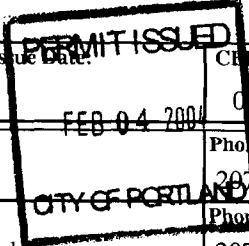


**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 04-0012	Issue Date: FEB 04 2004	CPL: 037 G014001
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Location of Construction: 562 Congress St <i>54 OAKS</i>	Owner Name: Terbax Realty Inc	Owner Address: 5 Milk St	Phone: 207-772-6404
Business Name: n/a	Contractor Name: Fore Rivers Company	Contractor Address: PO Box 7525 Portland	Phone: 2077728286
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Commercial	Zone: <i>B3</i>

Past Use: Commercial / Restaurant	Proposed Use: Change of Use; from Restaurant to Office, <del>...</del>	Permit Fee: \$129.00	Cost of Work: \$12,000.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>B</i> Type: <i>SB</i>	

Proposed Project Description: Change of Use from Restaurant to Office, <del>...</del>	Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) <i>within</i>		
Action: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature: <i>[Signature]</i>		Date: <i>1/30/04</i>

Permit Taken By: gg	Date Applied For: 01/06/2004	<b>Zoning Approval</b>	
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</li> </ol>	<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <i>1/30/04</i>	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <i>SH</i> <input type="checkbox"/> Denied Date: <i>1/28/04</i>	<b>Historic Preservation</b> <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>[Signature]</i>
	<i>separate permits are required for any new sign</i> <i>Planned Authority</i> <i>at with conditions</i>		

**CERTIFICATION**

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	

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 04-0012	<b>Date Applied For:</b> 01/06/2004	<b>CBL:</b> 037 G014001
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<b>Location of Construction:</b> 562 Congress St	<b>Owner Name:</b> Terbax Realty Inc	<b>Owner Address:</b> 5 Milk St	<b>Phone:</b> 207-772-6404
<b>Business Name:</b> n/a	<b>Contractor Name:</b> Fore Rivers Company	<b>Contractor Address:</b> PO Box 7525 Portland	<b>Phone:</b> (207) 772-8286
<b>Lessee/Buyer's Name:</b> n/a	<b>Phone:</b> n/a	<b>Permit Type:</b> Change of Use - Commercial	

<b>Proposed Use:</b> Change of Use; from Restaurant to Office, s	<b>Proposed Project Description:</b> Change of Use from Restaurant to Office,
---------------------------------------------------------------------	----------------------------------------------------------------------------------

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 01/30/2004  
**Note:** 1/8/04 I spoke with Bruce Kistler about the fact that this property is located within the PAD district and has restricted 1st floor uses. He will talk to Sarah about the conditional use provision - permit on hold until then. 1/30/04 received the conditional use approval from Sarah  
 **Ok to Issue:**  
 1) Separate permits shall be required for any new signage.  
 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Mike Nugent      **Approval Date:** 02/03/2004  
**Note:**  **Ok to Issue:**  
 1) Must provide adequate ventilation. Bruce Kistler has agreed to provide HVAC Plans prior to closing in the project. He stated that "HVAC Services" is the subcontractor.

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Lt. MacDougal      **Approval Date:** 02/02/2004  
**Note:**  **Ok to Issue:**  
 1) the sprinkler system shall be maintained to NFPA 13 standard



# Commercial Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/ Address of Construction: <b>54 OAK STREET / 562 Congress</b>		
Total Square Footage of Proposed Structure <b>1400 +/- SF RENOVATION AREA</b>	Square Footage of Lot <b>17,800 +/- SF BLDG FOOTPRINT / LOT</b>	
Tax Assessor's Chart, Block & Lot Chart# <b>37</b> Block# <b>G</b> Lot# <b>14</b>	Owner: <b>TERBAX REALTY INC</b>	Telephone: <b>772-6404</b>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <b>FORE RIVER COMPANY 5 MILK ST. 772-6404 PORTLAND, ME 04101</b>	Cost Of Work: \$ <b>12,000</b> Fee: \$ <b>129.00</b>
Current Specific use: <b>VACANT</b>	<b>RESTAURANT</b>	<del>20%</del> <b>20%</b>
Proposed Specific use: <b>OFFICE</b>	<b>Change of use</b>	
Project description: <ul style="list-style-type: none"> <li>INSTALL NEW EXTERIOR WINDOWS</li> <li>INSTALL NEW GYPSUM WALL BOARD OVER EXIST. WALL FINISHES</li> <li>INSTALL NEW SUSPENDED ACOUSTICAL TILE CEIL. GRID &amp; TILES</li> <li>INSTALL SPRINKLERS TO CODE.</li> <li>Remove a non load bearing INTERIOR PARTITION</li> </ul>		
Contractor's name, address & telephone: <b>FORE RIVER COMPANY</b>		
Who should we contact when the permit is ready: <b>BRUCE KISTLER</b>		
Mailing address: <b>5 MILK ST PORTLAND, ME 04101</b>		Phone: <b>772-8286 x207</b>

Please submit all of the information outlined in the Residential Application Checklist. Failure to do so will result in the automatic denial of your permit.

