

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 100 Congress Street		Owner: John Roger Trettel		Phone: 774-7525		Permit No: 010123	
Owner Address: 42 North Street, Portland ME 04101		Lessee/Buyer's Name:		Phone:		BusinessName:	
Contractor Name:		Address:		Phone:		Permit Issued: FEB 22 2001	
Past Use: Commercial		Proposed Use: Commercial		COST OF WORK: \$ 3		PERMIT FEE: \$ 3	
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: M Type: 3B BOCA99	
				Signature: <i>HTM</i>		Signature: <i>Huffman</i>	
Proposed Project Description: Change of Use Conversion of existing retail inot to seperate commercial Spaces.				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>			
Permit Taken By: Gayle				Date Applied For: October 30, 2000 GG			

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..

~~MA~~ MINOR SITE \$400.00

PERMIT ISSUED WITH REQUIREMENTS

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 provisions of the code(s) applicable to such permit

October 31, 2000

SIGNATURE OF APPLICANT		ADDRESS:		DATE:		PHONE:	
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE				PHONE:			

Zoning: **B1** CBL: 016 D001
Zoning Approval: *[Signature]* 2/16/01
Special Zone of Reviews
 Shoreland
 Wetland *with conditions*
 Flood Zone
 Subdivision
 Site Plan maj minor mm

Zoning Appeal
 Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved 12/9/99
 Denied

Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:
 Approved
 Approved with Conditions
 Denied
Date: *[Signature]*

PERMIT ISSUED WITH REQUIREMENTS
CEO DISTRICT

**Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for Site Plan Review

NOTEIf 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.**

Applicant <u>John Roger Trettel</u>		Application Date <u>10/28/00</u>
Applicant's Mailing Address <u>42 North St. Portland, ME 04101</u>		Project Name/Description <u>100 Congress St. Cafe Space</u>
Consultant/Agent <u>207-774-7525</u>	Address Of Proposed Site <u>100 Congress St. Portland, ME 04101</u>	
Applicant/Agent Daytime telephone and FAX _____	Assessor's Reference, Chart#, Block, Lot# _____	
Proposed Development (Check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail		
<input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Other(Specify) _____		
<u>Existing Building</u>	_____	<u>B-1</u>
Proposed Building Square Footage and /or # of Units	Acreage of Site	Zoning

You must Include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) 7 sets of Site Plan packages containing the information found in the attached sample plans and checklist.

(Section 14-522 of the Zoning Ordinance outlines the process, copies are available for review at the counter, photocopies are \$ 0.25 per page)

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/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if an approval for the proposed project or use 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 approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: <u>John Roger Trettel</u>	Date: <u>10/30/00</u>
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Site Review Fee: Major \$500.00 Minor 400.00

This application is for site review ONLY, a Building Permit application and associated fees will be required prior to construction.

BUILDING PERMIT REPORT

DATE: 1 November 2000 ADDRESS: 100 Congress Street CBL: 016-D-001

REASON FOR PERMIT: Change of use addition of another comm. space

BUILDING OWNER: John Roger Trettel

PERMIT APPLICANT: CONTRACTOR SAO

USE GROUP: MA3 CONSTRUCTION TYPE: 3B CONSTRUCTION COST: PERMIT FEES:

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: *1, *9, *11, *12, *13, *23, *27, *29, *30, *34, *37, 20, #31

- *1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve.
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts.
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating.
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
*11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.
*12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
*13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise.
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue.
16. Each apartment shall have access to two (2) separate, remote and approved means of egress.
17. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's.
18. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

19. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 13 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- In the immediate vicinity of bedrooms
- In all bedrooms
- In each story within a dwelling unit, including basements

20. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)

21. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.

22. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.

* 23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)

24. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".

25. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.

26. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).

* 27. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.

28. All requirements must be met before a final Certificate of Occupancy is issued.

* 29. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).

