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

September 22, 2008

Whitco World Portland, LLC
190 Riverside Street, Suite 10A
Portland, ME 04103

RE: Request for Determination Under Zoning Ordinance §14-465
Whitco World Portland LLC, d/b/a World Gym
265 Marginal Way, Portland, Maine - CBL 023-A-002 - I-Lb Zone

Ladies and Gentlemen:

I am writing in response to the letter dated September 16, 2008 from David Currier at the firm of Warren, Currier & Buchanan concerning Whitco World Portland LLC's use of the space that it leases in the building located at 265 Marginal Way (the "Property"). A copy of the determination request is attached to this letter and is incorporated here by reference.

Based on the description of World Gym's proposed use of the Property, as contained in the determination request, the zoning authority hereby determines, pursuant to Section 14-465 of the Zoning Ordinance, that:

1. The use that World Gym plans to make of the Personal Training/Physical Therapy Space (as defined in the determination request) is a lawful accessory use to World Gym's use of the Property as a gym and fitness center, and that accessory use is therefore a permitted use of the Property under the Zoning Ordinance; and
2. A new certificate of occupancy is not required under Section 14-463 of the Zoning Ordinance on account of World Gym's use of the Personal Training/Physical Therapy Space as office space accessory to its use of the Property as a gym and fitness center.
3. Separate permit applications shall be required for any structural alterations and also for any proposed exterior signage.

Sincerely,

Marge Schmuckal
Zoning Administrator