

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK  
**CITY OF PORTLAND**

Please Read Application And Notes, If Any, Attached

**BUILDING INSPECTION PERMIT**

Permit Number: 080566

This is to certify that MCADAM THOMAS J./John Seavey

has permission to Alterations and repairs to upper and lower decks

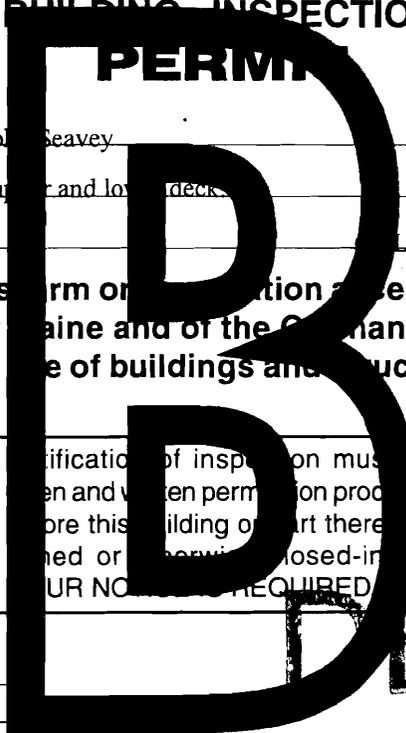
AT 87 WALNUT ST L 012 G019001

provided that the person or persons whom or whomsoever accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

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

Notification of inspection must be given and written permission procured before this building or part thereof is opened or otherwise closed-in. 4  
YOUR NOTICE REQUIRED

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



**DENIED**

**OTHER REQUIRED APPROVALS**

Fire Dept. \_\_\_\_\_

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0566	Issue Date:	CBL: 012 G019001
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Location of Construction: 87 WALNUT ST	Owner Name: MCADAM THOMAS J	Owner Address: 92 EXCHANGE ST	Phone: 207-615-1585
Business Name:	Contractor Name: John Seavey	Contractor Address: 87 Walnut Street Portland	Phone 2076151585
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	Zone: R-6

Past Use: Single Family Home	Proposed Use: Single Family Home - Alterations and repairs to upper and lower deck.	Permit Fee: \$30.00	Cost of Work: \$800.00	CEO District: 1
Proposed Project Description: Alterations and repairs to upper and lower deck.		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:		Signature:
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: Date:				

Permit Taken By: Imd	Date Applied For: 05/23/2008	<b>Zoning Approval</b>
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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..</li> </ol>	<b>Special Zone or Reviews</b> <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"/> MM <input type="checkbox"/> Date:	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	<b>Historic Preservation</b> <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied ABM Date:
	DENIED		

**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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0566	Date Applied For: 05/23/2008	CBL: 012 G019001
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Location of Construction: 87 WALNUT ST	Owner Name: MCADAM THOMAS J	Owner Address: 92 EXCHANGE ST	Phone: 207-615-1585
Business Name:	Contractor Name: John Seavey	Contractor Address: 87 Walnut Street Portland	Phone: (207) 615-1585
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	

Proposed Use: Single Family Home - Rebuild two story rear deck	Proposed Project Description: rebuild two stroy rear deck
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Dept: Zoning	Status: Denied	Reviewer: Ann Machado	Approval Date:	Ok to Issue: <input type="checkbox"/>
Note: No permit in records for a two story rear deck. See letter dated 7/18/08.				
Dept: Building	Status: Pending	Reviewer:	Approval Date:	Ok to Issue: <input type="checkbox"/>
Note:				

