

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING DEPARTMENT

Permit Number: 021335

PERMIT DENIED

This is to certify that Trettel J Roger/Lenardson, R
has permission to Change of Use / Expanding restaurant space into the next store that was a pet shop.
AT 100 Congress St 016 D001001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine 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 inspection must be given and work on permit in progress before this building or part thereof is occupied or closed-in. 48 HOUR NOTICE IS REQUIRED.

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

PERMIT DENIED

OTHER REQUIRED APPROVALS
Fire Dept. [Signature]
Health Dept. _____
Appeal Board _____
Other _____
Department Name _____

Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 02-1335	Issue Date: PERMIT DENIED 01/19/02	D001001
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Location of Construction: 100 Congress St	Owner Name: Trettel J Roger	Owner Address: 42 North St Apt2	Phone: 207-329-0992
Business Name: n/a	Contractor Name: Lenardson, Roy	Contractor Address: 1 Snowbery Drive Scarborough	Phone: 2073290992
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Change of Use - Commercial	Zone: B-1

Past Use: Commercial / Restaurant	Proposed Use: Commercial / Change of Use: expanding restaurant space into the next store that was a pet shop.	Permit Fee: \$105.00	Cost of Work: \$0.00	CEO District: 1
Proposed Project Description: Change of Use / Expanding restaurant space into the next store that was a pet shop.		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature: <i>[Signature]</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: gg	Date Applied For: 12/02/2002	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 Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	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 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:
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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

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

December 12, 2002

Roger J. Trettel
42 North St. Apt. #2
Portland, ME 04101

RE: 100 Congress Street – 016-D-001 –permit appl. #02-1335 – B-1 zone

Dear Mr. Trettel,

I am in receipt of your application permit to expand your restaurant at 100 Congress Street. As you may remember, previously when the restaurant was created, you needed to go thru a site plan review. A copy of that approval is attached. One of the main issues was parking. A restaurant use requires one (1) parking space for each 150 square feet of area, not including the kitchen area or bulk storage areas. A quick tally of your total square footage on the floor plan that you submitted for your present expansion shows that you have 900 square feet of area. This requires 6 parking spaces. Your present submittal shows no site plan showing any parking.

Before this office can further process your permit, you would need to contact the Planning Division (Bill Needleman was your previous reviewer) and apply for an amendment to your site plan approval. Both offices, Planning and Zoning, shall require a site plan showing your required parking.

Your permit will be on hold until this information is received.

Very truly yours,


Marge Schmuckal
Zoning Administrator

Cc: Roy Lenardson, 1 Snowberry Dr., Scarborough, ME 04074
Bill Needleman, Planning
File

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

previous approved

Dear Mr. Trettle;

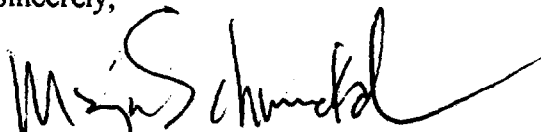
As you know, at its December 9, 1999 meeting, the Board of Appeals voted 6-0 to grant allowing for two commercial units, one to be retail and the second to be a coffee shop, as outlined under Section 14-163, B-1 Zone.

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

AS/nbg
enclosure

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

Humming Bird Cafe

November 15, 2000

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

previous
Approval

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.

may be considered
Food prep.

ok, just an entry wa

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.

350
150) 450
ok
12/5/00

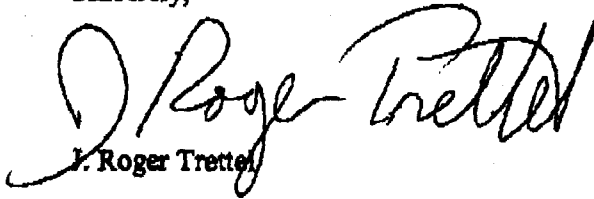
Although I understand the requirement for parking as stated in the Portland Code, I do not believe that the proposed action will result in additional parking pressure in the area beyond what was there previously when the building was operated as a variety store/restaurant. I anticipate the café to be 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

February 14, 2001

Mr. John Roger Trettel
42 North Street
Portland, Maine 04101

2000-0203

*Previous
Approval*

RE: 100 Congress Street - CBL 016 D 001
Change of use

Dear Mr. Trettel:

On February 14, 2001, the Portland Planning Authority granted minor site plan approval for a change of use from retail to restaurant use for 100 Congress Street.

