



PORTLAND MAINE

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*Penny St. Louis Littell- Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

April 15, 2010

Dennis V. Jud, ASLA LEED AP
SMRT
144 Fore Street
PO Box 618
Portland, ME 04101

RE: 144 Fore Street – 019-A-008 (the “Property”) – B-6

Dear Mr. Jud,

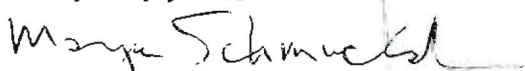
I am in receipt of your request for a determination letter concerning the Property. The Property is located entirely within the B-6 Eastern Waterfront Mixed Zone which specifically lists under section 14-269(a)1 the use of “Professional, business and general offices”. Professional offices are further defined in the Land Use Zoning Ordinance as “The office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional.”

Your cover letter to me explains the proposed intended use of the Property for offices of doctors, psychiatrists and psychologists who are visited by appointment, not walk-ins and without beds. Based upon your supplied information and the text of the Land Use Zoning Ordinance, I have determined that the described offices are permitted by right under the B-6 Zone.

This determination should not be considered a substitute for a change of use application. There is still the necessity to apply for a change of use permit from Inspection Services to allow the intended new use. All of the other requirements of the B-6 zone requirements must be met, such as parking. All of the other Fire and Building Code requirements must also be met prior to occupancy. If you have any questions regarding this matter, please do not hesitate to contact me at 874-8695.

You have the right to appeal my decision. 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



April 7, 2010

Inspections Department
Room 315
Portland City Hall
389 Congress Street
Portland, Maine 04101
Attn: Marge Schmuckal, Zoning Administrator

*19-A-8
B-6 Zone*

Re: Request for Written Zoning Determination

Dear Ms. Schmuckal:

I appreciate your taking the time on March 19th to discuss a zoning determination regarding the VA doctors' offices in the B-6 Zone, specifically at 144 Fore Street. We discussed the proposed uses (offices of doctors, psychiatrists and psychologists) and that these visits are by appointment, not "walk-ins" and without beds. Based on this, you agreed that the proposed use is professional and/or general office, including those of doctors, and are therefore permitted in the B-6 Zone.

We hereby respectfully request a written zoning determination, finding that the proposed use - offices of doctors, psychiatrists and psychologists, by appointment - is a permitted use in the B-6 Zone as defined under Professional Offices (including doctors) or General Offices.

If you have any further questions, please let me know. I have also enclosed a check in the amount of \$150 to process this request.

Thank you very much for your attention to this matter.

Sincerely,
SMRT

Dennis V. Jud, ASLA LEED AP
Principal

cc: Penny St. Louis Littell, Director, Planning and Urban Development, City of Portland
Mike Marino
PSS, File 10022/22

RECEIVED

APR - 8 2010

**Dept. of Building Inspections
City of Portland Maine**

Home > Search > Search Results > Parcel ID: 019 A008001 > Home > Print > A-Z Index

Home > Search > Search Results > Parcel ID: 019 A008001 > Home > Print > A-Z Index

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

Services

Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

search city services

search facts and links

CBL 019 A008001
Land Use Type WAREHOUSE & STORAGE
Property Location 144 FORE ST
Owner Information JACKRABBIT LIMITED LIABILITY COMPANY
 44 OAK ST
 PORTLAND ME 04101
Book and Page 21951/138
Legal Description 19-A-B
 FORE ST 144-156
Acres 64226 Sq
 1.474

Current Assessed Valuation:

TAX ACCT NO. 3000 **OWNER OF RECORD AS OF APRIL 2009**
 JACKRABBIT LIMITED LIABILITY COMPANY
 44 OAK ST
 PORTLAND ME 04101
LAND VALUE \$795,500.00
BUILDING VALUE \$1,278,500.00
NET TAXABLE - REAL ESTATE \$2,074,000.00
TAX AMOUNT \$36,792.76

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.