* 30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)

31. Please read and implement the attached Land Use Zoning report requirements.

All the conditions and requirements on the attached site development review shall be met

32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code. *See sheet*

33. Bridging shall comply with Section 2305.16.

* 34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)

35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

36. All flashing shall comply with Section 1406.3.10.

* 37. A 2 Hour Fire resistance wall shall be between Retail space and Cafe (A3) unless Bldg. is Sprinklered. Therefore it would be 1 Hour - (P)

[Signature]
B. Samuel Hodges, Building Inspector
Cc: Lt. McDougall, PFD
Marge Schumackal, Zoning Administrator
[Signature]

PSH 10/1/00

**This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.

...THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.

******ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.**

*******CERTIFICATE OF OCCUPANCY FEE \$50.00**

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Inspections Office Copy**

20000203
I. D. Number

John Roger Trettel
Applicant
42 North Street, Portland, ME 04101
Applicant's Mailing Address
John Roger Trettel
Consultant/Agent
207-774-7525
Applicant or Agent Daytime Telephone, Fax

Application Date
100 Congress Street
Project Name/Description
100 - 100 Congress St, Portland, Maine 04101
Address of Proposed Site
016 D001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 Office Retail Manufacturing Warehouse/Distribution Parking Lot New Building Building Addition Change Of Use Residential Other (specify) change of use retail to cafe

1,814sf 4,061sf B-1
Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

Site Plan (major/minor) Subdivision # of lots _____ PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other _____

Fees Paid: Site Plan \$400.00 Subdivision _____ Engineer Review \$0.00 Date: 10/31/2000

Inspections Approval Status:

Reviewer Marge Schmuckal

Approved Approved w/Conditions see attached Denied

Approval Date 02/16/2001 Approval Expiration _____ Extension to _____ Additional Sheets Attached

Condition Compliance *MST* signature 2/16/01 date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issued	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
ADDENDUM**

20000203

I. D. Number

John Roger Trettel

Applicant

42 North Street, Portland, ME 04101

Applicant's Mailing Address

John Roger Trettel

Consultant/Agent

207-774-7525

Applicant or Agent Daytime Telephone, Fax

Application Date

100 Congress Street

Project Name/Description

100 - 100 Congress St, Portland, Maine 04101

Address of Proposed Site

016 D001

Assessor's Reference: Chart-Block-Lot

DRC Conditions of Approval

Approved subject to site plan review condition of approval sheet.

Your new street address is now 100 Congress Street

, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.

The Development Review Coordinator (874-8300 ext.8722) must be notified five (5) working days

prior to date required for final site inspection. 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.

Show all utility connections: water, sanitary, sewer, storm drain, electric, telephone, cable.

Planning Conditions of Approval

That the parking requirement runs with the restaurant use of the property and any changes to the location

or reduction of the number of off-site parking spaces must be approved by the City Planning Authority.

Inspections Conditions of Approval

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

2. Separate permits are required for any new signage.

3. The leases for the 3 off site parking spaces within 100 feet, shall be maintained during this approved use. Any changes shall require a review.

Fire Conditions of Approval

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
D.R.C. Copy**

20000203
I. D. Number

John Roger Trettel
Applicant
42 North Street, Portland, ME 04101
Applicant's Mailing Address
John Roger Trettel
Consultant/Agent
207-774-7525
Applicant or Agent Daytime Telephone, Fax

Application Date
100 Congress Street
Project Name/Description
100 - 100 Congress St, Portland, Maine 04101
Address of Proposed Site
016 D001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 Office Retail Manufacturing Warehouse/Distribution Parking Lot Change Of Use Residential Other (specify) **Conversion of existing retail**
1,814sf **4,061sf** **B1**
Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

- | | | | |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Plan \$400.00 Subdivision _____ Engineer Review _____ Date: 10/31/00

DRC Approval Status:

Reviewer Chris Earle/Steve Bushey

- Approved Approved w/Conditions
see attached Denied

Approval Date 11/20/00 Approval Expiration 11/20/01 Extension to _____ Additional Sheets Attached

Condition Compliance Chris Earle/Steve Bushey 11/20/00
signature date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate Of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	

APR 15 11 00 AM '01

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
ADDENDUM**

20000203
I. D. Number

John Roger Trette!

