Form # P 04

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BU

Please Read Application And Notes, If Any, Attached

TION

Permit Number: 081225

or common accepting this permit shall comply with all e and of the complete scenarios of the City of Portland regulating

This is to certify that	Van Reeo Inc./Sign Design Inc					
has permission to	"Donatelli's Variety" - Replac	cisting si	w/New	" x 72"		
AT 1223 WASHINGT	ON AVE			—	408 B023001	

provided that the person or persons, fi of the provisions of the Statutes of Ma the construction, maintenance and use this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Not ation o spectid nust b nd writt permissi brocure give befo this bui hereof is lath or oth sed-in. 2 NOTICE IS REQUIRED. HOI

f buildings and stru

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

res, and of the application on file in

OTHER REQUIRED APPROVALS	
Fire Dept	
Health Dept.	

Other _____ Department Name

Appeal Board



Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Buil	ding or Use	Permi	it Applicatio	n Per	rmit No:	Issue Date	:	CBL:		
389 Congress Street, 04101 Tel: (1	08-1225			408 B0	23001	
Location of Construction:	Owner Name:			Owne	r Address:			Phone:		
1223 WASHINGTON AVE Van Reeo Inc.				1223 Washington Avenue				797-2	Suf.	
Business Name: Contractor Name:				Contractor Address:				Phone		
Donatelli's Variety Sign Design In			c PO Box 207 Westbrook			stbrook	2078562600			
Lessee/Buyer's Name	Phone:			Permit Type:					Zone:	
Angelo Romelicks	207-856-2600			Signs - Permanent					R-3	
Past Use:				Permit Fee: Cost of Work:		k:	CEO District:			
Commercial - Variety/ Sandwich	"Donatelli's V	ariety" - Replace		}			2.00	4		
1			w/New 72" x 72" sign				INSPE	SPECTION:		
				ļ	Approved		Use Gi	Jse Group: Type:		
				}	L	Denied				
				ì			ļ			
Proposed Project Description:	<u> </u>			1			ł			
"Donatelli's Variety" - Replace exist	ing sign w/New	72" x 7:	2" sign	Signa	ture:		Signati	ıre:		
			S		STRIAN ACT	IVITIES DIST				
				Actio	n: Appro	ved 🗀 Apı	oroved w	/Conditions	Denied	
				Signa		··· [_]		Date:		
	P 15			Sigila				Date.	 -	
	pplied For: 0/2008				Zoning	g Approva	al			
L		Sn/	noial Zana ay Davi		Zoni	ng Appeal		Historic Pres	ervation	
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.		Special Zone or Reviews Shoreland		Variance			Not in District or Landmark			
2. Building permits do not include plumbing,		_ w	Wetland Miscellaneous		Does Not Require Review					
septic or electrical work. 3. Building permits are void if work is not started		☐ Flood Zcre		Conditional process			Requires Review			
within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work			☐ Subdivision		Interpretation			Approved		
•		s	ite Plan		Approv	red		Approved w	Conditions	
			Maj Minor MM		Denied			Denied		
		Date:			Date:) [Date:		
I hereby certify that I am the owner of I have been authorized by the owner to jurisdiction. In addition, if a permit for shall have the authority to enter all and	o make this applor work describe	amed production and the contraction and the contraction are contracted in the contraction and the contraction are contracted in the contracted in th	as his authorize e application is	the pro ed ager issued,	nt and I agree I certify that	to conform t the code of	to all a ficial's	applicable laws authorized rep	of this resentative	
such permit.										
SIGNATURE OF APPLICANT			ADDRE	SS		DATI	Ξ	PHO	ONE	

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE

PHONE

DATE

City of Portland, Maine - Buil	ding or Use Permi	Permit No:	Date Applied For:	CBL:				
389 Congress Street, 04101 Tel: (2	207) 874-8703, Fax: ((207) 874-87	16 08-1225	09/30/2008	408 B023001			
Location of Construction:	Owner Name:	Owner Address:	Owner Address: Phone:					
1223 WASHINGTON AVE	Van Reeo Inc.		1223 Washington	1223 Washington Avenue				
Business Name:	Contractor Name:		Contractor Address:	Contractor Address:				
Donatelli's Variety	Sign Design Inc		PO Box 207 West	PO Box 207 Westbrook				
Lessee/Buyer's Name	Phone:		Permit Type:					
	207-856-2600		Signs - Permanen	Signs - Permanent				
Proposed Use:		Prop	osed Project Description	 :				
Dept: Zoning Status: Denied Reviewer: Ann Machado Approval Date:								
Note: Have to deny permit. See letter dated 10/03/2008. Owner plans to appeal. Ok to Issue:								
Dept: Building Status: Po	ending	Review	er:	Approval I	Date: Ok to Issue:			