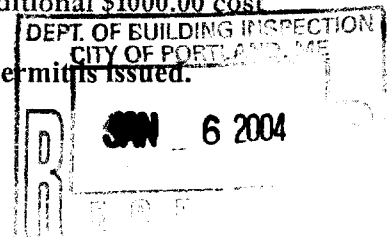
At the discretion of the Planning and Development Department, additional information may be required prior to permit approval. For further information stop by the Building Inspections office, room 315 City Hall or call 874-8703.

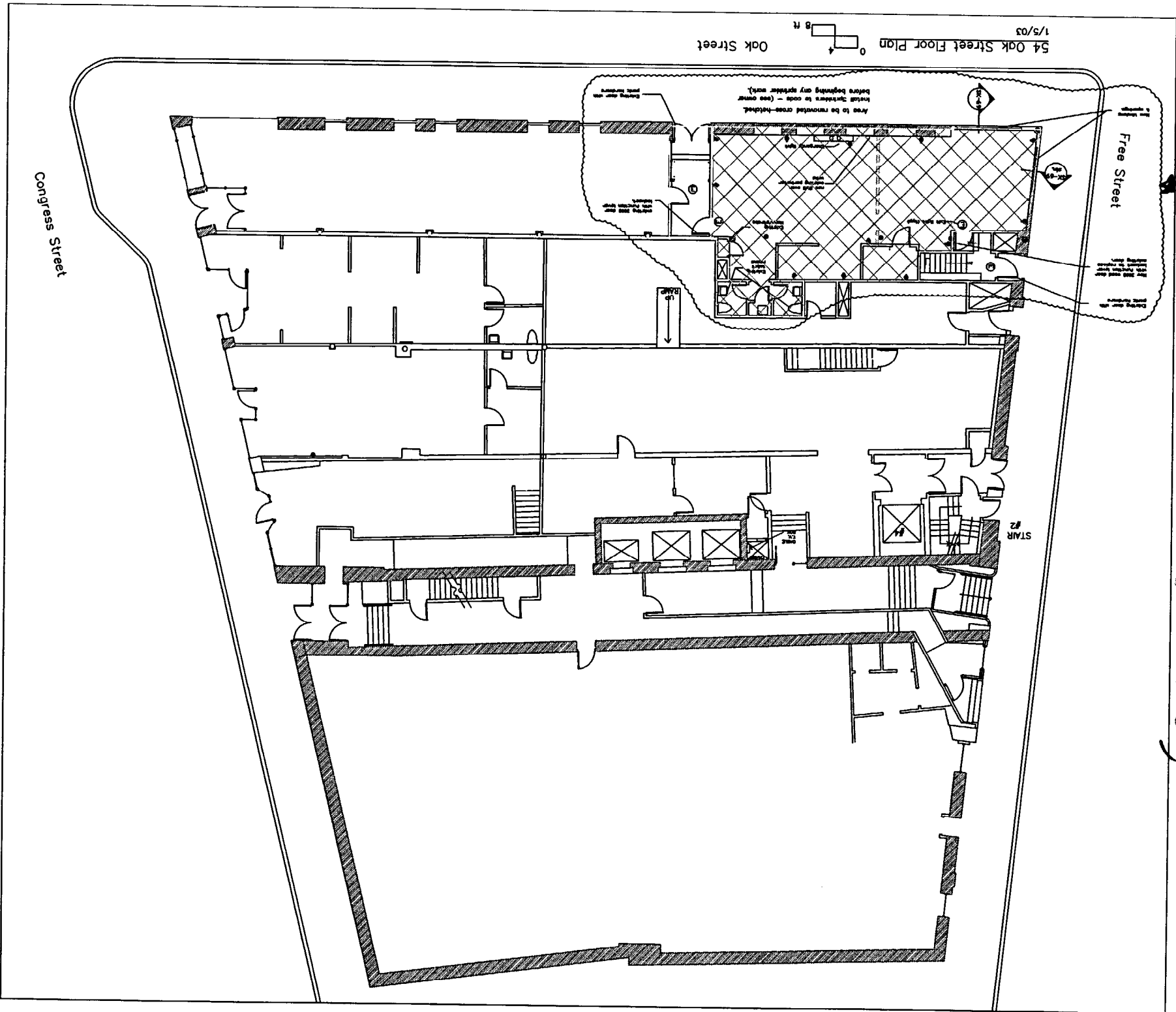
I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: <b>Bruce Kistler</b> <i>(BRUCE KISTLER)</i>	Date: <b>12/6/04</b>
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