



Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

July 24, 2014

33 Hill Street, LLC
c/o Andre G. Duchette
30 Milk Street, 5th Floor
Portland, Maine 04101

RE: 260 Riverside Street, Portland, Maine - #316-B-006 – (the "Property") - B-4 Zone
Owner: Koller Family Trust

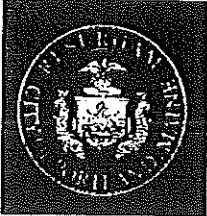
I am the Zoning Administrator for the City of Portland and have the authority to issue this certification. Please be advised that our records show the following information for the Property:

1. The Property currently is zoned B-4 Business Zone, and the present use of the Property is a facility for the maintenance and repair of automobiles and a listed permitted use within such zoning classification (14-229.11(a)14). The improvements on the Property may be rebuilt in their current size and volume if they are damaged based upon Section 14-385 which is enclosed.
2. No current or uncured violations of zoning, land use, building code or certificate of occupancy requirements are reported or pending against the Property.
3. No applications for zoning or land use approval, or variances with any building codes currently are pending.
4. There are no current permit violations on the Property.
5. To the best of my knowledge, there are no current environmental problems concerning the Property.
6. The Property is accessed by Riverside Street, Portland, Maine.
7. Applicable documents:
 - Copy of the Certificate of Occupancy for the Property is attached.
 - Copy of site plan review approval is attached.
 - Copy of building permit is attached.
8. There are no exceptions to the foregoing statements attached or otherwise.

Sincerely,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is written in a cursive style and is positioned above the typed name and title.

Marge Schmuckal
Zoning Administrator
City of Portland, Maine
(207) 874-8695



PORTLAND MAINE

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

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

To Whom It May Concern:

Under the City's Land Use Ordinance 14-385 (see attached), there is an allowance to rebuild a legal, nonconforming building after it is destroyed by sudden or accidental acts. This section of the Ordinance applies to all areas and zones within the City of Portland, Maine.

Very truly yours,

A handwritten signature in cursive script that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator

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

A nonconforming structure 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 for a nonconforming non-residential structure, or two (2) years for a nonconforming residential structure, of the initial damage where such damage is sudden and accidental. Note that for buildings in SHoreland zones, stte regulations may also govern and provide for a shorter period for restoration or reconstruction of non-conforming structures; and
- (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; and
- (e) Any reconstruction, under this provision, in the residential R-6 zone on a lot with 10,000 square feet or less, other than the exact restoration of a previously existing building on the site, shall comply with the applicable standards contained within the Planning and Development Design Manual; and
- (f) A nonconforming building located in the R-6 which is destroyed by fire, explosion, flood, riot, act of the enemy, or accident may be rebuilt under the small residential lot development provisions of the R-6 zone as if the lot were vacant as of January 1, 2005 and such reconstruction shall meet the setback requirements contained therein to the extent practicable; otherwise the building shall be reconstructed within the footprint of the previously existing building such that any nonconformity will not be enlarged.

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; Ord. No.254-05/06, 6-5-06; Ord. No. 61-07/08, 10-1-07; Ord. No. 240-09/10, 6-21-10; Ord. No. 139-12/13, 2-4-13)

*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.



Blue Sheet

CITY OF PORTLAND, MAINE DEVELOPMENT REVIEW APPLICATION PLANNING DEPARTMENT PROCESSING FORM

I. D. Number _____

Address: _____

Applicant Pro-Lube

Application Date _____

Applicant's Mailing Address Jiffy-Lube

Project Name/Description _____

Consultant/Agent _____

Address of Proposed Site 2600 Riverside Street

Applicant or Agent Daytime Telephone, Fax _____

Assessor's Reference: Chart-Block-Lot _____

Proposed Development (check all that apply):
___ New Building ___ Building Addition ___ Change of Use ___ Residential
___ Office ___ Retail ___ Manufacturing ___ Warehouse/Distribution ___ Other (specify) with

Proposed Building Square Feet or # of Units _____

Acreage of Site _____

Zoning _____

Check Review Required:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Single-Family Minor | <input type="checkbox"/> Other _____ |

Fees paid: site plan _____ subdivision _____

Approval Status:

Reviewer Kandi Talbot

- Approved
 Approved w/Conditions listed below
 Denied

1. that an executed form of the easement be submitted

2. by July 31st, 1997

3. _____

4. _____

Approval Date 6/4/97 Approval Expiration 6/4/98 Extension to _____ date _____ date _____

