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

April 7, 2011

Gorham Savings Bank 10 Wentworth Drive Gorham, ME 04038

RE: Premises: 765 Warren Avenue – 316-A-3 – I-M Zone

To Whom It May Concern:

The undersigned hereby certifies with respect to the above-referenced Premises owned by Warren Properties Limited Partnership and described on Exhibit A:

1. The applicable zoning code affecting the Premises is as follows:

Zoning Ordinance of the City of Portland revised through December 15, 2010.

2. The Premises are located in the following zone under the applicable zoning code:

I-M Moderate Industrial Zone

- 3. There are no known, unresolved violations of any applicable zoning codes, or other applicable City ordinances that I am aware of:
  - [X] NONE [] UNRESOLVED VIOLATIONS EXIST

Copies of site plan approval, building permit approval and Certificate of Occupancy are attached.

Marge Schmuckal

Zoning Administrator for The City of Portland, Maine



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

<sup>2</sup>enny St. Louis - Director of Planning and Urban Development Marge Schmuckal, Zoning Administrator

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Copies of site plan approval, building permit approval and Certificate of Occupancy are attached.

Marge Schmuckal

Zoning Administrator for

Zoning Administrator for The City of Portland, Maine

PERKINS THOMPSON

Attorneys & Counselors at Law

ESTABLISHED 1871

ONE CANAL PLAZA PO BOX 426 PORTLAND ME 04112 TEL 207.774.2635 FAX 207.871 8026

www.perkinsthompson.com

March 31, 2011 Via Hand Delivery

> Paul D. Pietropaoli ppietropaoli@perkinsthompson.com

Marge Schmuckal Zoning Administrator City of Portland 389 Congress Street Portland, ME 04101

31-A-3 I-M

Warshouse

Warren Properties Limited Partnership/765 Warren Avenue, Portland, Maine LC Be Av-Re:

Dear Ms. Schmuckal:

Following up on our voice mail exchange, enclosed is a Zoning Letter to be filled out and returned to me at the above-referenced address, together with a check in the amount of \$150.00 payable to the City of Portland.

Thank you for your assistance with this matter. If you have any questions or need additional information, please contact me at my direct telephone line: (207) 400-8115.

Very truly yours,

Paul D. Pietropaoli

PDP:tjo

Encl.



## CITY OF PORTLAND ZONING LETTER

\_\_\_\_\_, 2011

Gorham Savings Bank 10 Wentworth Drive Gorham, ME 04038

Re: Premises: <u>765 Warren Avenue</u> Portland, Maine

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1				

To Whom It May Concern:

The undersigned hereby certifies with respect to the above-referenced property owned by Warren Properties Limited Partnership and described on Exhibit A:

1. The applicable zoning code affecting the Premises is as follows:

Zoning Ordinance of the City of Portland revised through Dec 15, 2010.

- 2. The Premises are located in the following zone under the applicable zoning code:
- 3. There are no known, unresolved violations of any applicable zoning codes, City ordinances, or building, environmental, or energy codes, ordinances, or regulations except as follows:

[ ] UNRESOLVED VIOLATIONS EXIST

If there are any known, unresolved violations, the following summarizes the nature of such violations:

If additional space is required for any of the above, please attach additional pages.

Signature of Authorized Person:	
Typed or Printed Name of Signatory:	
Title of Signatory:	
City or Other Governmental Agency:	City of Portland, Maine



