

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that _»

Located At 54 YORK

Job ID: 2011-08-2034-CH OF USE

CBL: 042 - - A - 007 - 001 - - - -

has permission to Vacant space to Zumba studio

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD**

[Handwritten signature and date 8/29/11]



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-08-2034-CH OF USE

Located At: 54 YORK

CBL: 042 - - A - 007 - 001 - - - -

Conditions of Approval:

Zoning

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.
3. ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.

Fire

All construction shall comply with City Code Chapter 10.

Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit and on the same circuit as the lighting for the area they serve.

Fire extinguishers are required. Installation per NFPA 10.

The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required.

Building

Separate permits are required for any electrical, plumbing, sprinkler, fire alarm HVAC systems, heating appliances, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.

Construction activity was not applied for or reviewed as a part of this permit. This permit authorizes a change in use ONLY.



General 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.

B5b
noted - P11

Location/Address of Construction: <u>54 York St.</u>		
Total Square Footage of Proposed Structure/Area <u>1700'</u>	Square Footage of Lot	Number of Stories <u>1</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>042 A 007</u>	Applicant * must be owner, Lessee or Buyer* Name <u>Nina Alves</u> Address <u>91 Bradley St</u> City, State & Zip <u>Portland, Me 04102</u>	Telephone: <u>831-1650</u>
Lessee/DBA (If Applicable) <u>Nina's Zumba Studio</u>	Owner (if different from Applicant) Name <u>Rufus Deering</u> Address <u>Commercial St.</u> City, State & Zip <u>04101</u>	Cost Of Work: \$ <u>30.00</u> C of O Fee: \$ <u>75.00</u> Total Fee: \$ <u>105.00</u>

Current legal use (i.e. single family) _____ Number of Residential Units _____
 If vacant, what was the previous use? empty space
 Proposed Specific use: Zumba Studio
 Is property part of a subdivision? no If yes, please name _____
 Project description: _____

Contractor's name: Nina Alves
 Address: 91 Bradley St
 City, State & Zip: Portland, Me. 04102 Telephone: 831-1650
 Who should we contact when the permit is ready: Nina Alves Telephone: 831-1650
 Mailing address: 91 Bradley St. Portland

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

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division 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.

RECEIVED
AUG 19 2011
Dept. of Building Inspections
City of Portland, Maine

Signature: Nina Alves Date: 8/18/11

This is not a permit; you may not commence ANY work until the permit is issued

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2011-08-2034-CH OF USE	Date Applied: 8/19/2011	CBL: 042 - - A - 007 - 001 - - - -	
Location of Construction: 54 YORK ST- 1 st floor	Owner Name: Rufus Deering Company	Owner Address: 269 COMMERCIAL ST # 4B PORTLAND, ME - MAINE 04101	Phone:
Business Name: Nina's Zumba Studio	Contractor Name: lessee	Contractor Address:	Phone:
Lessee/Buyer's Name: Nina Alves- 91 Bradley St	Phone: 831-1650	Permit Type: Change of use	Zone: B-5b
Past Use: Offices/empty	Proposed Use: To change the use from empty to a Zumba Studio and related activities (personal service)	Cost of Work: \$1000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: A-3 Type: IBC 09 Signature: <i>[Signature]</i>
Proposed Project Description: Change of use from Vacant space to Zumba Studio		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Lannie		Zoning Approval	

<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building Permits do not include plumbing, septic or electrical work.</p> <p>3. 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.</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetlands</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>— Maj — Min — MM</p> <p>Date: <i>ok with conditions - 8/22/11</i></p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>[Signature]</i></p>	<p>Historic Preservation</p> <p><i>within</i></p> <p><input type="checkbox"/> Not in Dist or Landmark</p> <p><input type="checkbox"/> Does not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>any exterior work requires a separate review & approval</i></p>
	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	PHON