<b>Comments:</b>
6/2/2008-amachado: Left message for Dottie Seavey. Are the 10' x 20' decks existing or new? Need a plot plan that shows the footprint of existing and proposed structure and the setbacks to the property lines.
6/2/2008-amachado: Spoke to Dottie. I told her that there was no record of a two story rear deck being built on the house. She said that she would submit a plot plan.
6/12/2008-amachado: Left message for Tom McAdam, owner. He left me avoicemail after talking with Jeanie. He is taking over the application for the decks.
6/16/2008-jmb: 6/9/08 Spoke with owner Tom M. And he said he did receive the SWO form Suzanne. Informed of the work still progressing and that they have applied for a permit, but there may be zoning restrictions. I explained that as owner he was responsible for activity on his property. He will meet with the tenants on site and get back to me..../jmb
6/12/08 Tom M. Called to inform that he met the tenants and told them to stop work. He felt that clearly the deck was expanded beyond the existing footprint and setback allowances. He will be the contact and follow up with zoning with a plot plan.../jmb
7/18/2008-amachado: See letter dated 7/18/08
7/28/2008-amachado: Spoke to Dottie Seavey. She said that she and Tom McAdam had decided to apply for a variance. I told her that we still needed a plot plan to complete our review. Once the plot plan was received I could finish my review. If the permit was denied then she could appeal it.
8/5/2008-amachado: Received plot plan from Dottie Seavey.
8/6/2008-amachado: Left voicemail for Dottie Seavey. Plot plan says that the deck is 20' x 8'. The plans say that the deck is 20' x 10'. I need to know which it is.
8/6/2008-amachado: Dottie left voicemail that the deck is 8' deep. I have denied permit & written letter (8/6/08). Doesn't meet rear or side setback or lot coverage.

Permit 08-1554 applied for 12/11/08 to "finish/renovate basement & remove deck." Issued 11/09/09.  
Closed 3/5/09.



# General Building 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: <u>87 Walnut St Portland Me</u>		
Total Square Footage of Proposed Structure/Area		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>12</u> Block# <u>9</u> Lot# <u>019</u>		Applicant *must be owner, Lessee or Buyer* Name <u>DOTTIE Seavey</u> Address <u>87 Walnut St</u> City, State & Zip <u>Portland</u>
Lessee/DBA (If Applicable) Name <u>TOM Mc ADAM + Dorell Seavey</u> Address _____ City, State & Zip _____		Telephone: <u>6151585</u> Cost Of Work: \$ _____ C of O Fee: \$ _____ Total Fee: \$ <u>800.00</u>
Current legal use (i.e. single family) <u>Single Family</u> If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>Repair - Redoing the top anchor Deck</u>		
Contractor's name: <u>JOHN Seavey</u> Address: <u>87 Walnut St</u> City, State & Zip <u>Portland Me</u> Telephone: <u>6151585</u> Who should we contact when the permit is ready: <u>DOTTIE</u> Telephone: <u>615-1585</u> Mailing address: <u>SAME</u>		

**DENIED**

MAY 23 2008

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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 Code Official'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.

Signature: Dottie Seavey Date: 5/22/08

This is not a permit; you may not commence ANY work until the permit is issue

See new plot plan rec'd 8/5/08



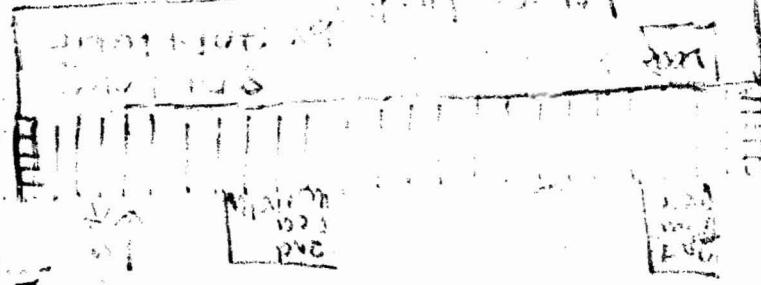
# DENIED

Property line

16 FT From Back of House to Rear

Side 8 FT

16 FT



3 FT  
Back  
RAILS  
SIDE WALK

YARD

ROSS

AUG 5 2000

SIDE WALK

← WALNUT STREET →

Applicant: Dottie Seavey

Date: 8/6/08

Address: 87 Walnut ~~1870~~

C-B-L: 12-6-019

perm. # 08-0566

CHECK-LIST AGAINST ZONING ORDINANCE

Date - house built 1890

Zone Location - R-1

# DENIED

Interior or corner lot

Proposed Use/Work - build 2 story rear deck - 8' x 20'

Sevage Disposal -

Lot Street Frontage -

Front Yard - 10' min. or average - N/A

Rear Yard - 20' min. - 8' given

Side Yard - 10' min. (2 sides) - 8' on left \* numbers not add up. 8 + 13 + 20 = 41' wide  
13' on right lot is only 30' wide @ rear  
& 35' wide @ front.

