



Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

May 29, 2014

Nicole Lamonda
c/o Zoning Info, Inc.
3555 N.W. 58th Street
Suite 400
Oklahoma City, OK 73112

RE: 229-231 Congress Street & 1-5 Montgomery Street – 013-G-008 (the "Property") – B-2b Zone

Dear Ms. Lamonda,

I am in receipt of your request for a determination letter concerning the Property. The Property is located entirely within the B-2b Community Business Zone. There are no other known overlay zones. Abutting the sides and rear of the Property is the same B-2b zone. Across the street from the Property is an ROS (Recreation Open Space zone).

The approved use of the property is:
1st floor of 229 Congress Street is retail and
1 Montgomery Street is 4 residential dwelling units and
3 Montgomery Street is 4 residential dwelling units and
5 Montgomery Street is 4 residential dwelling units.
All the recognized uses listed above are permitted uses in the B-2b zone.

There is no evidence that a site plan approval was required or received.

There are no outstanding building or zoning violations on file.

There are no issued variances or special permits on file.

There is a certificate of occupancy issued and is enclosed along with copies of building permits.

If you have any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP 01404

B.O.C.A. TYPE OF CONSTRUCTION

NOV 6 1984

ZONING LOCATION PORTLAND, MAINE NOV 5 1984

CITY OF PORTLAND

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION .. 5. Montgomery St. Fire District #1 #2

1. Owner's name and address Steven Dodd Telephone

2. Lessee's name and address Manager of dwelling, Alpha Management Corp. Telephone ... 883-5505

3. Contractor's name and address P. R. Bidrer P. O. Box 3 Telephone

..... same same phone Scarborough No. of sheets

Proposed use of building .. multi family No. families

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$ 10,000 Appeal Fees \$

FIELD INSPECTOR—Mr. @ 775-5451

Base Fee 60.00

Late Fee

TOTAL \$ 60.00

To return to original condition after fire no alterations or structural changes 3rd & 4th floors only involved in fire

Stamp of Special Conditions

send permit to # 3 04074

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work? NO YES Is any electrical work involved in this work? YES

Is connection to be made to public sewer? If not, what is proposed for sewage?

Has septic tank notice been sent? Form notice sent?

Height average grade to top of plate Height average grade to highest point of roof

Size, front depth No. stories solid or filled land? earth or rock?

Material of foundation Thickness, top bottom cellar

Kind of roof Rise per foot Roof covering

No. of chimneys Material of chimneys of lining Kind of heat fuel

Framing Lumber—Kind Dressed or full size? Corner posts Sills

Size Girder Columns under girders Size Max. on centers

Studs (outs. walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor 2nd 3rd roof

On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof

If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated:

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: BUILDING INSPECTION—PLAN EXAMINER

DATE

MISCELLANEOUS

ZONING

BUILDING CODE

Fire Dept.

Health Dept.

Others

Will work require disturbing of any tree on a public street?

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant

[Handwritten Signature]

Phone # same

Type Name of above Robin Raurus Runtala

1 2 3 4



Certificate of Occupancy

LOCATION 1-1 Montgomery Street

Issued to James E. Harmon

Date of Issue December 4, 1989

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. , has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Dwelling Units Only

Apartments 1-2
" 1-3
" 1-4
" 3-2
" 3-3
" 3-4

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

12-4-89
(Date)

Arthur Adelt
Inspector

R. Samuel [Signature]
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



Certificate of Occupancy

LOCATION 5 Montgomery Street

Issued to James Harmon

Date of Issue 2 January 1990

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 89/2071 , has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Dwelling Units only

1st Floor Front
1st Floor Rear
#2, #3 & #4

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

1-2-90
(Date)

Arthur Adelt
Inspector

R. Samuel [Signature]
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

Portland, Maine - Building or Use Permit Application
 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2012-04-3688-HVAC	Date Applied: 4/4/2012	CBL: 013- G-008-001	
Location of Construction: 229 CONGRESS ST	Owner Name: NAA PROPERTIES INC.	Owner Address: PO BOX 3793 PORTLAND, ME 04104	Phone:
Business Name:	Contractor Name: William W Gellinas @ Gellinas HVAC Services, Inc	Contractor Address: 2 WASHINGTON AVE SCARBOROUGH MAINE 04074	Phone: (207) 885-0771
Lessee/Buyer's Name:	Phone:	Permit Type: HVAC	Zone: B-2b
Past Use: 1 st floor (229 Congress) is retail; 1 Montgomery is 4 DU; 3 Montgomery is 4 DU; 5 Montgomery is 4 DU	Proposed Use: Same: 1 st floor retail with 12 DU - To install Fujitsu mini-ductless heating systems in the retail use	Cost of Work: \$9,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/ conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: Type: HVAC
Proposed Project Description: install two fujitsu wall units		Signature: <i>Capt. Perrone 4/12/12</i> Pedestrian Activities District (P.A.D.)	
Permit Taken By: Gayle	Zoning Approval		

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 informatin may invalidate a building permit and stop all work.	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Min <input checked="" type="checkbox"/> MM Date: <i>CK</i> <i>4/4/12</i>	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 Date:	Historic Preservation <input checked="" type="checkbox"/> Not in Dist 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:
	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

May 16, 2014

Site 30706

Ms. Marge Schmuckal
, City of Portland
389 Congress St. RM 315, Portland, ME
04101

RE:

229 Congress Street
013: G008

Ms. Marge Schmuckal

Please find this to be a formal request for zoning verification on the above stated property. We are researching these matters for a zoning compliance report. Please incorporate the answers to the following questions in a letter on letterhead.

- ✓ What is the current zone of the property?
- ✓ Are there any overlay districts?
- ✓ Is this property a permitted use in this district?
- ✓ Did the property receive site plan approval, and if so, can you provide a copy?
- ✓ What are the abutting zoning districts?
- ✓ Are there any outstanding building or zoning violations on file?
- ✓ Were any variances or special permits issued?
- Was a certificate of occupancy issued and if so, may we obtain a copy of it? *enclosed*

**If you can not Fax or E-mail
Please return the letter to:**

Zoning Info, Inc.
3555 N.W. 58th Street
Suite 505
Oklahoma City, OK 73112
Phone: 405-525-2998
Fax: 405-528-4878

Thank you,

Nicole Lamonda
Research Analyst
Extension: 111
nicole@zoning-info.com

RECEIVED

MAY 19 2014

Dept. of Building Inspections
City of Portland Maine

Our clients deadline for this information is 05/26/2014.

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1924	Applicant: NAA PROPERTIES LLC
Project Name: 229 CONGRESS ST	Location: 229 CONGRESS ST
CBL: 013 G008001	Application Type: Determination Letter
Invoice Date: 05/20/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>
	Total Current Fees:	+ \$150.00
	Total Current Payments:	- \$150.00
	Amount Due Now:	<u>\$0.00</u>

Application No: 0000-1924

Invoice Date: 05/20/2014

Invoice No: 45158

Total Amt Due: \$0.00

Payment Amount:

CBL 013 G008001
Bill to: NAA PROPERTIES LLC
 PO BOX 3793
 PORTLAND, ME 04104

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/planning/permitstatus.asp>