Applicant

42 North Street, Portland, ME 04101

Applicant's Mailing Address

John Roger Trette!

Consultant/Agent

207-774-7525

Applicant or Agent Daytime Telephone, Fax

Application Date

100 Congress Street

Project Name/Description

100 - 100 Congress St, Portland, Maine 04101

Address of Proposed Site

016 D001

Assessor's Reference: Chart-Block-Lot

DRC Conditions of Approval

Approved subject to site plan review condition of approval sheet.

Your new street address is now 100 Congress Street

, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.

The Development Review Coordinator (874-8300 ext.8722) must be notified five (5) working days

prior to date required for final site inspection. 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.

Show all utility connections: water, sanitary, sewer, storm drain, electric, telephone, cable.

Planning Conditions of Approval

Inspections Conditions of Approval

Fire Conditions of Approval

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, Lee L. Staples and Irene M. Staples of 100 Congress Street, Portland, County of Cumberland, State of Maine for consideration paid, grants to J. Roger Trettel of 42 North St. Apt 2, Portland, County of Cumberland, State of Maine, with WARRANTY COVENANTS, the land in Portland, County of Cumberland, State of Maine, described as follows:

See Exhibit A attached hereto and made a part hereof

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of October, 1999.

MAINE REAL ESTATE TAX PAID

Witness

Lee L. Staples
Lee L. Staples
Irene M. Staples
Irene M. Staples

STATE OF Maine
COUNTY OF Cumberland

On this 22nd day of October, 1999, personally appeared before me the above-named Lee L. Staples and Irene M. Staples, and acknowledged the foregoing to be his/her free act and deed.

Michele R. Clancy
Notary Public/Attorney at Law

My Commission Expires:

Michele R. Clancy
Notary Public, Maine
My Commission Expires February 23, 2000

BK 15124PG285

EXHIBIT A

A certain lot or parcel of land with the buildings thereon, situated at the southwesterly corner of Atlantic and Congress Streets in said Portland, said lot having a frontage of fifty (50) feet, more or less, on said Congress Street and a frontage of eighty-five (85) feet, more or less, on said Congress Street and a frontage of eighty-five (85) feet, more or less, on said Atlantic Street and being further described as lot 16-D-1 on the City of Portland Assessor's Plans.

Meaning and intending to convey the same premises described in a deed from Nicholas C. Nanos to the Grantor herein dated December 7, 1979 and recorded in the Cumberland County Registry of Deeds in Book 4541, Page 163.

RECEIVED
RECORDED REGISTRY OF DEEDS

1999 OCT 25 AM 9: 59

CUMBERLAND COUNTY

John B. O'Brien

J. Roger Trettel

**100 Congress Street
Portland, Maine 04101**

Site Plan Review

Written Statement

The following written statement is prepared in compliance with Portland Code Section 14-525 (c). The project is being proposed by J. Roger Trettel of 42 North Street, Portland, Maine 04101, who is the owner of the property at 100 Congress Street, Portland, Maine 04101. The project involves the conversion of an existing retail convenience store into two separate commercial spaces: (1) an approximately 600 square foot retail space, and (2) an approximately 1200 square foot café/restaurant space. The project has already been presented to the Zoning Board of Appeals, which has approved the project in a 6-0 vote. The owner has also already procured a building permit to perform renovations on the space at his risk, based on the expectation that the proposed change of use would ultimately be approved.

1). Proposed uses: As described above, the space has been divided into two spaces – one for retail use, the other for café/restaurant use. The building has two existing residential units on the second floor, but no additional residential units are proposed. The original retail convenience store contained a fully operational commercial kitchen which contains commercial wash tubs, gas grill, and exhaust hood.

2). Land and floor area: The existing lot is approximately 4061 square feet; existing building is 1814 square feet.

3). No existing or proposed easements or other burdens are now existing or to be placed on the property as part of this proposal.