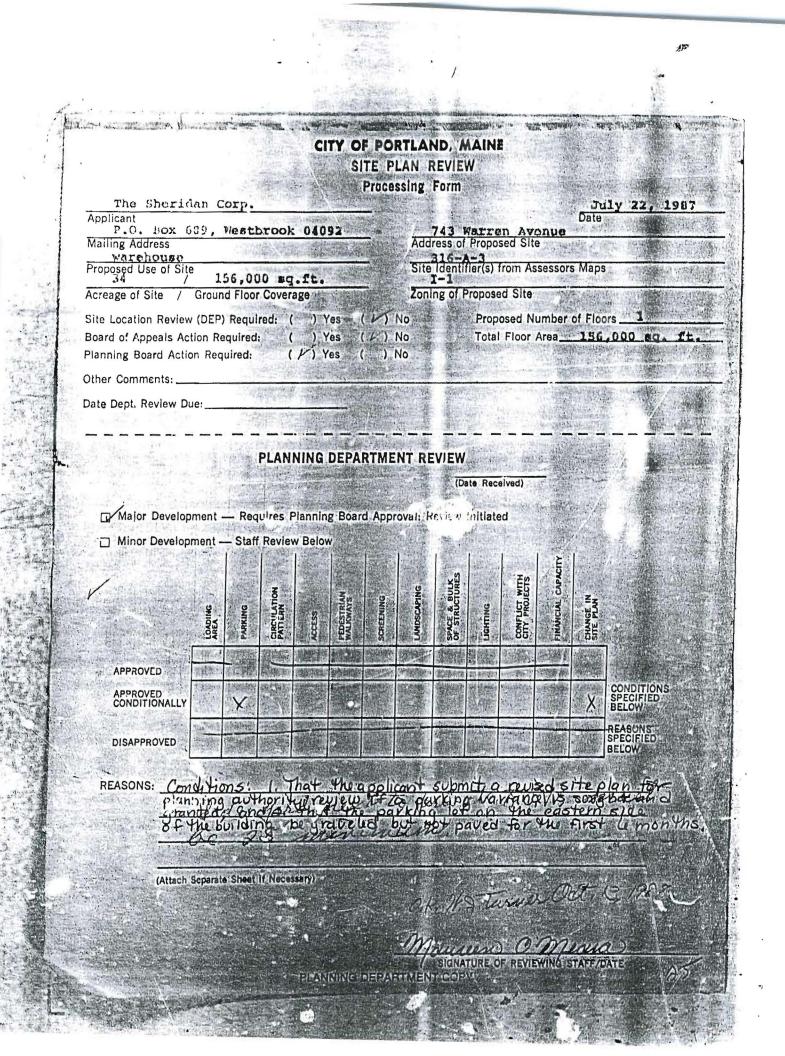
# EXHIBIT A CONTINUED

Commitment No. 032111-01

File No. 11010021

A certain lot or parcel of land with any buildings and improvements located thereon situated in the City of Portland, County of Cumberland, State of Maine and being Lot 4 as shown on plan entitled "McAlister Subdivision, Riverside Street, Portland, Maine Final Subdivision Recording Plat" prepared by The Sheridan Corporation dated March 1, 1988, last revised December 19, 1988 and recorded in the Cumberland County Registry of Deeds in Plan Book 176, Page 17.

MAR 3 1 2011







in hears

389 CONGRESS STREET PORTLAND, MAINE 04101 (207) 775-5451

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

October 16, 1987

The Sheridan Corp. P.O. Box 689 Westbrook, ME 04092

RE: 743 Warren Avenue, LL Bean.

Dear Sir:

Your application to construct a warehouse at 743 Warren Avenue has bean reviewed and a permit is herewith issued subject to the following requirements:

Zoning: Site Plan--Side yard next to private R.O.W. must Je 25' minimum.

Planning: Site Plan--Approved with conditions:

- 1. That the applicant submit a revised site plan for planning authority review if a parking variance is sought and granted.
- 2. That the parking lot on the Eastern side of the building be graveled but not paved for the first six months.
- Site plan-- Approved, Public Works inspection fee paid Public Works: 09/29/87, receipt #L15609, Robert J. Roy.

Fire Department: Site plan--The Fire Department shall have access to two sides of the building.

P. SAMUEL HOFFSES, CHIEF

INSPECTION SERVICES DIVISION

If you have any questions regarding these requirements, please do not hesitate to contact this office.

