



Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

July 21, 2014

IVI Assessment Services, Inc
55 West Red Oak Lane
White Plains, New York 10604
ATTN: Zoe Gaston

RE: 178-182 Middle Street/ 58-64 Exchange Street – 032-I-001 (the "Property")
IVI Project No.: PC40610677

To Whom It May Concern,

1. **Current Zoning:** The Land on which the Property is constructed is zoned B-3 Downtown Business Zone. The Property also contains several overlay zones: A Historic Overlay Zone, A Pedestrian Activities District (PAD) Overlay and the Downtown Entertainment Overlay.
2. **Conformance with Current Zoning Requirements:** Based on the materials available from our records, we:
☒ have no reason to believe that either the use of the Property or the improvements thereon are nonconforming.
3. **Right to Rebuild following Casualty:** In the event of casualty, the Property may be rebuilt substantially in its current form (i.e., no material loss of square footage, same building footprint, same volume) upon satisfaction of the following conditions and /or the limitations contained within section 14-385 which is attached.
4. **No Further Approvals or licenses Required:** The current uses of the Property (retail, banking and restaurant on the first floor with offices above) by its present owners are permitted uses under the Land Use Zoning Ordinance without the necessity of any rezoning, special exceptions, use permit, variance or other approval. I am not aware of any other permit or license required by this jurisdiction that a purchaser must obtain before it may acquire the Property or before the Property may continue to be used in the manner in which it is presently being used.
5. **No Applications Pending:** No application for rezoning of the Property, or for a special or conditional use permit or variance in connection with the Property, is now pending. No proceeding to challenge the zoning, or other governmental approval or use of the Property is pending, or to the best of our knowledge, overtly threatened.
6. **Certificates of Occupancy:** Valid Certificates of Occupancy have been issued for the Property. It is not necessary for a new purchaser of the Property to obtain either a new certificate of occupancy or an amendment to the existing certificate of occupancy in order to own, use and occupy the Property in the manner in which it is presently being used by the current owners and their tenants.
7. **No Violations: All Development-Related Fees Paid:**



Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

PG 2

We are unaware of the existence of any violations or alleged violations of any zoning, subdivision, building or similar ordinances or regulations applicable to the Property within the past three years.

There are no enforcement proceedings against the Property that are pending or contemplated.

8. The following approvals were required:

Site Plan Approval	<u>N/A</u>
Special Permit Approval	<u>N/A</u>
Conditional Use Permit Approval:	<u>N/A</u>
Variance Approval	<u>N/A</u>
Special Exception Approval	<u>N/A</u>
Planned Unit Development	<u>N/A</u>

Sincerely,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long, sweeping horizontal line extending to the right.

Marge Schmuckal
Zoning Administrator
City of Portland, Maine
(207) 874-8695



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Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

To Whom It May Concern:

Under the City's Land Use Ordinance 14-385 (see attached), there is an allowance to rebuild a legal, nonconforming building after it is destroyed by sudden or accidental acts. This section of the Ordinance applies to all areas and zones within the City of Portland, Maine.

Very truly yours,

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

Marge Schmuckal
Zoning Administrator

3/5/12

Sec. 14-385. Restoration or reconstruction within an existing footprint of damaged nonconforming structure.

A nonconforming structure damaged by fire, explosion, flood, riot, act of the public enemy, accident of any kind, decay or otherwise may be restored or rebuilt only where:

- (a) The restoration or reconstruction is of a building which is nonconforming only as to land area, setbacks or any other dimensional requirements; and
- (b) Where the restoration or reconstruction will occur entirely within the existing footprint and previous shell of the building and will not create a new nonconformity; and
- (c) Restoration or reconstruction occurs within one (1) year for a nonconforming non-residential structure, or two (2) years for a nonconforming residential structure, of the initial damage where such damage is sudden and accidental. Note that for buildings in Shoreland zones, state regulations may also govern and provide for a shorter period for restoration or reconstruction of nonconforming structures; and
- (d) Restoration or reconstruction necessitated by decay must be completed within one (1) year of the demolition of the building or the commencement of the restoration or reconstruction, whichever occurs first; and
- (e) Any reconstruction, under this provision, in the residential R-6 zone on a lot with 10,000 square feet or less, other than the exact restoration of a previously existing building on the site, shall comply with the applicable standards contained within the Planning and Development Design Manual; and
- (f) A nonconforming building located in the R-6 which is destroyed by fire, explosion, flood, riot, act of the enemy, or accident may be rebuilt under the small residential lot development provisions of the R-6 zone as if the lot were vacant as of January 1, 2005 and such reconstruction shall meet the setback requirements contained therein to the extent practicable; otherwise the building shall be reconstructed within the footprint of the previously existing building such that any nonconformity will not be enlarged.

For the purpose of this section, the footprint of a building is the perimeter of the foundation supporting a structure.

(Code 1968, § 602.17.E; Ord. No. 89-88, 7-19-88; Ord. No. 284-99, §2, 5-17-99, enacted as an emergency; Ord. No. 254-05/06, 6-5-06; Ord. No. 61-07/08, 10-1-07; Ord. No. 240-09/10, 6-21-10; Ord. No. 139-12/13, 2-4-13)

*Editor's note—Ord. No. 89-88, adopted July 19, 1988, amended this section to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 89-88.

Newest

City of Portland
Code of Ordinances
Sec. 14-385

Land Use
Chapter 14
Rev. 3-4-13

entirely within the existing footprint and previous shell of the building and will not create a new nonconformity; and

- (c) Restoration or reconstruction occurs within one (1) year for a nonconforming non-residential structure, or two (2) years for a nonconforming residential structure, of the initial damage where such damage is sudden and accidental. Note that for buildings in Shoreland zones, state regulations may also govern and provide for a shorter period for restoration or reconstruction of nonconforming structures; and
- (d) Restoration or reconstruction necessitated by decay must be completed within one (1) year of the demolition of the building or the commencement of the restoration or reconstruction, whichever occurs first; and
- (e) Any reconstruction, under this provision, in the residential R-6 zone on a lot with 10,000 square feet or less, other than the exact restoration of a previously existing building on the site, shall comply with the applicable standards contained within the Planning and Development Design Manual; and
- (f) A nonconforming building located in the R-6 which is destroyed by fire, explosion, flood, riot, act of the enemy, or accident may be rebuilt under the small residential lot development provisions of the R-6 zone as if the lot were vacant as of January 1, 2005 and such reconstruction shall meet the setback requirements contained therein to the extent practicable; otherwise the building shall be reconstructed within the footprint of the previously existing building such that any nonconformity will not be enlarged.