4). The development will generate miscellaneous rubbish related to the operation of a commercial retail space and restaurant/café. Currently it is anticipated that a small dumpster will be stored on site behind the existing building and such debris will be disposed of by a commercial rubbish collector.

5). The existing building is served by city sewer, water, and paved streets. No improvements to these facilities are required.

6). The site is level and covered with the existing building and an approximately 35 x 45 foot area of grass and gravel driveway. The site is currently well drained and stormwater runs into the existing storm drain system along Atlantic and Congress Streets. No stormwater management plan is required as there is no proposed change to the existing site conditions.

- 7). The proposed project will require additional interior renovations to complete. No other construction activities on the outside of the building are required.
- 8). No other state or federal regulatory approvals are required.
- 9). The majority of the building renovations have been completed and minimal additional costs are anticipated. The owner currently owns the property in fee with no mortgages or liens. The owner is financially solvent and fully capable of completing the final renovations to complete the project.
- 10). Attached is the purchase and sale agreement indicating ownership of the property.
- 11). No unusual natural areas, wildlife and fisheries habitats, or archaeological sites are located on or near the project site.
- 12). Submission drawings not available in electronic format.
- 13). Not applicable.

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

Elizabeth Bordowitz, Chair
Lee Lowry III, Secretary
William Neleski, Jr.
Andrew Braceras
Sam Sivovlos
Julie Brady
Peter Clifford

December 10, 1999

Roger Trettle
42 North Street
Portland, ME 04101

RE: 100 Congress Street
CBL: 016-D-001
ZONE: R-3 Zone

Dear Mr. Trettle;

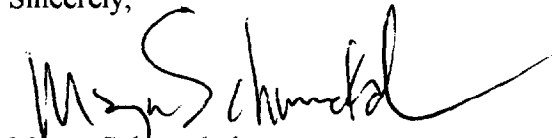
As you know, at its December 9, 1999 meeting, **the Board of Appeals voted 6-0 to grant** allowing for two commercial units, one to be retail and the second to be a coffee shop, as outlined under Section 14-163, B-1 Zone.

Enclosed please find a copy's of the Board's decision.

It will now be necessary for you to come to this office and apply for a change of use permit. This permit will indicate that it is changing a variety store to two units, one to be retail and the second to be a coffee shop (restaurant). We will require a site plan showing parking and complete floor plans with dimensions and a set of construction plans should you do any interior renovations. A cost of a change of use is \$30.00.

Should you have any questions regarding this matter, please do not hesitate to contact either myself or Nadine Williamson, Office Manager.

Sincerely,



Marge Schmuckal
Zoning Administrator

MS/nbg
Enclosure

CC: Area 1 (Arthur Rowe, David Caddell & Jeannie Bourke)