Projections -

Width of Lot -

Height -

Lot Area - 1921

Lot Coverage/Impervious Surface - 50% = 960.5

existing - 947 sq ft

decks - 160 sq ft

Area per Family - 1,000 sq ft

1107 sq ft over

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning/ Stream Protection -

Flood Plains -

HOUSE WALL

DOOR

20 FT

Bolted TO HOUSE • 2x8 •

TOP DECK

Bolts 16" on Center

Bottom Deck Bottom AS TOP Some

10 FT Side

Stringers 16" on Center

Side

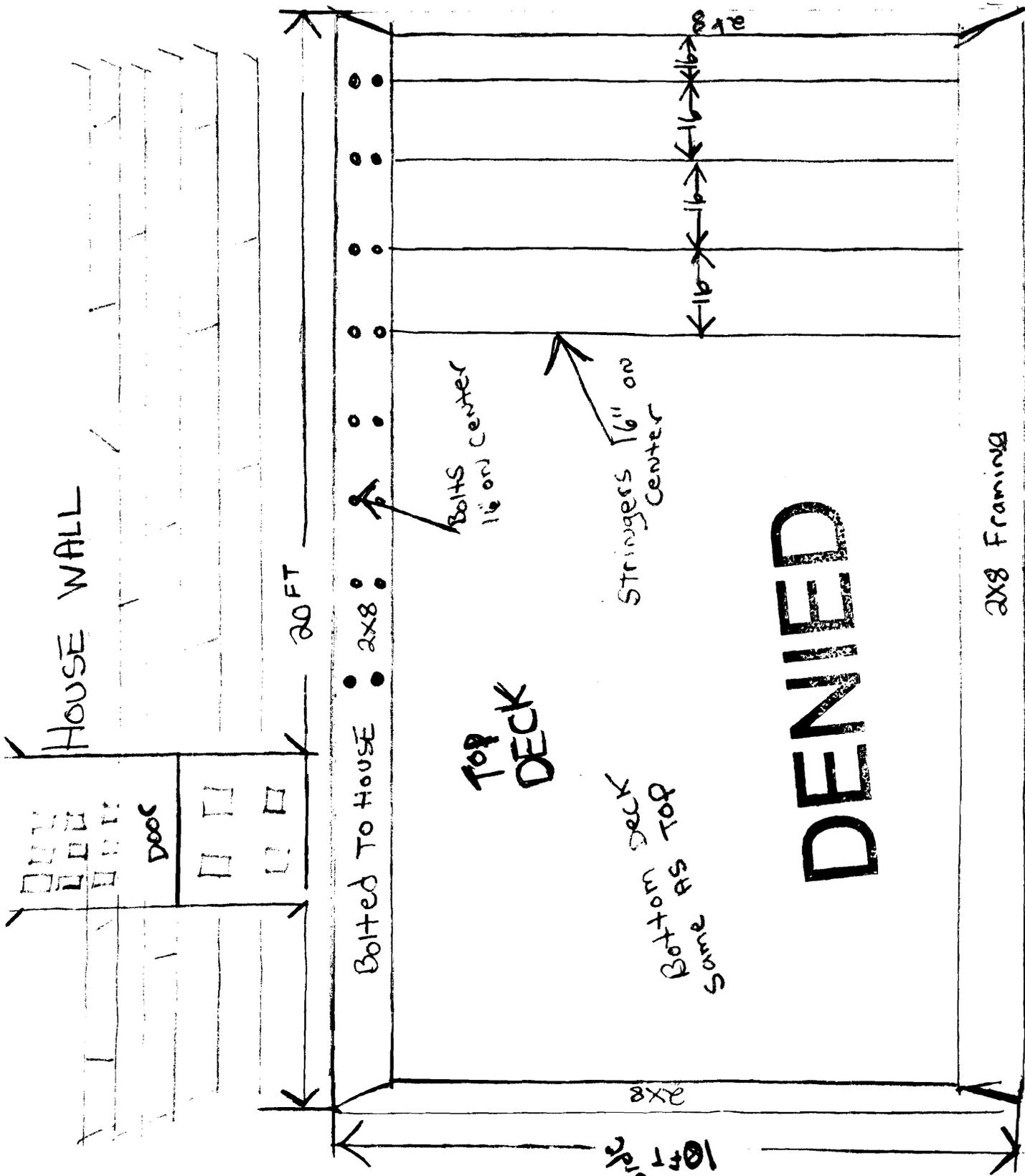
8 16

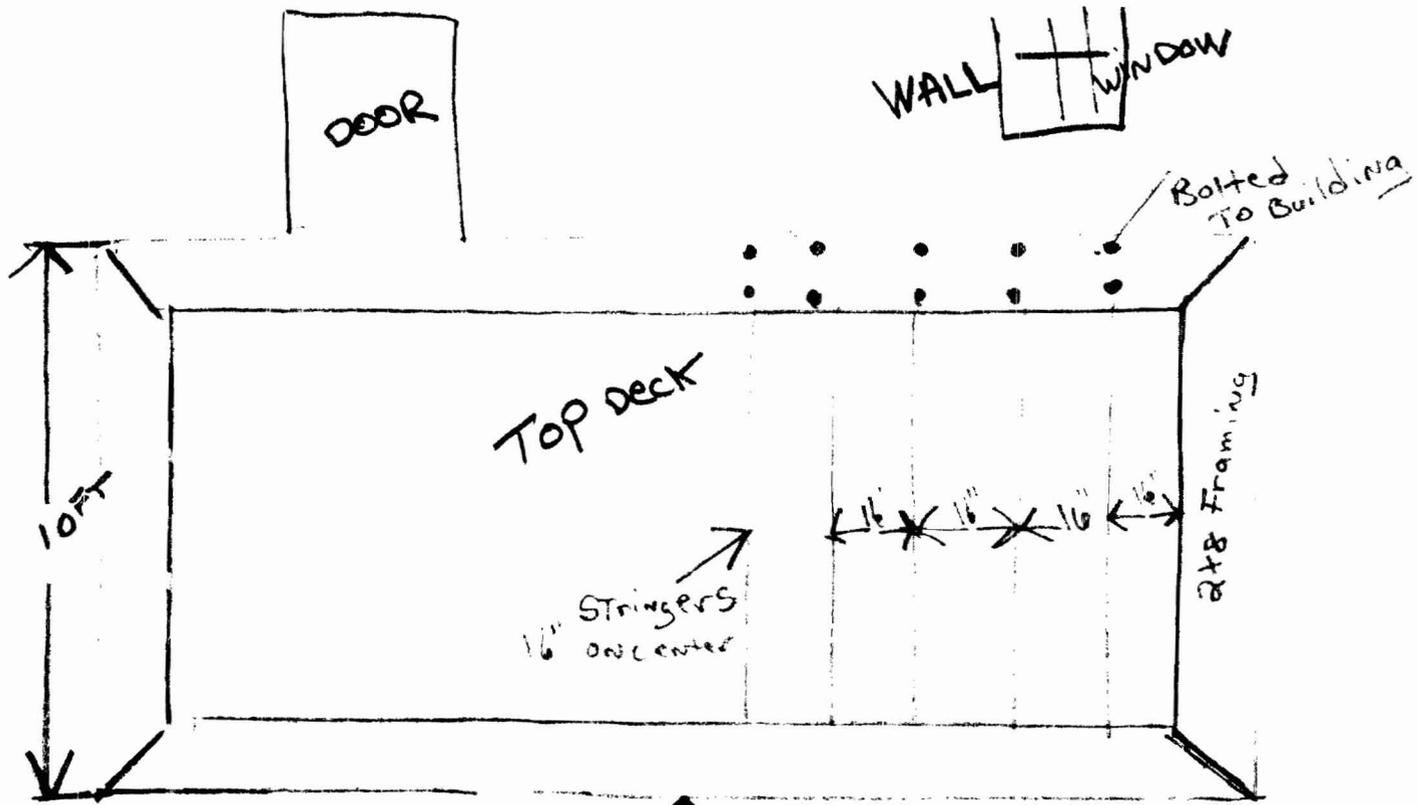
16 16 16 16

DENIED

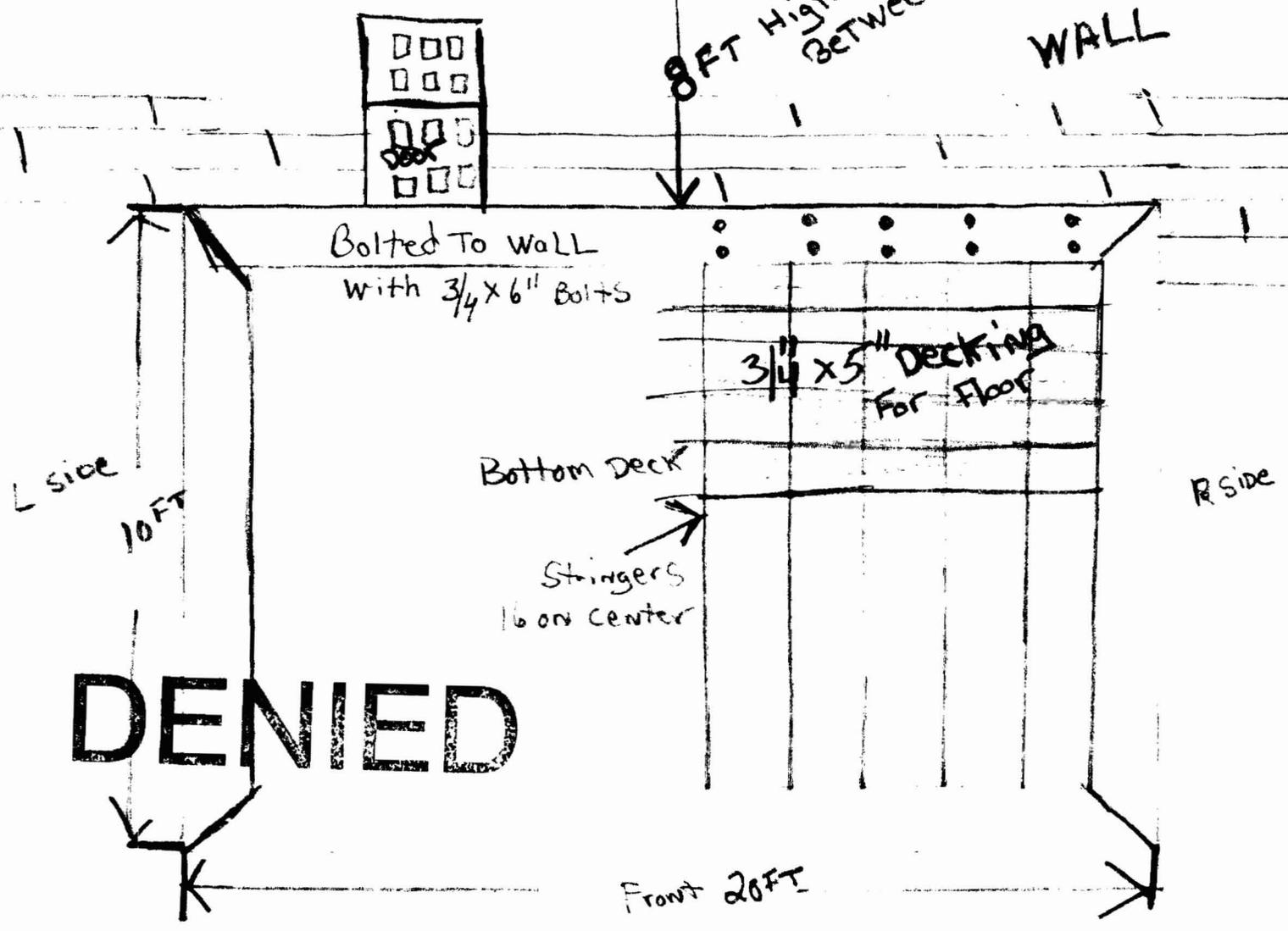
2x8 Framing

Front





8 FT High  
Between Floors



**DENIED**

Front 20FT



800<sup>00</sup>

3/4 x 6" LAG BOLTS LIST Materials

8" BRACKETTS  
2x8x10 P.T.

4x6x12 P.T.

3/4 Decking P.T.

DECK SCREWS

2x4x12 P.T.

2x4x8 P.T.

**DENIED**

2X6X10 P.T.

Framing Bolted - ~~to~~ ~~the~~ ~~ground~~

Decking  
3/4" X P.T.

