

## Laurie Leader - RE: BP#2015-00403 131 Johnson Road - Sign permit zoning review

---

**From:** "Bryant, Richard N." <RBryant@VBLAWFIRM.com>  
**To:** 'Laurie Leader' <LRL@portlandmaine.gov>  
**Date:** 8/19/2015 4:26 PM  
**Subject:** RE: BP#2015-00403 131 Johnson Road - Sign permit zoning review  
**CC:** "Paul & Manijeh Best (drsbest@maine.rr.com)" <drsbest@maine.rr.com>, "Ma...  
**Attachments:** Building Signs Proof.pdf

---

Laurie:

Thanks for clarifying all of my questions about this matter. I've gotten feedback from both my client, 440 Western Avenue LLP, and the signage contractor, Burr Signs. Below are responses to your questions earlier posed to Mason Legendre, which I trust you will find satisfactory:

1. The sign must be 5 feet from the property line. It is shown to be 10 feet from the road but does not reference the actual property line. Please revise.

RESPONSE: The driveway access to 131 Johnson Road is via a right-of-way (and signage easement) over City-owned land that lies between my client's building lot and the City-owned roadway. The plot plan (satellite photo) originally submitted by Burr Signs showed the pylon sign location as 10' from the painted white line marking the edge of the nearest travel lane on Johnson Road. Instead, the location will be no closer than 5' from the edge of Johnson Road, where curve of the driveway ends at Johnson Road. This different measurement defines the same location as shown on the original plot plan. However, Burr Signs notes that field conditions suitable for the sign foundation may dictate that the sign be moved several feet perpendicular to and further away from the edge of Johnson Road, towards the location of the existing sign. In no event will the sign be placed closer than 5' from Johnson Road.

2. When providing calculations for the free standing sign, square footage calculations must include the square footage for the 131 Johnson Road portions of the sign as well. According to my calculations, the sign exceeds the allowable 100 square feet. Please revise to meet allowable zoning.

RESPONSE: Per our discussion, you have recalculated the signage area on the pylon proof and found it complies with the 100 SF limitation of the signage ordinance. This is true regardless whether the calculation is just the 69 SF of the advertising panels themselves, or also includes the address area (which my client contends should not be counted as signage area because the address is required by the Fire Department for public safety purposes).

3. The building sign states Jujitsu Dojo here. This is not a permitted use for the building. In order to have this permit approved, the tenant will need a change of use approved prior to this approval. The other option is to leave the sign blank and apply for that sign permit at a later date.

RESPONSE: Per our discussion, Stone Coast Jujitsu has already obtained a change of use permit for its tenancy of the building.

4. Clarify if Prosthodontics Associates, P.A. and Southern Maine Oral & Maxillofacial Surgery are occupying

the same tenant space or completely separate tenancies? Add the second dentist sign on the building sign rather than stating "other dentist here".

RESPONSE: Per our discussion, Prosthodontic Associates and Southern Maine Oral & Maxillofacial Surgery are separate legal entities. They lease separate professional office suites within the building. Attached is an updated building proof showing identifying Southern Maine Oral & Maxillofacial Surgery in lieu of the generic "other dentist here" sign.

5. Clarify that the existing sign will be removed.

RESPONSE: Burr Signs will remove entirely the existing sign at the time of its construction of the replacement sign.

Please let me know if you need anything else to be able to provide the zoning review for the pylon sign and the building signs for 131 Johnson Road.

Regards

Richard

**Richard N. Bryant, Esq.**  
**Van Meer & Belanger, P.A.**  
**215 Commercial Street, 4<sup>th</sup> Floor**  
**Portland, ME 04101**  
 Tel (207) 871-7500 x103  
 Fax (207) 871-7505  
 Cell (207) 233-6734  
 rbryant@vblawfirm.com

The information contained in this message is legally privileged and confidential information intended only for the use of the individual or entity named above. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. If you have received this communication in error, please immediately notify us by e-mail or telephone. Thank you.

---

**From:** Laurie Leader [mailto:LRL@portlandmaine.gov]  
**Sent:** Friday, April 03, 2015 12:53 PM  
**To:** mason@burrsigns.com  
**Subject:** BP#2015-00403 131 Johnson Road - Sign permit zoning review

Mason,

I will need the following information in order to complete the zoning review for this permit:

1. The sign must be 5 feet from the property line. It is shown to be 10 feet from the road but does not reference the actual property line. Please revise.
2. When providing calculations for the free standing sign, square footage calculations must include the

square footage for the 131 Johnson Road portions of the sign as well. According to my calculations, the sign exceeds the allowable 100 square feet. Please revise to meet allowable zoning.

3. The building sign states Jujitsu Dojo here. This is not a permitted use for the building. In order to have this permit approved, the tenant will need a change of use approved prior to this approval. The other option is to leave the sign blank and apply for that sign permit at a later date.
4. Clarify if Prosthodontics Associates, P.A. and Southern Maine Oral & Maxillofacial Surgery are occupying the same tenant space or completely separate tenancies? Add the second dentist sign on the building sign rather than stating "other dentist here".
5. Clarify that the existing sign will be removed.

Thanks,

Laurie

Laurie Leader  
Plan Review/Code Enforcement  
City of Portland, Maine  
Inspections Division  
389 Congress Street  
Portland, ME 04101

P: 207-874-8714

F: 207-874-8716

E: [lrl@portlandmaine.gov](mailto:lrl@portlandmaine.gov)

To view building permit status go to <http://www.portlandmaine.gov/792/Permit-Status>