



PORTLAND MAINE

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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

February 26, 2008

Arthur W. Batson
Lucas Tree Experts
636 Riverside Street
P.O. Box 958
Portland, Maine 04104

RE: 531-535 Warren Avenue – 314-B-009 – B-4 Zone

Dear Mr. Batson,

I am in receipt of your request to determine if your proposed use will be consistent with the underlying B-4 Zone.


Based upon your submitted letter outlining how your business would be run on this property, you would be meeting the requirements of the B-4 Zone. The B-4 Zone allows general business offices and allows maintenance and repair of vehicles and allows warehousing. All such uses apply to what you have outlined to me in your submittal.

My research of our files on this location shows that the last approved use with a certificate of occupancy was for the "sale of aerial lifts, platforms". Your business use would be different than the previous retail sales, therefore, you would need to apply for a change of use permit from retail to the business that you described. The permit would require a sketched site plan showing the building and your off-street parking and where the variety of equipment you have will be located. We would also need scaled floor plans showing the floor(s) layout.

If you also want the use of an separate enclosed storage container to house small tools, the City would need a separate permit and review of that new structure. If that structure is under 500 square feet, you might be able to receive a site plan review exemption from the Planning Division. Any new structure placed on a site requires a site plan review from the Planning Division. However, there are certain circumstances where exemptions from that review are available. The Planning staff can guide you better on that issue. You will still need a building permit to place that unit on the site. There is no exemption available for a building permit.

If you have any further questions regarding this matter, please do not hesitate to call me at 874-8695.

Very truly yours.

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

Marge Schmuckal
Zoning Administrator

Cc: file



636 Riverside St., P.O. Box 958, Portland, Maine 04104 (207) 797-7294

Portland Zoning Board
City Hall
389 Congress St.
Portland, ME 04101

Re: Zoning Determination
535 Warren Ave.
Portland, ME
Chart 314/Block B/Lot 9

Dear Sir:

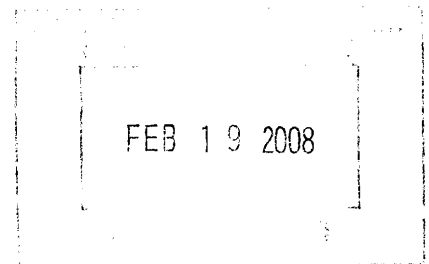
The John Lucas Tree Expert Co. requests a zoning determination for the above-referenced property. The property will house our local Residential Tree Service Division. The division provides tree removal, pruning, trimming and Christmas Holiday Lighting services to the Southern Maine market. The division consist of 7 administrative, 3 mechanics, and 30 arborist. We will house approximately 35 pieces of equipment at the site consisting of pick-up trucks, aerial-lift trucks, brush chippers, trailers, stump chippers, cranes and digger derricks.

We will require outside storage of trucks and equipment but will have no need for open storage of landscape materials such as trees and shrubs because Lucas Tree no longer provides retail, residential and commercial landscape services. These services were discontinued when we closed our nursery/garden center in 2003.

The office building use will be to house our sales staff, secretary/accounting clerk, operations manager and the garage bay #1 will be used to store our Christmas Décor Decorations during the off-season and garage bay #2 will be used by mechanics to repair our trucks and equipment. Employee parking will be on site and a seasonal use of an enclosed storage container will be utilized to house small tools, power saws, and lawn mowers.

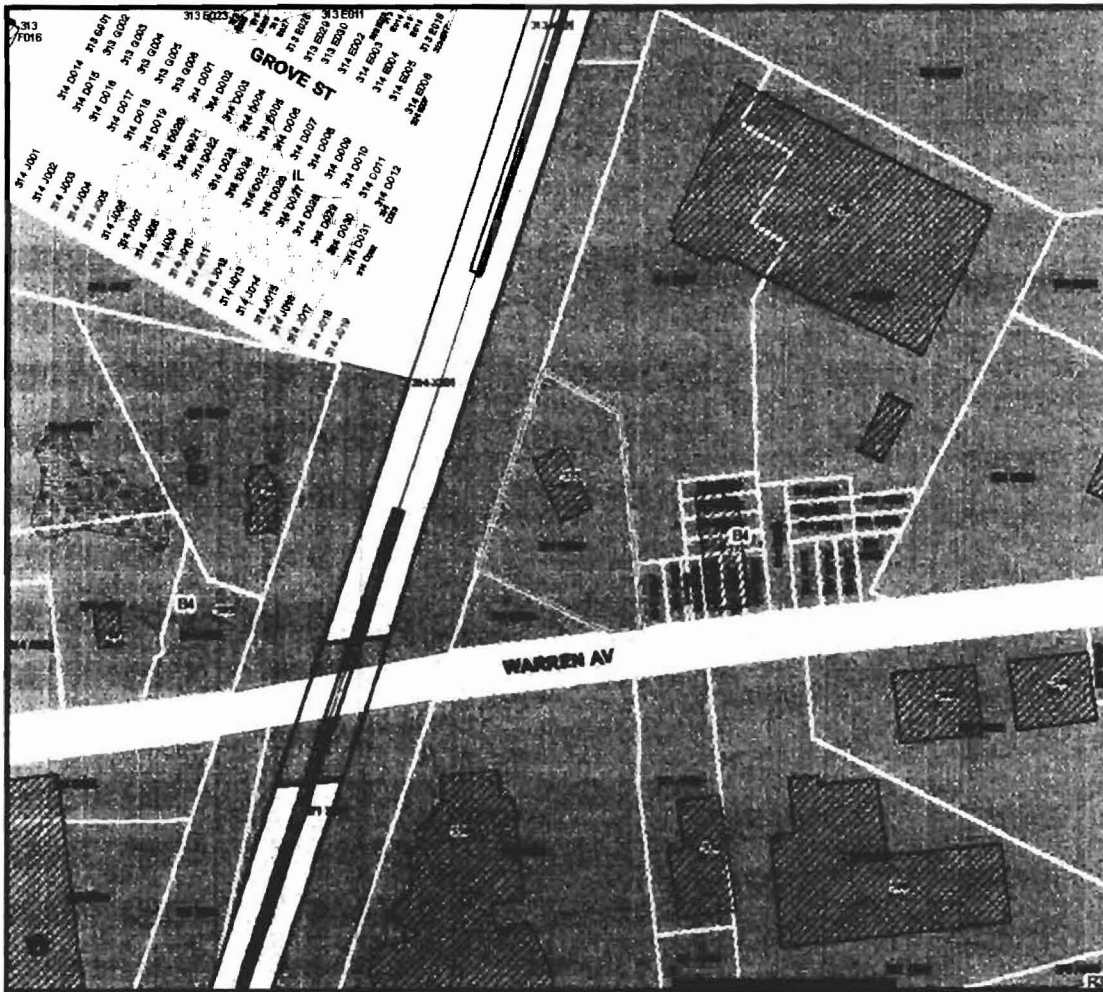
Sincerely yours,

Arthur W. Batson
President



“Growing Naturally...Since 1926”

Utility Line Clearance • Distribution Pole Line Construction • Utility Underground Service • Crane Service
Chemical Brush Control • Right of Way Clearing • Residential Tree & Spray Service
Christmas Decor • Landscape Installation • Lawn Care • Vegetation Management



City of Portland
GIS



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Portland, Maine
04101

B-4

Allows - general Business offices
Allows - maintenance; repair of vehicles
Allows - Warehousing