Permit No:

Date Applied For:

CBL:

Comments:

10/2/2008-amachado: Spoke to Angelo Roumeliotis, the new owner of Donatelli's. I told him that I needed right, title & interest. I also told him that I had to deny his application because the store is a a legally nonconforming use, and the sign is accessory to that nonconforming use and can't be expanded or changed. I told him that I would send him a letter telling him that he could appeal my decision to the planning authority.

10/2/2008-amachado: Received purchase & sales agreement for right, title & interest

6/16/2009-amachado: Angelo Roumeliotis never appealed to planning. The denial letter was written 10/3/08. It has been over 6 months and I have not heard anything. Permit is expired.

DENIED

Signage/Awning Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction:	1223 Washington the	- Portland, ME.
Tax Assessor's Chart, Block & Lot Chart# Block# Lo 408 B 23-	Owner: YAN Reo Inc. Angelo and Bessie Ram Contractor name, address & telephone:	Telephone: 207 - 797 -2508
Lessee/Buyer's Name (If Applicable)	Contractor name, address & telephone: Sign Design Inc. 306 Warren. Are Portland, ME	Total s.f. of signage x \$2.00 Per s.f. plus \$30.00/\$65.00 For H.D. signage= Total Fee: \$ Awning Fee= cost of work Total Fee: \$
Tenant/allocated building space fro Lot Frontage (feet) /03' /03' Current Specific use: Variable If vacant, what was prior use:	phone: Intage (feet): Length: Height Single Tenant or Multi Tenant Lot Yes No Liment on proposed: Yes No Liment on proposed: Yes No Lis twning packet? Yes No ength of war 1g: Depth: etern the proposed on it? Yes No incations, message, trademark or symbol: phone: phon	Single L × 6 L × 6 Height from grade: 76 s.f.
Sketches and/or pictures of propose Please submit all of the inform	owing exactly where existing and new signage ed signage and existing building are also requiration outlined in the Sign/Awning Apthe automatic denial of your permit.	red.
In order to be sure the City fully unders	stands the full scope of the project, the Planning ar ance of a permit. For further information visit us o	
authorized by the owner to make this applic a permit for work described in this application	ord of the named property, or that the owner of record a ation as his/her authorized agent. I agree to conform to on is issued, I certify that the Code Official's authorized ale hour to enforce the provisions of the codes applicable	o all applicable laws of this jurisdiction. In addition, representative shall have the authority to enter all



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

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

October 3, 2008

Angelo Roumeliotis 1223 Washington Avenue Portland, ME 04103

RE: 1223 Washington Avenue – 408 B023 – R-3 – denial of sign application – permit #08-1225

Dear Mr. Roumeliotis,

I have reviewed your application to change the free standing sign at 1223 Washington Avenue, and I must deny the application. The property is located in the R-3 residential zone. The principal use of the property is retail. This use of the property for retail is legally nonconforming. The sign is considered an accessory use and also nonconforming. Section 14-383 of the ordinance does not allow a nonconforming use to be expanded. The proposed sign area is 72" by 72" or six feet by six feet. The proposed height of the sign from grade to the top of the sign is 168" (fourteen feet). Part of the proposed sign is to be a full color electronic message center. Our records show that the last sign permit (#618) for a free standing sign for this property was issued in June of 1964, and was authorized conditionally by the Board of Appeals. The size of the sign was four feet by four feet, and it was internally illuminated. It was replacing a sign that had been permitted in 1963 also conditionally authorized by the Board of Appeals. The height of the sign conditionally authorized in 1963 was not to exceed ten feet in height. Since this is the most recent permit that we have for a free standing sign at the property, the new sign must meet the four feet by four feet area, the maximum height of ten feet and be internally illuminated. Your proposed sign is too big and the electronic full color message board would also make it more nonconforming.