For the purpose of this section, the footprint of a building is the perimeter of the foundation supporting a structure.

(Code 1968, § 602.17.E; Ord. No. 89-88, 7-19-88; Ord. No. 284-99, §2, 5-17-99, enacted as an emergency; Ord. No. 254-05/06, 6-5-06; Ord. No. 61-07/08, 10-1-07; Ord. No. 240-09/10, 6-21-10; Ord. No. 139-12/13, 2-4-13)

*Editor's note—Ord. No. 89-88, adopted July 19, 1988, amended this section to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 89-88.



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE, July 14, 1978

PERMIT ISSUED

JUL 21 1978

0 0646

CITY OF PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION ... 178 Middle Street - 2nd & 4th floors Fire District #1 ☐ #2 ☐

1. Owner's name and address Howard Goldenfarb - 103 Exchange St. Telephone 797-9801

2. Lessee's name and address Telephone

3. Contractor's name and address Stevens Realty - 95 W. Elm St. Telephone 772-2597

4. Architect Specifications Yarmouths No. of sheets

Proposed use of building ... offices No. families

Last use ... laund. No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$4,000 Fee \$100.00

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION 1600

This application is for: @ 775-5451

Dwelling Ext. 234 To make renovations, not bearing wall

Garage work to be done on 2nd, and 4th

Masonry Bldg. floors of bldg. as per plans. 3 sheets

Metal Bldg. of plans.

Alterations Stamp of Special Conditions

Demolitions

Change of Use

Other . renovations..

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 ☐ 2 ☐ 3 ☒ 4 ☐

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?

Is connection to be made to public sewer? If not, what is proposed for sewage?

Has septic tank notice been sent? Form notice sent?

Height average grade to top of plate Height average grade to highest point of roof

Size, front depth No. stories solid or filled land? earth or rock?

Material of foundation Thickness, top bottom cellar

Kind of roof Rise per foot Roof covering

No. of chimneys Material of chimney of lining Kind of heat fuel

Framing Lumber—Kind Dressed or mill size? Corner posts Sills

Size Girder Columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor 2nd 3rd roof

On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof

If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot, to be accommodated ... number commercial cars to be accommodated ...

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY:

DATE

MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER

Will work require disturbing of any tree on a public street? ..

ZONING:

BUILDING CODE:

Will there be in charge of the above work a person competent

Fire Dept.:

to see that the State and City requirements pertaining thereto

Health Dept.:

are observed?

Others:

Handwritten signature



APPLICATION FOR PERMIT

PERMIT 1

B.O.C.A. USE GROUP

SEP 27 1970

B.O.C.A. TYPE OF CONSTRUCTION 000839

ZONING LOCATION PORTLAND, MAINE, ... Aug. 30, 1970

CITY of PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 178 Middle St. 3rd ~~xxxx~~ floor Fire District #1 ☐ #2 ☐
1. Owner's name and address RAM & Co. - 103 Exchange St. Telephone
2. Lessee's name and address Telephone
3. Contractor's name and address Realty Stevens - 95 W. Elm St. Yarmouth Telephone 846-3000
4. Architect Specifications Plans No. of sheets
Proposed use of building No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot 1,000
Estimated contractual cost \$ Fee \$ 5.00

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION

This application is for: @ 775-5451

Dwelling Ext. 234

Garage

Masonry Bldg.

Metal Bldg.

Alterations

Demolitions

Change of Use

Other

To make alterations to bldg. to be used
as office spaces as per plans 1 sheet
of plans.

Stamp of Special Conditions

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 ☐ 2 ☐ 3 ☒ 4 ☐

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing Lumber—Kind Dressed or full size? Corner posts Sills
Size Girder Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-1 1/2" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2nd 3rd roof
On centers: 1st floor 2nd 3rd roof
Maximum span: 1st floor 2nd 3rd roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot, to be accommodated ... number commercial cars to be accommodated ...
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY:

DATE

MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER

Will work require disturbing of any tree on a public street? ..

ZONING:

BUILDING CODE:

Will there be in charge of the above work a competent

Fire Dept.:

to see that the State and City requirements, relating thereto

Health Dept.:

are observed?

Others:



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION

170 Middle Street

Issued to Dirigo Management

Date of Issue Oct. 30, 1985

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. 85-1019, 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

APPROVED OCCUPANCY

Entire - 2nd floor

Office

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

10/30/85

(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 properly 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 182 Middle St

Issued to: Body Properties, Inc.

Date of Issue 13 July 1995

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. 950571 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 PREMISE

APPROVED OCCUPANCY

Entire — 1st Floor

Coffin House

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

7/14/95

(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.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 176 Middle St. (032-1-001)

Issued to Starbucks Coffee Co.

Date of Issue 4/22/98

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. 980073, 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

APPROVED OCCUPANCY

1st floor (left side)

retail coffee shoppe

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(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.



CITY OF PORTLAND, MAINE
Department of Building Inspection
Certificate of Occupancy

LOCATION

182 Middle St

032-I-038

Issued to Boyd Properties

Date of Issue 08 May 1998

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. 980300, 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

APPROVED OCCUPANCY

Entire

Retail
Stonewall Kitchen

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(Date)

5/7/98

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.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION

180 Middle St

CBL 032 I001001

Issued to

Bangor Savings Bank/Landry Construction Corp /Denis Landr

Date of Issue

07/12/2010

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. 10-0398 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.

PORITION OF BUILDING OR PREMISES

180 Middle Street
Basement and First Floor

APPROVED OCCUPANCY

Bangor Savings Bank
Use Group B
Type 5B
IBC-2003

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(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.

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

Job No: 2012-10-5116-HVAC	Date Applied: 10/2/2012	CBL: 032-1-001-001	
Location of Construction: 184 MIDDLE ST	Owner Name: BUCKSTAR LLC	Owner Address: 100 SILVER ST PORTLAND, ME 04101	Phone:
Business Name: Blanche & Mimi	Contractor Name: HVAC SERVICES INC	Contractor Address: 73 BRADLEY DRIVE, WESTBROOK, ME 04092	Phone: 854-4822
Lessee/Buyer's Name:	Phone:	Permit Type: HVAC	Zone: B-3
Past Use: 1 st floor retail/restaurant with offices above	Proposed Use: Same: 1 st floor retail/restaurant with offices above - to install high efficiency gas furnace in basement	Cost of Work: \$14,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A Signature: <i>Capt. Perin 10/18/12</i>	Inspection: Use Group: <i>MB</i> Type: <i>HVAC</i> Signature: <i>[Signature]</i>
Proposed Project Description: Install Gas Furnace		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Gayle		Zoning Approval	

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 informatin may invalidate a building permit and stop all work.