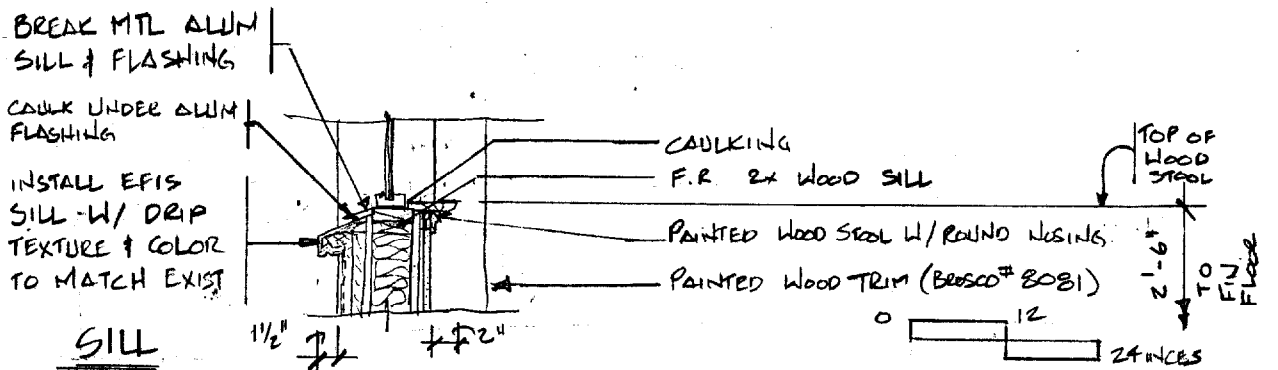
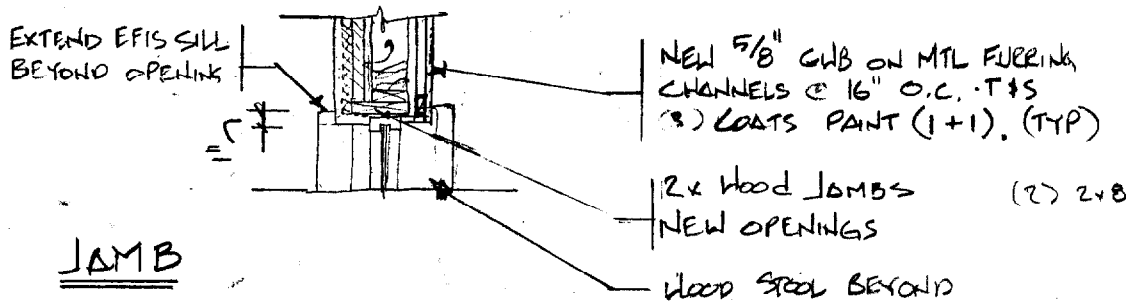
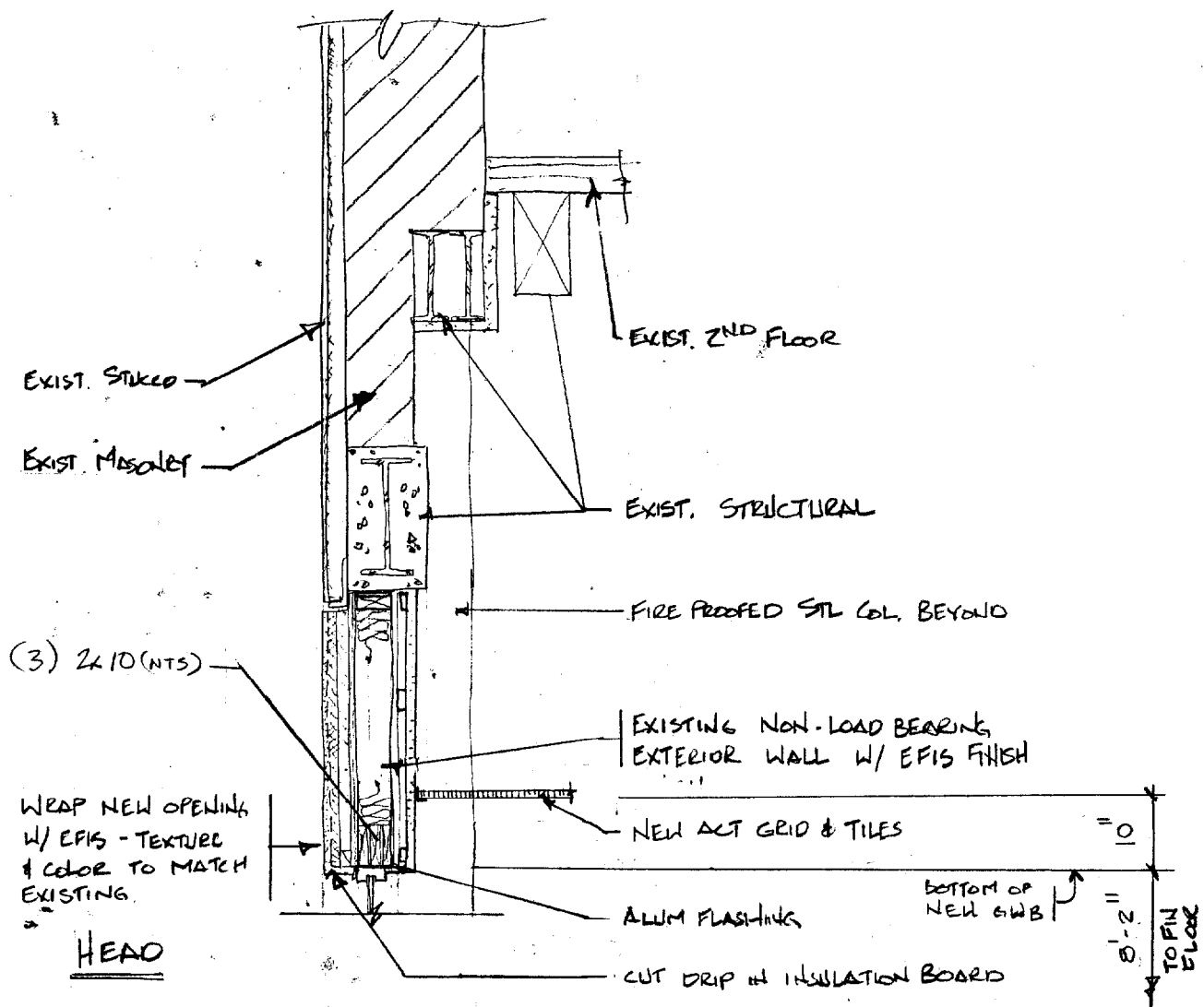
Permit Fee: \$30.00 for the first \$1000.00 Construction Cost, \$9.00 per additional \$1000.00 cost