You have the right to appeal my decision. Section 14–368.5(g) of the ordinance states that an applicant who has been denied a permit or approval for failure to meet the signage regulations of section 14–369.5 "may apply to the planning authority for review of the denied signage pursuant to the standards set forth in section 14-526(a)(23)". The person in the planning division to address your appeal to is Deb Andrews. If the planning authority disapproves the application, then under section 14–527 of the ordinance you may appeal the decision to the Planning Board within ten (10) days of the decision being rendered.

From:

Ann Machado

To:

Deb Andrews

Date:

10/3/2008 10:21:03 AM

Subject:

Possible sign appeal

Deb -

Just giving you a heads up that you might get a sign appeal under section 14-368.5(g). The applicant is Angelo Roumeliotis. It is Donatell's Variety at 1223 Washington Avenue. I told him yesterday that the sign was denied. It is a legally non-conforming use that they want to expand. I sent him a letter today telling him to appeal to you if he wants. If he does appeal, I have the information that he submitted.

Ann

12/101 Sort aremail to Dub ailing he if Agels hard of applied agreement to her for the 5:50

Ann Machado - 1223 Washington Avenue

From:

Ann Machado

To:

Deb Andrews

Date:

12/5/2008 10:51 AM

Subject: 1223 Washington Avenue

Deb -

Angelo Roumeliotis applied (#08-1225) to replace the existing freestanding sign at Donatelli's Market at 1223 Washington Avenue. The use is legally nonforming. They eant a bigger freestanding sign. I denied the permit on 10/3/08 & sent him a letter. I told him that he could appeal to you. I was wondering if he has contacted you?

Thanks, Ann

From:

Deb Andrews

To:

Ann Machado

Date:

5/28/2009 11:22:27 AM

Subject:

Re: 1223 Washington Ave.

No, to my knowledge he never contacted me.

>>> Ann Machado 5/28/2009 9:29:27 AM >>>

Deb -

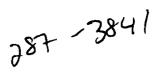
I'm just going through my hold basket. I have a permit to change the sign at Donatelli's Market (1223 Washington Ave.). They want a bigger freestanding sign with an elctronic message center. The use and the existing sign are legally nonconforming because it is an R-3 zone.

I denied his application (10/3/08) but told him he could appeal to planning. I was just wondering if he ever contacted you?

If you could let me know that would be great because I would like to close this permit out.

Thanks, Ann





CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

RECEIVED from Van Reeo Inc., (hereinafter called "Purchaser"), this April 9th, 2008, the sum of Five Thousand Dollars (\$5,000.00) as earnest money deposit toward purchase of real estate located at 1223 Washington Avenue in the City of Portland, County of Cumberland, State of Maine, described as follows:

A 1,122 ± SF commercial building located at 1223 Washington Avenue, Portland, Maine, also known as "Donatelli's Variety" and being more fully described at said County's Registry of Deeds in Book 24099, Page 131, upon the terms and conditions indicated below.

- 1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable) All equipment and business associated items currently existing at the Property as of the effective date of this Contract, (a complete list of equipment is attached hereto as "Exhibit A"), and the name "Donatelli's".
 - 2. PURCHASE PRICE: The total Purchase Price is Two Hundred and Eighty Six Thousand Two Hundred and Fifty Dollars (\$286,250.00) payment to be made as follows:

Earnest money deposit received on this date: 4/24/08

\$5,000.00

Balance due at closing, in cash or certified funds:

\$281,250.00

- 3. EARNEST MONEY/ACCEPTANCE: NAI The Dunham Group ("Escrow Agent") shall hold the earnest money in a non-interest bearing account and act as escrow agent until closing; this offer shall be valid until Monday April 14, 2008, at 5p.m. In the event of Seller's non-acceptance of this offer, the earnest money shall be returned promptly to Purchaser.
- 4. TITLE: That a deed, conveying the Property in fee simple with good and marketable title in accordance with Standards of Title adopted by the Maine Bar Association shall be delivered to Purchaser and this transaction shall be closed and Purchaser shall pay the Purchase Price as provided herein and execute all necessary papers for the completion of the purchase on or before **June 1, 2008**. If Seller is unable to convey title to the premises in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed thirty (30) days from the time Seller receives written notice of the defect, unless otherwise agreed to by both parties, to remedy the title, after which time, if such defect is not corrected so that there is marketable title, Purchaser may within fifteen (15) days thereafter, at Purchaser's option, withdraw said earnest money and neither party shall have any further obligation hereunder. Seller hereby agrees to make a good-faith effort to cure any title defect during such period.
- 5. DEED: That the property shall be conveyed by a Quit Claim Deed w/ Covenat, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record and usual public utilities servicing the premises and shall be subject to applicable land use and building laws and regulations.
- 6. POSSESSION/OCCUPANCY: Possession/occupancy of premises shall be given to Purchaser immediately at closing unless otherwise agreed by both parties in writing.

Page 1 of 5

Purchaser's Initials:

Seller's Initials:

Page 4 of 5

NAI The Dunham Group

Escrow Agent

Purchaser's Initials:

Seller's Initial

Michael McCullum / Member
Name/Title, there unto duly authorized

Katherine Allen / Associate Broker

AAA Ann.

www scantondf eu

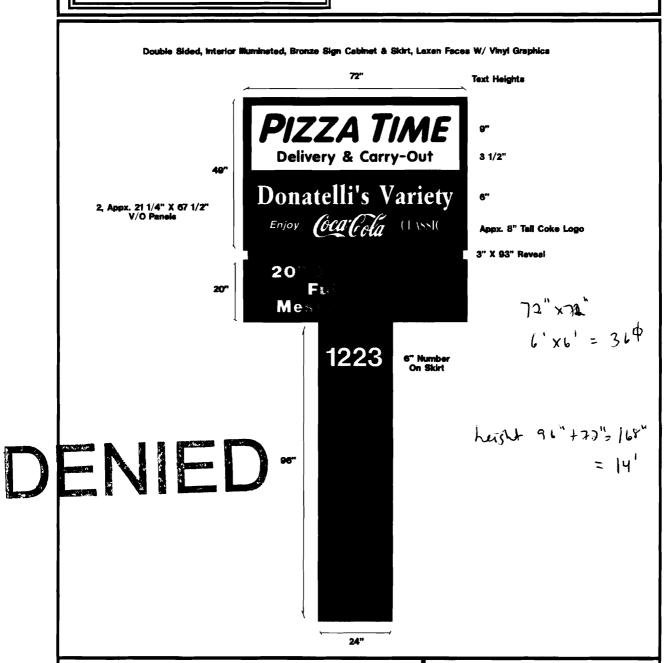
Name/Title

This Design Is The Property Of

Sign Design Inc.

306 Warren Ave. Portland, ME

Phone: 207-856-2600 Fax: 207-856-7600



This proof may reflect color shifts due to the color conversion from ink to paint and o vinyl. Also, PMS colors will be approximated to the best of our ability.

Customer supplied artwork files (300 dpl required) will be used as is, and Sign Design inc. is not responsible for any faults in the design.

Any black outlines appearing on this proof are for representation only. They are to distinguish sign components such as borders, retainers, faces and reveals. Unless otherwise specified, they are not considered as part of the sign graphics.

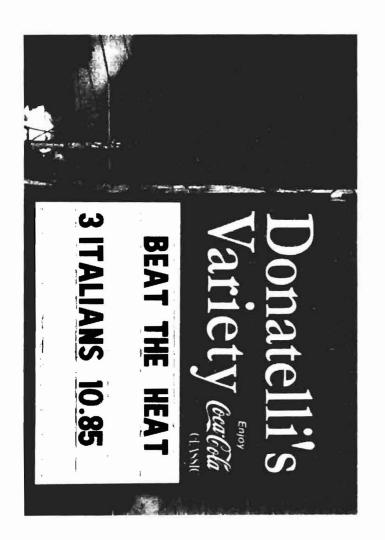
Customer approval is a signed confirmation that dimensions, colors, spelling, graphics and all other job specifics are correct.