Special Zone or Reviews

- ☐ Shoreland
☐ Wetlands
☐ Flood Zone
☐ Subdivision
☐ Site Plan

___ Maj ___ Min ___ MM

Date: *10/4/12*

CERTIFICATION

Zoning Appeal

- ☐ Variance
☐ Miscellaneous
☐ Conditional Use
☐ Interpretation
☐ Approved
☐ Denied

Date:

Historic Preservation

- within -*
☐ Not in Dist or Landmark
☐ Does not Require Review
☐ Requires Review
☐ Approved
☐ Approved w/Conditions
☐ Denied

Date:

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

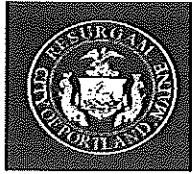
DATE

PHONE

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE

DATE

PHONE



PORTLAND MAINE

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Planning & Urban Development Department

Jeff A. Levine, AICP, Director

Inspections Division

Tammy M. Munson, Director

May 31, 2013

CBL: 032 I001

Located at: 178 Middle St

To Whom it May Concern,

The letter verifies that the work performed under Building permit # 2013-00702 issued by the City of Portland at the above address has been completed. Inspections have been recorded and the work appears to be in accordance with the applicable code requirements. This does not certify that the property is free of building code violations.

If you have any questions, feel free to contact me at this office.

Sincerely,

A handwritten signature in black ink, appearing to read "George Froehlich", is written over a horizontal line.

George Froehlich
Code Enforcement Officer
207-874-8707



**PROPERTY CONDITION & ENVIRONMENTAL
DUE-DILIGENCE**

IVI ASSESSMENT SERVICES, INC.

55 West Red Oak Lane
White Plains, New York 10604
(914) 740-1943 (tel)
(914) 694-3872 (fax)
www.ivi-intl.com

July 14, 2014

Attn: Marge Schmuckal
Zoning Administrator
City of Portland Zoning Administration Division
389 Congress Street, Room 315
Portland, ME 04101
(207) 874-8695

RECEIVED

JUL 17 2014

Dept. of Building Inspections
City of Portland Maine

Re: IVI Project No.: PC40610677
Request for Zoning Compliance Certificate

32-I-1

To Whom It May Concern:

IVI Assessment Services, Inc. has been commissioned to obtain a Zoning Compliance Certificate in connection with the following site:

178 Middle Street
Portland, ME 04101

Please provide a Zoning Compliance Certificate for the above mentioned property. A sample compliance letter, which may make your job easier, along with some additional questions is attached hereto. Please include with your response any supporting documentation on the development of the Subject property (i.e. copies of approved site plans, meeting minutes, ordinances, etc.)

Please respond to this documentation request by email to Zoe.gaston@ivi-intl.com or by fax to (914) 694-3872. You may also wish to send a hard copy to:

IVI Assessment Services, Inc.
55 West Red Oak Lane
White Plains, New York 10604
ATTN: Zoe Gaston

Should you have any questions or concerns, feel free to contact me, Zoe Gaston, at (914) 740-1943.

Thank you in advance for your timely assistance.

Sincerely,

Zoe Gaston
Zoning Intern

NEW YORK · ATLANTA · AUSTIN · CHICAGO · LAS VEGAS
LOS ANGELES · MIAMI · WASHINGTON, D.C.
BARCELONA · LONDON · PARIS · NICE · STOCKHOLM

Member of SOCOTEC Group



with 140 offices worldwide

[ON LETTERHEAD OF APPLICABLE JURISDICTION]

_____, 20____

Re: 178 Middle Street
Portland, ME 04101

To Whom it May Concern

1. **Current Zoning** The Land on which the Project is constructed is zoned ____.
2. **Conformance with Current Zoning Requirements** Based on the materials available from our records, we:

____ have no reason to believe that either the use of the Property or the improvements thereon are nonconforming.

____ have determined that the Project is legally nonconforming. To the best of our knowledge, the Project is legally nonconforming in the following respects:

____ have determined that the Project is nonconforming. To the best of our knowledge, the Project is nonconforming in the following respects:

3. **Right to Rebuild following Casualty**. In the event of casualty, the Project may be rebuilt substantially in its current form (i.e., no material loss of square footage, same building footprint) upon satisfaction of the following conditions and/or the limitations **[INSERT specific requirements concerning resumption of construction activity or completion, compliance with new building codes, zoning or subdivision requirements (such as buffering, setbacks, parking, landscaping, impact-related development fees and processing requirements)]**:

4. **No Further Approvals or Licenses Required**. The current use of the Project by its present owners is a permitted use under the Zoning Ordinance without the necessity of any rezoning, special exceptions, use permit, variance or other approval. We are not aware of any other permit or license required by this jurisdiction that a purchaser must obtain before it may acquire the Project or before the Project may continue to be used in the manner in which it is presently being used.

5. **No Applications Pending**. No application for rezoning of the Project, or for a special or conditional use permit or variance in connection with the Project, is now pending. No proceeding to challenge the zoning, or other governmental approval or use of the Project is pending, or, to the best of our knowledge, overtly threatened.

6. **Certificates of Occupancy** [Choose one]

☐ A valid final Certificate of Occupancy has been issued for the Project.

☐ A valid final Certificate of Occupancy has not yet been issued for the Project because it is currently under construction.

☐ We are unable to locate a Certificate of Occupancy for the Project. We have no reason to believe, however, that one was not properly issued, and the absence of a certificate of occupancy under such circumstances would not give rise to any enforcement action affecting the Project.

It is not necessary for a new purchaser of the Property to obtain either a new certificate of occupancy or an amendment to the existing certificate of occupancy in order to own, use and occupy the Project in the manner in which it is presently being used by the current owners and their tenants.

7. **No Violations; All Development-Related Fees Paid.** [Choose either one, none or both]

We are unaware of:

☐ the existence of any violations or alleged violations of any zoning, subdivision, building or similar ordinances or regulations applicable to the Project within the past three years

☐ any enforcement proceedings against the Project that are pending or contemplated.

☐ any outstanding fees associated with the Subject property. All fees required to have been paid in connection with the development and use of the Project, including any impact-related fees, have been paid, and no such fees which would have applicability to the Project are otherwise pending or contemplated.