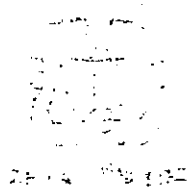
Additional Sheets Attached

Condition Compliance _____ signature _____ date _____

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input checked="" type="checkbox"/> Performance Guarantee Accepted	<u>0600</u> <u>5/23/97</u> <u>116,254.00</u>	_____
	date	amount
		expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	<u>5/23/97</u> <u>300.00</u>	_____
	date	amount
Performance Guarantee Reduced	_____	_____
	date	remaining balance
Performance Guarantee Released	_____	_____
	date	signature
Defect Guarantee Submitted	_____	_____
	submitted date	amount
Defect Guarantee Released	_____	_____
	date	signature



CITY OF PORTLAND

June 4, 1997

Shawn Frank
Sebago Technics
12 Westbrook Commons
P.O. Box 1339
Westbrook ME 04098-1339

RE: 260 Riverside Street, Jiffy Lube

Dear Mr. Frank:

On June 4, 1997 the Portland Planning Authority granted minor site plan approval for the Jiffy Lube Building at 260 Riverside Street with the following condition:

- that an executed copy of the deed be submitted by July 31, 1997.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

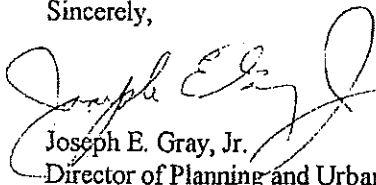
1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 1.7% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

O:\PLANDEVRE\PROJECTS\260RIVER\APPLTR.KT

4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
6. The Development Review Coordinator (874-8300 ext. 8722) must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact the Planning Staff.

Sincerely,



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

cc: Alexander Jaegerman, Chief Planner
Kandice Talbot, Planner
P. Samuel Hoffses, Chief of Building Inspections
Marge Schmuckal, Zoning Administrator
Kathi Staples PE, City Engineer
Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Mary Gresik, Building Permit Secretary
Kathleen Brown, Assistant Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

June 10, 1997

Jiffy Lube
201 Park Ave.
Springfield Ma. 01089

RE: 260 Riverside St. Portland, Me.

Dear Sir,

Your application to construct a automotive garage has been reviewed and a permit is herewith issued subject to the following requirements. This permit does not excuse the applicant from meeting applicable State and Federal laws.

NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL REQUIREMENTS OF THIS LETTER ARE MET.

Site Plan Review Requirements

Building Inspection: Approved with conditions :Separate permits will be required for all signage. M. Schmuckal
Development Review Coordinator: Approved with condition that an executed form of the easement be submitted by July 31st. 1997. K. Talbot
Planning : Approved with condition , (See above requirements) K. Talbot
Fire Dept. Approved. Lt. McDougall

Building Code Requirements

1. Please read and implement items 1,2,6,7,10,16,19,22,24,26, and 27 of the attached building permit report.

Sincerely,


P. Samuel Hoffses
Chief of Code Enforcement

c: J. Wendel,
M. Schmuckal
K. Talbot
Lt. McDougall

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 260 Riverside St		Owner: Jiffy Lube	Phone: 1 413 734 2149	Permit No: 270587
Owner Address: 201 Park Ave- West Springfield MA 01089		Lessee/Buyer's Name: d MA 01089	Phone:	BusinessName:
Contractor Name: Pandolpho Inc		Address:	Phone:	Permit Issued: JUN 11 1997
Past Use: retail garage bldg (to be demolished)	Proposed Use: automotive garage	COST OF WORK: \$ 300,000	PERMIT FEE: \$ 1520	Zoning: ACBL: Zoning Approval: Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> Minor <input type="checkbox"/> Dmm <input type="checkbox"/>
Proposed Project Description: construct XXXXXX automotive garage		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <u>SI</u> Type: <u>30</u>	
		Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	
Permit Taken By: L Chase		Date Applied For: 5/28/97	Signature: _____ Date: _____	

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

* MAX PERMIT: Call for Pick/up Greg Norton 767-4388 (owner)

30-cy dump permit: #3639 \$300



CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

[Signature] 55 WILDROSE AVE S.P. 04106 04 June 1997 - Permit Routed
 SIGNATURE OF APPLICANT ADDRESS: DATE: 05-28-97 PHONE: 207-767-4388

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

Permit Issued:
JUN 11 1997

CITY OF PORTLAND

Zoning: ACBL:
Zoning Approval:

Special Zone or Reviews:
 Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj Minor Dmm

Zoning Appeal
 Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:
 Approved
 Approved with/Conditions
 Denied

Date: 6/9/97

DA

GEO DISTRICT 4
A. Powers



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 260 Riverside St (316-B-006)

Issued to Jiffy Lube

Date of Issue 16 July 1998

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. 970587, 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

Automotive Garage

Limiting Conditions:

This certificate supersedes
certificate issued 31 DEC 97

Approved:

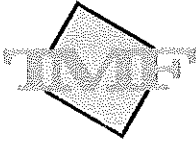
(Date)

Inspector

Inspector of Buildings

Handwritten initials/signature

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 lessee for one dollar.



