

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: 081001

Please Read Application And Notes, If Any, Attached

This is to certify that AMG INVESTMENTS LLC Donald Hall

has permission to Change of Use to Church - Minor Interior Alterations

AT 352 WARREN AVE 303 G001007

provided that the person or persons firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of the State 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 when permission produced before this building or part thereof is opened or service closed-in. 4
YOUR NOTICE REQUIRED

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

OTHER REQUIRED APPROVALS

Fire Dept.	<i>Check</i> PERMITTED
Health Dept.	
Appeal Board	
Other	
	Department Name

Thomas M. Mauley 10/15/08
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: 08-1001	Issue Date:	CBL: 303 G001007
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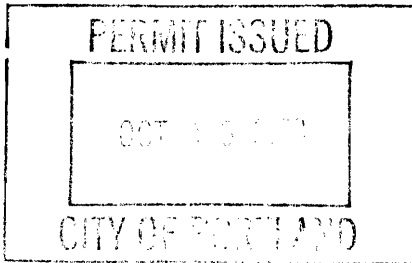
Location of Construction: 352 WARREN AVE	Owner Name: AMG INVESTMENTS LLC	Owner Address: 921 AUGUSTA RD	Phone: 207-879-7115
Business Name:	Contractor Name: Donald Hall	Contractor Address: 470 Granite Street Yarmouth	Phone: 2077569706
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	Zone: B-4

Past Use: Commercial/Veterinary Clinic	Proposed Use: Commercial/Veterinary Clinic - Change of Use to Church - Minor Interior Alterations	Permit Fee: \$145.00	Cost of Work: \$5,000.00	CEO District: 5
Proposed Project Description: Change of Use to Church - Minor Interior Alterations		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See conditions</i>	INSPECTION: Use Group: A3 Type: SB IBC 2103	
		Signature: <i>[Signature]</i>	Signature: <i>jm 10/15/08</i>	
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: lmd	Date Applied For: 08/13/2008	Zoning Approval		
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

Special Zone or Reviews <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: <i>ok with conditions</i> <i>9/10/3/08</i>	Zoning Appeal <input type="checkbox"/> Variance <input checked="" type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <i>5-p</i> <input type="checkbox"/> Denied Date: 10/2/08	Historic Preservation <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 Date: <i>[Signature]</i>
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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



General Building Permit Application

AUG 13 2008

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>Unit 7^{Front half} 352 Warren Avenue Portland ME 04103</u>		
Total Square Footage of Proposed Structure/Area <u>1175 square feet</u>		Square Footage of Lot <u>X</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>303 G 001007</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>Sudanese Presbyterian Fellowship of Portland</u> Address <u>15 Munjoy South</u> City, State & Zip <u>Portland ME 04101</u>	Telephone: <u>(207) 879 7115</u>
Lessee/DBA (If Applicable) <u>Sudanese Presbyterian Fellowship of Portland</u>	Owner (if different from Applicant) Name <u>AMG Investments LLC</u> Address <u>921 Augusta Rd</u> City, State & Zip <u>Bowdoin Maine 04287</u>	Cost Of Work: \$ <u>5,000</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>vacant</u> If vacant, what was the previous use? <u>veterinary clinic</u> Proposed Specific use: <u>church</u> Is property part of a subdivision? <u>yes</u> If yes, please name <u>Commercial Condominium at 352 Warren Ave (Warren Avenue Trade Center)</u> Project description: <u>Some interior walls are being removed and carpeting is being installed.</u>		
Contractor's name: <u>Donald W Hall</u> Address: <u>470 Granite Street</u> City, State & Zip <u>Yarmouth ME 04096</u> Telephone: <u>756 9706 (cell) 846 3934 (home)</u> Who should we contact when the permit is ready: <u>Donald Hall</u> Telephone: <u>756 9706</u> Mailing address: <u>470 Granite Street Yarmouth ME 04096</u>		

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, 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: [Signature] Date: Aug. 13-08

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

201

City of Portland, Maine - Building or Use Permit

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

Permit No: 08-1001	Date Applied For: 08/13/2008	CBL: 303 G001007
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Business Name:	Contractor Name: Donald Hall	Contractor Address: 470 Granite Street Yarmouth	Phone: (207) 756-9706
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	

Proposed Use: Commercial/Veterinary Clinic - Change of Use to Church - Minor Interior Alterations	Proposed Project Description: Change of Use to Church - Minor Interior Alterations
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 10/03/2008
Note: **Ok to Issue:**

- 1) Joint use of parking was approved by the Zoning Board of Appeals on 10/2/08 to satisfy your parking requirements. Any significant changes to your area will need to be re-reviewed by this office.
- 2) Separate permits shall be required for any new signage.
- 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 10/15/2008
Note: **Ok to Issue:**

- 1) Minor demo and change of use only. No new construction applied for nor granted as part of this permit.
- 2) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.
- 3) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Capt Greg Cass **Approval Date:** 10/14/2008
Note: 632 sq.' = O/L of 42 @ 15 and 90 @ 7 sq.' per. Exits scale at 37' separation. 30' required. OK. **Ok to Issue:**

- 1) Emergency lights and exit signs are required
- 2) All construction shall comply with NFPA 101
- 3) Application requires State Fire Marshal approval.

