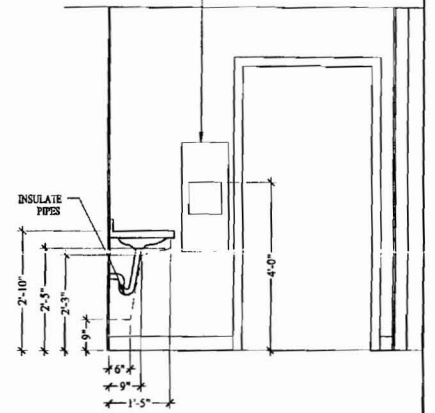


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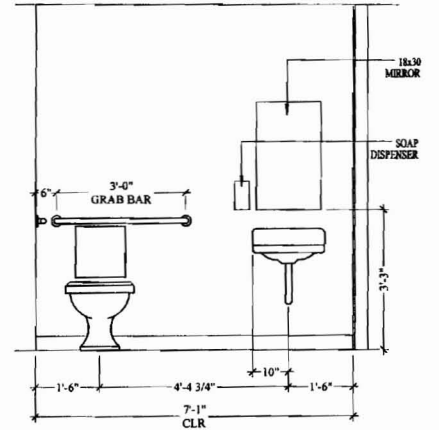
1 | PLAN
SCALE: 1/4" = 1'-0"



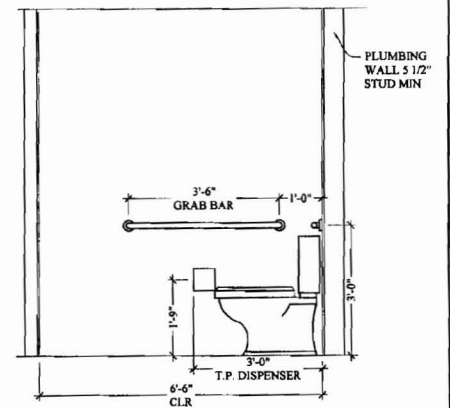
2 | H.C. TOILET PLAN TYP.
SCALE: 1/4" = 1'-0"



A | H.C. TOILET ELEVATION TYP.
SCALE: 1/4" = 1'-0"