This is not a Permit; you may not commence any work until the Permits issued.





SEE ENLARGED PLAN (ATTACHED)

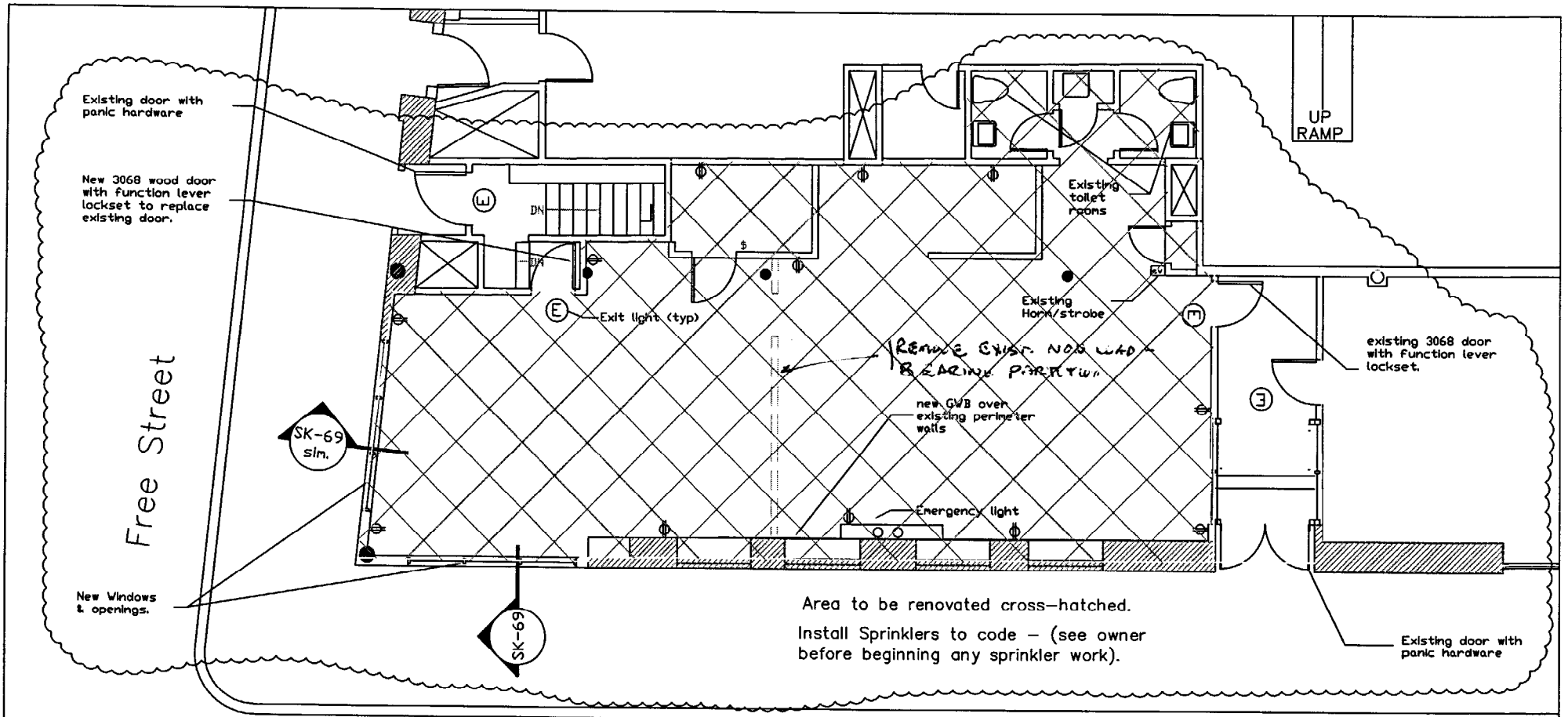


562 CONGRESS ST  
PORTLAND, MAINE