Comments:

8/14/2008-gg: owes for certificate of occupancy, \$75.00. Lisa sent out the invoice on 8/14/08. /gg

8/22/2008-mes: Prior phone conversations to the a Paul Brown on 8/8/08 requested a signed statement from the owner of the property that the correct number of parking spaces where being provided for this use. Nothing has been submitted by the applicant. Because there are no fixed seats, 1 parking space for each 25 sq ft of sanctuary space is required. They are showing 532 sq ft so 21 parking spaces are required. I will contact the applicant

9/5/2008-mes: received documentation from Paul Brown concerning parking. They can meet the parking requirements by means of joint use - 14-343 which is a miscellaneous appeal. I sent a letter and the necessary paperwork to him for the misc. appeal.

9/11/2008-gg: received revised interior plan for removing walls on 9/10/08. /gg with permit on hold.

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

B-4 Zone Joint Use of Parking:

Miscellaneous Appeal

DECISION

Date of public hearing: October 2, 2008

Name and address of applicant: Matthew Long and Paul Brown
Sudanese Presbyterian Fellowship of Portland
352 Warren Avenue, Unit 7a
Portland, ME 04103

Location of property under appeal: 352 Warren Avenue, Unit 7a

For the Record:

Names and addresses of witnesses (proponents, opponents and others):

~~Also~~ Rogers Goding - Tenant of Business Park
Cathleen Vance - Neighbor across the street (Midwood Dance
John Vance - " " " " center)
" " " "

Exhibits admitted (e.g. renderings, reports, etc.):

Findings of Fact and Conclusions of Law:

Applicant leases Unit 7a in a commercial complex located at 352 Warren Avenue in Portland. Under section 14-332(k) of Portland's Land Use Code, the applicant is required to have 25 off-street parking spaces. Applicant has only been assigned 3 of the 45 parking spaces available for the complex. Applicant is requesting that the ZBA approve joint use of the parking facility because the applicant's need for parking is on the weekends and the other businesses in the complex, with one exception, utilize the parking during the week. One business is open on Saturdays. According to a letter submitted by applicant's landlord, the applicant may utilize 20-25 spaces on the weekends and on weekday evenings. Applicant's church currently has 14 local adult members who own 8 cars collectively and the applicant owns a mini van.

A. Joint Use Standards pursuant to Portland City Code §14-343:

The Board of Appeals may approve the joint use of a parking facility by two (2) or more principal buildings or uses where it is clearly demonstrated that the parking facility will substantially meet the intent of the [parking] requirements [for each use] by reason of variation in the probable time of maximum use by patrons or employees among such establishments.

Satisfied Not Satisfied

Reason and supporting facts:

- written permission from cardamom Association
to allocate 20-25 spaces to congregation
at times of gathering, which do not coincide
with operation of other tenants.

Conclusion: (check one)

Option 1: The Board finds that the relevant standard described in section A above has been satisfied and therefore GRANTS the application.

Option 2: The Board finds that the relevant standard described in section A above has NOT been satisfied and therefore DENIES the application.

Dated: Oct. 2, 2008



Board Chair

C:\OFFICE\MARYCZBA\B-4 miscellaneous appeal joint parking.doc



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

September 5, 2008

Paul Brown
28 Coombs Road
Topsham, ME 04086

RE: 352 Warren Avenue – 303-G001 – B-4 Zone – Permit Application #08-1001

Dear Mr. Brown,

I am in receipt of the further information that you have sent to me concerning the available parking for the change of use application from a veterinary clinic to a church.

The submitted information states that the required off-street parking requirements of section 14-332(k) can be met by means of joint use of the existing on site parking spaces. The approval of joint use of parking spaces is a matter that can only be decided by the Zoning Board of Appeals as a Miscellaneous Appeal. (4-32?)

25 PKg wait
reg based on
revised plans received
9/10/08

With this letter, I have included the necessary paperwork that you will need to apply for such an appeal. Your permit will be on hold until such time that the Zoning Board of Appeals approves your Miscellaneous Appeal.