The approval is subject to the following conditions:

That the applicant provide three off-site parking spaces within 100 feet of the subject property as provided by lease from Edmond Theriault / David Landman (TLA) at 118 Congress Street. The requirement for three parking spaces runs with the restaurant use and the applicant must receive approval from the City Planning Authority prior to changing the location or reducing the number of parking spaces.

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:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one-year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. As no site work is proposed with this application, no site inspection fee or performance guarantee is required. Any future site work, including but not limited to the development of on-site parking, would require review and approval by the City Planning Authority.
3. 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.)

If there are any questions, please contact the Planning Staff.

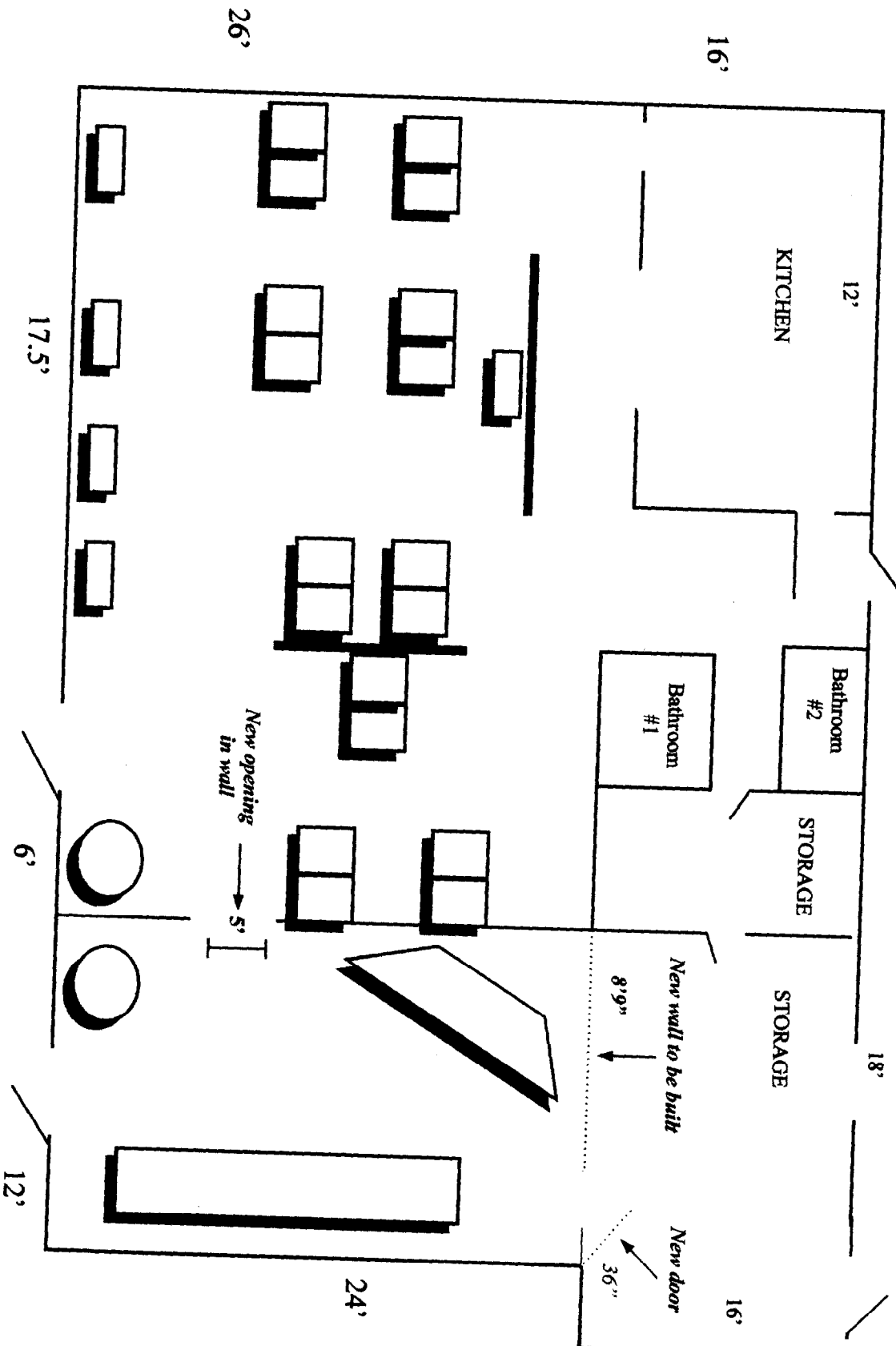
Sincerely,


Alexander Jaegerman, Chief Planner

cc:

William B. Needelman, Senior Planner
P. Samuel Hoffses, Chief of Building Inspections
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Jay Reynolds, Development Review Coordinator
Nancy Knauber, Associate Engineer
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
✓ Inspections Department
John Lufkin, Economic Development
Don Hall, Appraiser, Assessor's Office
Susan Doughty, Assessor's Office
Approval Letter File

100 CONGRESS ST.



172/10
Curtis

02 1335

All Purpose 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>100 Congress St. PORTLAND</u>		
Total Square Footage of Proposed Structure	Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# <u>016</u> Block# <u>D</u> Lot# <u>001</u>	Owner: <u>Roger Trettel</u> <u>42 North St.</u> <u>PORTLAND</u>	Telephone: <u>329-0992</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Roy Lenardson</u> <u>1 Shawbury Dr.</u> <u>Scarborough, ME</u>	Cost Of Work: \$ <u>< 500.00</u> Fee: \$ <u>30.00</u>
