



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

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

June 17, 2009

Jacquelyn M. Kurz  
Pierce Atwood LLP  
One Monument Square  
Portland, ME 04101-0111

RE: 273 Congress Street – 021-E-018 (the “Property”) – B-2b Zone

Dear Ms. Kurz,

I am in receipt of your request for an updated determination letter for the property located at 273 Congress Street.

The last permitted use of the property, dated July 17, 1997, determined that the legal use of the property is one dwelling unit on the third floor, three “office” spaces for the design of art pieces business (or artist studios), and one retail space on the first floor. A search of our current files shows that no further permits have been reviewed or granted since my past determination letter dated August 9, 2004.

The Property is located within the B-2b business zone which allows all such uses as stated on the approved permit and above. The abutting residential zone is R-6.

All apparent permits related to land use and subdivision regulations have been obtained. It appears that all appropriate and required City permits through this department have been obtained. I am unaware of any pending or contemplated land use or zoning action with respect to the Property. I am not aware of any notices of violation having been issued or contemplated by this office in connection with the Property.

Very truly yours,

Marge Schmuckal  
Zoning Administrator  
Attachments

Cc: file

**PIERCE  
ATWOOD**  
—LLP—  
ATTORNEYS AT LAW

**Jacquelyn M. Kurz**  
*Counsel*

One Monument Square  
Portland, ME 04101

207-791-1366 voice  
207-791-1350 fax  
jkurz@pierceatwood.com  
pierceatwood.com

June 15, 2009

Ms. Marge Schmuckal  
Zoning Administrator/City of Portland  
Portland City Hall  
389 Congress Street  
Portland, Maine 04101

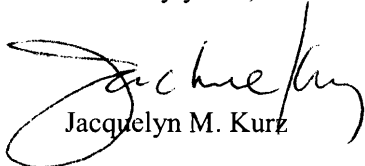
RE: East End Studios, LLC  
273 Congress Street – Portland, ME  
Tax Map 21, Block E, Lot 18

Dear Ms. Schmuckal:

In connection with a Zoning Determination Letter we have requested in connection with the above referenced property, please find our check in the amount of \$150.00 representing your fee for undertaking such review.

If you have any questions regarding this Determination Letter, please give me a call. Thank you for your assistance.

Sincerely yours,



Jacquelyn M. Kurz

JMK/am  
Enclosure

JUN 16 2009

**PIERCE  
ATWOOD**  
— LLP —  
ATTORNEYS AT LAW

**Jacquelyn M. Kurz**  
*Counsel*

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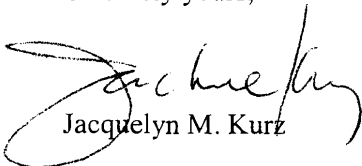
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If you have any questions regarding this Determination Letter, please give me a call. Thank you for your assistance.

Sincerely yours,



Jacquelyn M. Kurz

JMK/am  
Enclosure

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

**PIERCE ATWOOD LLP**  
1 MONUMENT SQUARE  
PORTLAND, MAINE 04101-1110  
207-791-1100  
DISBURSEMENT ACCOUNT

PEOPLES BANK  
PORTLAND, ME  
52-7445/2112

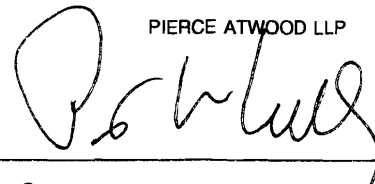
57719

**PAY:** *One Hundred Fifty and 00/100 Dollars*

NUMBER	DATE	AMOUNT
000057719	06/15/2009	*****150.00

TO THE  
ORDER  
OF  
**City of Portland  
P.O. Box 544  
Portland, ME 04112-0544**

PIERCE ATWOOD LLP



SECURITY FEATURES INCLUDED. DETAILS ON BACK.