- ZBA Approved 10/2/08

If you have any further questions concerning this matter, Please do not hesitate to contact me at 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Donald W. Hall, 470 Granite Street, Yarmouth, ME 04096
File

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

APPEAL AGENDA DECISION

The Board of Appeals will hold a public hearing on Thursday, October 2, 2008 at 6:30 p.m. on the second floor, Room 209, City Hall, 389 Congress Street, Portland, Maine to hear the following appeals:

To: City Clerk
From: Marge Schmuckal, Zoning Administrator
Date: October 3, 2008
RE: Action taken by the Zoning Board of Appeals on October 2, 2008.

The meeting was called to order at 6:40pm.

Roll call as follows: **Members Present:** Philip Saucier, Peter Coyne, Jill Hunter, William Getz and Gordon Smith.

Members Absent: Deborah Rutter

1. New Business:

A. Miscellaneous Appeals:

352 Warren Avenue Unit # 7, Sudanese Presbyterian Fellowship, lease, Tax Map #303, Block G, Lot #001007, in the B4 Business Community Zone. The appellant is seeking a Miscellaneous Appeal under section 14-343 of the City of Portland Zoning Ordinance for the joint use of on site parking requirement to meet the required number of parking spaces for the proposed change of use from a veterinary clinic to a Church. The appellant has 632 square feet of meeting area which requires 25 parking spaces under section 14-332 (k). Representing the appeal for the leases are the applicants Matthew Long and Paul Brown. **The Board voted 5-0 to grant the Miscellaneous Appeal.**

B. Conditional Use Appeal:

76 Park Avenue, Parkside Apartments, LLC, owner, Tax Map # 048, Block B, Lot #007, in the R-6 Residential Zone. The appellant is seeking a Conditional Use Appeal under Section 14-137 (c) 2 of the City of Portland Zoning Ordinance. The appellant is requesting a change the use from a six (6) family dwelling unit to a six (6) family dwelling unit with a professional office located on the first floor. Representing the appeal is Gregory Johnson, Executor for Parkside Apartments LLC. **The Board voted 5-0 to grant the Conditional Use Appeal.**

2. Other Business: Election of Chair and Secretary. **Philip Saucier was elected Chair and Gordon Smith was elected Secretary.**

3. Adjournment: 7:20pm

Enclosure:

Agenda of October 2, 2008
Original Zoning Board Decision
1 tape and 1 DVD of the meeting
CC: Joseph Gray, City Manager
Alex Jaegerman, Planning Department
Penny St. Louis Littell, Director, Planning & Urban Development
T.J. Martzial, Housing & Neighborhood Services

CITY OF PORTLAND, MAINE

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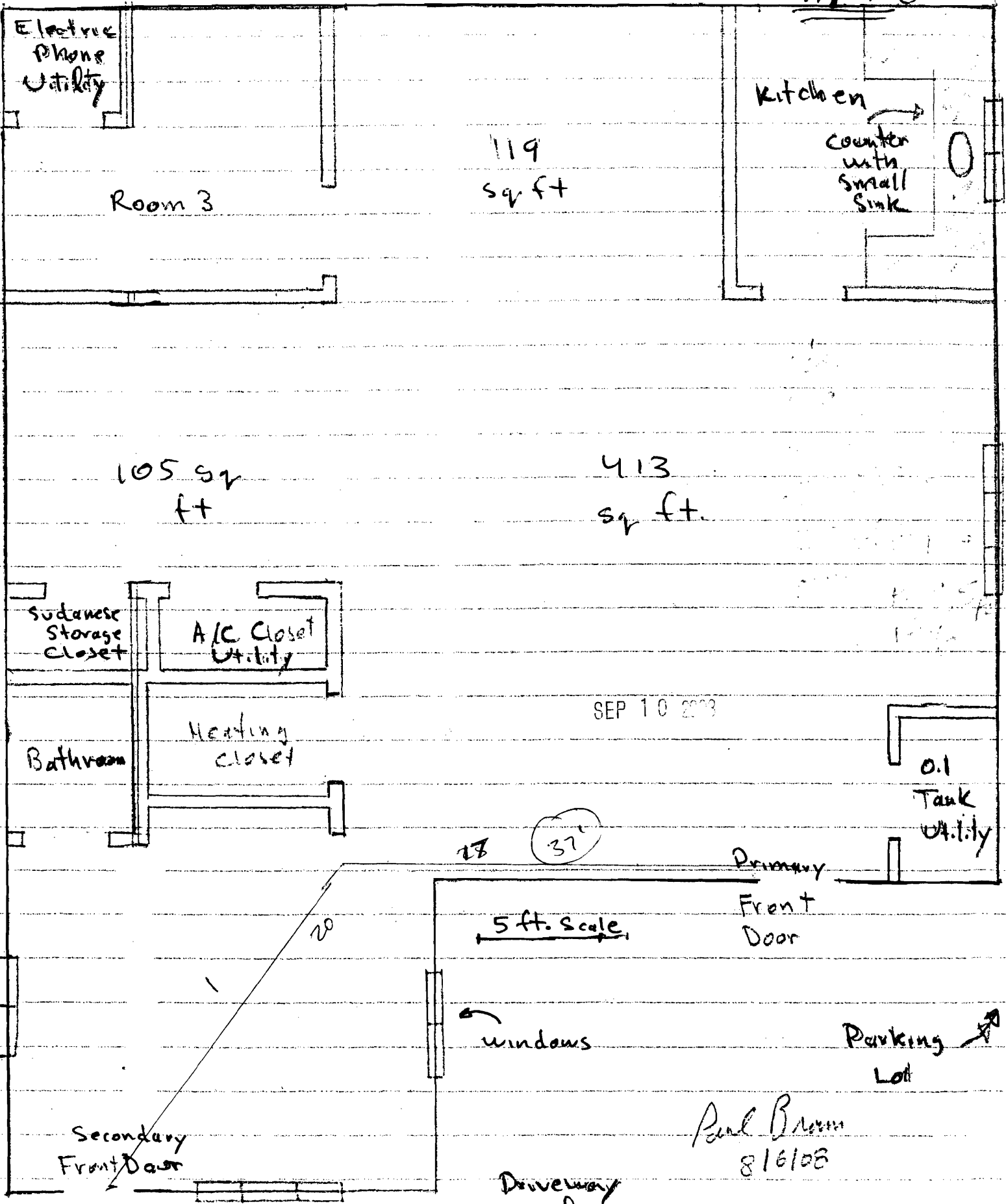
Alex Jaegerman, Planning Department