Current use: <u>Restaurant</u>		$\begin{array}{r} \text{Cost of Work} \\ \hline 45.00 \\ \text{TOTAL} \\ \hline 105.00 \end{array}$
If the location is currently vacant, what was prior use: _____		
Approximately how long has it been vacant: _____		
Proposed use: <u>Same Change of use</u>		
Project description: <u>expanding into space next store, that was pet shop</u>		
Contractor's name, address & telephone: <u>Roy Lenardson 329-0992</u> <u>tx</u>		
Who should we contact when the permit is ready: <u>Ken Zebis - 329-1628</u> <u>Call</u>		
Mailing address: <u>107 Pine Tree Rd</u> <u>Litchfield, Maine</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>329-1628</u>		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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: <u>R.W. Jones</u>	Date: <u>11/8/02</u>
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This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall

100 CONGRESS MUNJOY HILL

Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress St
Portland, Maine 04101

See Attached

December 27, 2002

RE: 100 Congress St. 016-D-001 - permit appl.#02-1335 - B-1 zone

Dear Ms. Schmuckal:

I received your letter regarding the parking requirements for the proposed expansion of the restaurant at 100 Congress St. To clarify, the total square footage (excluding the kitchen and bulk storage areas) will be approximately 900 feet.

As you may recall we secured three off-site parking spots within 100 feet of the property as provided by lease from Edmond Theriault and David Landman at 118 Congress St. We have negotiated 3 additional parking spaces by lease from Mr. Theriault and Mr. Landman, bringing the total number of spots to 6.

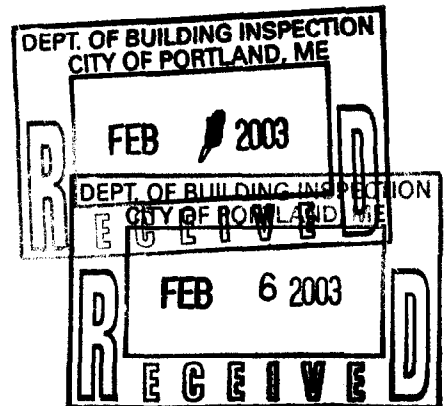
As you may know the restaurant is open at 5:30 PM Weekdays and all day Saturday and Sunday, which enables us to coexist with the parking availability at 118 Congress st with no impact to the business at 118 Congress st., which is open until 5:00 pm. Monday through Friday.

