



PORTLAND MAINE

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

August 27, 2010

Curtis Thaxter, Attorneys At Law
One Canal Plaza, Suite 1000
P.O. Box 7320
Portland, ME 04112-7320
Att: Joanna C. Wyman

RE: 18 Monument Square – 027-F-5 (the “Property”) – B-3 Zone

Dear Ms. Wyman

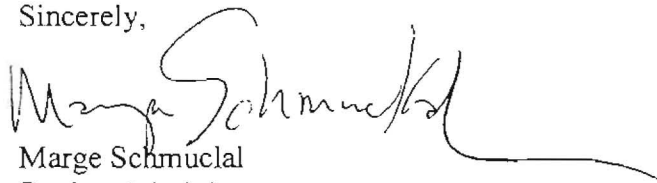
I am in receipt of your request for a determination letter concerning the Property located at 18 Monument Square.

The Property is located within a B-3 Downtown Business Zone with a Historic Overlay Zone and within the Old Port Overlay Zone and within a Pedestrian Activities District (PAD) which regulates the first floor uses.

This office recognizes the legal use to be a commercial restaurant on the first floor with the basement area accessory to that use. A restaurant use is permitted in both the B-3 Zone and PAD Overlay Zone. Residential uses have been permitted above the first floor. Residential uses are permitted in the B-3 Zone. To the best of my knowledge the current uses, occupancy, operation and improvements of the Property are in full compliance with all applicable zoning codes, rules and regulations of said zoning district because no notice of violation has been issued.

To the best of my knowledge after a research of office records, all required permits and approvals necessary for the use, operation and occupancy of the Property have been issued and are in full force and effect. The most current permit was issued on July 15, 2010 for improvements to the fire escape on the rear of the Property.

Sincerely,


Marge Schmuckal
Zoning Administrator

Cc: file

Joanna C. Wyman
jwyman@curtisthaxter.com

August 2, 2010

Marge Schmuckal, Zoning Administrator
City of Portland, Inspection Services
389 Congress Street
Portland, ME 04101

RE: 18 Monument Square, 27-F-5

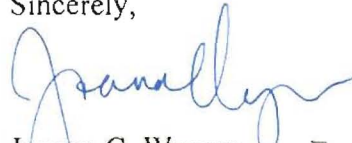
Dear Ms. Schmuckal:

I am requesting a zoning determination letter on the above-referenced property to include the following:

- (1) that the Property is located within zoning district ____;
- (2) the current uses, occupancy, operation and improvements of the Property are in full compliance with all applicable zoning codes, rules, and regulations of said zoning district because no notice of violation has been issued; and
- (3) as evidenced by your office's records, all governmental permits and approvals necessary for the construction, use, operation, and occupancy of the Property have been issued and are in full force and effect.

A check for the \$150 fee is enclosed.

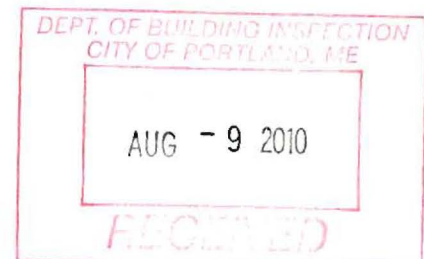
Sincerely,



Joanna C. Wyman

Enclosure

O:\RES\83699 -340 Soley-18 Monument Square\Closing Documents\Zoning determination letter request.doc



Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

October 25, 2001

Joseph R. Mazziotti
555 Forest Avenue
Suite 200
Portland, ME 04104

RE: 18 Monument Square - 027-F-005 - B-3 zone with a PAD overlay 1st floor zone

Dear Mr. Mazziotti,

This letter will confirm that all residential units at 18 Monument Square have been a legal and allowable use since the issuance of a building permit dated April 4, 1988. This building is located within a B-3 business zone with a PAD overlay 1st floor zone. There are no minimum lot size requirements within the B-3 zone for residential uses. Based on the information within our microfiche this building complies with the applicable provisions of the Portland Zoning Ordinance. I am not aware of any pending violations concerning this structure.

Very truly yours,

A handwritten signature in cursive script, reading "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator

Cc: file



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

8-2-2010

Received from

Curtis Thayer, Thayer Brothers

Location of Work

18- Monument St

Cost of Construction

\$ _____ Building Fee: _____

Permit Fee

\$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150

Building (IL) _____ Plumbing (IS) _____ Electrical (I2) _____ Site Plan (U2) _____

Other

Zoning Determination

CBL:

29-F

Check #:

0062619

Total Collected \$ 150

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

Taken by:

J. H.

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