Sincerely,

Marge Schmuckal Assistant Chief of Inspection Services

MS:1b

PERMIT 132 D PORTLAND I. GENERAL INFORMATION Location/address of construction I. Owner's name The Boulou	743 Watton AVenue		A STATE OF STATE
Address 2 City Center		and the second	
2. Lessee's name		Tel	ortland
.3. Contractor's name The She	ridan Corp.	the second	
Address <b>9.0.</b> Box 589	Testbrook 04092		
II. DESCRIPTION OF WORK:		And	
major site plan to co	mstruct varehouse		9/31/87
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	and a second sec	re footage height # Zoning board approvatino [] yes []	(由京市
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v. REVIEW REQUIRED: variance	shore floodplain mg	mt enclosed	king spaces: outdoors
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北部沿 CITY OF PORTLAND, MAINE Department of Building Inspection Certificate of Occupancy LOCATION 743 Warren Avenue The Boulos Co. Dute of Issue September 1, 1988 Issued to This is to certify that the building, premises, or part thereof, at the above location, built-altered -changed as to use under Building Permit No. 87-1326, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below. PORTION OF BUILDING OR PREMISES APPROVED OCCUPANCY entire warehouse Limiting Conditions: Wines, Juil amlo This certificate supersedes 13, 1988 certificate issued May 13, 1988 Approved: 1/1/58 16 Jacker (Date) Inspector Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lesses for one dollar

## CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



MERRILL S. SELTZER Chairman

765 Warre

JOHN C. KNOX Secretary

PETER F. MORELLI THOMAS F. JEWELL DAVID L. SILVERNAIL MICHAEL E. WESTORT CHRISTOPHER DINAN

765 Warren Avenue

October 29, 1987

Mr. Dale Akeley Sales Engineer The Sheridan Corporation P. O. Box 689 Westbrook, Maine 04092

Dear Mr. Akeley:

This will acknowledge receipt of your request for a variance to allow less than 159 offstreet parking spaces for the proposed L.L. Bean Warehouse to be constructed on a lot at 765 Warren Avenue by B & B Properties of Two City Center, Portland.

Your request for a variance for parking will be considered at the meeting of the Board of Appeals on Thursday evening, November 19, 1987, in Room 209, City Hall, Portland, Maine. We have requested a recommendation from the City Planning Division concerning what that office considers to be a minimum number of space in view of the fact that you will accommodate only 15 employees in the proposed warehouse building.

Sincerely, Warren Journer Warren J. Turner

Zoning Enforcement Inspector

cc: B & B Properties, Two City Center, Portland, Maine, ATTN: Mr. Boulos Merrill S. Seltzer, Chairman, Board of Appeals Joseph E. Gray, Jr., Director, Planning & Urban Development Alexander Jaegerman, Chief Planner P. Samuel Hoffses, Chief, Inspection Services /Kathleen Taylor, Code Enforcement Officer

389 CONGRESS STREET . PORTLAND, MAINE 04101 . TELEPHONE (207) 773-5451



PLANNING & URBAN DEVELOPMENT

JOSEPH E. GRAY, JR. DIRECTOR

April 6, 1988

Steve Daicy Sheridan Corporation P.O. Box 689 Westbrook, ME 04092

Re: L.L. Bean Warehouse

Dear Mr. Daicy:

This letter is to confirm the revision to the approved site plan of the L.L. Bean Warehouse project located at 765 Warren Avenue. The approved revision includes location of a catch basin and regrading work in the side parking lot as depicted on a revised plan approved 4/6/88. The revised plan has been reviewed and approved by the project review staff including representatives of the Planning, Public Works, Building Inspections, Fire and Parks Departments.

CITY OF PORTLAND, MAINE 389 CONGRESS STREET PORTLAND, MAINE 04101 (207) 775-5451

If you have any questions regarding the revision please contact the planning staff at 775-5451, extension 491.