3/4" Decking P.T.  
Flooring  
**DENIED**

EVERY THING 16 ON CENTER  
ALL POSTS 4 FT  
4X6 POST TO HOLD Framing UP  
EVERY 4 FT  
BOLT TO BUILDING WITH 3/4 BOLTS  
METAL BRACKETS HOLD Framing WORK  
OR STRINGERS

BRACKETS  
FOR STRINGERS

18 FT

3/4" BOLTS

3/4" 6"

3/4" BOLTS

16" 16" 16" 16" 16" 16"

10 FT

2X8 2X8 2X8 2X8 2X8 2X8

P.T. 2X8X10

4 FT

4 FT

3 1/4 FT

2 FT

P.T.

4 FT

4X6 P.T.

4 FT

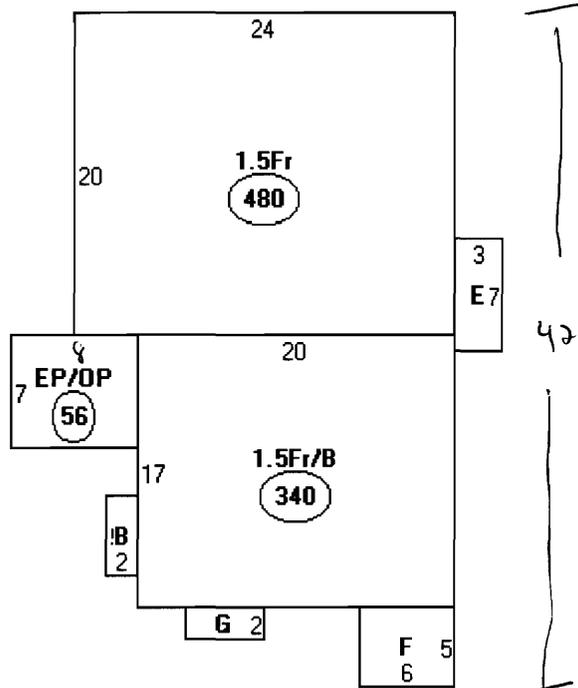
4X6 P.T.

TO HOLD UP  
DECK

I Tom McAdam, 5/22/08

Give John Seavey  
Permission to Do the Back  
Decks on the Back of the  
Single family home at 87  
Walnut St Portland Me  
IF you have any Questions  
Call me at - 207-831-8620  
Thomas McAdam

**DENIED**



Descriptor/Area

- A: 1.5Fr/B  
340 sqft
- B: FBAY  
10 sqft
- C: EP/OP  
56 sqft
- D: 1.5Fr  
480 sqft
- E: FBAY  
21 sqft
- F: EP  
30 sqft
- G: FBAY  
10 sqft

= 942

1                      31                      1





10 Am / Sept 22 - 2008  
87 Walnut - Sun Home



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*Lee Urban - Director of Planning and Development  
Jeanie Bourke - Inspections Division Director*

May 21, 2008

MCADAM THOMAS J  
92 EXCHANGE ST  
PORTLAND, ME 04101

**CBL: 012 G019001**  
**Located at 87 WALNUT ST**

**Certified Mail 7003 3110 0002 6063 6165**

Dear MCADAM THOMAS J,

#### STOP WORK ORDER

An evaluation of the above-referenced property on 05/21/2008 revealed that building construction was being conducted without benefit of a valid building permit as required by Section 105.1 of the 2003 International Building Code and the 2003 International Residential Code of the City of Portland.

Appropriate permitting has not been issued for the property listed above, therefore all construction activity at that property must STOP immediately. This is a STOP WORK ORDER pursuant to Section 114. of 2003 International Building Code and the 2003 International Residential Code of the City of Portland.

You may resume construction activity only after issuance of the appropriate building permit and the subsequent lifting of this order. Building Permit Applications are available in this office, Room 315 at Portland City Hall, from 8:00 a.m. to 4:00 p.m. weekdays except holidays.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A of M.R.S.A. Section 4452. This constitutes an appealable decision pursuant to Section 112 of the City of Portland Building Code.

If you wish to discuss this matter, or you have any questions, please feel free to contact me.

Sincerely,

Suzanne Hunt @ (207) 874-8707  
Building Inspector



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*Penny Littell - Director of Planning and Development  
Marge Schmuckal, Zoning Administrator*

*14 day period up August 1*

July 18, 2008

Tom McAdam  
92 Exchange Street  
Portland, ME 04101

Re: 87 Walnut Street – 012 G019 – R-6 – illegal two story deck – permit #08-0566

Dear Mr. McAdam,

I am writing to you about the property at 87 Walnut Street.

