



PORTLAND MAINE

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

April 23, 2010

Tod Dana
Kennebec Street Properties, LLC
PO Box 169
Portland, ME 04112

Re: 131 Preble Street – Unit 2 (Asia West) – 034 I001 &002 – B-7 – outside display of goods & unpermitted signs

Dear Mr. Dana,

It has come to the attention of our office that you have a few zoning violations at your business at 131 Preble Street.

The first violation is that you have installed a sign on the old sign frame that exists on the Elm Street side of the property without a permit. Since you do not have a permit, the sign is illegal. You need to either apply for a permit or remove the sign.

The second violation is that you have a sidewalk, 'A' frame sign that is not permitted. Once again since you do not have a permit, the sign is illegal. You need to either apply for a permit or not display the sidewalk sign.

Finally, you are not allowed to display goods on the outside of your building unless you have a license from the City Clerk's office. Your property is located in the B-7 zone. The legal use of the property is retail/warehouse according to the most recent permit (#06-1030). Section 14-299(i) of the ordinance states that "all uses should be operated within a fully enclosed structure, except for those customarily operated in the open air". Retail is not a use that is "customarily operated in open air." The definition of warehousing (section 14-47) is "the storage of goods, wares and merchandise in a warehouse", so warehousing also is not a use "customarily operated in the open air". Since neither use allows operation outside of an enclosed structure, your property is in violation. I have enclosed an Application for Use of Sidewalk to Display Merchandise. Please contact the City Clerk's office for further information and regulations.

You need to bring the use of your property into compliance. You have fourteen days from the date of this letter to apply for the sign permit for the freestanding sign and sidewalk sign and the "Use of Sidewalk to Display Merchandise" license or the signs

need to be removed and you will not be allowed to display goods on the sidewalk. I have enclosed a sign permit application. The last page talks about sidewalk signs specifically. You only need one permit to apply for both signs.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

Ann B. Machado
Zoning Specialist
(207) 874-8709