NEW STOREFRONT IN EXISTING  
NON-LOAD BEARING WALL SECTION

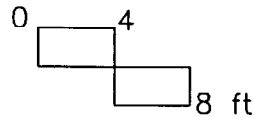
REVISIONS

SK-69  
12/28/03

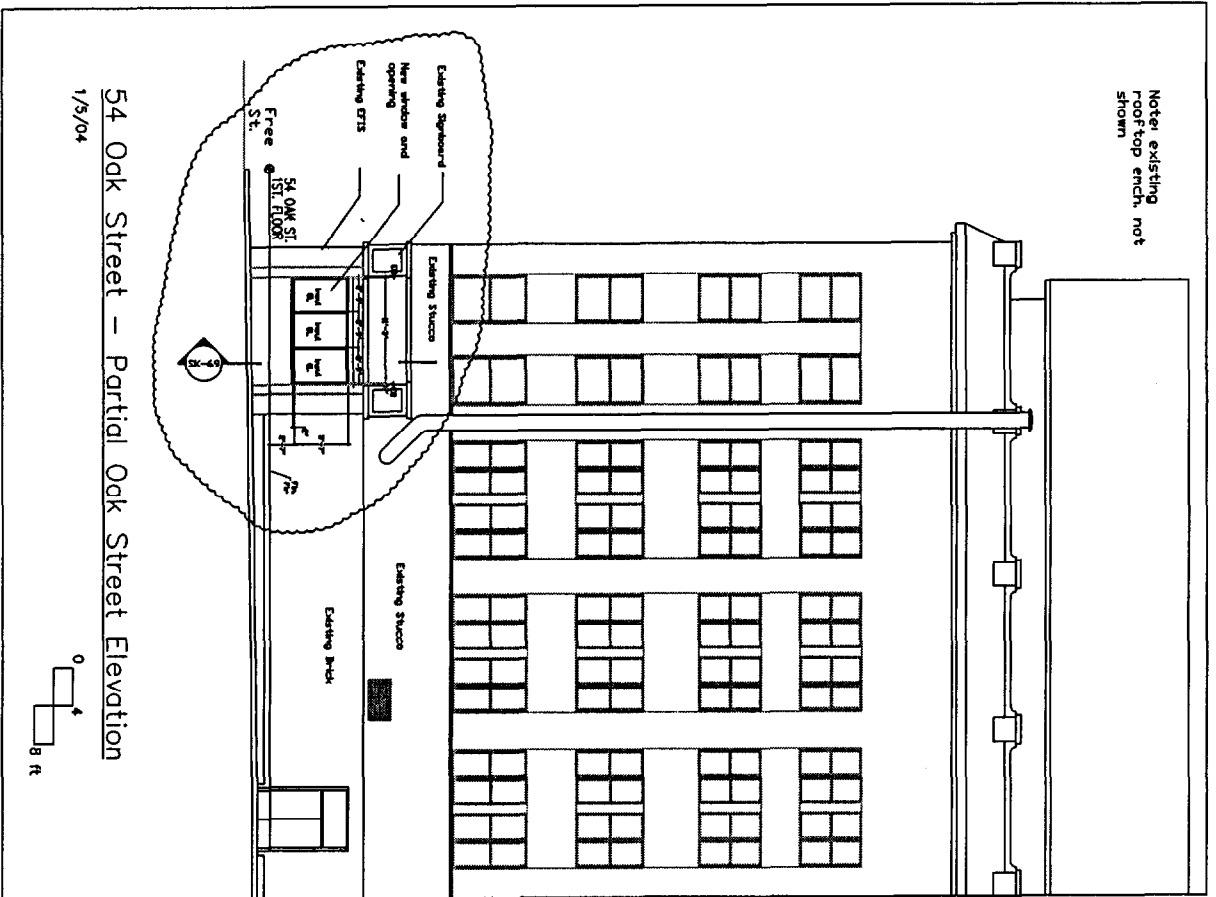
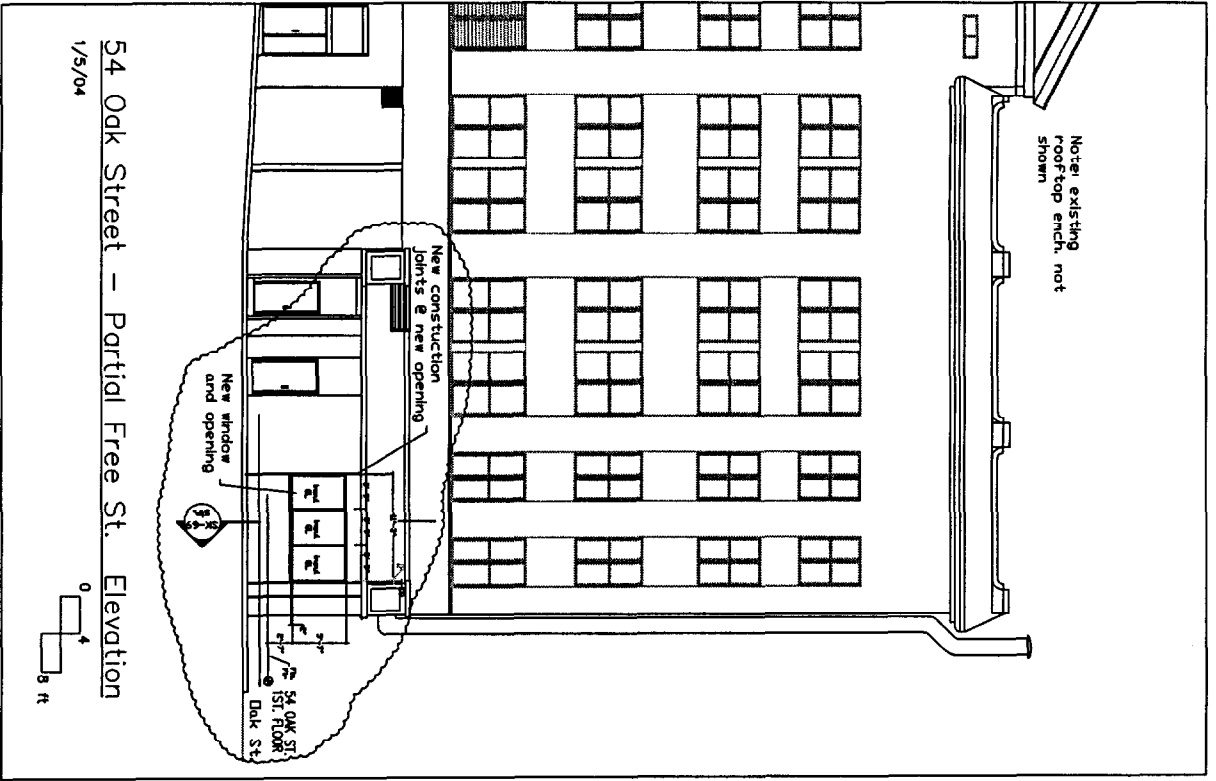


