



Conditional Use Application Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Conditional Use Review. General information pertaining to the thresholds of review for site plans, public noticing procedures and the fee structure is contained in site plan applications and within the Developer's Packet.

(Please submit the Conditional Use Application in addition to an applicable site plan application.)

PROJECT NAME: 1884 FOREST AVENUE

CHART/BLOCK/LOT: 327 8003 001

RIGHT, TITLE OR INTEREST: (Please identify the status of the applicant's right, title, or interest in the subject property.)

PROPERTY OWNER

(Please provide documentary evidence, attached to this application, of the applicant's right, title, or interest in the property. For Example – a deed, option or contract to purchase or least the subject property.)

(SEE SITE PLAN APPLICATION)

VICINITY MAP: (Please attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use.)

(SEE SITE PLAN SHEET (2 OF 7) FOR ABUTTERS INFORMATION AND ATTACHED ZONING MAP)

EXISTING USE: Describe the existing use of the subject property.

VACANT LAND

TYPE OF CONDITIONAL USE PROPOSED:

Drive Through COFFEE/FOOD SERVICE AND
Drive Through BANK TELLER

SITE PLAN: Provide a site plan of the property, showing existing and proposed improvements, which meets the submission requirements of the applicable level of site plan review.

(SEE SITE PLAN APPLICATION)

CONDITIONAL USE AUTHORIZED BY: SECTION 14- 193 (a)(6)

Address any specific conditional use standards for the specific use contained in the zoning code in the written submission.

STANDARDS – CRITERIA FOR CONDITIONAL USE APPEAL – Section 14-474

Address the following criteria in your written application and any applicable conditional use standards contained in the zoning code for the specific use.

Upon showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding areas;
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

CONTACT INFORMATION:

	<p>Applicant's Contact for electronic plans Name: <i>RYAN SENATORE, TFH Architects</i> e-mail: <i>rjs@tfharchitects.com</i> work #: <i>207-775-6141</i></p>
<p>Applicant – must be owner, Lessee or Buyer Name: <i>JOHN AND PHUONG CHAU</i> Business Name, if applicable: Address: <i>75 ARCADIA STREET</i> City/State: <i>PORTLAND, ME</i> Zip Code: <i>04103</i></p>	<p>Applicant Contact Information Work # Home# Cell # <i>207-650-6294</i> Fax# <i>207 775 1024</i> e-mail: <i>chausf@maine.rr.com</i></p>
<p>Owner – (if different from Applicant) Name: Address: City/State : Zip Code:</p>	<p>Owner Contact Information Work # Home# Cell # Fax# e-mail:</p>
<p>Billing Information Name: Address: City/State : Zip Code:</p>	<p>Billing Information Work # Cell # Fax# e-mail:</p>

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

<p>Conditional Use <input checked="" type="checkbox"/> Conditional Use \$100</p> <hr/> <p>The City invoices separately for the following:</p> <ul style="list-style-type: none">• Notices (\$.75 each)• Legal Ad (% of total Ad)• Planning Review (\$40.00 hour)• Legal Review (\$75.00 hour) <p>Third party review is assessed separately.</p>	
<p>Site Plan Application Please submit a separate application for the applicable site plan review. Fees and charges are listed within the site plan application</p>	<p>Site Plan Application submitted and Fees Paid (office use) _____</p>

APPLICATION SUBMISSION

All site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.


The application for a conditional use review must contain the following items:

- a. Conditional Use Application form that is completed and signed.
- b. Cover letter stating the nature of the project.
- c. Evidence of right, title and interest.
- d. Written Submittals that address the conditional use standards of Section 14-474 and any applicable standards of review contained in the zoning code for the specific use.
- e. One set of the paper plans and maps based upon the boundary survey at a scale not less than one (1) inch to fifty (50) feet and containing the information required for the applicable level of site plan review. The plan requirements and submission requirements are listed in the Site Plan Ordinance (Section 14 -527) of the Land Use Code. Refer to the application checklist for a detailed list of submittal requirements.
- f. One set of the plans at 11X17.
- g. The conditional use application fee and all other applicable fees as determined on the site plan application.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521) and the Conditional Use Standards (Section 14-474). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

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

This application is for a Conditional Use review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 3.2.2012
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The Portland Land Use Code (including Article V), the Technical Manual, and the Design Manual are available on the City's web site at <http://www.portlandmaine.gov/planning/default.asp> or copies may be purchased at the Planning Division Office.

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8721 or 874-8719

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.