⑈057719⑈ ⑆211274450⑆ 0291 60851⑈

**From:** "Jacquelyn Kurz" <jkurz@PierceAtwood.com>  
**To:** <mes@portlandmaine.gov>  
**Date:** 6/15/2009 12:56:34 PM  
**Subject:** FW: 273 Congress St., Portland

Marge-I just heard from Margaret O'Keefe at East End Studios. Not certain if it makes it any easier from your standpoint but the lender is willing to rely on the 2004 letter if they could just get an update letter from 2004. Thanks. Jackie

>

---

> From: Jacquelyn Kurz  
> Sent: Monday, June 15, 2009 11:14 AM  
> To: 'mes@portlandmaine.gov'  
> Subject: 273 Congress St., Portland

>

> Marge-Thanks for returning my call last Thursday. I have thought of  
> Sam a few times since then and the thought of him pushing carts and  
> helping the elderly in the sun has made me smile. After we spoke, it  
> appeared that the lender might not require anything further regarding  
> zoning so I held off on my request. I just now learned that it is  
> definitely required and they would like to close Wednesday. I am not  
> sure that this is possible from your end. I had planned to put  
> together our form of letter regarding zoning for you to sign but I  
> found the attached letter in the file so it appears that you may have  
> your own form of letter. Please let me know how you wish to proceed  
> and I will have a check in the amount of \$150 hand-delivered to you.  
> Thanks. Jackie

>

> <<ZONING\_20090615110858.pdf>>  
> Jacquelyn M. Kurz  
> Pierce Atwood LLP  
> One Monument Square  
> Portland, Maine 04101-0111  
> Tel: 207-791-1366  
> Fax: 207-791-1350  
> jkurz@pierceatwood.com  
> <http://www.pierceatwood.com>

>

> This email was sent from the law firm of Pierce Atwood LLP. It may  
> contain information that is privileged and confidential. If you  
> suspect that you were not intended to receive it, please delete it and  
> notify us as soon as possible. Thank you.

>

>

**From:** "Jacquelyn Kurz" <jkurz@PierceAtwood.com>  
**To:** <mes@portlandmaine.gov>  
**Date:** 6/15/2009 11:15:19 AM  
**Subject:** 273 Congress St., Portland

Marge-Thanks for returning my call last Thursday. I have thought of Sam a few times since then and the thought of him pushing carts and helping the elderly in the sun has made me smile. After we spoke, it appeared that the lender might not require anything further regarding zoning so I held off on my request. I just now learned that it is definitely required and they would like to close Wednesday. I am not sure that this is possible from your end. I had planned to put together our form of letter regarding zoning for you to sign but I found the attached letter in the file so it appears that you may have your own form of letter. Please let me know how you wish to proceed and I will have a check in the amount of \$150 hand-delivered to you. Thanks. Jackie

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Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Les Urban, Director



**CITY OF PORTLAND**

August 9, 2004

Rebecca W. Greenfield  
c/o Pierce Atwood  
One Monument Square  
Portland, ME 04101

*Nothing in UI is  
showing permit  
Applied for (6/12/04)*

RE: 273 Congress Street - 021-E-018 - B-2b Zone

Dear Ms Greenfield,

I am in receipt of your request for a determination letter for the property located at 273 Congress Street ("Property").

Our files show a permit requesting a change of use with interior alterations at this location. The permit was issued on July 17, 1997. The uses permitted were one dwelling unit on the third floor, three "office" spaces for the design of art pieces business, and one retail space on the first floor.

The Property is located within the B-2b business zone which allows all such uses as stated on the approved permit. The abutting residential zone is R-6.

All apparent permits related to land use and subdivision regulations have been obtained. It appears that all appropriate and required City permits through this department have been obtained. I am unaware of any pending or contemplated land use or zoning actions with respect to the Property. I am not aware of any notices of violation having been issued by this office in connection with the Property.

Very truly yours,

Marge Schmuckal  
Zoning Administrator  
attachments  
Cc: file

Room 315 - 389 Congress Street - Portland, Maine 04101

(207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-8936

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

Location of Construction: 273 Congress St		Owner: 273 Congress St Assoc.		Phone:		Permit No: <b>970756</b>	
Owner Address:		Lessee/Buyer's Name:		Phone:		Business Name:	
Contractor Name: Wood Design		Address: 254 Commercial st Ptd, ME 04101		Phone: 775-5004		<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>PERMIT ISSUED</b>  <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <b>JUL 17 1997</b> </div> <b>CITY OF PORTLAND</b> </div>	
Past Use: Vacant		Proposed Use: Mix Use		<b>COST OF WORK:</b> \$ 120,000.00 <b>PERMIT FEE:</b> \$ 645.00			
Proposed Project Description: Change Use/Make Interior Renovations 1-dwelling unit 3-office spaces 1-retail space				<b>FIRE DEPT.</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>[Signature]</i>		<b>INSPECTION:</b> Use Group: <i>B3/B7M</i> Type: <i>3B</i> Signature: <i>[Signature]</i>	
				<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b> Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____			
Permit Taken By: Mary Gresik		Date Applied For: 07 July 1997				<b>Zoning Appeal</b> <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	

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..