8. Lastly please provide any information relating to any site plan approval, special permits, conditional use permits, special exception permits or variances that may have been required for the development and use of the Subject property, including approval letters and or approved site plans. Please forward associated documentation. The following approvals were required: (Check as applicable)

Site Plan Approval _____ Approval No. and Date: _____

Special Permit Approval: _____ Approval No. and Date: _____

Conditional Use
Permit Approval: _____ Approval No. and Date: _____

Variance Approval _____ Approval No. and Date: _____

Special Exception Approval: _____ Approval No. and Date: _____

Planned Unit Development: _____ Approval No. and Date: _____

Any Other Approval: _____ Approval No. and Date: _____

Sincerely,

[Applicable Governmental Official]

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-1982	Applicant: BUCKSTAR LLC
Project Name: 178 MIDDLE ST	Location: 178 MIDDLE ST
CBL: 032 I001001	Application Type: Determination Letter
Invoice Date: 07/17/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance	\$0.00
-------------------------	---------------

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00
Total Current Fees:		+ \$150.00
Total Current Payments:		- \$150.00
Amount Due Now:		\$0.00

CBL 032 I001001
Bill To: BUCKSTAR LLC
100 SILVER ST
PORTLAND, ME 04101

Application No: 0000-1982
Invoice Date: 07/17/2014
Invoice No: 45819
Total Amt Due: \$0.00
Payment Amount: \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.

Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)

Marge Schmuckal - Re: Zoning Verification Letter for 178 Middle Street, Portland

From: Marge Schmuckal
To: Zoe Gaston
Date: 7/17/2014 11:07 AM
Subject: Re: Zoning Verification Letter for 178 Middle Street, Portland

B-3 Historic
 Overlay
 32-I-001

Downtown Entertainment
 Zone

Hi Zoe,

I did not receive any other communication from you other than this e-mail. First of all, there is a process and a fee for a determination letter. -The cost is \$150 made out to the City of Portland. It takes at least 10 working days for a response. If there is any specific information that you need in your requested letter, you must let me know. Work on any such request does not begin until the check is received.

Thank you,
 Marge Schmuckal
 Zoning Administrator
 City of Portland, Maine

Check Received
 7/17/14

>>> "Gaston, Zoe" <Zoe.Gaston@ivi-intl.com> 7/14/2014 2:46 PM >>>
 Good Afternoon,

My name is Zoe Gaston and I'm with IVI Assessment Services. After talking with Ann Machado, I mailed you a zoning verification letter request a few minutes ago for **178 Middle Street, Portland, ME 04101**. I forgot to include the parcel number in that letter though so here it is: 032 1001001.

Thank you,

Zoe Gaston
 Intern
 IVI Assessment Services, Inc
 55 West Red Oak Lane
 White Plains, NY 10604
 (914) 694-9600 ext. 1943 (tel)
 (914) 740-1943 (direct)
zoe.gaston@ivi-intl.com



An international construction advisory firm serving private and institutional equity investors and mortgagees, IVI specializes in project management oversight services, property condition assessments, environmental site assessments and remediation, and construction claims. IVI has 6 regional offices in the USA and affiliations in South America, Europe, and Asia.

This e-mail communication is confidential and is intended only for the individual(s) or entity named above and others who have been specifically authorized to receive it. If you are not the intended recipient, please do not read, copy, use or disclose the contents of this communication to others. Please notify the sender that you have received this e-mail in error by either replying to the e-mail or by telephoning me at (914) 694-9600 ext. 1952. Please delete the e-mail and any copies of it. Your cooperation is appreciated. Thank You.

Marge Schmuckal - Zoning Verification Letter for 178 Middle Street, Portland

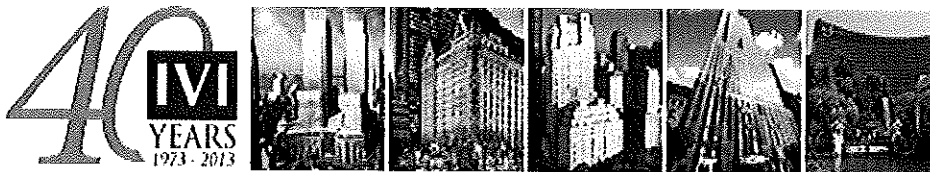
From: "Gaston, Zoe" <Zoe.Gaston@ivi-intl.com>
To: "mes@portlandmaine.gov" <mes@portlandmaine.gov>
Date: 7/14/2014 2:46 PM
Subject: Zoning Verification Letter for 178 Middle Street, Portland

Good Afternoon,

My name is Zoe Gaston and I'm with IVI Assessment Services. After talking with Ann Machado, I mailed you a zoning verification letter request a few minutes ago for **178 Middle Street, Portland, ME 04101**. I forgot to include the parcel number in that letter though so here it is: 032 1001001.

Thank you,

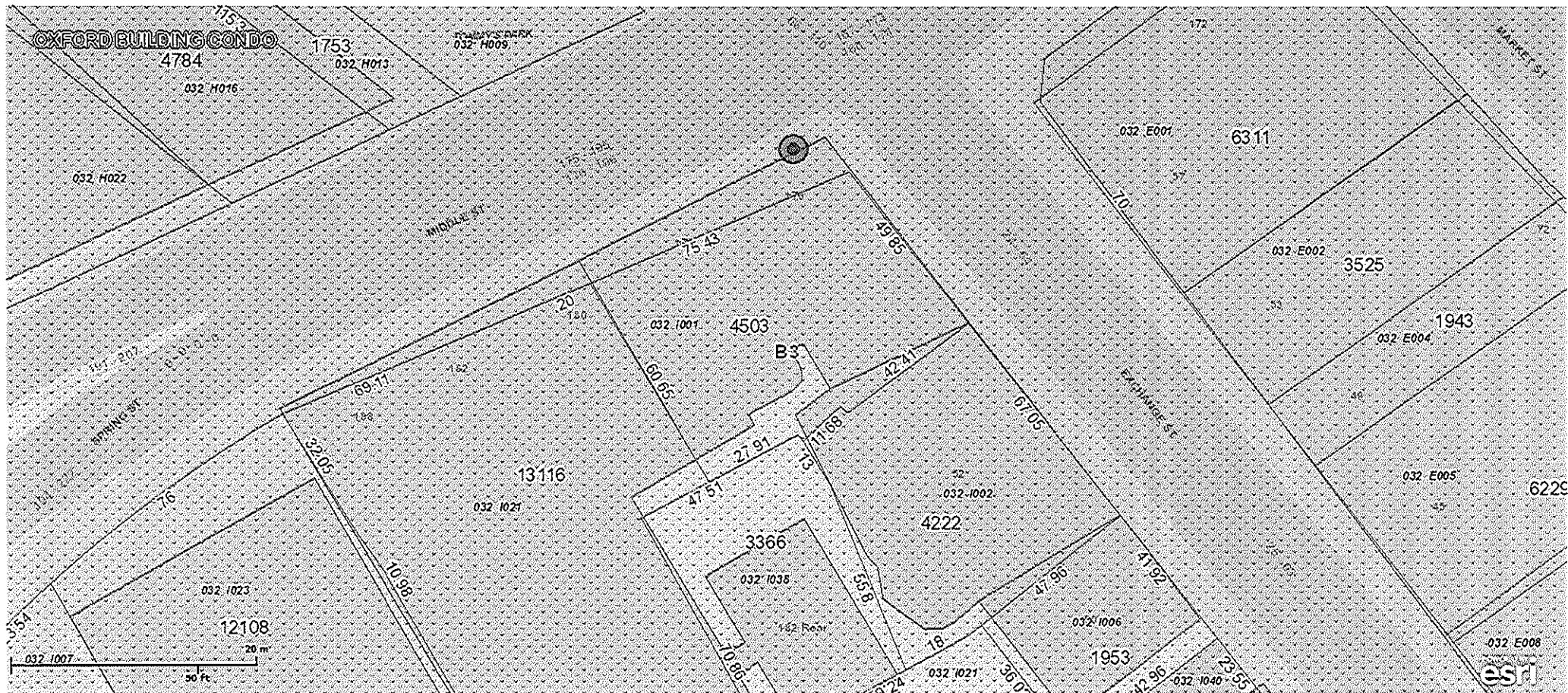
Zoe Gaston
Intern
IVI Assessment Services, Inc
55 West Red Oak Lane
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178 Middle St



Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City](#)
[Home](#)
[Departments](#)
[City Council](#)
[E-Services](#)
[Calendar](#)
[Jobs](#)

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](#)
[browse city
services a-z](#)
[browse facts and
links a-z](#)


Best viewed at
800x600, with
Internet Explorer

CBL	032 I001001
Land Use Type	OFFICE & BUSINESS SERVICE
Verify legal use with Inspections Division	
Property Location	178 MIDDLE ST
Owner Information	BUCKSTAR LLC 100 SILVER ST PORTLAND ME 04101
Book and Page	15885/284
Legal Description	32-I-1 MIDDLE ST 178-182 EXCHANGE ST 58-64 4503 SF
Acres	0.1034

B-3
Historic overlay
PAD
Downtown Entertainment

Current Assessed Valuation:

TAX ACCT NO.	4744	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$225,100.00	BUCKSTAR LLC
BUILDING VALUE	\$1,738,100.00	100 SILVER ST
NET TAXABLE - REAL ESTATE	\$1,963,200.00	PORTLAND ME 04101
TAX AMOUNT	\$38,105.72	

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

Building Information:

	Building 1
Year Built	1900
Style/Structure Type	DOWNTOWN ROW
# Units	1
Building Num/Name	1 - STARBUCKS COFFEE / STONEWALL
Square Feet	26910

[View Sketch](#)[View Map](#)[View
Picture](#)**Exterior/Interior Information:**

	Building 1
Levels	B1/B1
Size	4485
Use	SUPPORT AREA
Height	7
Heating	NONE
A/C	NONE

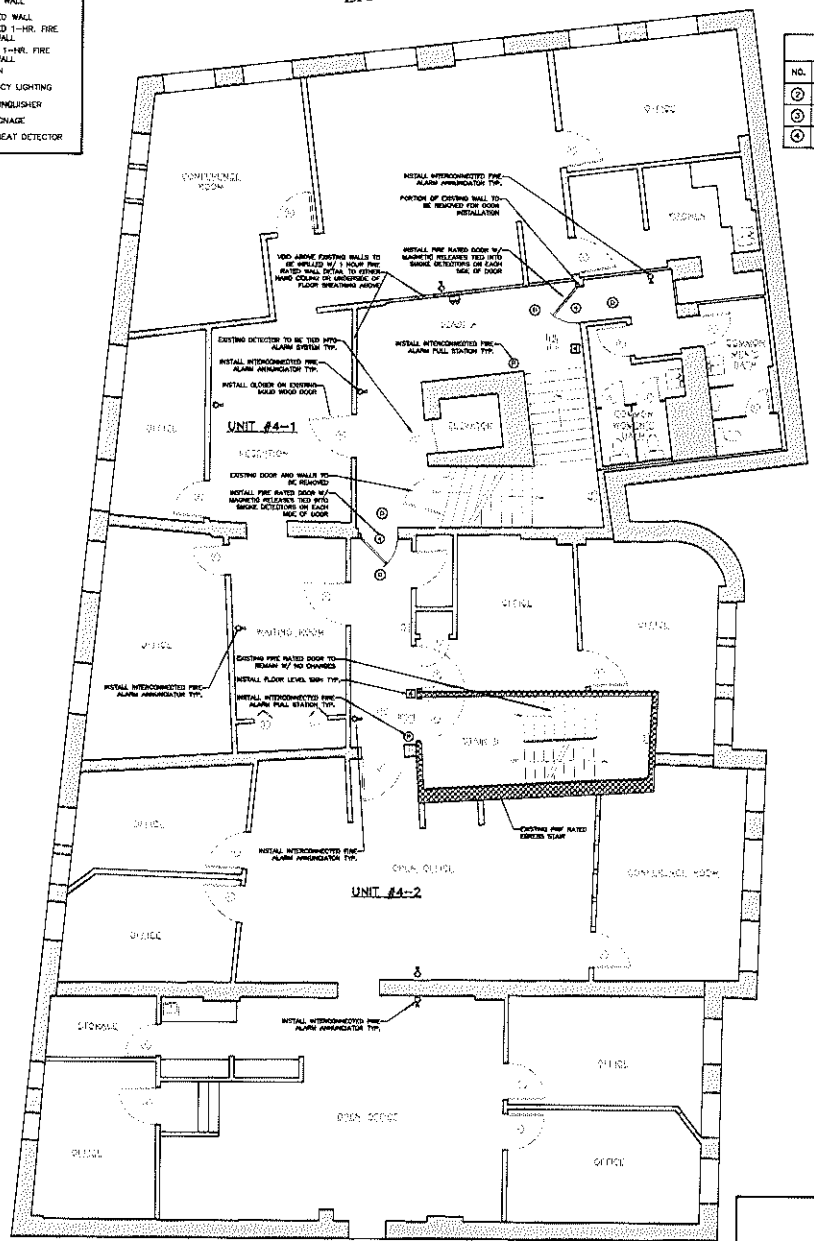
	Building 1
Levels	01/01
Size	1725
Use	RETAIL STORE
Height	14
Walls	BRICK/STONE