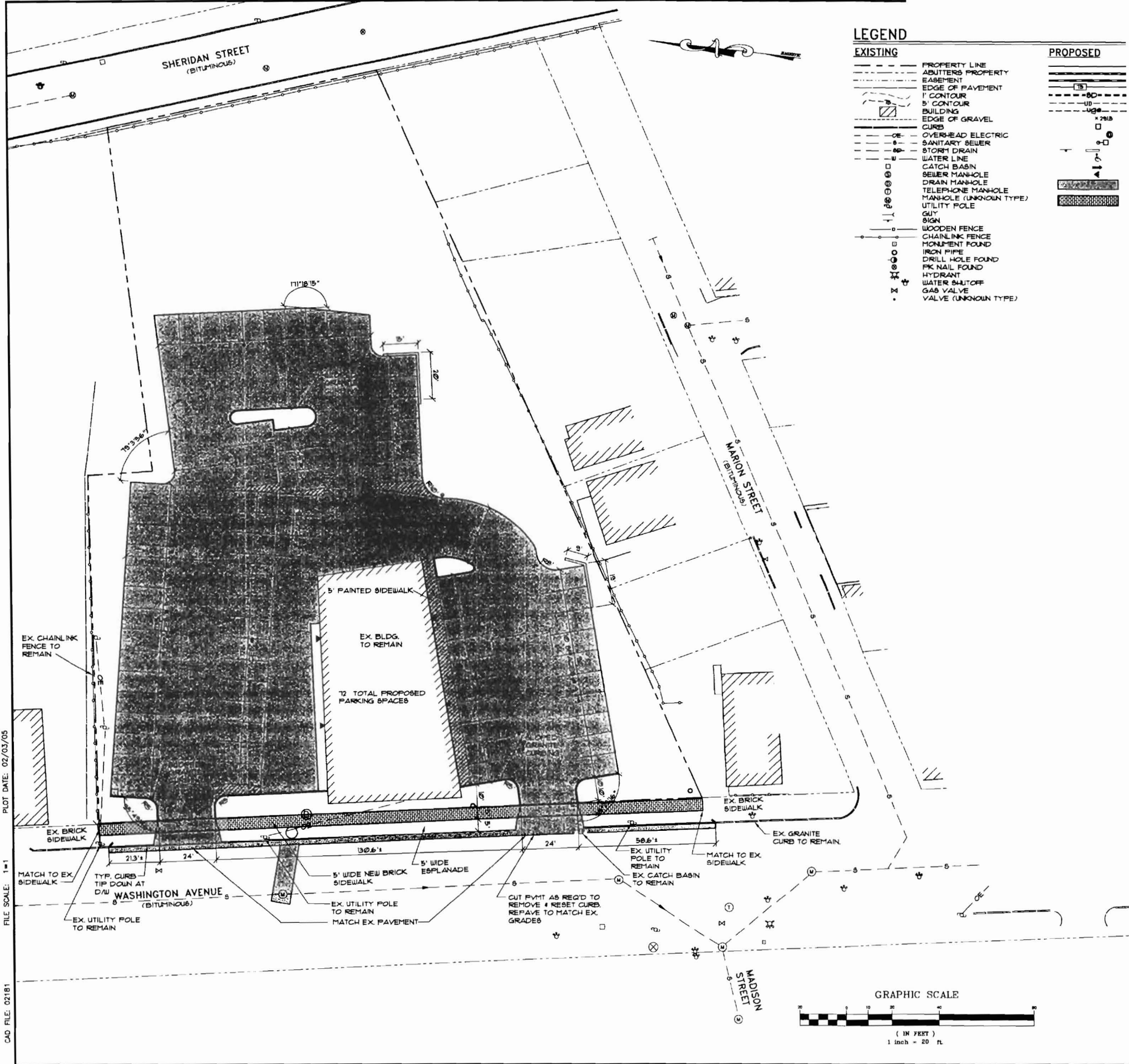


B | H.C. TOILET ELEVATION TYP.
SCALE: 1/4" = 1'-0"



C | H.C. TOILET ELEVATION TYP.
SCALE: 1/4" = 1'-0"

A-1	PROPOSED	Date 14 FEB, 2007	Scale AS NOTED	Project:	ARCHETYPE, P.A. ARCHITECTS 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056	OWNER: A&M PARTNERS LLC 120 EXCHANGE STREET PORTLAND, ME 04101
	FLOOR PLAN	Revisions:		107 WASHINGTON STREET PORTLAND, MAINE		



LEGEND

EXISTING	PROPOSED
(Solid line)	PROPERTY LINE
(Dashed line)	ADJUTERS PROPERTY
(Line with triangles)	EASEMENT
(Line with squares)	EDGE OF PAVEMENT
(Line with circles)	1' CONTOUR
(Line with triangles)	5' CONTOUR
(Line with squares)	BUILDING
(Line with circles)	EDGE OF GRAVEL
(Line with triangles)	CURB
(Line with circles)	OVERHEAD ELECTRIC
(Line with squares)	SANITARY SEWER
(Line with triangles)	STORM DRAIN
(Line with circles)	WATER LINE
(Circle with 'C')	CATCH BASIN
(Circle with 'S')	SEWER MANHOLE
(Circle with 'D')	DRAIN MANHOLE
(Circle with 'T')	TELEPHONE MANHOLE
(Circle with 'U')	MANHOLE (UNKNOWN TYPE)
(Circle with 'P')	UTILITY POLE
(Circle with 'G')	GUY
(Circle with 'S')	SIGN
(Line with circles)	WOODEN FENCE
(Line with squares)	CHAINLINK FENCE
(Line with triangles)	MONUMENT FOUND
(Line with circles)	IRON PIPE
(Line with squares)	DRILL HOLE FOUND
(Line with triangles)	PK NAIL FOUND
(Line with circles)	HYDRANT
(Line with squares)	WATER SHUTOFF
(Line with triangles)	GAS VALVE
(Line with circles)	VALVE (UNKNOWN TYPE)

