



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

Ann Machado, Zoning Administrator

February 16, 2017

Reid Hayton-Hull, Esq.
Drummond Woodsum
84 Marginal Way, Suite 600
Portland, ME 04101-2480

RE: 44 Oak Street, Units 1 & 2, Portland, Maine, CBL: -39-B-011001 & 002 (the "Property")

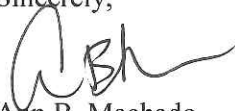
Dear Attorney Hayton-Hull:

Regarding the property at 44 Oak Street in Portland Maine, I am providing the following information:

1. The Property is located in the B-3 Downtown Business Zone with a Historic Overlay Zone and a Downtown Entertainment Overlay Zone. The front of the Property along Free Street is also located within a Pedestrian Activities District which requires the first floor to have retail-type and similar uses as outlined in section 14-217(b)(1) of Chapter 14 of the City of Portland Code of Ordinances.
2. Based on building permits and a certificate of occupancy, I understand that the Property's current use is personal service (hair salon and spa on the basement level and on the left side and rear of the first floor and a proposed fitness studio on the second floor). Under section 14-217, this is a permitted use in the current zone. Retail is also a permitted use under this section. The proposed space on the front right side of the first floor does not have a specific use at this time. To the extent that the Property's use changes or does not meet the requirements for the use described, this determination is not valid.
3. To the best of my knowledge, there are no outstanding notices of violation or enforcement actions by the Permitting and Inspections Department regarding this property. However, I cannot certify that the Property meets all applicable laws, codes, rules, and standards at this time.
4. The Property does have a certificate of occupancy on file. A copy is attached.
5. A building permit (2016-02938) was issued on 02/06/2017 to change the second floor to personal service (fitness studio) and to create a new tenant space on the front right side of the first floor. No use has been established for this space. A copy of the building permit is attached.

I trust the information provided is sufficient. Please contact me at (207) 874-8709 with questions or concerns. This interpretation is based on the information provided and available at the time, and the current City of Portland Code of Ordinances. It is not binding on the City of Portland in any future decisions.

Sincerely,

A handwritten signature in black ink, appearing to read 'ABM', with a long horizontal flourish extending to the right.

Ann B. Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
207. 874.8709
amachado@portlandmaine.gov