- LEGEND**
- EXISTING WALL
 - PROPOSED WALL
 - RATED WALL
 - EXISTING 1-HR. FIRE RATED WALL
 - EXIST. SIGN
 - EMERGENCY LIGHTING
 - FIRE EXTINGUISHER
 - STAIR SIGNAGE
 - SMOKE/HEAT DETECTOR

EXCHANGE STREET

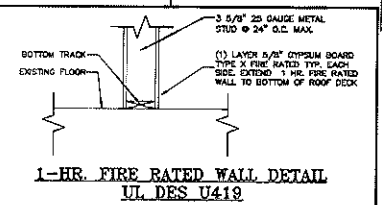
MIDDLE STREET



FOURTH FLOOR PLAN
SCALE 3/16" = 1'-0"

DOOR SCHEDULE					
NO.	QTY.	SIZE	TYPE	FRAME	REMARKS
②	5	3'-0" x 8'-0"	STONEFRONT	METAL	D-RING PULL, HANDL, PUSH BAR, HINGES, CLOSURE, ENTRY LOCKSET
③	6	VARIOUS	SOLID WOOD	METAL	LEVER HARDWARE, HINGES, ENTRY LOCKSET
④	3	3'-0" x 8'-0"	SOLID WOOD FIRE RATED	METAL	LEVER HARDWARE, HINGES, CLOSURE, 80-MIN FIRE RATED

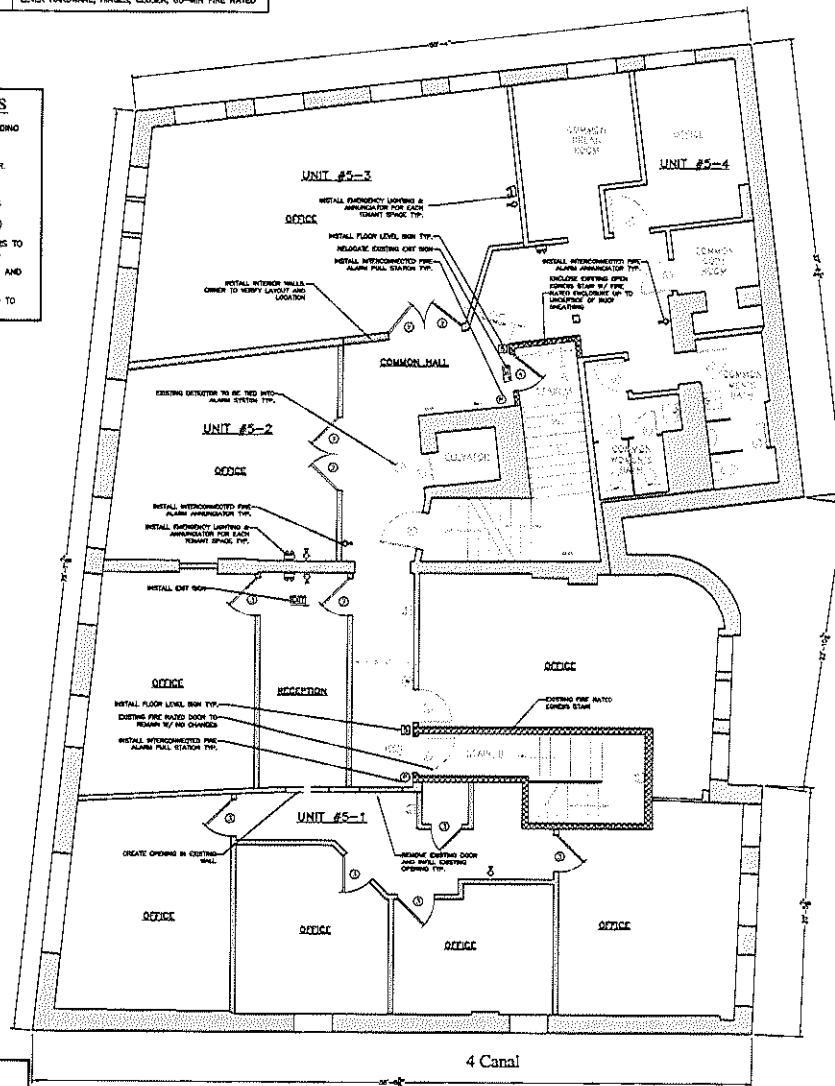
- PLAN SUBMISSION NOTES**
1. THIS PLAN IS FOR THE CITY OF PORTLAND BUILDING AND FIRE LIFE SAFETY CODE AND OCCUPANCY APPROVAL ONLY.
 2. PLAN BASED ON PLAN PROVIDED BY THE OWNER.
 3. IBC 2009 USE GROUP BUSINESS.
 4. 2009 NFPA LIFE SAFETY OCCUPANCY: BUSINESS.
 5. CONSTRUCTION TYPE TYPE II B (UNPROTECTED).
 6. FIRE ALARM SYSTEM TO BE DESIGNED BY OTHERS TO MEET THE REQUIREMENTS OF NFPA 101 AND 72.
 7. ALL EXISTING EMERGENCY LIGHTS TO BE TESTED AND REPLACED AS NEEDED.
 8. THE EXISTING SMOKE/HEAT SYSTEM TO BE TESTED TO MEET THE REQUIREMENTS OF NFPA 101 AND 13.