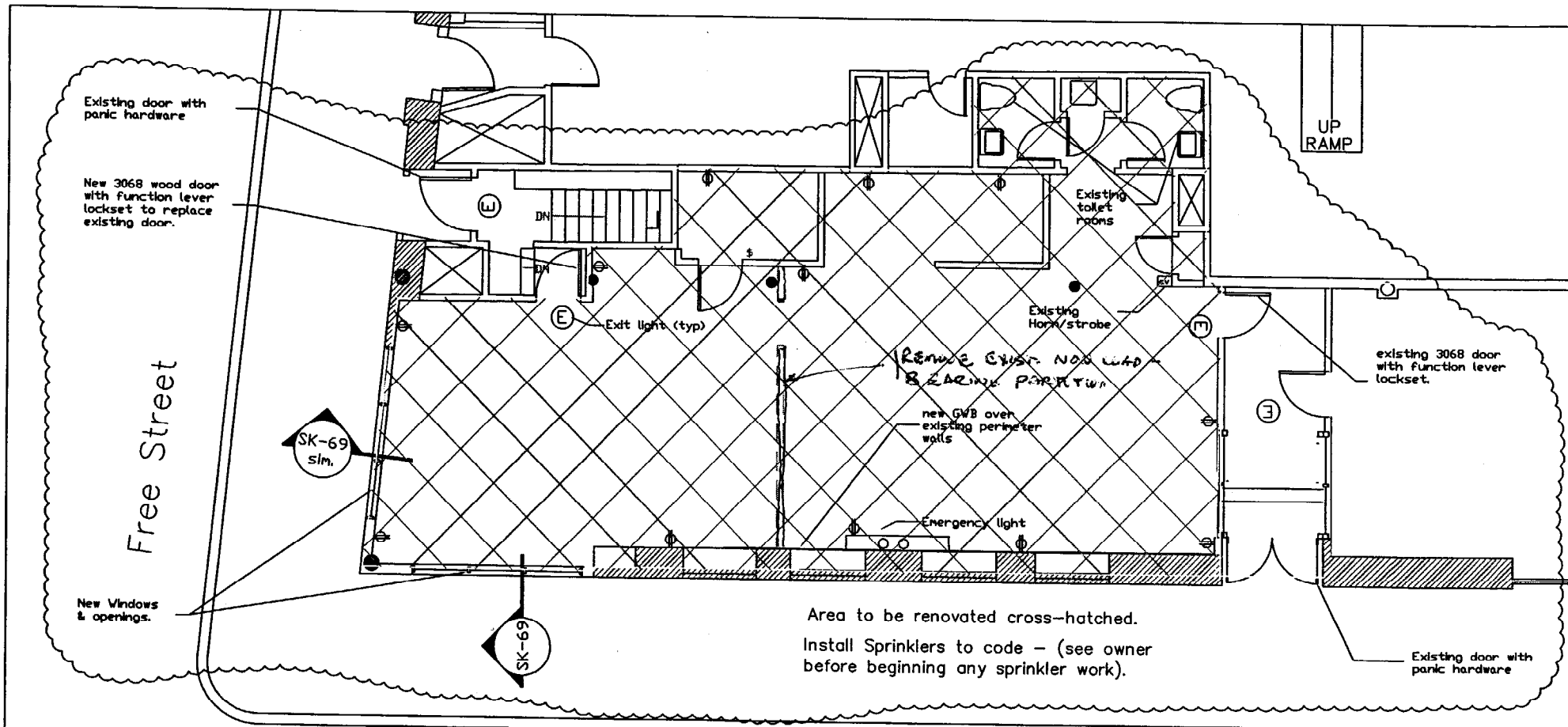
54 Oak Street Floor Plan

1/5/03

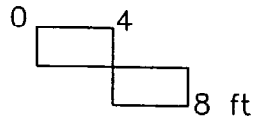


Oak Street





EXISTING  
 54 Oak Street Floor Plan  
 1/5/03



Oak Street



Department of Planning & Development  
Lee D. Urban, Director



**CITY OF PORTLAND**

**Division Directors**  
Mark B. Adelson  
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP  
Planning

John N. Lufkin  
Economic Development

January 28, 2004

Terbax Realty Inc.  
5 Milk Street  
Portland ME 04101

CITY OF PORTLAND  
APPROVED SITE PLAN  
Subject to Dept. Conditions  
Date of Approval: \_\_\_\_\_

RE: 562 Congress Street – Conditional Use  
CBL: 037-G-014

Dear Sir:

On January 28, 2004, the Portland Planning Authority granted Conditional Use Approval for office expansion in the PAD district at 562 Congress Street/54 Oak Street.

If there are any questions, please contact Sarah Hopkins at 874-8720.

Sincerely,

Alexander Jaegerman  
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director  
Sarah Hopkins, Development Review Program Manager  
Jay Reynolds, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Michael Bobinsky, Public Works Director  
Karen Dunfey, Inspections  
Traffic Division  
Tony Lombardo, Project Engineer  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
Don Hall, Appraiser, Assessor's Office  
Approval Letter File  
Correspondence File



CONDITIONAL USE APPLICATION  
 City of Portland, Maine  
 Department of Planning and Development  
 Portland Planning Board

1. Applicant Information:

Terbax Realty Inc  
 Name

5 Milk St  
 Address

Portland, ME 04101

772-6404                      772-9078  
 Phone                                      Fax

2. Subject Property:

54 Oak St / 562 Congress  
 Address

Portland, ME 04101

37-G-14  
 Assessor's Reference (Chart-Block-Lot)

3. Property Owner:     Applicant     Other

Name  
Terbax Realty Inc.  
 Address

5 Milk St, Portland ME  
04101

Same as above                      Same as above  
 Phone                                      Fax

**CITY OF PORTLAND**  
**APPROVED SITE PLAN**  
**Subject to Dept. Cond.**  
**Date of Approval: 1/28/04**

4. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Owner

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

5. Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

6. Zone: B-3

6. Existing Use:

Describe the existing use of the subject property:

vacant - no wall penetrations to Free or Oak  
Streets. Former kitchen to McDonald's restaurant  
on Congress Street. (Continued - please see  
attached sheet.)