*Call 775.5004 for plu (sherrwood)*

*15642/30-3654  
15643/30-3655  
15644/30-3656*

**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

SIGNATURE OF APPLICANT: <i>S. Hamil</i>		ADDRESS: _____		DATE: 07 July 1997		PHONE: _____	
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: <i>S. Hamil OWNER/CONTRACTOR WOOD DESIGN</i>				PHONE: _____			

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

Action:  
 Approved  
 Approved with Conditions  
 Denied

Date: *7/9/97*

*[Signature]*

**CEO DISTRICT** 1  
*[Signature]*

Applicant: Sherwood Hamil  
Address: 273 Congress St

Date: 7/10/97 & 7/16/97  
C-B-L: 21-E-18

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing 1900  
Zone Location - B-2 with R-6AS closest Residential Zone

Interior or corner lot -

Proposed Use/Work - change to mixed use →  
old Tommy's (Previously retail on 1st floor part of 2nd floor)  
Hand wine Sewage Disposal - with storage/warehousing - under  
5,000 sq ft change of use

1 D.U. on 3rd floor  
3 office spaces  
(for Design of Art pieces  
type of Business)  
1 retail space - 1st floor

Lot Street Frontage -

Front Yard -

Rear Yard -

Side Yard -

Projections -

Width of Lot -

Height -

Lot Area -

8,750 sq ft per CANADA

Lot Coverage/ Impervious Surface -

Area per Family - 1000 sq ft/unit OK

Off-street Parking - 1.5 for the unit -  
retail - none req for 1st 2,000 sq ft - The 1 per 200 sq ft / 200 | 336 | 1.68

Landing Bays - Business SPACE Req: 1 per 1,000 sq ft - 1000 | 694 | 1.5  
655 sq ft - 694  
for stairs 5260

Site Plan -

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - N/A

600 ft min req. for New unit  
20 x 34 = 680  
Now open exterior stairway shown

7.5  
1.68  
5.9  
8.4  
9.5



**PERMIT ISSUED**

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

Permit No: 01-085	Issue Date: 11/2/01	CE#: 021 B018001
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Location of Construction: 273 Congress St	Owner Name: East End Studios Llc	Owner Address: 273 Congress St 04101 CITY OF PORTLAND	Phone: 207-775-5004
Business Name: n/a	Contractor Name: Maine Bay Canvas	Contractor Address: 53 Industrial Way Portland	Phone: 2078788888
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Awnings	Zone: B2b

Permit Fee: \$42.00	Cost of Work: \$2,200.00	CEO District: 1
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Proposed Project Description: Erect a 39' X 3' Awning.	Proposed User: Same: Erect a 39' X 3' Awning.	FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: 1 <b>PERMIT ISSUED WITH REQUIREMENTS</b>
Signature: _____		Signature: _____	
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		Date: _____	

Permit Taken By: oh	Date Applied For: 07/12/2001	<b>Zoning Approval</b>
------------------------	---------------------------------	------------------------

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 Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: 7/12/01	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:
---	--	--	---

**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 provision of the code(s) applicable to such permit.

\_\_\_\_\_  
 SIGNATURE OF APPLICANT ADDRESS DATE PHONE

\_\_\_\_\_  
 RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

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

Card Number	1 of 1
Parcel ID	021 E018001
Location	273 CONGRESS ST
Land Use	RETAIL & PERSONAL SERVICE
Owner Address	EAST END STUDIOS LLC 273 CONGRESS ST PORTLAND ME 04101
Book/Page	13166/330
Legal	21-E-18 CONGRESS ST 271-273 8750 SF

*B-2-b yes confirmed*

### Valuation Information

Land	Building	Total
\$44,000	\$263,440	\$307,440

### Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1900	1	12024	1
Total Acres	Total Buildings	Sq. Ft.	Structure Type	Building Name
0.201	12024		RETAIL - SINGLE OCCUPANCY	EAST END STUDIOS