Building Information:



Real services at 833-660-4444
 between 8-5pm

Card 1 of 1
Year Built 1963
Style/Structure Type OFFICE WAREHOUSE
Units 5
Building Num/Name 1 - EXPRESS COPY
Square Feet 45360

[View Sketch](#)

[View Map](#)

[View Picture](#)



Exterior/Interior Information:

Card 1
Levels 01/01
Size 24100
Use WAREHOUSE
Height 22
Walls CONC. BLOCK
Heating UNIT HEAT
A/C NONE

Card 1
Levels 01/01
Size 9000
Use MULTI USE OFFICE
Height 22
Walls CONC. BLOCK
Heating ELECTRIC
A/C CENTRAL

Card 1
Levels 01/01
Size 3750
Use LIGHT MANUFACTURING
Height 22
Walls CONC. BLOCK
Heating UNIT HEAT
A/C NONE

Card 1
Levels 01/01
Size 1760
Use MULTI USE OFFICE
Height 11

of this section. District-specific design standards and overlay maps can be found at the city planning and development office.
(Ord No. 80-04/05, 12-8-04)

Sec. 14-269. Permitted uses.

The following uses are permitted in the B-6 zone:

(a) Commercial:

1. Professional, business and general offices;
2. Restaurants and other eating and drinking establishments;
3. Hotels and inns limited to no more than 150 rooms;
4. Craft and specialty shops, including the on-premises production of handcrafted goods;
5. Retail and retail service establishments, excluding those with gas pumps;
6. Theatres;
7. Banking services, excluding vehicular drive-up services;

Editor's Note: Drive-up banking facilities located in the interior of parking structures are allowed as a conditional use subject to the criteria outlined below in the conditional use provisions of this section.

8. Cabinet and carpentry shops;
9. Personal services;
10. Business services;
11. Offices of business trades people;
12. Miscellaneous repair services, excluding all types of automotive repair except for automobile repair and service establishments;
13. Telecommunication and broadcast and receiving facilities, except as prohibited in section 14-271 (prohibited uses);

Place of assembly: A building or portion of a building used as a community hall, private and fraternal organization or place of religious assembly. This definition shall not include buildings or portions of buildings used as a community hall, private and fraternal organization or place of religious assembly where fifteen (15) or fewer people, not including the permanent residents of a single family dwelling, assemble.

Place of religious assembly: A building or portion of a building used for religious worship or instruction including, but not limited to, churches, synagogues, masjids, mosques and other places of worship.

Pre-development grade. Pre-development grade is defined as average grade, existing on October 1, 2000, at the corners of the foundation of the proposed structure.

Principal building: The building occupied by the chief or principal use on the premises. When a garage is attached to the principal building in a substantial manner as by a roof or common wall, it shall be considered as a part of the principal building.

Private club or nonprofit social and recreational facility: A private club, or nonprofit social and recreational facility, is open exclusively to members and to their bona fide guests accompanying them, in order to promote fellowship, social living, proper recreation, civic responsibility, neighborhood responsibility, community welfare or other endeavors. It shall be permissible to serve food and meals on such premises provided adequate dining room space and kitchen facility are available and are provided within all regulations of this article and other applicable codes and ordinances.

Processing: Any operation changing the nature of material or materials such as chemical composition or physical qualities. Does not include operations described as fabrication.

Professional office: The office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional.

Recent flood plain soils: Recent flood plain soils include the following soil series as described and identified by the National Cooperative Soil Survey:



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

9 9 20 10

Received from SMRT

Location of Work 144 Fore St

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150

Building (IL) ___ Plumbing (I5) ___ Electrical (I2) ___ Site Plan (U2) ___

Other SMRT

CBL: 1743

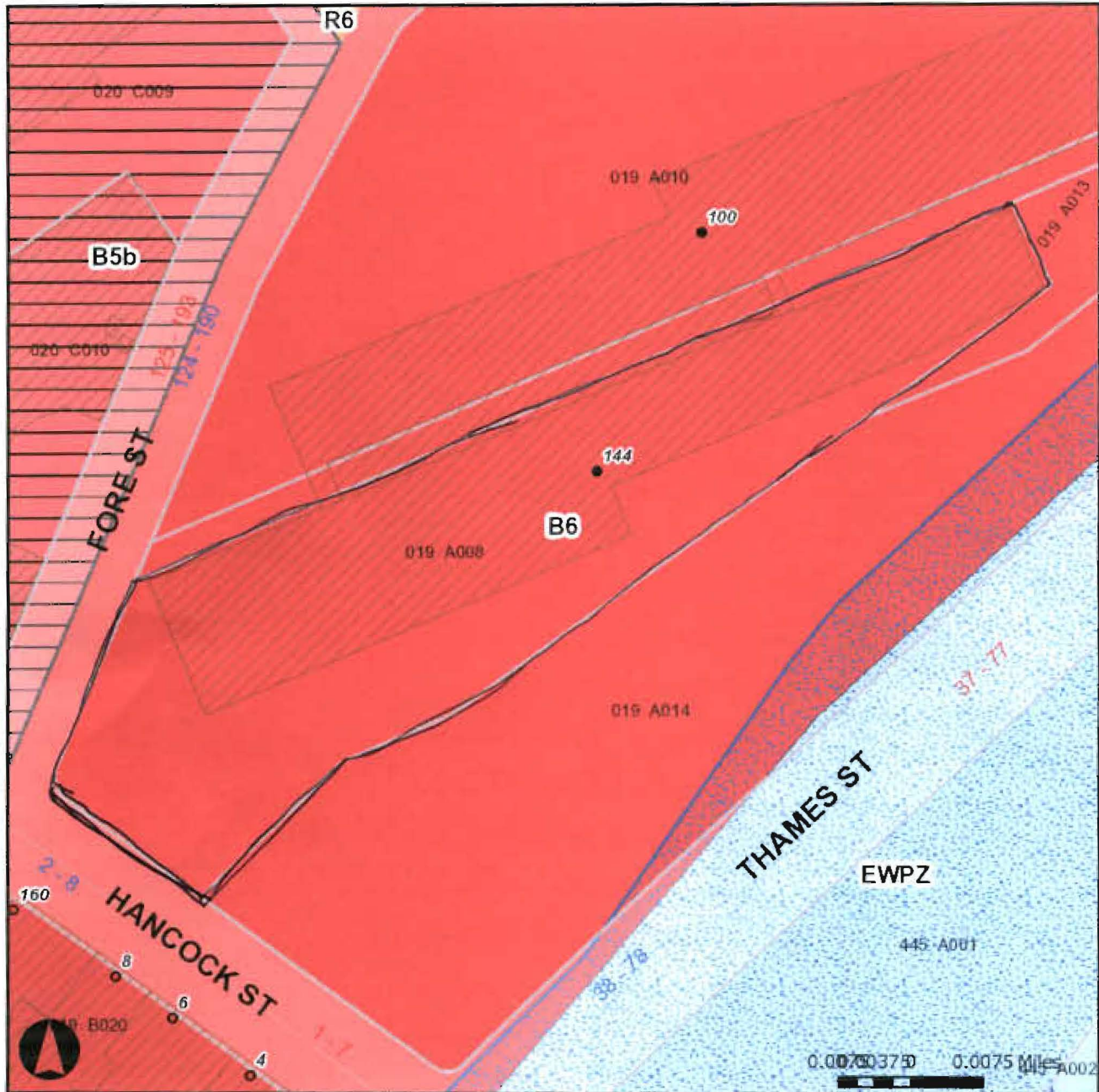
Check #: 3223 Total Collected \$ 150

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

Map



Interstate	Stream Overlay Zone	Zoning (continued)	Zoning (continued)	Ocean
	Stream_protection	R1 Residential	C23	
Streets	Island Zoning	R2 Residential	C24	
Buildings	C43	R3 Residential	C25	
Building	I-B	R4 Residential	C26	
Out Building	I-TS	R5 Residential	C27	
Parcels	I-R1	R6 Residential	C28	
	I-R2	ROS Recreation	C29	