Penny St. Louis Littell, Director, Planning & Urban Development

T.J. Martzial, Housing & Neighborhood Services

Unit 7a - 352 Warren Avenue, Portland

Revised
9/10/08



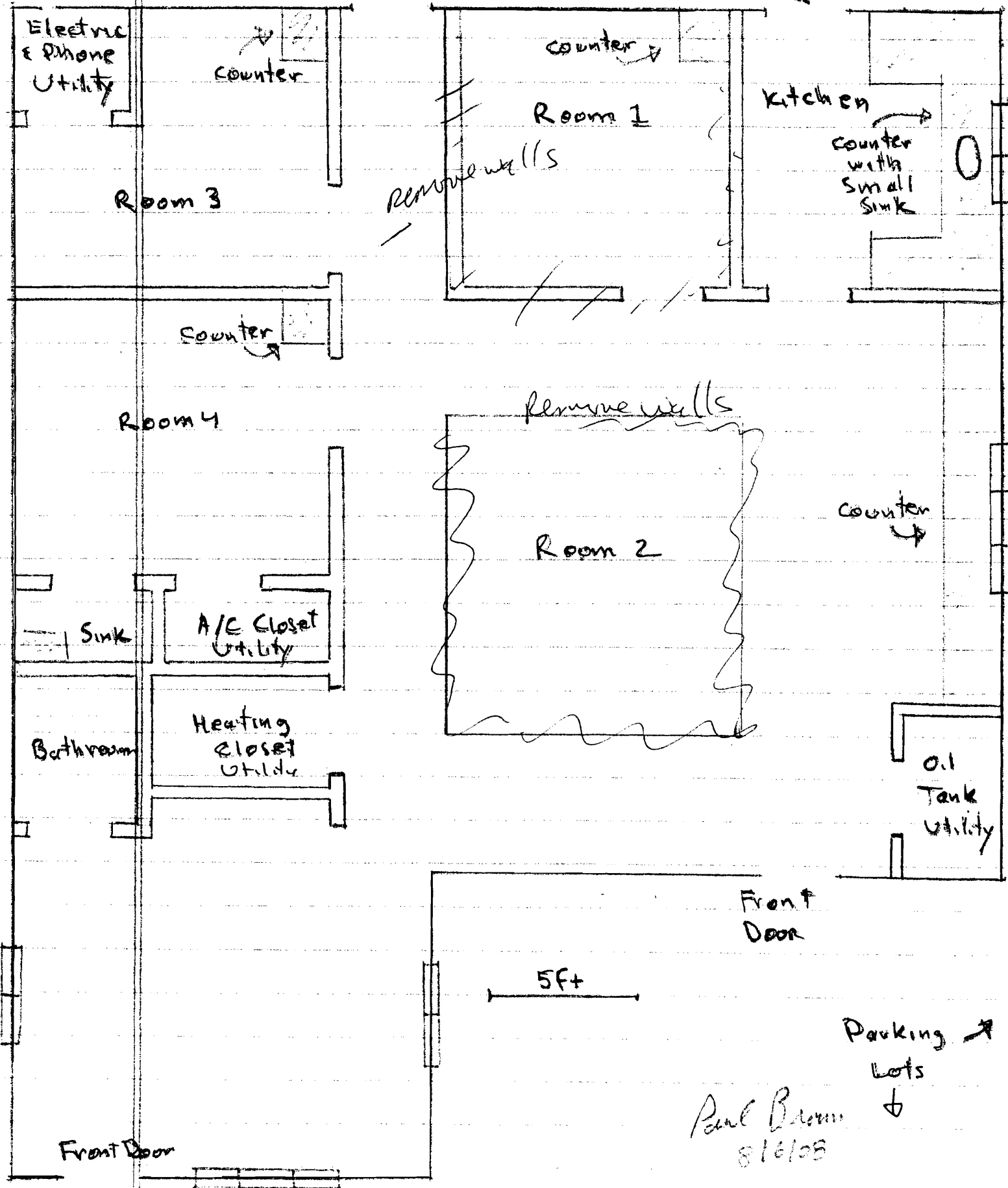
SEP 10 2008

Paul Brown
8/6/08

Unit # 7 Front Half
352 Warren Ave
Portland

Before