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

CONDITIONAL USE APPEAL

DECISION

Name and address of applicant: J. ROGER TRETTLER
42 NORTH ST, PORTLAND

Location of property under appeal: 16-D-1

For the Record

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

J. Roger Trettle

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

application

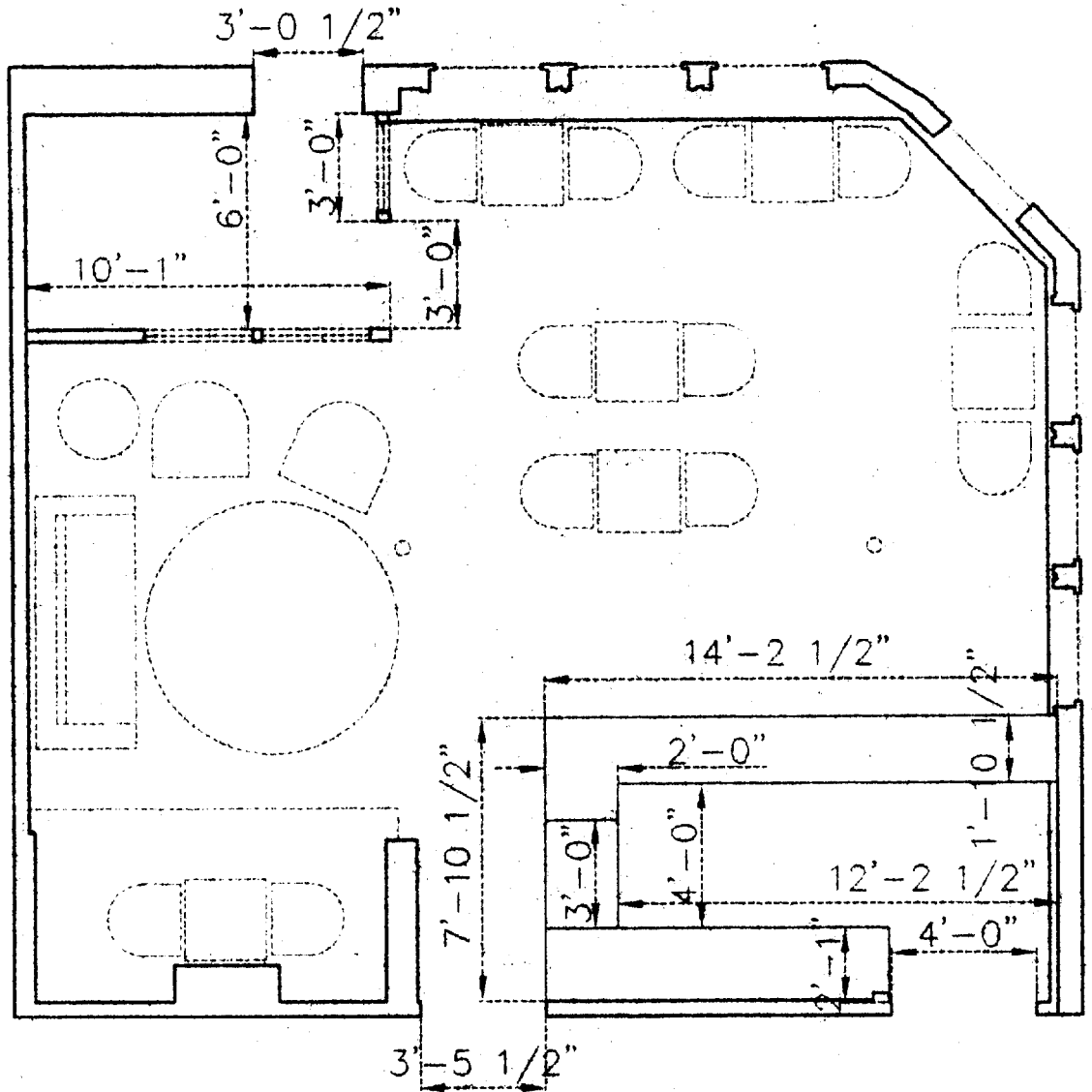
Findings of Fact

1. The proposed conditional use is/is not (circle one) permitted under section 14-163 of the zoning ordinance, for the following reason(s):

6-0.

2. The proposed conditional use does does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s): 6-0

3-A. There are are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s): 6-0



"The Humming Bird Cafe"
 CONGRESS ST. PORTLAND, ME.
 SCALE: 3/16" = 1'-0"
 9/11/00 L. ZouDannis

Humming Bird Cafe

November 15, 2000

Mr. Bill Needelman
City of Portland Planning Department
City Hall
386 Congress Street
Portland, Maine 04101

Re: 100 Congress Street Site Plan Review

Dear Mr. Needelman:

This letter is to provide clarification regarding the additional parking spaces proposed in the rear of the building at 100 Congress Street. Although the previous use of the building was a variety store with a full kitchen and lunch counter, the City of Portland determined that it was necessary to obtain a change of use approval to allow for the dividing of the variety store space into two separate spaces: a retail shop and a coffeehouse/café. As a requirement of approving the "new" café space, the Portland Code calls for establishment of additional parking of one car for every 150 square feet of café space.