Sincerely, hEl

Joseph E. Gray, Jr. ' Director of Planning and Urban Development

MO/jf

cc: Alexander Jaegerman, Chief Planner Maureen O'Meara, Planner William Boothby, Principal Engineer P. Samuel Hoffses, Chief Building Inspector Carmela Barton, City Arborist Lt. James Collins, Fire Department Natalie Burns, Associate Corporation Counsel Approval Letter File Nancy Knauber, Parks and Public Works Department

## CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



MERRILL S. SELTZER Chairman

> JOHN C. KNOX Secretary

PETER F. MORELLI THOMAS F. JEWELL DAVID L. S".VERNAIL MICHAEL E. WESTORT CHRISTOPHER DINAN

765 Warren Avenue

November 24, 1987

Mr. Dale Akeley, Sales Engineer The Sheridan Corporation P. O. Box 689 Westbrook, Maine 04092 Re: Proposed L.L. Bean Co. Warehouse - I-1 Zone

Dear Mr. Akeley:

At the evening meeting of the Board of Appeals on November 19th, the Board voted by a vote of two in favor to five opposed to deny the variance request for relief from the major portion of the zoning requirement for 159 offstreet parking spaces as accessory to the proposed L. L. Bean Company warehouse, which will house only fifteen employees on the site.

A copy of the Board's decision in this matter is enclosed.

Sincerely,

rren

Warren J. Turner Zoning Enforcment Inspector

Enclosure: Decision

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
Alexander Jaegerman, Chief Planner
P. Samuel Hoffses, Chief, Inspection Services
Kevin Carroll, Code Enforcement Officer

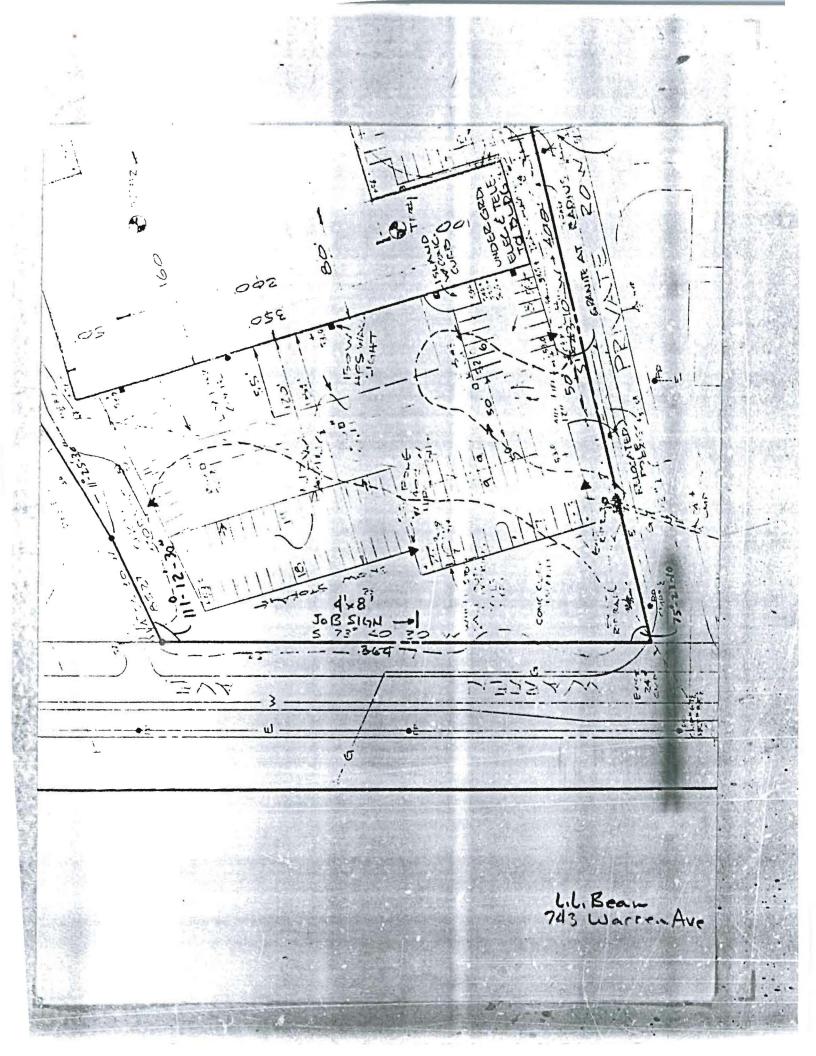
389 CONGRESS STREET . PORTLAND, MAINE 04101 . TELEPHONE (207) 775-5451