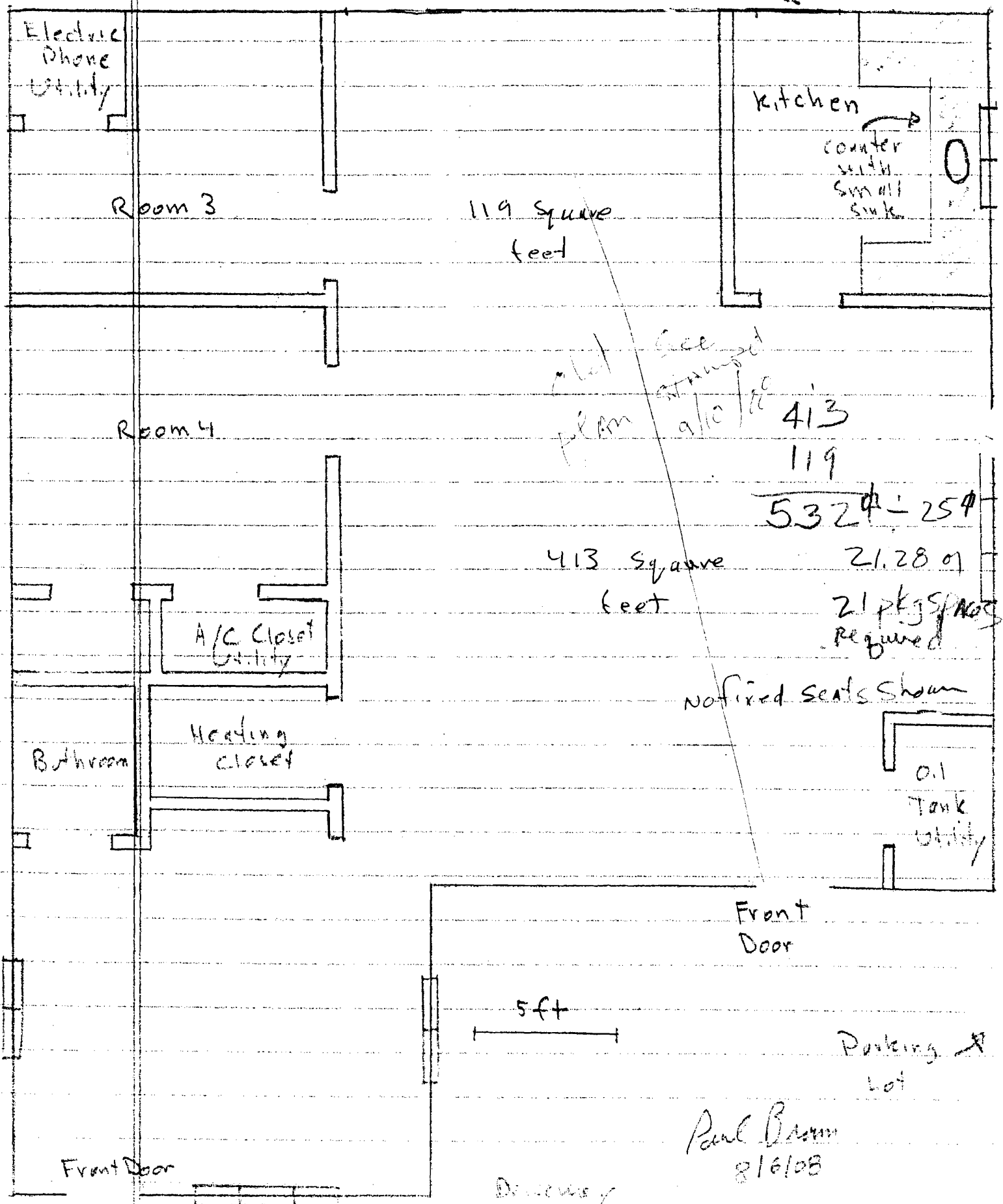
Emergency Exit Only
to Back Half Unit 7



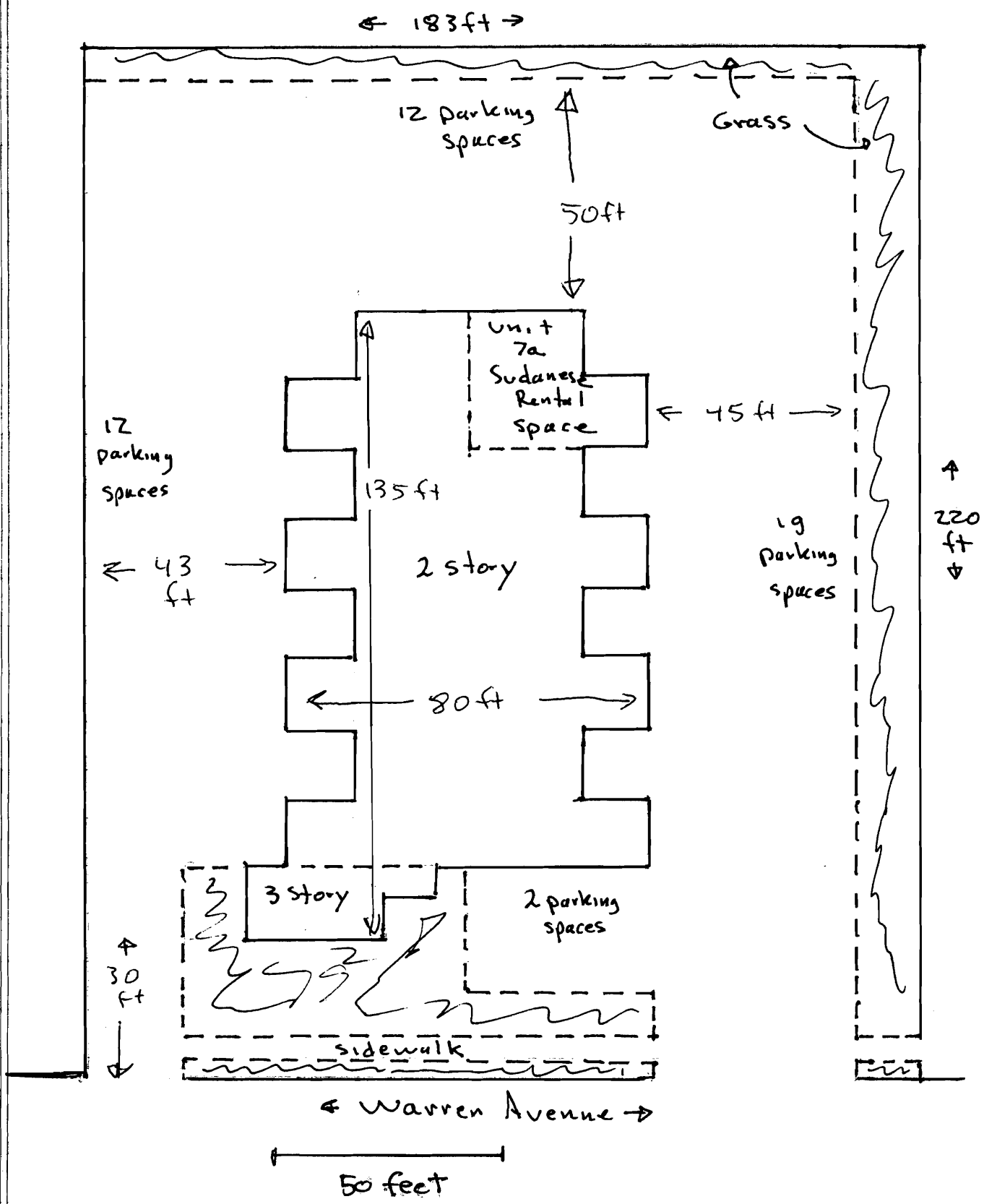
Paul Brown
816108

Unit # 7a (Front Half)
352 Warren Avenue
Portland

After



Site Plan
352 Warren Avenue, Portland
- Warren Avenue Trade Center -



Paul Brown
8/13/08

In parking facilities containing six (6) or more parking spaces, there shall be provided vehicular access by one (1) or more aisles. Aisle widths shall be in conformance with the standards set forth in the City of Portland Technical and Design Standards and Guidelines, as hereafter amended.

