



Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator
April 1, 2014

OneTen Exchange LLC
ATTN: Casey Prentice
PO Box 17919
Portland, ME 04112

RE: 110 Exchange Street – 032-H-001-001 (the "Property") – B-3 Zone with Historic Overlay and a Pedestrian District Overlay (PAD) Zone

Dear Mr. Prentice,

I am in receipt of your request for a determination letter concerning the Property. The Property is located in a B-3 Downtown Business Zone (the "B-3" Zone") with a Historic Overlay and a Pedestrian Overlay and a Downtown Entertainment Overlay. In the underlying B-3 Zone, certain residential, commercial and other uses are permitted.

The first floor of the Property is currently used for a restaurant, the second and third floors of the Property are currently used for office space and the fourth floor of the Property is currently used for residential. The current uses on the Property are permitted in the B-3 Zone. Currently there are certificates of occupancy for the restaurant on the first floor and for the single family residential on the fourth floor. Although no certificate of occupancy was found for the offices on the second and third floors, past permits in our microfiche show that office use permits have been issued in the past for those floors. Because the uses are prior to our Land Use Zoning Ordinance (which has a 1957 basis), there should be no concern for the lack of a certificate of occupancy for the second and third floors. The lack of a certificate of occupancy for the second and third floor is not considered a violation of the Land Use Zoning Ordinance. I am not aware of any proposed text changes to the Land Use Zoning Ordinance. I am not aware of any proposed zone changes to the Zoning Map that would affect the Property or its current use(s).

To the best of my knowledge, the Property, as developed, conforms with all land use and development restrictions contained in all of the City of Portland's Ordinances, including applicable building, land use and subdivision regulations, and all appropriate and required of Portland permits, licenses, and approvals have been provided for the current use and development of the Property.

I am unaware of any pending or contemplated land use or zoning actions with respect to the Property. If you have any questions or require additional information, please do not hesitate to contact me at 874-8695.

Very Truly Yours,


Marge Schmuckal, Zoning Administrator, City of Portland, Maine



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 110 EXCHANGE ST CBL 032 H001001

Issued to The Oneten Company Llc /Jon Sampson Date of Issue 07/21/2009

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 09-0025, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES
The Corner Room

APPROVED OCCUPANCY
Commercial Restaurant
Use Group A2
Type 3B
IBC 2003

Limiting Conditions: Occupant load: 80

This certificate supersedes
certificate issued 7/11/09

Approved:

7/21/09
(Date)

Joanne Burke
Inspector

Joanne Burke 7/22/09
Inspector of Buildings

CAPT. H. Sautter
07/22/09

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 110 EXCHANGE ST CBL 032 H001001

Issued to The Oneten Company Llc /Peter Noone Date of Issue 01/25/2011

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 10-0458, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES
4th Floor

APPROVED OCCUPANCY
Residential Condo
Use Group R3
Type IB
IBC-2003

SCANNED

Limiting Conditions: This is a change of use only permit and is not intended to certify building code compliance.

This certificate supersedes certificate issued

Approved:

1-25-11

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.