TAYLOR
McCORMACK &
FRAME E
ATTORNEYS AT LAW

André G. Duchette, Esquire
ADuchette@TMFAttorneys.com

July 23, 2014

RECEIVED

JUL 23 2014

Dept. of Building Inspections
City of Portland Maine

City of Portland Zoning Determinations
3rd Floor Inspections Division (Room #315)
Portland, ME 04101

RE: 260 Riverside Street, Portland, Maine
Tax Account # 34490
Map/Lot# - 316-B-6

Jeffery Labe
B-4

Dear Sir/Madam:

Would you please prepare a Zoning Determination for the property located at 260 Riverside Street, Portland, Maine. I have enclosed a form and the \$150.00 filing fee.

Please let me know if you have any questions. Thank you for your assistance with this matter.

Sincerely,

André G. Duchette

AGD/vjk
Encl.

FORM OF ZONING AND GOVERNMENT COMPLIANCE LETTER

July 23, 2014

33 Hill Street, LLC
c/o André G. Duchette
30 Milk Street, 5th Floor
Portland, Maine 04101

RE: Property: 260 Riverside Street, Portland, Maine
Owner: Koller Family Trust

I am the Code Enforcement Officer for the City of Portland and have the authority to issue this certification. Please be advised that our records show the following information for the Property:

1. The Property currently is zoned _____ [*insert zoning classification*], and the present use of the Property is a _____ [*insert zoning classification - e.g., permitted use, use permitted by special exception, lawfully nonconforming use permitted by variance, pre-existing lawfully nonconforming use*] within such zoning classification. The improvements on the Property may be rebuilt in their current size and density if they are damaged.

2. No current or uncured violations of zoning, land use, building code or certificate of occupancy requirements are reported or pending against the Property.

3. No applications for zoning or land use approval, or variances with any building codes, currently are pending.

4. The proposed description and corresponding access and parking easements are not in violation of zoning, land use, building code or certificate of occupancy requirements. ?

4. There are no current permit violations on the Property.

5. There are no current environmental problems concerning the Property.

6. The property is accessed by _____.

7. Please select, as applicable:

Copy(ies) of the certificate(s) of occupancy for the Property is/are attached.

Copy(ies) of the certificate(s) of occupancy for this Property is/are unavailable due to municipal recordkeeping, but our records indicated that the required certificate(s) of occupancy was/were issued for the Property.

Certificate(s) of occupancy are not required for the Property.

8. Exceptions to the foregoing statements are attached: Yes No .

Sincerely

[Name]


Code Enforcement Officer

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City](#) [Home](#) [Departments](#) [City Council](#) [E-Services](#) [Calendar](#) [Jobs](#)

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:

<hr/> <p>Services</p> <p>Applications</p> <p>Doing Business</p> <p>Maps</p> <p>Tax Relief</p> <p>Tax Roll</p> <p>Q & A</p> <hr/> <p>browse city services a-z</p> <hr/> <p>browse facts and links a-z</p> <hr/>  <p>Best viewed at 800x600, with Internet Explorer</p>	<p>CBL 316 B006001</p> <p>Land Use Type RETAIL & PERSONAL SERVICE Verify legal use with Inspections Division</p> <p>Property Location 260 RIVERSIDE ST</p> <p>Owner Information KOLLER DONALD C TRUSTEE 260 RIVERSIDE ST PORTLAND ME 04103</p> <p>Book and Page 22328/028</p> <p>Legal Description 316-B-6 RIVERSIDE ST 256-258</p> <p>Acres 14611 SF 0.3354</p>
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Current Assessed Valuation:

TAX ACCT NO.	34490	OWNER OF RECORD AS OF APRIL 2014
LAND VALUE	\$160,000.00	KOLLER DONALD C TRUSTEE
BUILDING VALUE	\$536,400.00	260 RIVERSIDE ST
NET TAXABLE - REAL ESTATE	\$696,400.00	PORTLAND ME 04103
TAX AMOUNT	\$13,928.00	

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

Building Information:

Building 1

Year Built	1997
Style/Structure Type	AUTO SERVICE
# Units	1
Bullding Num/Name	1 - JIFFY LUBE
Square Feet	5514

[View Sketch](#) [View Map](#) [View Picture](#)