(Code 1968, § 602.14.A; Ord. No. 272-77, 5-16-77; Ord. No. 389-89, § 2, 4-3-89)

Sec. 14-342. Reserved.

~~*Editor's note~~—Section 1 of Ord. No. 354-85, adopted Jan. 7, 1985, repealed § 14-342, relative to a reduction of requirements by the board of appeals, which derived from Code 1965, § 602.14.K.

Sec. 14-343. Either the Board of Appeals or the Planning Board may approve joint use.

(a) Except as provided in subsection (b) below, the Board of Appeals may approve the joint use of a parking facility by two (2) or more principal buildings or uses where it is clearly demonstrated that the parking facility will substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees among such establishments. This section shall apply to residential uses in the B-1, B-1b, B-2 and B-3 zone which propose joint use of a parking facility with another principal use in the B-1, B-1b, B-2 and B-3 zone. The Planning Board may be substituted for the Board of Appeals only where an applicant is otherwise before the Planning Board for site plan approval.

Whenever any exception to the parking requirements under this section has been finally denied on its merits by either the Zoning Board of Appeals or the Planning Board, a second request for an exception seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought before either body within one (1) year of such denial unless, in the opinion of the board before which it was initially brought, substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.

(b) Requests for joint use of parking in the B-2b zone shall be reviewed and approved by the Zoning Administrator only in the following circumstances:



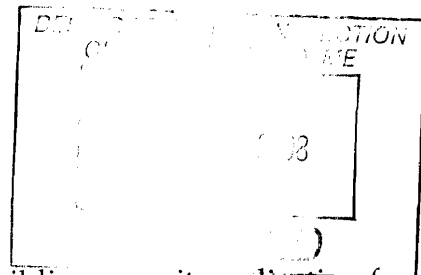
Sudanese Presbyterian Fellowship of Portland

15 Munjoy South, Portland, ME 04101
207-879-7115

E-mail: mdlong@verizon.net
Matthew D. Long, Lay Leader

September 3, 2008

Marge Schmuckal - Zoning Administrator
Planning & Development Department
City of Portland
389 Congress Street
Portland, ME 04101-3509



Dear Marge:

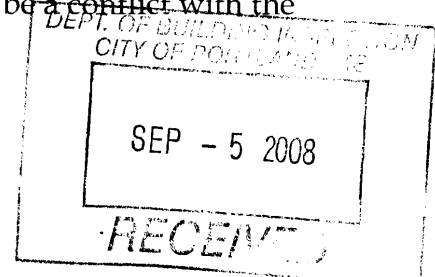
I am writing in reference to the August 13, 2008 building permit application from the SUDANESE PRESBYTERIAN FELLOWSHIP OF PORTLAND (352 Warren Avenue).

You called last week requesting documentation on the number of parking spaces available to the Fellowship. Based on a 532 square foot total meeting area, you stated that 21 parking spaces would be required under city ordinance.

As indicated in the attached letter from Loren Goodridge, our landlord, only 3 spaces can be allocated out of a 45 total for the entire commercial condominium.

Please note the special circumstances surrounding our use of parking spaces at 352 Warren Avenue. The Fellowship feels that we can be in compliance with the spirit of the law and consequently should get permission to change the use to a "gathering" rental.

- 1) The Fellowship can have 20 to 25 parking spaces on Saturday and Sunday as stated in Mr. Goodridge's letter. We worship on Sunday and not Monday through Friday. All businesses at 352 Warren Avenue are "9-to-5" week days in nature except the front, Kids Unlimited, store which is also open "9-to-5" on Saturday. There should not be a conflict with the other tenants for parking spaces.



- 2) There are a total of 14 adult members of the Fellowship living in Maine. They own 8 cars collectively, and there is one Fellowship mini-van. It is unlikely that 21 parking spaces would ever be needed.

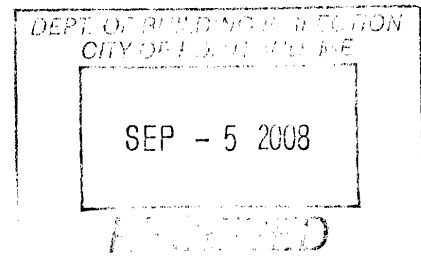
I and other Fellowship members are available to provide additional information as requested. We do pray that the 21 space requirement will not be applied for all hours and all days.