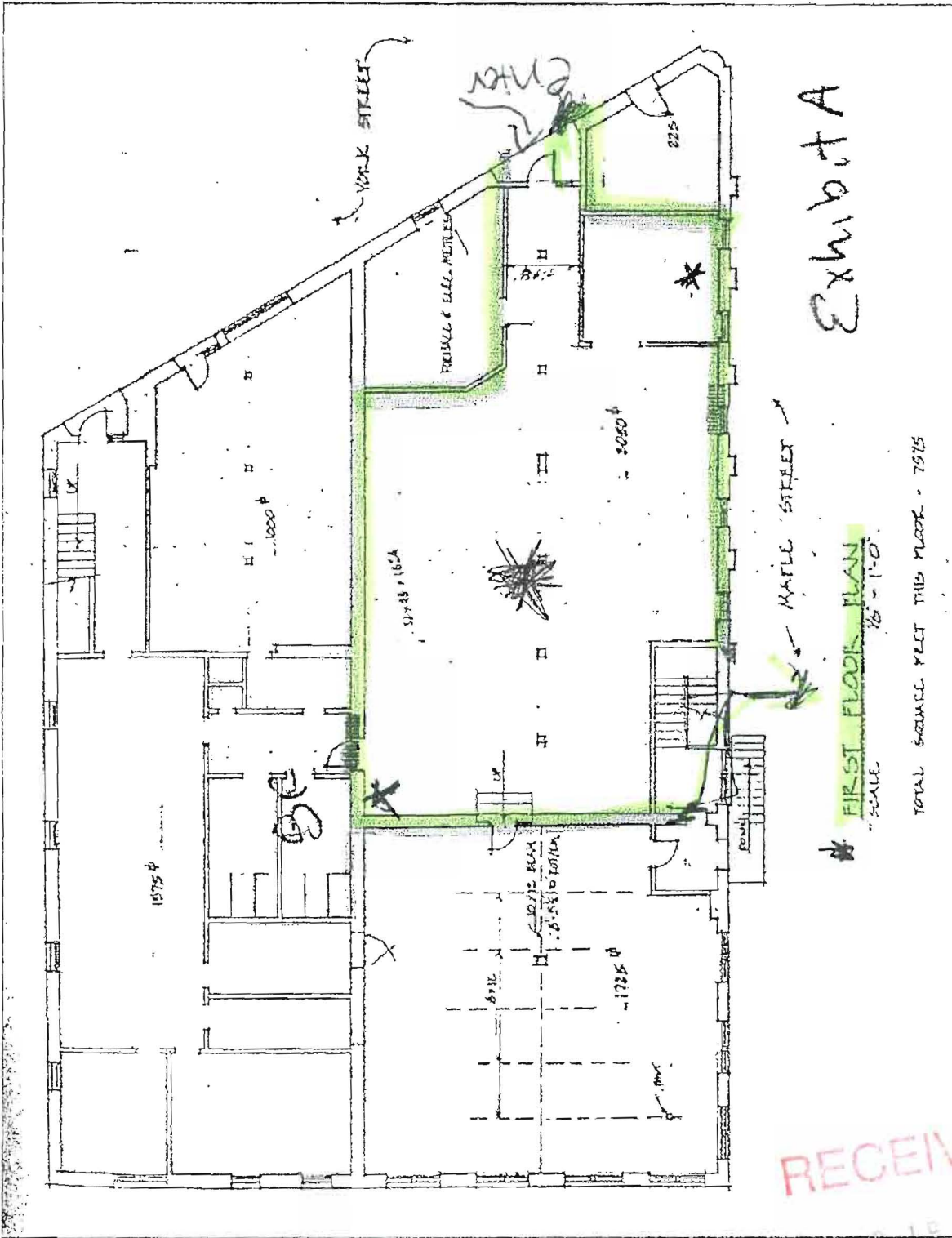


Exhibit A

FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"

TOTAL SQUARE FEET THIS FLOOR - 7975

RECEIVED

Existing + Proposed Space Same.