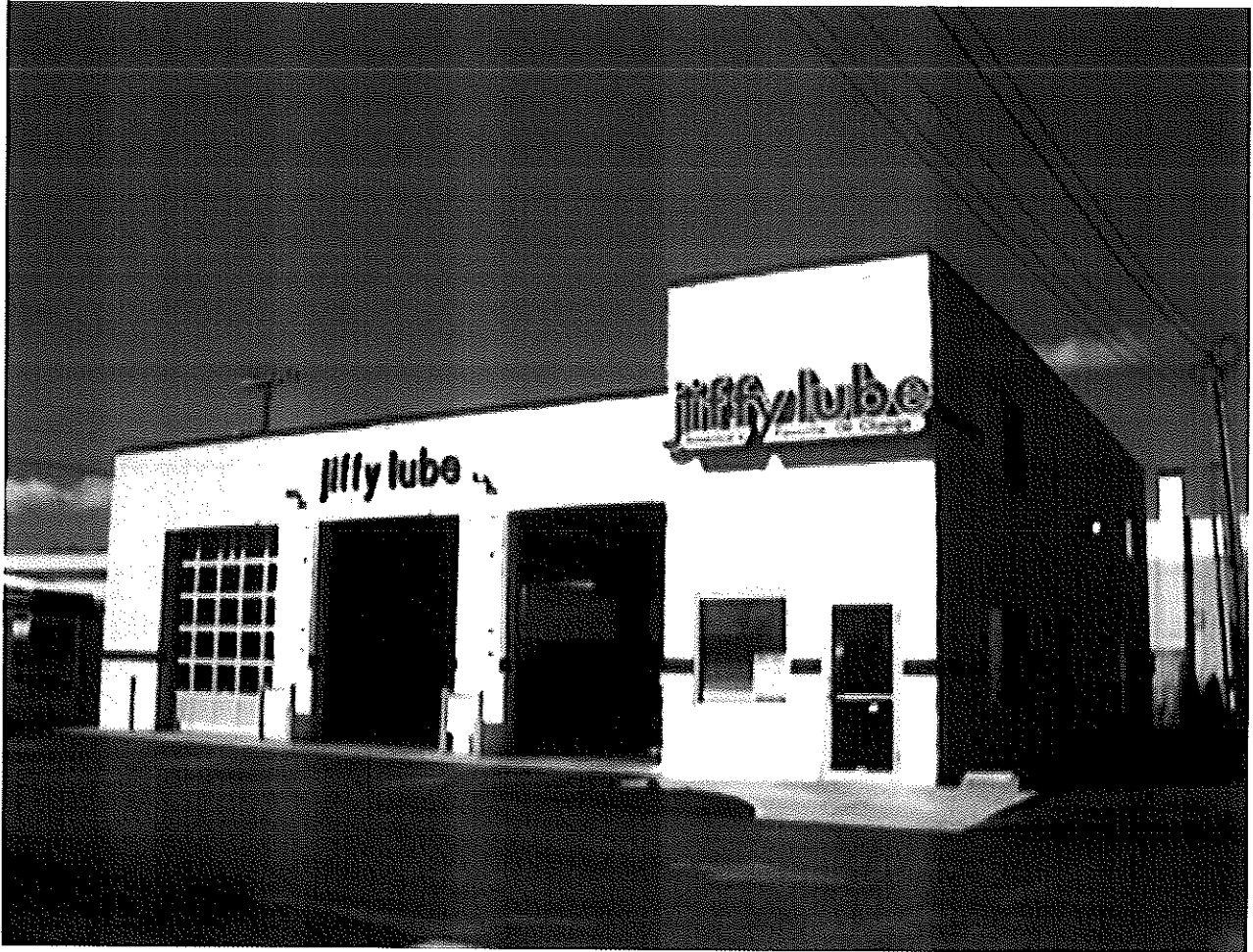
Exterior/Interior Information:

Building 1

Levels	B1/B1
Size	2397
Use	SUPPORT AREA
Height	8
Walls	CONC. BLOCK
Heating	UNIT HEAT
A/C	NONE

Building 1

Levels	01/01
Size	2397
Use	SERVICE STATION W/ BAYS
Height	16
Walls	CONC. BLOCK
Heating	UNIT HEAT



CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-1992	Applicant: KOLLER DONALD C TRUSTEE
Project Name: 260 RIVERSIDE ST	Location: 260 RIVERSIDE ST
CBL: 316 B006001	Application Type: Determination Letter
Invoice Date: 07/23/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>
Total Current Fees:	+	\$150.00
Total Current Payments:	-	\$150.00
Amount Due Now:		\$0.00

CBL 316 B006001
Bill To: KOLLER DONALD C TRUSTEE
 260 RIVERSIDE ST
 PORTLAND, ME 04103

Application No: 0000-1992
Invoice Date: 07/23/2014
Invoice No: 45903
Total Amt Due: \$0.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)