I would be happy to answer any questions, and will provide you a copy of the updated lease arrangement with the owners at 118 Congress St. Please let me know if you need any additional information. I can be reached at 329-0992 or 775-7772.

Sincerely,


Roy W. Lenardson

Cc: Roger Trettel
Bill Needham, Planning



**Commercial Property Lease
Amendment: _____**

This instrument hereby makes amendments to the Existing Lease between Edmond Theriault / David Landmann (TLA) and Roger Trettel for the lease of land at 118 Congress Street, Portland, ME.

Amendments:

1. The rights and responsibilities of this lessee, Roger Trettel and transferred to Roy Lenardson, 100 Congress Street, Portland, Me 04101
2. The number of parking spaces is increased from three (3) to six (6).
3. The rental is increased from \$150.00 per month to \$300.00 per month, with the total rental adjusted to reflect the rental previously paid for 3 parking spaces and to be paid for 6 parking spaces.
4. The Security Deposit amount (6 months X \$150.00 = \$900.00) shall remain with TLA and will be applied to the last Three (3) months of this lease.

All other terms of the existing lease remain in effect, including but not limited to; the termination date, parking space locations, termination, and lessor's right to establish reasonable rules.

AGREED:



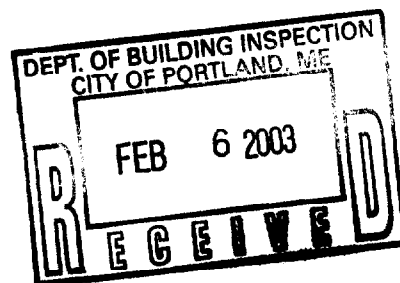
 Edmond Theriault - Lessor



 David Landmann - Lessor

 Roger Trettel - Ex-Lessee

 Roy Lenardson - Sole Lessee



100 CONGRESS

City of Portland
City Hall
Portland, Maine

November 12, 2002

Material Description for Ricks/100 Congress Expansion

We are planning to expand to the space previously occupied by "Fetch". The expansion will allow for an additional 12-14 seats, as well as a significant storage area in the rear of the new space.

The Building permit also includes a request for a change of use and certificate of occupancy.

Description of work to be performed.

1. **New wall-partition:** (see diagram) A new wall will be constructed (NON-LOAD BEARING). We will use drywall and 2x4. The wall will include a 36 inch door. The door will be a steel clad door. The total length of the wall will be 8 feet, 9 inches wide and 8 feet tall.
2. **New archway.** (see diagram) We will be opening up the 2 rooms with a new archway which will be 5 feet wide and 8 feet tall. We will use a 4x 6 header in the archway.



From: Marge Schmuckal
To: William Needleman
Date: 2/14/03 11:58AM
Subject: 100 Congress St - Roger Trettel

Bill,

Did you ever get anything on this restaurant expansion? I just got a copy of the parking leases, but I don't have any plans. Don't you need to revise the old approved plan? Fill me in when you can.

Marge

100 CONGRESS MUNJOY HILL

Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress St
Portland, Maine 04101

December 27, 2002

RE: 100 Congress St. 016-D-001 - permit appl.#02-1335 - B-1 zone

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I would be happy to answer any questions, and will provide you a copy of the updated lease arrangement with the owners at 118 Congress St. Please let me know if you need any additional information. I can be reached at 329-0992 or 775-7772.