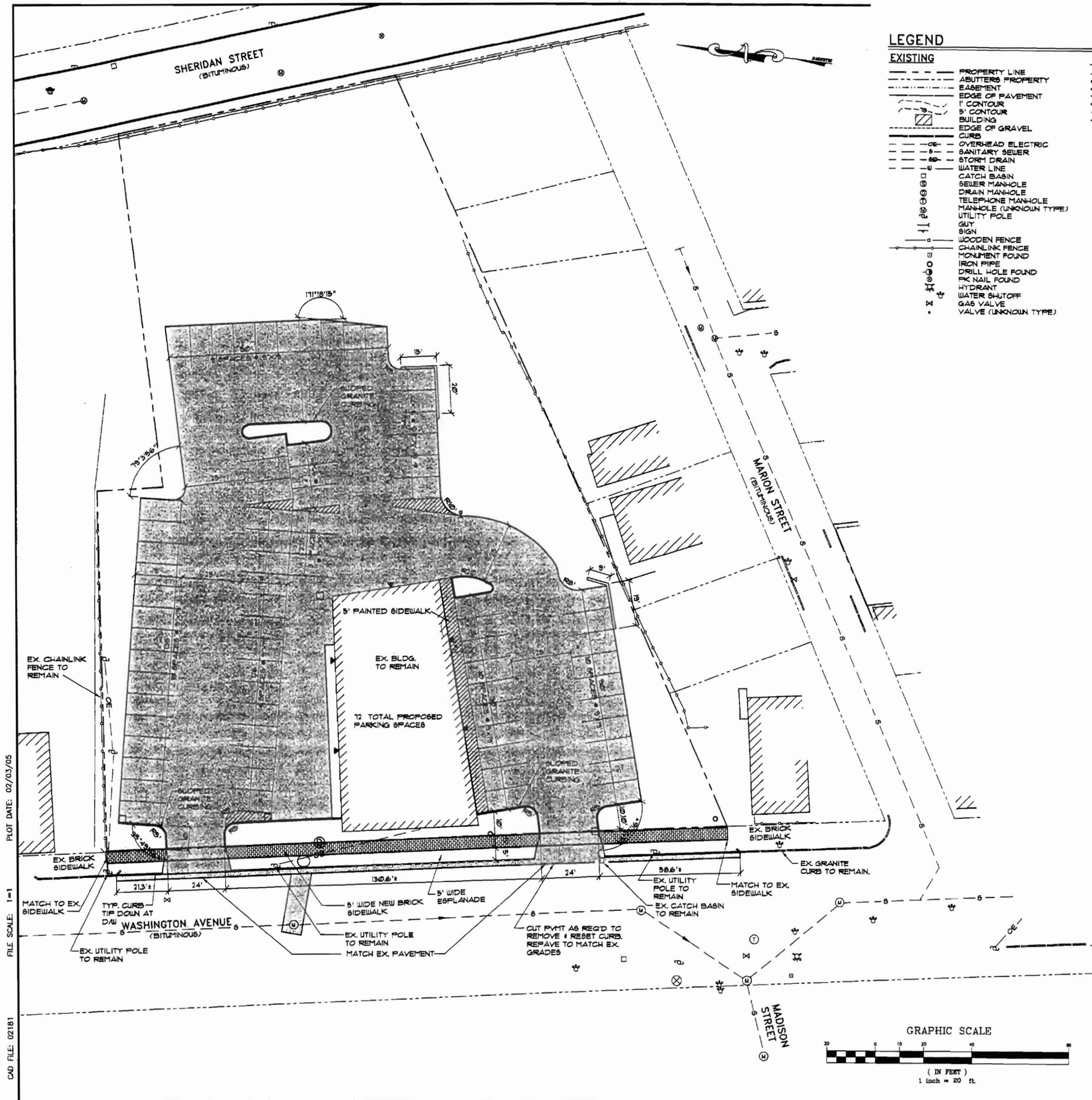
PLOT DATE: 02/03/05

FILE SCALE: 1"=1

CAD FILE: 02181

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.



LEGEND

- EXISTING**
- PROPERTY LINE
 - ABUTTING PROPERTY
 - EASEMENT
 - EDGE OF PAVEMENT
 - 1' CONTOUR
 - 5' CONTOUR
 - BUILDING
 - EDGE OF GRAVEL
 - CURB
 - OVERHEAD ELECTRIC
 - SANITARY SEWER
 - STORM DRAIN
 - WATER LINE
 - CATCH BASIN
 - SEWER MANHOLE
 - DRAIN MANHOLE
 - TELEPHONE MANHOLE
 - MANHOLE (UNKNOWN TYPE)
 - UTILITY POLE
 - GUY
 - SIGN
 - WOODEN FENCE
 - CHAIN LINK FENCE
 - MONUMENT FOUND
 - IRON PIPE
 - DRILL HOLE FOUND
 - PK NAIL FOUND
 - HYDRANT
 - WATER SHUTOFF
 - GAS VALVE
 - VALVE (UNKNOWN TYPE)

PLOT DATE: 02/03/05

FILE SCALE: 1=1

CAD FILE: 02181

