



Planning & Urban Development Department

Jeff Levine, AICP, Director

Ann Machado, Zoning Administrator

The Planning & Zoning Resource Company
100 NE 5th Street
Oklahoma City, OK 73104

08/14/2015 9/18/2015

ATTN: Amanda Huffines

Ref. No. 87226-1

RE: Westgate Shopping Center, 1364 Congress Street, Portland, Maine

Add'l Info. Parcels: 191-B-019, 197-B-001, 197-B-015, 197-B-018, 197-B-019 PLEASE SEE ATTACHED TENANT LIST

The current zoning classification for the subject property is:

B2 Community Business Zone

Adjacent property zoning designations:

North: RS residential (across Congress St)

South: RS residential

East: RS residential

West: B-1 Neighborhood Business Zone & RS Residential

Is the subject property part of a Planned Unit Development?

Yes, part of a PUD (See comment)

No, not part of a PUD

Comment: _____

Is the subject property part of an Overlay District?

Yes, within an Overlay District

No, not within an Overlay District

Comment: _____

The subject property is currently regulated by:

Division Section 10 of the Zoning Ordinance Section 14-181 thru Section 14-195

Planned Unit Development Ordinance No. _____ (copy attached)

Site Plan Approval Case No. see below (copy of plan and case attached)

Comment: Site Plan 2008-0027; 2008-0113; 2014-033

According to the zoning ordinances and regulations for this district, the use of the subject property is a:

- Permitted Use by Right
- Permitted Use by Special/Specific Use Permit
- Copy Attached
- Copy Not Available (see comment)
- Legal Non-Conforming Use (no longer permitted by right due to amendments, re-zoning, variance granted or other changes. See comments)
- Non-Permitted Use

Comment: Current permits attached ; older permits exist but unable to print

The subject structure(s) was developed:

- In accordance with Current Zoning Code Requirements and is
 Legal Conforming
- Non-Conforming (see comments)
- In accordance with Previous Zoning Code Requirements (amendments, rezoning, variance granted) and is
 Legal Non-Conforming to current zoning requirements
- Prior to the adoption of the Zoning Code and is
 Grandfathered/Legal Non-conforming to current zoning requirements.
- In accordance with Approved Site Plan and is Legal Conforming to approved site plan. If any nonconforming issues exist with respect to current zoning requirement; the subject property would be considered legal non-conforming.

Comment: _____

Information regarding variances, special permits/exceptions, ordinances or conditions:

- There do not appear to be any variances, special permits/exceptions, ordinances or conditions that apply to the subject property.
- The following apply to the subject property (see comments):
 - Variance - Documentation attached or is otherwise, no longer available (see comment)
 - Special Permit/Exception Documentation attached or is otherwise, no longer available (see comment)
 - Ordinance Documentation attached or is otherwise, no longer available (see comment)
 - Conditions Documentation attached or is otherwise, no longer available (see comment)

Comment: _____

Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:

- May be rebuilt in the current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable.
- May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations, or requirements. Please see section _____ of the current zoning code/ordinance for details.

Comment: _____

To the best of your knowledge, do your records show any unresolved zoning code violations?

- Yes, there are open violations on file in our records. (See attached list and/or copies/cases)
 No, there are no open violations on file in our records.

*Please note, this request is for open violations of which you are aware. PZR is not requesting an inspection be made.

To the best of your knowledge, do your records show any unresolved building code violations and/or complaints?

- Yes, there are open violations on file in our records. (See attached list and/or copies/cases)
 No, there are no open violations on file in our records.

*Please note, this request is for open violations of which you are aware. PZR is not requesting an inspection be made.

Site Plan Information:

- The subject property was not subject to a site plan approval process.
 The subject property was subject to site plan approval: a copy of the approved site plan is attached.
 The subject property was subject to site plan approval, but a copy of the approved site plan is no longer in existence (was lost or destroyed). All other existing documents applicable to site plan approval for the site are attached if available.
 An approved site plan for the subject property is on file, but our office does not have the necessary resources to reproduce and distribute copies of the plan. All other existing documents applicable to site plan approval are attached if available.
 Other, (as noted here): Determination letter dated October 24, 2008

Were Certificates of Occupancy issued? If so, please provide all available copies. If copies are unavailable, please fill out our attached form letter.

Please call the undersigned at (207) 874-8709, extension --- if you have questions or concerns.

Sincerely:

Name: Ann Machado Department: Planning & Urban Development
Title: Zoning Administrator Email: amachado@portlandmaine.gov



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Jeff Levine, AICP, Director

Ann Machado, Zoning Administrator

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Based on our records [choose one]:

[X] A valid final certificate of occupancy has been issued and is in effect for the Project. To the best of our knowledge, all required Certificates of Occupancy have been issued. The absence of a certificate of occupancy for the Project is not a violation and will not give rise to any enforcement action affecting the Project. (See Attached Copy Issued) older certificates of occupancy exist but unable to print.

[] Certificates of Occupancy are not required. Final Building Permits have been issued and are now outstanding for the Project. (See Attached Copy Issued)

[] Certificates of Occupancy for projects constructed prior to the year _____ are no longer on file with this office. The Project was constructed in _____. The absence of a certificate of occupancy for the Project is not a violation and will not give rise to any enforcement action affecting the Project. To the best of our knowledge, all required Certificates of Occupancy have been issued. A certificate of occupancy for the Project will only be required to the extent of any construction activity (such as restoring, renovating or expanding the Project or any part thereof).

[] We are unable to locate a certificate of occupancy for the Project from our records. We have evidence in our records, however, one was issued and has been subsequently lost or misplaced. The absence of a certificate of occupancy for the Project is not a violation and will not give rise to any enforcement action affecting the Project. To the best of our knowledge, all required Certificates of Occupancy have been issued. A certificate of occupancy for the Project will only be required to the extent of any construction activity, restoring, renovating or expanding the Project or any part thereof.

[] This site is still being constructed. The absence of a certificate of occupancy for the Project will not give rise to any enforcement action affecting the Project. A certificate of occupancy for the Project will be issued when all final inspections have been passed.

[] There are no records of a certificate of occupancy in any of our files; however, we consider the structures to be legally occupied.

Please call the undersigned at (207) 874-8709, extension _____ if you have questions or concerns.

Sincerely:

Name: Ann Machado

Title: Zoning Administrator