On May 21, 2008 Suzanne Hunt inspected the property at 87 Walnut Street and found that your tenant Dottie Seavey was building a two-story deck on the rear of the building without having applied for a building permit. She posted a stop work order on the property.

On May 23, 2008 Dottie Seavey applied for a building permit to build the two-story deck. I reviewed the permit on June 2, 2008 and found that the plot plan that was submitted was not adequate. I called Dottie Seavey and told her that I needed a complete plot plan that showed the footprint of the building, the proposed structure and the setbacks to the property lines in order to complete my review of the application. I also told her that we had no record in our files of a previous permit to build the two-story deck.

On June 9, 2008 Jeanie Bourke spoke to you about the decks. You told her that you had received the stop work order. She informed you that there might be some zoning restrictions on what could be built. You told her that you were going to talk to the tenants and get back to her.

On June 12, 2008 you spoke with Jeanie Bourke again. You told her that you had spoken to the tenants and told them to stop work on the decks. You also told her that you would be the contact for the property and you would follow up with zoning with a plot plan.

On June 23, 2008 you and I spoke on the telephone. I told you that we had no record in our files of a permit for a deck on the rear of the building. I told you that the R-6 zone requires a twenty-foot rear setback (Section 14-139(d)(2)). I also told you that the Seaveys might be able to use section 14-425 and put a fifty square foot one story entry

I have not heard from you since June 23, 2008. I left you a voice mail on July 8, 2008 and another voice mail on July 11, 2008. In both voice mails, I asked you to call me and let me know what was going on. I have still not received a plot plan of the property and the existing and proposed structures. Since I have not received the required information, the permit to build the two-story deck is denied.

You have fourteen days from the date of this letter to remove the two-story deck that was started on the rear of the building without a permit. If the deck is not removed in that time period we will turn the matter over to our corporation counsel, and they may begin legal proceedings to bring the property into compliance.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,



Ann B. Machado  
Zoning Specialist  
(207) 874-8709

Cc: Suzanne Hunt  
Jeanie Bourke  
Marge Schmuckal  
Dottie Seavey  
file



# PORTLAND MAINE

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*Penny Littell - Director of Planning and Development  
Marge Schmuckal, Zoning Administrator*

August 6, 2008

*30 day period for  
Sept 5th.*

Dottie Seavey  
87 Walnut Street  
Portland, ME 04101

RE: 87 Walnut Street – 012 G019 – R-6 – two-story rear deck – permit #08-0566

Dear Ms. Seavey,

*8/5/08.*

After receiving the plot plan for 87 Walnut Street, I was able to complete my review of the application to build the eight-foot by twenty-foot two-story rear deck. Since your application does not meet all the requirements of the R-6 zone, I must deny your application to build the two-story deck.

Section 14-139(d) of the ordinance states the required yard dimensions for the R-6 zone. The required rear yard setback is twenty feet. According to the plot plan, the existing structure is only sixteen feet from the rear property line and the proposed two-story deck is only eight feet from the rear property line, so it does not meet the required rear setback of twenty feet.

The required side setback for a two-story structure is ten feet for each side. The left side setback is given as eight feet, so it does not meet the required side yard setback. Also the numbers on the plot plan for the side yards do not appear to be accurate. The proposed two-story deck is twenty feet wide. The right side setback was given as thirteen feet, and the left side setback was given as eight feet. These numbers add up to a total width of forty-one feet, but the lot is only thirty feet wide at the rear. The numbers on the plot plan need to be accurate.

Section 14-139(e) states that the allowable maximum lot coverage is fifty percent of the lot. The lot is 1921 square feet, so the allowable maximum lot coverage is 960.5 square feet. The existing structure is 947 square feet. The proposed two-story deck is 160 square feet. The total square footage would be 1107 square feet, which is 146.5 square feet over the allowable maximum allowable lot coverage.

Since the proposed two-story deck does not meet the required rear or side setback and is over the maximum allowable lot coverage, the permit is denied and the decks must be removed. You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to appeal. If you should

fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork to file an appeal. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

Feel free to call me at 874-8709 if you have any questions.

Your Truly,



Ann B. Machado  
Zoning Specialist  
(207) 874-8709

Cc. Tom McAdam  
file



# PORTLAND MAINE

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

September 8, 2008

14 days - so  
September 22.