Sincerely,

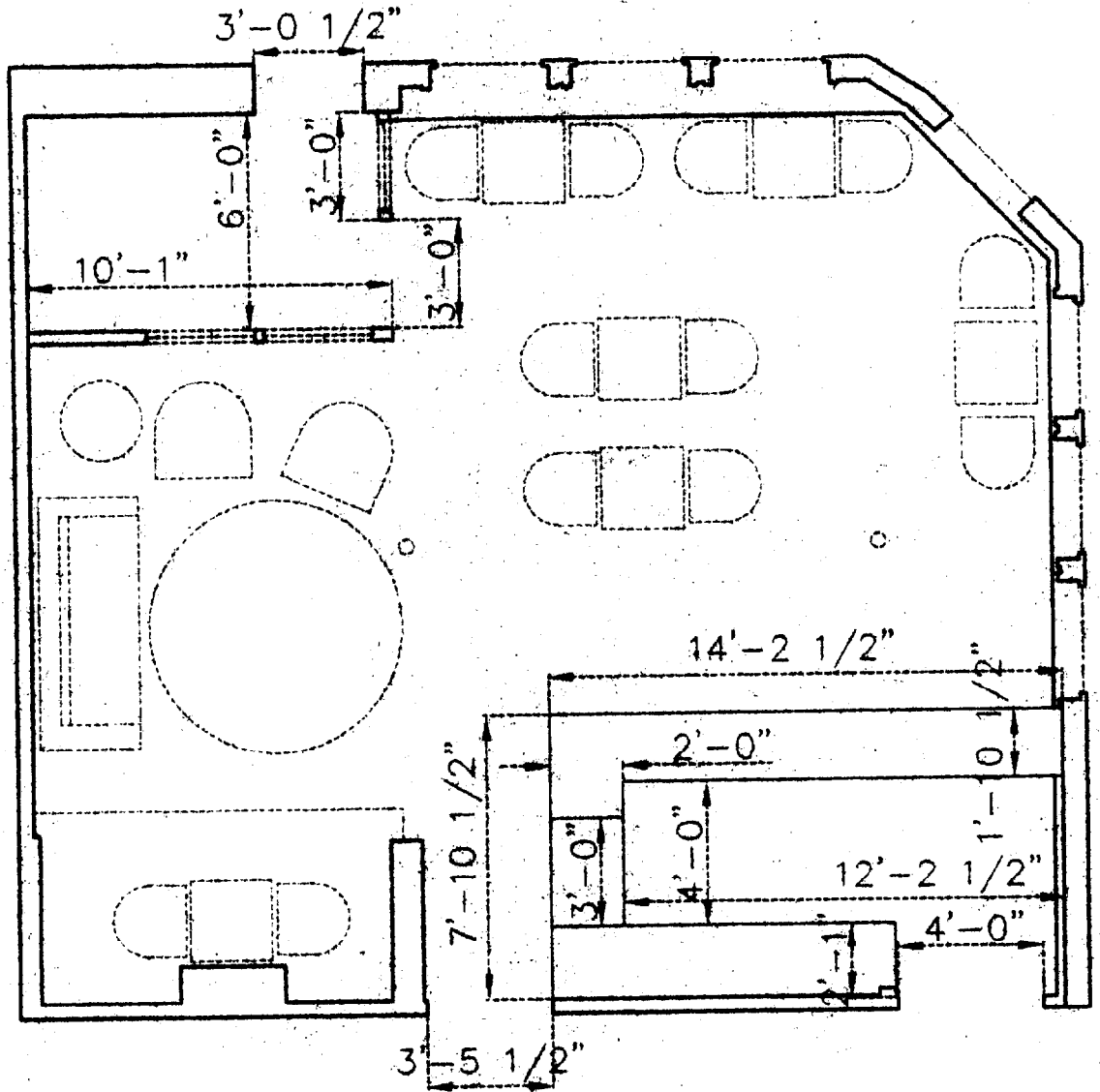


Roy W. Leonardson

Cc: Roger Trettel
Bill Needham, Planning

12/31/02 - left message that we would need to see the leases for parking

Previous Approval



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

LINK FENCE

50'

SPACE 1

SPACE 2

Previous
Approved

J. Roger Trettel
42 North Street
Portland, Maine 04101
Site Plan for:
100 Congress Street
Café Space

CONGRESS STREET

Scale 1 in. = 6 ft.