7. Current Zoning Designation(s): PAD Overlay

8. Type of Conditional Use Proposed:

office for expansion of existing tenancy.

9. **Sketch Plan:** On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'.)

10. Conditional Use Authorized by: Section 14- 218

11. **Standards - Criteria for Conditional Use Appeal**

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

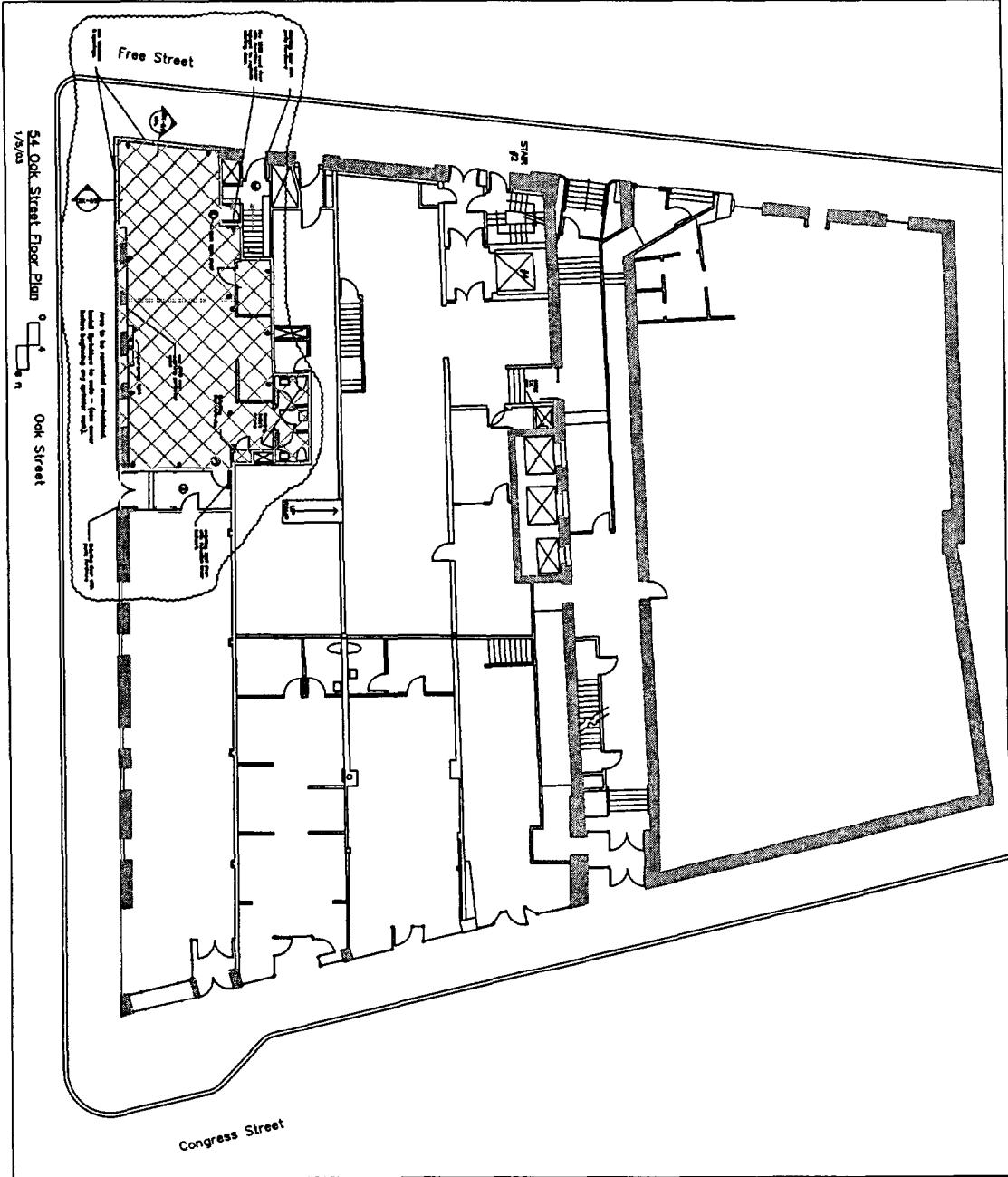


**6. Existing Use: (continued)**

Exterior appearance of building will be improved. This premises is not now suitable for PAD uses. Proposed improvements will improve the streetscape.

Space is vacant and has been since we acquired the building in 1994. We had tried to lease it, without success. Recently, brokers had little interest in taking it on for PAD uses, given its current configuration.





1" = 30'