Within 100' - 1 space per 400 S.F.

Per 14-332(g) No off-street
parking required

NO. 16
Dept. of Building Inspections
City of Portland, Maine

COMMERCIAL LEASE (GROSS/MODIFIED GROSS LEASE)

1. PARTIES: Rufus Deering Company ("LANDLORD") hereby leases Nina's Zumba Studio ("TENANT"), and the TENANT hereby leases from LANDLORD the below described leased premises:

2. LEASED PREMISE: The leased premises are deemed to contain 1,789 ± square feet and is designated on the attached Exhibit A attached hereto. The leased premises are located at 54 York Street, Portland Maine 04101 together with the right to use, in common with others entitled thereto, the hallways, stairways, elevators necessary for access to said leased premises, and lavatories nearest thereto. The space is further described in Exhibit A attached to this lease. The leased premises are accepted in "as is" condition except if specifically set forth to the contrary in this lease.

3. TERM: The Term of this lease shall be for two (2) years, unless sooner terminated as herein provided, commencing on ~~August~~ ^{Sept.} 1, 2011, and ending on ~~July 31,~~ ^{Aug} 2013.

4. RENT: The TENANT shall pay to the LANDLORD the following base rent:

<u>Lease Year(s)</u>	<u>Annual Base Rent</u>	<u>Monthly Rent</u>
1	\$16,995.50	1,300 <u>\$1,416.29</u>
2	\$16,995.50	<u>\$1,416.29</u> 1,300

payable in advance in equal monthly installments on the first day of each month during the term of this Lease, said rent to be prorated for portions of a calendar month at the beginning or end of said term, all payments to be made to LANDLORD or to such agent and at such place as LANDLORD shall from time to time in writing designate, the following being now so designated: **Rufus Deering Company, 383 Commercial Street, Portland, Me. 04101.** If TENANT does not pay base rent, supplemental and additional rents, or other fees and charges when due pursuant to the term of this Lease, then LANDLORD, in its sole discretion, may charge, in addition to any other remedies it may have, a late charge for each month or part thereof that TENANT fails to pay the amount due after the due date. The late charge shall be equal to four percent (4%) of the amount due LANDLORD each month in addition to the rent then due. **Landlord reserves the right to terminate this lease at the end of the first year of the original term of this lease with 90 days written notice.**

5. RENEWAL OPTION: So long as TENANT has not been in default of this Lease during the term hereof, TENANT shall have the option to renew this Lease for One (3) year term. In order to exercise TENANT'S option, TENANT shall notify

32. GUARANTY: For value received, and in consideration for, and as an inducement to LANDLORD to enter into the foregoing lease with _____, TENANT, _____ (“GUARANTOR”) does hereby unconditionally guaranty to LANDLORD the complete and due performance of each and every agreement, covenant, term and condition of the Lease to be performed by TENANT. The validity of this guaranty and the obligations of the GUARANTOR hereunder shall not be terminated, affected, or impaired by reason of the granting by LANDLORD of any indulgences to TENANT. This guaranty shall remain and continue in full force and effect as to any renewal, modification, or extension of the Lease, whether or not GUARANTOR shall have received any notice of or consented to such renewal, modification or extension. The liability of GUARANTOR under this guaranty shall be primary, and in any right of action which shall accrue to LANDLORD under the lease, LANDLORD may proceed against GUARANTOR and TENANT, jointly and severally, and may proceed against GUARANTOR without having commenced any action against or having obtained any judgment against TENANT. All of the terms and provisions of this guaranty shall inure to the benefit of the successors and assigns of LANDLORD and shall be binding upon the successors and assigns of GUARANTOR.

IN WITNESS WHEREOF, GUARANTOR has executed this Guaranty this ____ day of _____, 2006.