FINDINGS OF FACT ALL APPEALS Space and Bulk Variance TYPE OF APPEAL The Sheridan Corporation Name of Applicant 1. 741 Warren Avenue, Portland, Maine 2. Address of Applicant Right of applicant to appeal. Owner Represents owner 3. Option to Purchase 765 Warren Avenue 4. Location of property under appeal I-1 Industrial Zone 5. Zone in which the property is located Present use of property unpaved area 6. Proposed use if the appeal is granted. parking for 15 automobiles 7. Names and addresses of those appearing in support of the application: 8. Keley - Sheridan Names and addresses of those appearing in opposition to the application: 9. Boulos - Public in 10. Listing of the document my evidence presented to the Board (e.g., plans, photos, maps, etc.)

# VARIANCES A variance may be granted if the Board finds that it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Ordiance would result in "undue hardship". The following questions must all be answered, with supporting findings of fact, in order to grant the appeal. Can the land yield a reasonable return (not the highest return) without 1. the granting of a variance? 6 deny the appeal) No Reasons (including evidence) fcwl/ py-King GN COMPONINT or Are there factors which are unique to this property, and not to the general conditions of the neighborhood, which create a need for a 2. variance? Yes (deny the appeal) No Reasons (including evidence) the Specific we oF Juilding NoF the Will the granting of the variance alter the essential character of the 3. locality? Yes (deny the appeal) No Reasons (including evidence) 4. Is the hardship a result of action taken by the applicant or a prior owner (self-created hardship)? 3 (deny the appeal) Yes No Reasons (including evidence)

the state of the s If the appeal is granted, does the Board wish to impose conditions which will further the intent and purpose of this Ordinance? Yes \_ No Specific Conditions Reasons Date of Public Hearing Nov. 19 (987 Motion (including conditions and findings of fact)\_ Opposed Votes in Favor Nore

1. GENERAL INFORMATION Location/address of construction	743 Warron A	Venue	A BAR AN AND	OCT 16 1987
1. Ownersname The Boulous	Company	Tel.	772-1333	
Address 2 City Centeral			Cit	y Of Portland
2 Lessee's name		Təl		1
Address The Sher	Idan Corp.		774-6138	
Address 1,0, 20% 689, W				
4. is this a legally recorded lot? yes	no		the second second	2.1939年1月1日,1946年1月1日
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III. BUILDING DIMENSIONS: length_	1405		bolobt	Artorios
IV ZONE Stre	et frontage	Zoning b		
Setbacks: frontback	edeede	Planning bo	pard approval:no	es date
V. REVIEW REQUIRED: variance	shorefood	plain marnit	- Number of off-stre	et parking spaces: outdoors
V. FEES:	and the state of the state	MERSIN ROMAN - MARINE		
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site plan review fee na jor \$35	0.00	- TOTAL	50495biod92 15,049	RD
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2. SEWER: public private, type	# smoke detecto			# freplaces
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4. FOUNDATION: type thickness footing	ceiling joists studis		raffers wall studs	
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SPRINKLER SYSTEM? Yes no	height			
VIII. OFFICE USE:	201	Service Station	IX.NEW OR PHASE	DSUBDIVISION
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	tions along the set		Block	
CODE If other", explain	A STATISTICS	Seciso	nal Condominium	Apartment
X. PROPOSED USE:				1
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FIRE DEPT.	And I have a second second	ALL AND ALL AN	FLO MAN AND COM	A KING AND TRANSPORT OF STATES OF STATES



Address: Lot # 4 Mcalister Farm Subdivision Assessors No .: (New lot)

