



Permitting and Inspections Department  
Michael A. Russell, MS, Director

*Ann Machado, Zoning Administrator*

December 22, 2016

Brad Fries  
Northland Enterprises, LLC  
17 South Street, 3<sup>rd</sup> Floor  
Portland, ME 04101

Re: 200 Kennebec Street – 034-A-002- B-2b Zone – Permit #2015-00807

Permit 2015-00807 for 200 Kennebec Street was issued on 7/30/2015. The proposed project description stated: "Demolish existing building shell down to the foundation and rebuild for warehouse use". The issued permit listed the following zoning notes and conditions of approval:

- 1) "B-2b Zone -The building is legally non-conforming to the use and the setbacks".
- 2) "Your present structure is legally nonconforming as to setbacks and use. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and same use. Any changes to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of removal. It shall be the owner's responsibility to contact the Code Enforcement Officer and notify them of that specific date".

The second note is based on section 14-385, Chapter 14, City of Portland Code of Ordinances. You stated in an email dated December 15, 2016 that the building was demolished in October 2015. Therefore, it has been longer than a year since the building was demolished. Under Section 14-385, you can no longer rebuild the building in the same footprint and shell. Permit 2015-00807 has expired and therefore, Permit 2016-02846 which was submitted as an amendment to permit 2015-00807, is not valid and will not be reviewed. Any construction on the site needs to meet the current zoning requirements of the B-2b zone as outlined in Division 10 of Chapter 14.

Please let me know if you have any questions.

Sincerely,

Ann B. Machado  
Zoning Administrator  
Permitting and Inspections Department  
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