

**Department of Permitting and Inspections**

Ann Machado, Zoning Administrator

May 25, 2016

Niki Adsit
Bock & Clark Zoning
3000 S. Berry Road, Suite 110
Norman, OK 73072

Re: 518 Forest Avenue, Portland, Maine – Gas Station – 126-B-007 & 010

Dear Niki Adsit:

I am in receipt of your request for a zoning determination regarding property located at 518 Forest Avenue (hereinafter, the "Property"). This letter will answer each of your questions, in turn:

The Property is located in the City's B-2b zone, a community business zone. A review of the property reveals that it is being operated as a Major Auto Service Station as defined in Section 14-47 of the City's Land Use Code. Under Section 14-183 of the City's Code, Major Auto Service Stations are conditional uses authorized in the B-2b zone provided that they were in existence as of November 14, 1999 and otherwise comply with the requirements of Section 14-474 of the Code. A building permit and certificate of occupancy issued by the City to Mobil Oil Corp. in 1992 demonstrates that the Property was authorized as a gas station prior to November 14, 1999, a fact that is further confirmed by a building permit issued on December 22, 1998 for replacement/improvement of gasoline piping and pumps on the Property. (Copies of both permits and the associated plans are attached hereto.) Accordingly, the current use as a Major Auto Service Station is permissible under the City's Land Use Code.

Additionally,

- The parcels directly abutting the Property are also located in the B-2b zone.
- The City does not have any record of any "variances, special permits, conditions, etc." relating to this property. However, as discussed above, this use is a conditional use under the City's code in the B-2b zone that is allowed because it was in existence as of November 14, 1999.
- In the event of casualty, in whole or in part, the structure located on the subject property may be rebuilt in its current form within the same footprint and shell.
- The City does not have a record of any existing code violations.

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- All Certificates of Occupancy on file with the City of Portland relating to the Property are attached hereto.
- The City does not have an approved site plan on file for the Property. However, the property did go through minor site plan review in 1992 for the demolition and replacement of structures on the Property. Attached please find a letter dated September 30, 1992 approving that site plan, with certain conditions together with a building permit also issued on September 30, 1992. Also attached please find: the building permit referenced above and issued on August 19, 1998 related to the replacement/improvement of gasoline piping and pumps on the Property; and a building permit, granted with conditions on December 22, 2014, related to certain interior improvements. Copies of the final approved plans underlying that 2014 permit are also attached.

I trust this sufficiently answers your questions. If, however, you have any questions or concerns, please do not hesitate to contact me at (207) 874-8709.

Very truly yours,

Ann B. Machado
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