1-HR. FIRE RATED WALL DETAIL
UL DES U419

EXCHANGE STREET

MIDDLE STREET

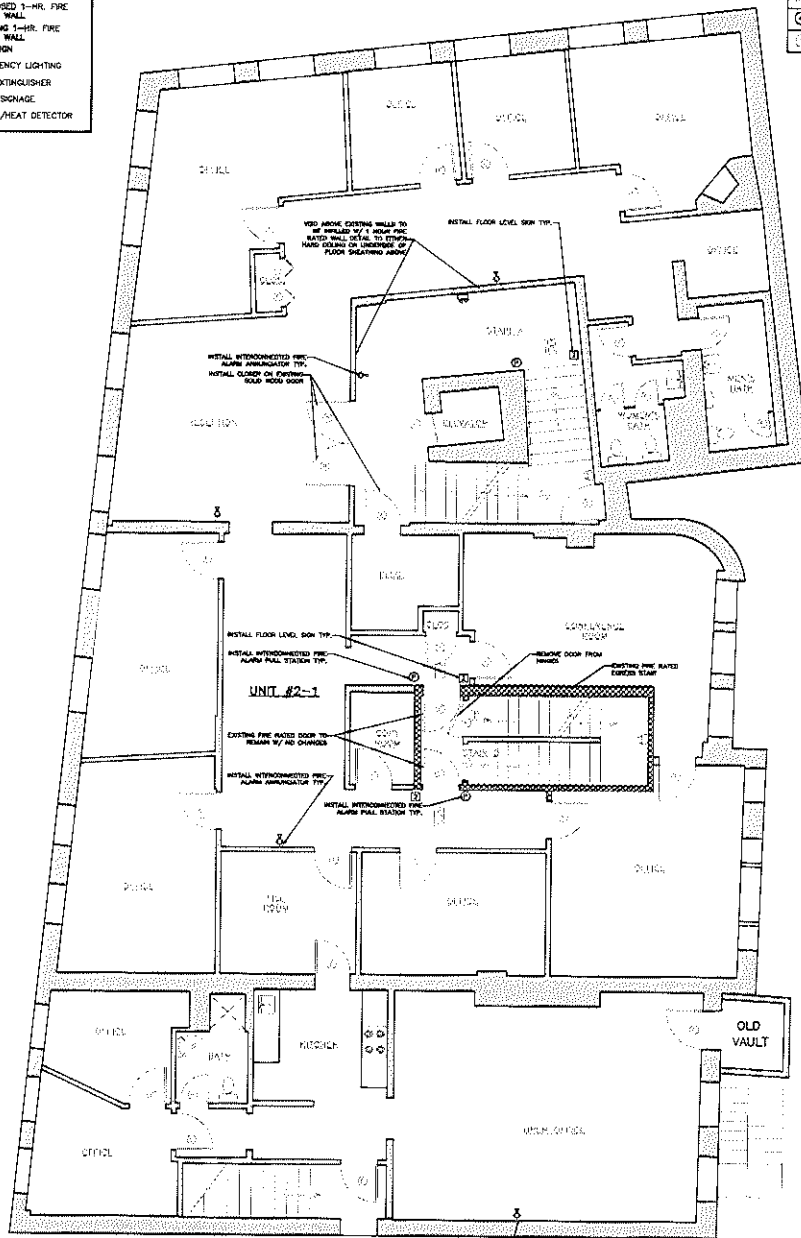


FIFTH FLOOR PLAN
SCALE 3/16" = 1'-0"

LEGEND

EXISTING WALL
 PROPOSED WALL
 EXISTING 3-HR. FIRE
 RATED WALL
 EXISTING 1-HR. FIRE
 RATED WALL
 EXIT SIGN
 EMERGENCY LIGHTING
 FIRE EXTINGUISHER
 STAIR SIGNAGE
 SMOKE/HEAT DETECTOR

EXCHANGE STREET



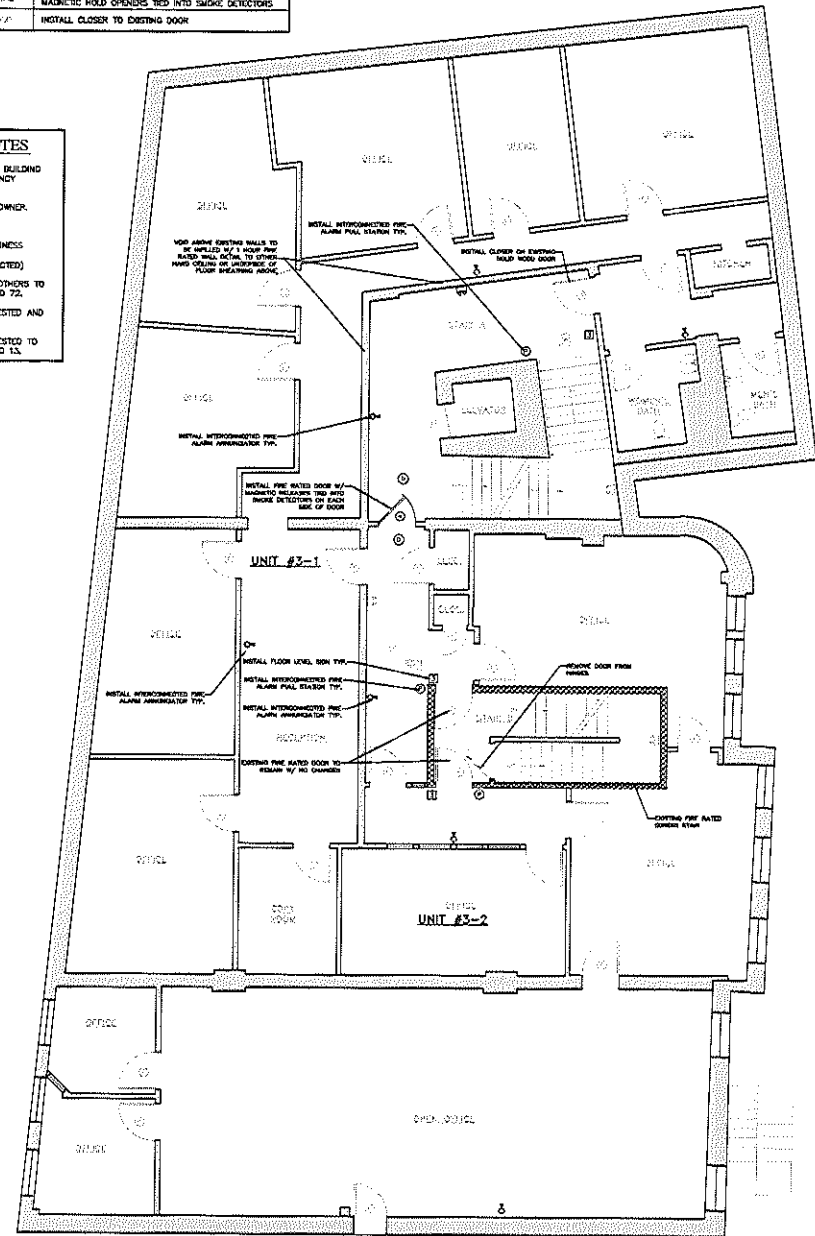
DOOR SCHEDULE

NO.	QTY.	SIZE	TYPE	FRAME	REMARKS
1	1	3'-0" x 5'-6"	SOLID WOOD FIRE RATED	METAL	LEVER HARDWARE, HINGES, CLOSED, 80-90°F FIRE RATED, MAGNETIC HOLD OPENERS, TEST INTO SMOKE DETECTOR
2	1	3'-0" x 5'-6"	SOLID WOOD FIRE RATED	METAL	INSTALL CLOSER TO EXISTING DOOR

PLAN SUBMISSION NOTES

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2. PLAN BASED ON PLAN PROVIDED BY THE OWNER.
3. IBC 2009 USE GROUP: BUSINESS
4. 2009 NFPA LIFE SAFETY OCCUPANCY: BUSINESS
5. CONSTRUCTION TYPE: TYPE II-B (UNPROTECTED)
6. FIRE ALARM SYSTEM TO BE DESIGNED BY OTHERS TO MEET THE REQUIREMENTS OF NFPA 101 AND 72.
7. ALL EXISTING EMERGENCY LIGHTS TO BE TESTED AND REPLACED AS NEEDED.
8. THE EXISTING SMOKE/HEAT SYSTEM TO BE TESTED TO MEET THE REQUIREMENTS OF NFPA 101 AND 72.