CHECK LIST AGAINST ZONTNG ORDINANCE

Date -Zone . scation - I-1 Interior or corner lot - Jutarior Use - Construct Narehouse for LL. Beam Sewage Disposal - sleptic disposed Rear Yards - 30' 25's equired Side Yards - 24' and 30' 25's equired Front Yards - 200' 25's equired Projections -Height - Ome Atory Lot Area - 34.5 Acres Building Area - 156,000 AS Area per Family - NA Width of Lot - 510' Lot Frontage - 364.22' Off-street Parking - 158 car spaces 159 Provided Loading Bays - 3 at ford

Site Plan -

Shoreland Zoning -Flood Plains -

Side Yard mext to Private R.O.W. must De 25: M.S.Turne

-

Vlew Picture

This page contains a detailed description of the Parcel ID you selected. Press the New Search button at the bottom of the screen to submit a new query.

#### **Current Owner Information:**

	0.001	215 1002001	
Services	CBL	316 A003001	
services	Land Use Type	WAREHOUSE & STOR	AGE
	Property Location	765 WARREN AVE	
Applications	Owner Information	WARREN PROPERTIE ONE CANAL PLAZA PORTLAND ME 04101	S LIMITED PARTNERSHIP
Doing Business	Book and Page	11421/187	
Maps	Legal Description	316-A-3 318-A-2 319 9 WARREN AVE 749-	
Tax Rollof		653400 SF	
	Acres	15	
Tas Roll			
A A D	Current Asses	sed Valuation:	
	TAX ACCT NO.	34478	OWNER OF RECORD AS OF APRIL 2010 WARREN PROPERTIES LIMITED
NAMES CITA			PARTNERSHIP
当和1.812年前年 用-3	LAND VALUE	\$868,000.00	ONE CANAL PLAZA
	BUILDING VALUE	\$6,343,300.00	PORTLAND ME 04101
	NET TAXABLE - REAL	ESTATE \$7,211,300.00	
trowie facts and links a-z	TAX AMOUNT	\$129,226.50	

hrowsie facts and links a-z

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.



#### **Building Information:**

Card 1 o	f 1
Year Built	1988
Style/Structure Type	WAREHOUSE
# Units	1
Building Num/Name	1 - L L BEAN
Square Feet	153720
View Sketch	View Map

#### Exterior/Interior Information:

	Card 1
Levels	01/01
Size	149420
Use	WAREHOUSE
Height	33
Walts	METAL-LIGHT
Heating	HOT AIR
A/C	NONE
	Card 1
Levels	01/01
Size	4300
Use	MULTI-USE OFFICE
Height	33
Walls	METAL-LIGHT
Heating	HOT AIR
A/C	CENTRAL

#### **Other Features:**

	Card 1
Structure	SPRINKLER - WET
Size	157320X1
	Card 1
Structure	OVERHEAD DOOR - MOTOR OPR. WD/MT
Size	10X10
	Card 1

Structure SPRINKLER - WET Size 15732021

-

# Marge Schmuckal - 765 Warren Avenue Determination letter

From:	Marge Schmuckal
To:	ppietropaoli@perkinsthompson.com
Date:	4/7/2011 3:18 PM
Subject:	765 Warren Avenue Determination letter
Attachments:	Determination ltr.pdf

Attorney Pietropaoli,

I am attaching a copy of my determination letter concerning 765 Warren Avenue. The original signed letter with attachments are in the mail.

Marge Schmuckal Zoning Administrator



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

Receipts Details:

## Tender Information: Check, BusinessName: 765 Warren Ave Perkins Thompson, Check Number: 168227 Tender Amount: 150.00

Receipt Header:

Cashier Id: ldobson Receipt Date: 3/31/2011 12:00:00 AM Receipt Number: 2355

Receipt Details:

Referance ID:	135	Fee Type:	FY10
Receipt Number:	0	Payment Date:	
Transaction Amount:	150.00	Charge Amount:	150.00
Job ID:			
Additional Comm	ents:		

Thank You for your Payment!