

DEPARTMENT DIRECTOR
Lee D. Urban



Economic Development

DIVISION DIRECTORS
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman
Planning

John N. Lufkin

DEPARTMENT OF PLANNING AND DEVELOPMENT

August 25, 2004

Josef Chalet
48 Union Wharf
Portland, Maine 04101

RE: 52 Center St. (038 E012)Waiver request

Dear Josef,

Thanks for you request for a waiver, received August 13th> I apologize for not reacting more expeditiously. The following are the facts:

- 1) The Application is for the vertical expansion into the attic space of a mixed use building.
- 2) The proposed expansion is for residential use.
- 3) The type of construction is 3A.

The waiver requested for the installation of openings (windows) in the South wall of the structure. The applicant proposes that the City consider the entire surface of the south wall in calculating the percentage of unprotected openings. This distance from the surface to the lot line is 16 feet. The applicant proposes that although the top floor has a 74.8% openings, the overall wall surface is 21% The space will be protected with a limited Fire Suppression System. Based on the above increase in fire rating and the total percentage of unprotected openings and the actual distance to the abutting structure, this office grants the waiver of the requirements of Section 705.3 and 705.3.2 pursuant to Section 121 of the City Building Code as amended.

Yours truly,

Mike Nugent
Manager of Inspection Services

I, Daniel Steele, agree, as a condition of approval, that, in the event of future development of the abutting parcel in a manner that brings buildings closer than 30 feet to the south wall of the subject building, The South wall of 52 Center St. will be made to conform to building code provisions in effect at the time of this activity that limit openings based on Fire separation distance.

Daniel Steele

Witness