### Exterior/Interior Information

Section	Levels	Size	Use
1	01/01	3134	MULTI-USE SALES
1	01/01	2880	MULTI-USE OFFICE
1	02/02	5366	MULTI-USE OFFICE
1	03/03	844	APARTMENT

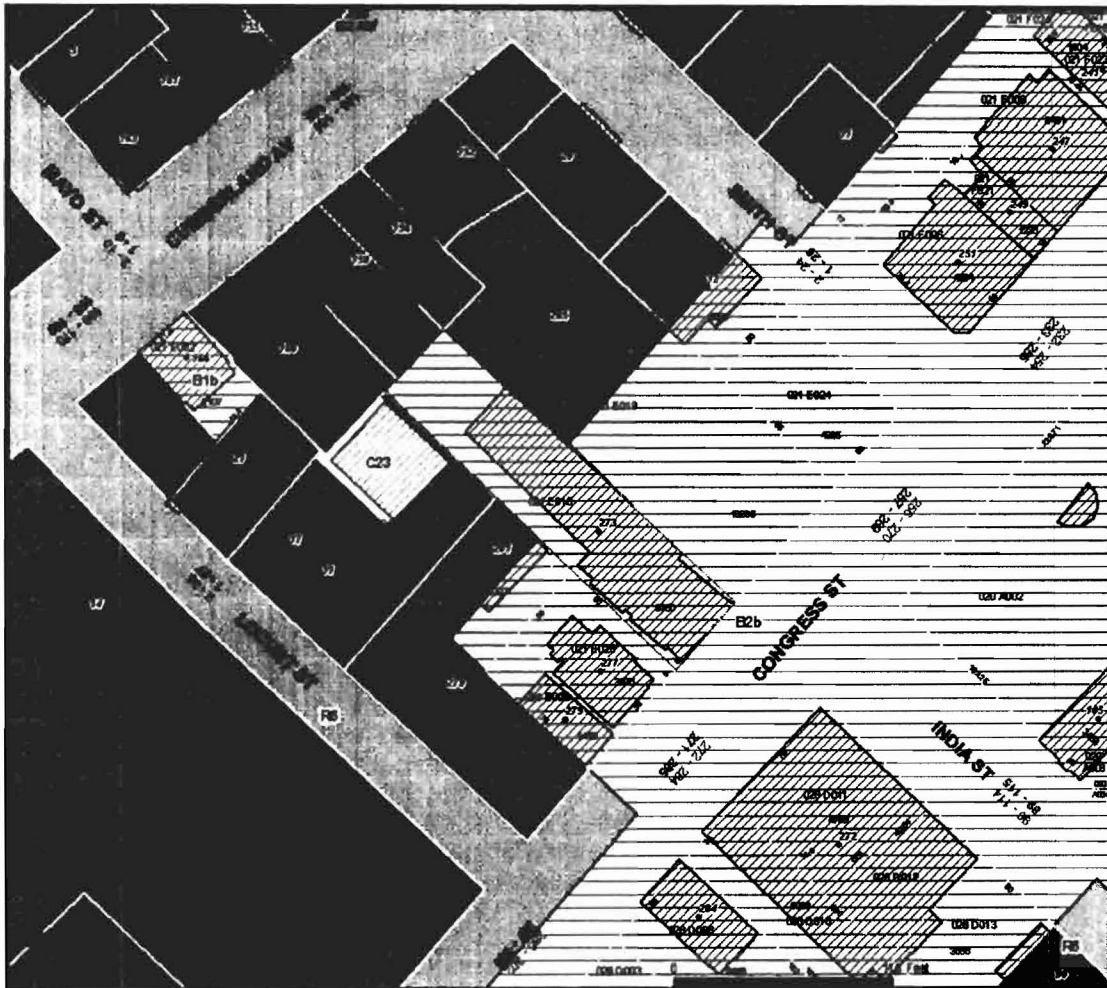
Height	Walls	Heating	A/C
10	MASNRY/FRAME	NONE	NONE
9	MASNRY/FRAME	NONE	
9	MASNRY/FRAME	NONE	
8	MASNRY/FRAME	NONE	

### Building Other Features

Line	Structure Type	Identical Units
1	STORE FRONT - AVG	1

### Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
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City of Portland  
GIS



DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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City of Portland  
389 Congress St.  
Portland, Maine  
04101