



PORTLAND MAINE

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

*Penny St. Louis Littell- Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

May 25, 2010

Dominion Due Diligence Group
4120 Cox Road
Glen Allen, VA 23060
Attn: Lucy Scarberry

RE: Deering Pavilion – 880 Forest Avenue – 136-E-5 & 137-H-1 & 142-G-7 & 4 –
(the “Property”) – R-6 Residential Zone

To Dominion Due Diligence Group:

It is my understanding that the above referenced applicant has applied for financing on the Property. To meet the financing requirements of the loan program, information regarding the Property’s compliance with local zoning ordinances is necessary.

Please note the following:

The Property is zoned as an R-6 Residential Zone.

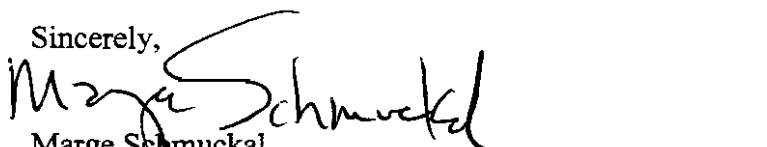
_____ The Property meets all of the current zoning requirements and is in compliance, and can be completely rebuilt as-is if destroyed.

X The Property represents a legal non-conforming height and parking under current zoning and can be completely rebuilt as-is if destroyed as permitted under section 14-385 of the City of Portland’s Land Use Zoning Ordinance.

_____ The Property does not comply with the current zoning requirements or Restrictions for the following reasons:

_____ The Property is pending a change of zoning. If so please elaborate.

Sincerely,


Marge Schmuckal
Zoning Administrator

Sec. 14-385. Restoration or reconstruction within an existing footprint of damaged nonconforming building or premises.

A nonconforming building, or building of nonconforming use, damaged by fire, explosion, flood, riot, act of the public enemy, accident of any kind, decay or otherwise may be restored or rebuilt only where:

- (a) The restoration or reconstruction is of a building which is nonconforming only as to land area, setbacks or any other dimensional requirements; and
- (b) Where the restoration or reconstruction will occur entirely within the existing footprint and previous shell of the building and will not create a new nonconformity; and
- (c) Restoration or reconstruction occurs within one (1) year of the initial damage where such damage is sudden and accidental; or
- (d) Restoration or reconstruction necessitated by decay must be completed within one (1) year of the demolition of the building or the commencement of the restoration or reconstruction, whichever occurs first.

For the purpose of this section, the footprint of a building is the perimeter of the foundation supporting a structure.

(Code 1968, § 602.17.E; Ord. No. 89-88, 7-19-88; Ord. No. 284-99, §2, 5-17-99, enacted as an emergency to take effect immediately pursuant to Article II, Sec. 8 of the Portland City Charter)

*Editor's note--Ord. No. 89-88, adopted July 19, 1988, amended this section to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 89-88.

ZONING COMPLIANCE LETTER

Date:

From: **Name:**

Title:

City Department:

Re: Property: Deering Pavilion
 Address: 880 Forest Avenue
 City, State Portland, ME

To Dominion Due Diligence Group:

It is our understanding that the above-referenced applicant has applied for financing on this property. To meet the financing requirements of the loan program, information regarding the property's compliance with local zoning ordinances is necessary.

Please note the following: *(choose what applies)*

This property is zoned as: _____

_____ The property meets all of the current zoning requirements and is in compliance, and can be completely rebuilt as is if destroyed.

_____ The property represents a legal non-conforming use under current zoning or use restrictions, and can be completely rebuilt as-is if destroyed.

_____ The property does not comply with the current zoning requirements or restrictions for the following reasons:

_____ This property is pending a change of zoning. If so please elaborate.

Sincerely,

Printed Name, Title, Date

Enclosed: Zoning Map and Zoning Ordinance applicable to the site

FAX



To: Lucy Scamberg

Fax Number: 757-257-0291

From: MARGE Schmuck

Fax Number:

Date: 5/25/10

Regarding: Deerig Pavilion - 880 Forest Ave

Total Number Of Pages Including Cover:

Phone Number For Follow-Up:

Comments:

The original with attachments are in the mail.

City Of Portland, Maine
Inspections Division Services
389 Congress St Room 315 Portland Me 04101-3509
Phone: (207) 874-8703 or (207) 874-8693
Fax: (207) 874-8716
<http://www.portlandmaine.gov/>



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

May 12 2010

Received from Domestic Environmental

Location of Work Group, Inc.

870 Forest Ave

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150.00

Building (11) _____ Plumbing (15) _____ Electrical (12) _____ Site Plan (12) _____

Other 2010 Domestic Environmental

CBL: 136 E 005

Check #: 31041 Total Collected: 150.00

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