Dottie Seavey  
87 Walnut Street  
Portland, ME 04101

RE: 87 Walnut Street – 012 G019 – R-6 – two-story rear deck – permit #08-0566

Dear Ms. Seavey,

On May 23, 2008, you applied for a permit to build a two-story rear deck at 87 Walnut Street. You had been building the two-story deck without a permit, and Suzanne Hunt from the Inspections Division had placed a stop work order on the property. Your application was incomplete because you did not submit a plot plan. After receiving a plot plan on August 5, 2008, I was able to complete my review of your application, and I denied it because the proposed two-story deck did not meet the rear or side setback or the maximum allowable lot coverage. I wrote you a letter dated August 6, 2008 and told you that your application was denied, but that you could appeal my decision. You had thirty days to appeal the decision, or you lost your right to appeal. The thirty-day period was up on September 5, 2008, and we did not receive an appeal application.

You have fourteen days to remove the two-story deck. An inspection has been scheduled for Monday, September 22, 2008. If the two-story deck has not been removed, we will turn the matter over to our Corporation Counsel, and they may begin legal proceedings to bring the property into compliance.

Feel free to call me at 874-8709 if you have any questions.

Your Truly,

Ann B. Machado  
Zoning Specialist  
(207) 874-8709

Cc. Tom McAdam  
file



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

September 25, 2008

Tom McAdam  
25 Cottage Street  
Portland, ME 04103

RE: 87 Walnut Street – 012 G019 – R-6 – two-story rear deck – permit #08-0566

Dear Mr. McAdam,

This letter is a follow up to our telephone conversation from yesterday, September 24, 2008. In our conversation, you acknowledged that your tenant, Ms. Seavey, had missed the thirty-day period to apply for a variance for the two-story deck that she applied to permit after she had started to build it at 87 Walnut Street. You agreed that since the deck does not meet the zoning requirements for the R-6 residential zone and since the period to apply for a variance has expired that Ms. Seavey must remove the two-story deck and that you would make sure that this happened. You asked if our office would give you two weeks to get the deck removed, and I agreed that this was reasonable. An inspection has been scheduled for Thursday, October 9, 2008. If the two-story deck is still there at that time, we will turn the matter over to our corporation counsel, and they may begin legal proceedings to bring the property into compliance.

Feel free to call me at 874-8709 if you have any questions.

Your Truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado".

Ann B. Machado  
Zoning Specialist  
(207) 874-8709

Cc. Dottie Seavey  
file



# PORTLAND MAINE

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Penny Littell - Director of Planning and Development  
Tammy Munson - Inspections Division Director

December 1, 2008

MCADAM THOMAS J  
25 COTTAGE  
PORTLAND, ME 04103

**CBL: 012 G019001**  
**Located at 87 WALNUT ST**

VIA REGULAR AND Certified Mail # 7003 3110 0002 6063 6929

Dear Mr. McAdams:

As you know, an inspection of your property located at 87 Walnut Street was conducted on November 26, 2008. This inspection was conducted in order to verify compliance with a letter dated September 25, 2008. See attached. The following is a list of violations discovered during this inspection, which must be corrected on or before December 10, 2008. See attached.

- The rear two story deck is not permitted and must be completely removed;
- After the fact electric, plumbing and building permits must be applied for and obtained for the un-permitted work conducted in the basement;
- Existing and outstanding fees must be paid in full before any permits will be issued; and
- The kitchen sink and all cooking equipment (i.e. refrigerator and microwave) in the basement must be removed and the plumbing capped, since only one kitchen is allowed in a single family residence.

A follow up inspection of the property will be conducted on Tuesday, December 11, 2008 at 8:00am. If the two story deck is not completely removed, the permits applied for and obtained and the outstanding fees paid by December 11, 2008 these matters will be immediately referred to the Corporation Counsel's office for legal action and possible civil penalties, as provided for in Section 1-15 of the Portland City Code. This is your final notice to bring the property into compliance.

Please feel free to contact me at 874-8707, if you have any questions or wish to discuss this matter further.

Sincerely,

Suzanne Hunt  
Code Enforcement Office  
Incls.

cc: Central File  
Danielle West Chuhta, Associate Corporation Counsel

**COPY**