Client: Donatellis

File: donatellis 2 comp. 2

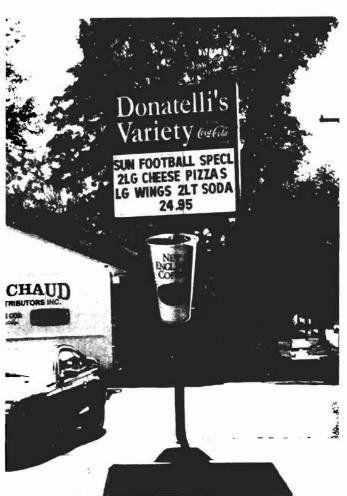
Date: 9-10-08

Approvai:











Clark Associates Insurance

2385 Congress Street PO Box 3543 Portland, ME 04104

(207) 774-6257

(800) 244-6257 (Toll Free in Maine)

FAX MEMORANDUM

Date: September 30, 2008

To: Lennie

Company: City of Portland

Fax: 874-8716

From: Justin L Roy Re: Donatelli's

Pages (including this one):

(207) 774-2994 Fax

ACORD CERTIFICATE OF LIABILIT	Y INSURANCE		PATE (MM/DD/YYYY) 9/30/2008			
PRODUCER (207) 774-6257 FAX: (207) 774-2994	THIS CERTIFICATE IS ISSU		OF INFORMATION			
Clark Associates	ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR					
2385 Congress Street	ALTER THE COVERAGE AF	FORDED BY THE POL	ICIES BELOW,			
P O Box 3543						
Portland ME 04104	INSURERS AFFORDING COVE	RAGE NA	IC#			
INSURED	INSURER A: Peerless Ins C	Сомрану				
Van Reeo Inc., DBA: Dimitris and Pizza Time	INSURER 8:					
	INSURER C:	·	<u> </u>			
105 US Route 1	INSURER D:					
Scarborough ME 04074	INSURER E:					
COVERAGES THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSUR REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJE AGGRECATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.	WITH RESPECT TO WHICH THIS C	ERTIFICATE MAY BE ISSU	JED OR MAY PERTAIN,			
INSR ADD'L LTR INSRD TYPE OF INSURANCE POLICY NUMBER	DATE (MM/DD/YY) DATE (MM/DD/YY)	LIMI	TS			
GENERAL LIABILITY		DAMAGE TO DENTED	\$ 1,000,000			
X COMMERCIAL GENERAL LIABILITY		DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000			
A CLAIMS MADE X OCCUR CBP8451390	6/24/2008 6/24/2009	MFD EXP (Any one person)	s 5,000			
-] }	PERSONAL & ADV INJURY	\$ 1,000,000			
]	GENERAL AGGREGATE	3 2,000,000			
CEN'L ACCHEGATE LIMIT APPLIES PER: X POLICY PRO JECT LOC		PRODUCTS - COMP/OP AGG	\$ 2,000,000			
AUTOMOBILE LIABILITY		COMBINED SINGLE LIMIT (Ea accident)	2			
ALL OWNED AUTOS		BODILY INJURY				
SCHEDULED AUTOS HIRED AUTOS		(Per person) BODILY INJURY				
NON-OWNED AUTOS		(Per accident)	\$			
		PROPERTY DAMAGE (Per accident)	\$			
GARAGE LIABILITY		AUTO ONLY - EA ACCIDENT	\$			
ANY AUTO		OTHER THAN FA ACC AUTO ONLY: ACC				
EXCESS/UMBRELLA LIABILITY		EACH OCCURRENCE	5			
OCCUR CLAIMS MADE		AGGREGATE	\$			
			<u>s</u>			
DEDUCTIBLE	}		3			
RETENTION \$		WC SIAIU OIH	3			
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	l i					
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?		E.L. EACH ACCIDENT	S			
ff yos, doscribe under SPECIAL PROVISIONS below		E.L. DISEASE - EA EMPLOYE E.L. DISEASE - POLICY HMIT				
OTHER		BINEWSE - EMPLY I IMILI				
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ The City of Portland is an additional insured with respect contract.		ns and if required	d by written			
			ļ			
RE: Donatelli's 1223 Washington Ave, Portland, ME			į			
						
CERTIFICATE HOLDER	CANCELLATION					
(207) 874-8716	SHOULD ANY OF THE ABOVE DES					
City of Portland 389 Congress Street	EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL					
Fortland, ME 04101	10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT					
	FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE					
	INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE					
	Lee Ramsdell/BRSC	Jen Ca	madel			