EXCHANGE STREET



MIDDLE STREET



E.S. COFFIN
 ENGINEER
 STATE OF OREGON
 NO. 12345

SECOND & THIRD
 FLOOR PLANS

FIFTH FLOOR RENOVATION
 BUCKSTAR, LLC

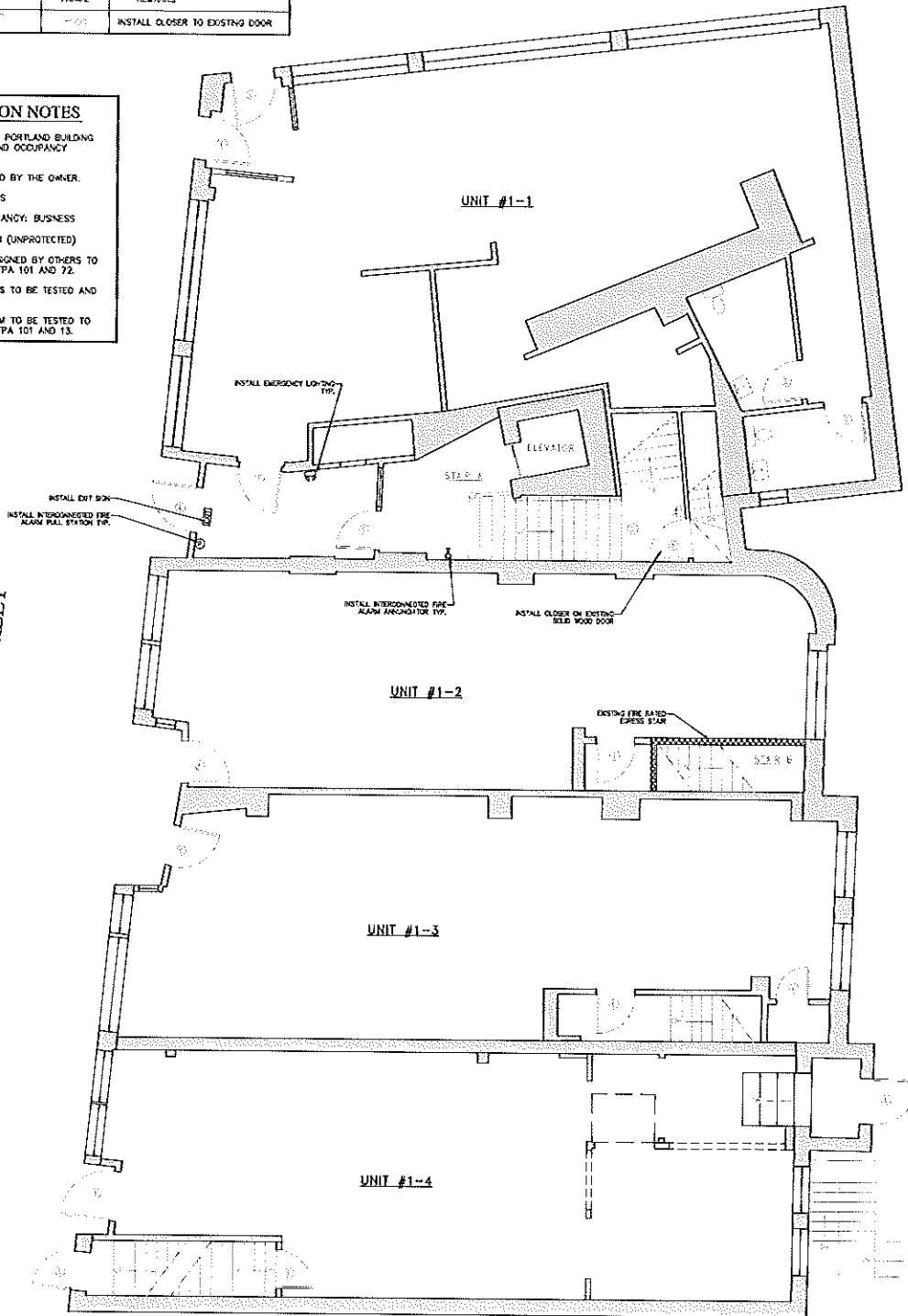
DOOR SCHEDULE				
QTY.	SIZE	TYPE	FRAME	REMARKS
1	3'0" x 7'0"	GLASS DOOR	ALUM.	INSTALL CLOSER TO EXISTING DOOR

PLAN SUBMISSION NOTES

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2. PLAN BASED ON PLAN PROVIDED BY THE OWNER.
3. IBC 2009 USE GROUP: BUSINESS
4. 2009 NFPA LIFE SAFETY OCCUPANCY: BUSINESS
5. CONSTRUCTION TYPE: TYPE II-B (UNPROTECTED)
6. FIRE ALARM SYSTEM TO BE DESIGNED BY OTHERS TO MEET THE REQUIREMENTS OF NFPA 101 AND 72.
7. ALL EXISTING EMERGENCY LIGHTS TO BE TESTED AND REPLACED AS NEEDED.
8. THE EXISTING SPRINKLER SYSTEM TO BE TESTED TO MEET THE REQUIREMENTS OF NFPA 101 AND 13.

MIDDLE STREET

EXCHANGE STREET



FIRST FLOOR PLAN



E.S. COFFIN
ENGINEERING
ARCHITECTURE
PLANNING
DESIGN
F.S. COFFIN ENGINEERING & SURVEYING, INC.
435 Clay Road P.O. Box 4007 Augusta, Maine 04330
Ph: (207) 624-0475 Fax: (207) 624-0475 TDD: (207) 624-0475

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CLIENT & PROJECT
FIFTH FLOOR RENOVATION
BUCKSTAR, LLC
LOCATION: 178-188 MIDDLE STREET
TOWN: PORTLAND COUNTY: CUMBERLAND STATE: MAINE
PROJ. NO. 2012-170
SCALE: 3/16" = 1'-0"
DATE: AUGUST 1, 2012
DRAWN BY: REM
CHECKED BY: REM

A-1