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Greg Mitchell - Acting Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator

January 20, 2012

Denise Townsend
Zoning Research
First American
Commercial Due Diligence Services
1700 S. Broadway, Building E
Moore, OK 73160

RE: Bayside Village – 132 Marginal Way – 422-A-1 (the “Property”) – B-7

Dear Ms. Townsend,

I am in receipt of your request for a determination letter concerning the Property. The current zoning for the Property is a B-7 Mixed Development District Zone. The permitted use of the Property is retail/personal services along the first floor front street line with a lodging house for a total of 100 lodging units with 4 beds each unit and accessory parking. Please note that lodging units are a separate and distinct use from residential *dwelling* units. The approved uses for retail, personal services and lodging are permitted uses by right as listed in the B-7 zone. The parking garage was an approved conditional use by the Planning Board.

The adjacent properties are all in the B-7 zone. A copy of the zoning map showing the Property and adjacent properties is enclosed.

To the best of my knowledge the Property is legally conforming to the City’s Land Use Zoning Ordinance and therefore complies with, or is otherwise exempt from, applicable zoning regulations, including parking. On November 20, 2006, The Planning Board approved the Conditional Use for the parking garage as allowed in the Land Use Zoning Ordinance. Subsequently, on August 3, 2007, Jeanie Bourke, the City’s Inspections Division Director, approved a waiver request in regards to the International Building Code (IBC) to utilize the IBC 2006 for seismic design on the Property. A copy of these letters are enclosed.

In the event of casualty, in whole or in part, the structure located on the subject property may be rebuilt in its current form (i.e. no loss of square footage, same footprint) if it is rebuilt within 1 year of the event as allowed under section 14-385. A copy of section 14-385 is enclosed.

I am not aware of any outstanding / open zoning or building code violations that apply to the Property.

A valid Certificate of Occupancy has been issued for the Property and is attached.

This information was researched on January 18th and 19th, 2012 by the undersigned, per request. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon, or relates to the information supplied by the requestor. The Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

By: _____

Printed Name: Marge Schmuckal

Title: Zoning Administrator

Department: Planning & Urban Dev.

Phone: (207) 874-8695