



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

Ann Machado, Zoning Administrator

January 5, 2016

Cody Carter, Zoning Project Coordinator
Commercial Due Diligence Services

RE: 68 Devonshire Street, Portland, Maine, CBL: 119-F-001(the "Property").

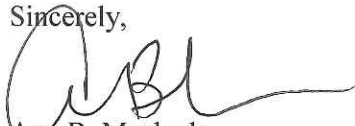
To Whom It May Concern:

Regarding the Property, I am providing the following information:

1. The Property is located in the R-5 Residential Zone. The adjacent properties to the North, South, East and West are also all located in the R-5 Residential zone.
2. Based on documents on record with the City, I understand that the Property's current use is an intermediate care facility. Under section 14-118 of the City of Portland Code of Ordinances, this use is allowed as a conditional use. The City's Zoning Board of Appeals approved the use as a "two story nursing or convalescent home" on May 14, 1964. The certificate of occupancy for the original building was issued on July 23, 1965. On March 30, 1972 the Board of Appeals granted a variance to build an addition to the existing nursing home. A certificate of occupancy was issued on November 29, 1973 for the two story addition to the existing nursing home. In November of 1988, a building permit (#88-01394) was issued to construct a new addition and make renovations. Various certificates of occupancy were issued between 1989 and 1990. In 2008 a survey was completed that showed that the addition built in 1988 did not meet the required twenty foot rear setback. The Zoning Board of Appeals granted a Practical Difficulty Variance on May 13, 2009 to reduce the required rear setback to 17.1 feet. The certificate of Variance was recorded at the Registry of Deeds on May 15, 2009. The Property is legally nonconforming as to the dimensional requirements of the current zone. 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 Variances and Conditional Use Permits on file. Copies are attached.
5. The Property does have Certificates of Occupancy on file. Copies are attached.
6. The Property does have Site Plan Approvals on file. Copies are 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 'ABL', 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