The application I submitted on October 30, 2000 depicts a café space with a front room area of approximately 600 square feet. This 600 square feet is the total area of the front room. The usable café space for patrons will be somewhat smaller when the vestibule, front counter, and condiment counters are installed - thus reducing the total usable floor area to about 450 square feet.

maybe considered food prep.

-ok, just an entry way

In compliance with the Portland Code, the application depicts a parking area behind the building with room for four (4) cars (one for each 150 square feet of total front room space); in reality, it is likely that only space for 3 cars would be required based on the 450 square foot usable floor area described above. The current condition of the parking area is a stable, well-drained maintained lawn with a curb cut and gravel driveway in the center. The area is surrounded by a stockade fence on the west side (closest to the neighboring house) and chainlink fence on the south and east sides. The north side is bordered by the 100 Congress Street building. It is my intent to maintain the parking area in its current grassed/gravel condition, as it is not anticipated that substantial parking pressure would result from the proposed use of the building.

35m
150) 450
ok
12/5/00

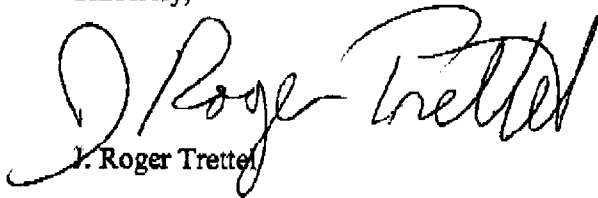
Although I understand the requirement for parking as stated in the Portland Code, I do not believe that the proposed action will result in additional parking pressure in the area beyond what was there previously when the building was operated as a variety store/restaurant. I anticipate the café to be primarily catering to neighborhood foot traffic, with minimal outside traffic pressure. The nature of the proposed business, primarily coffee and pastry-type foods, will result primarily in quick stops by foot traffic and with cars using the several 15-minute parking spaces on Atlantic Street and Congress Street. Consequently, I do not anticipate much need for cars to use the spaces in the rear

Mr. Bill Needelman
November 15, 2000
Page 2

of the building, and thus believe the site can be maintained in its current condition without excessively costly and unwarranted improvements.

Thank you for giving me the opportunity to provide additional information about this proposal. Please do not hesitate to contact me at work at 879-9496 or at home at 774-7525 if you have additional questions. I look forward to working with the City of Portland Planning Department in completing the successful review of this project, which will undoubtedly be an asset to the Munjoy Hill neighborhood and a previously blighted portion of Congress Street.

Sincerely,



J. Roger Trettel

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Elizabeth Bordowitz, Chair
Lee Lowry III, Secretary
William Neleski, Jr.
Andrew Braceras
Sam Sivovlos
Julie Brady
Peter Clifford

December 10, 1999

Roger Trettle
42 North Street
Portland, ME 04101

RE: 100 Congress Street
CBL: 016-D-001
ZONE: ~~R-3~~ Zone
B-1

Dear Mr. Trettle;

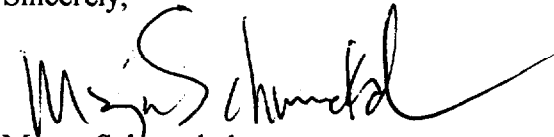
As you know, at its December 9, 1999 meeting, **the Board of Appeals voted 6-0 to grant** allowing for two commercial units, one to be retail and the second to be a coffee shop, as outlined under Section 14-163, B-1 Zone.

Enclosed please find a copy's of the Board's decision.

It will now be necessary for you to come to this office and apply for a change of use permit. This permit will indicate that it is changing a variety store to two units, one to be retail and the second to be a coffee shop (restaurant). We will require a site plan showing parking and complete floor plans with dimensions and a set of construction plans should you do any interior renovations. A cost of a change of use is \$30.00.

Should you have any questions regarding this matter, please do not hesitate to contact either myself or Nadine Williamson, Office Manager.

Sincerely,



Marge Schmuckal
Zoning Administrator

MS/nbg
Enclosure

CC: Area 1 (Arthur Rowe, David Caddell & Jeannie Bourke)