GUARANTOR:

Legal name of Guarantor

Signature

Witness to Guarantor

NAME/TITLE

***Editor's Note:** The text changes adopted in Ord. No. 215-04/05 Section 14-230.1 (a)8 and 13 and (g) 3 shall remain in effect for six (6) months from the effective date (6-2-05) of the changes. By Council Order No. 94-05/06 passed on 11/7/05 the effective date of the amendments were extended through and including March 2, 2006. By Council Order No. 170-05/06 passed as an emergency on 2/22/06 the effective date of the amendments were extended through and including September 30, 2006 and thereafter shall cease to exist unless the Portland City Council takes action to extend the applicability of such changes.

Sec. 14-230.1. Permitted uses.

The following uses are permitted in the B-5 and B-5b urban commercial mixed use zones:

(a) *Commercial:*

1. Professional, business and general offices;
2. Restaurants and other eating and drinking establishments;
3. Meeting and convention halls;
4. Hotels and motels;
5. Craft and specialty shops, including the on-premises production of handcrafted goods;
6. Retail and service establishments except convenience stores with gas pumps;
7. Theaters and places of public assembly;
8. Banking services, except that any drive-up banking service shall be a conditional use;
9. Laundry and dry cleaning services;
10. Cabinet and carpentry shops;
11. Indoor recreation and family amusement establishments; *& see next PG - Personal Services*
12. Intermodal transportation facilities;
13. Off-street parking lots and garages except in the B-5 zoning district between Forest Avenue and Franklin Street surface parking lots shall be considered a

conditional use;

14. Cold storage facilities;
15. Lumber and building materials dealers (in existence on date of passage);
16. Major and minor gasoline service stations, as defined in section 14-47. Major and minor gasoline service stations shall be located at least two thousand (2,000) feet from each other;
17. Personal services;
18. Business services;
19. Billiard parlors;
20. Offices of business tradespeople;
21. Miscellaneous repair services;
22. Communication studios, broadcast and receiving facilities;
23. Theaters;
24. Exhibition halls;
25. Indoor amusement and recreation centers.

(b) *Industrial:*

1. Warehousing and wholesaling;
2. Low impact industrial uses with total floor area of less than ten thousand (10,000) square feet and which meet the performance standards of the I-L zone;
3. Breweries, including associated bottling activities.

(c) *Marine:*

1. Marine products wholesaling and retailing;
2. Marine repair services and machine shops;

shall be provided. Parking needs projections provided by the applicant or the planning department should be considered in the review.

(d) *Change of use in the B-2b zone:*

1. A change of use of 10,000 sq. ft. or less of floor area of a building or a portion of a building need not provide parking for non-residential uses, provided that if the number of existing parking spaces serving the site is less than the requirements of this division, that number of parking spaces may not be reduced lower than the required amount prior to the change of use except:
 - a. To the extent necessary to meet the requirements of the Americans with Disability Act; or
 - b. To the extent it is a requirement or a condition of site plan review; or
 - c. To the extent the change of use requires less parking than the previous use and the total number of parking spaces serving the site exceeds the parking requirements of this division for all uses on the site including the change of use.
2. A newly constructed building, a building addition or a change of the use of a building exceeding 10,000 sq. ft. of floor area, shall provide the parking required by this division.

(e) *B-3 Zone:* No off-street parking is required for changes of use.

(f) *I-R1, Island Business Zone:* Off-street parking shall be required at twenty-five (25%) percent of the required number of parking spaces for specified uses as provided in division 20 (off-street parking) of this article, except that residential uses shall meet the full parking requirement.

(g) *B-5 Zone:* No off-street parking shall be required.



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

8-19 20 11

Received from Mina Alu...

Location of Work 54 York St

Cost of Construction \$ _____ Building Fee: 30

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: 75

Total: 105

Building (1L) Plumbing (15) _____ Electrical (12) _____ Site Plan (U2) _____

Other _____

CBL: 42-A-7

Check #: Cover Total Collected \$ 105

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

- WHITE - Applicant's Copy
- YELLOW - Office Copy
- PINK - Permit Copy