Sincerely,



Paul Brown
Co-leader - Sudanese Presbyterian Fellowship
207 725-7855
pfbrown@suscom-maine.net

Attachment: Letter from landlord Loren Goodridge



September 3, 2008

To Whom it may concern:

From: AMG Investments, LLC

Subject: Parking at 352 Warren Ave.

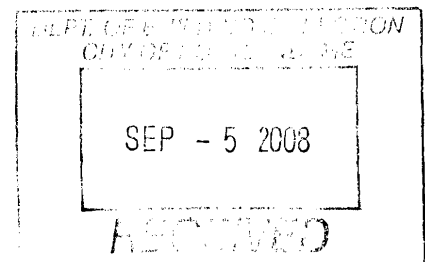
The property at 352 Warren Ave contains 9 condominium units and has 45 parking spaces. The association does not assign parking but in General each unit has 5 spaces. Amg Investments, LLC owns 2 units. I have been given verbal permission from the association president to assign 3 spaces for the Church. Only one of the units (Kids Unlimited) has business hours on the week-end. Therefore we are not concerned about the Church utilizing 20 to 25 spaces on Week-day evenings or the week-end.

Sincerely

Loren Goodridge

President

Amg Investments



From: "Paul and Elaine Brown" <pfbrown@suscom-maine.net>
To: <mes@portlandmaine.gov>
Date: 9/3/2008 1:51:03 PM
Subject: MATERIAL FOR SUDANESE FELLOWSHIP OF PORTLAND BUILDING PERMIT

Marge:

Material relating to your parking space question is pasted below and is attached. I put a hard copy of both letters in the mail to you this afternoon.

Paul Brown

Sudanese Presbyterian Fellowship of Portland

15 Munjoy South, Portland, ME 04101

207-879-7115

E-mail: mlong@verizon.net

Matthew D. Long, Lay Leader

Marge Schmuckal - Zoning Administrator

Planning & Development Department

City of Portland

389 Congress Street

Portland, ME 04101-3509

Dear Marge:

I am writing in reference to the August 13, 2008 building permit application from the SUDANESE PRESBYTERIAN FELLOWSHIP OF PORTLAND (352 Warren Avenue).

You called last week requesting documentation on the number of parking spaces available to the Fellowship. Based on a 532 square foot total

meeting area, you stated that 21 parking spaces would be required under city ordinance.

As indicated in the attached letter from Loren Goodridge, our landlord, only 3 spaces can be allocated out of a 45 total for the entire commercial condominium.

Please note the special circumstances surrounding our use of parking spaces at 352 Warren Avenue. The Fellowship feels that we can be in compliance with the spirit of the law and consequently should get permission to change the use to a "gathering" rental.

1) The Fellowship can have 20 to 25 parking spaces on Saturday and Sunday as stated in Mr. Goodridge's letter. We worship on Sunday and not Monday through Friday. All businesses at 352 Warren Avenue are "9-to-5" week days in nature except the front, Kids Unlimited, store which is also open "9-to-5" on Saturday. There should not be a conflict with the other tenants for parking spaces.

2) There are a total of 14 adult members of the Fellowship living in Maine. They own 8 cars collectively, and there is one Fellowship mini-van. It is unlikely that 21 parking spaces would ever be needed.

I and other Fellowship members are available to provide additional information as requested. We do pray that the 21 space requirement will not be applied for all hours and all days.

Sincerely,

Paul Brown

Co-leader - Sudanese Presbyterian Fellowship

207 725-7855

September 3, 2008

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Subject: Parking at 352 Warren Ave.

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15 Munjoy South, Portland, ME 04101
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E-mail: mdlong@verizon.net
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As indicated in the attached letter from Loren Goodridge, our landlord, only 3 spaces can be allocated out of a 45 total for the entire commercial condominium.

Please note the special circumstances surrounding our use of parking spaces at 352 Warren Avenue. The Fellowship feels that we can be in compliance with the spirit of the law and consequently should get permission to change the use to a "gathering" rental.

- 1) The Fellowship can have 20 to 25 parking spaces on Saturday and Sunday as stated in Mr. Goodridge's letter. We worship on Sunday and not Monday through Friday. All businesses at 352 Warren Avenue are "9-to-5" week days in nature except the front, Kids Unlimited, store which is also open "9-to-5" on Saturday. There should not be a conflict with the other tenants for parking spaces.

- 2) There are a total of 14 adult members of the Fellowship living in Maine. They own 8 cars collectively, and there is one Fellowship mini-van. It is unlikely that 21 parking spaces would ever be needed.

I and other Fellowship members are available to provide additional information as requested. We do pray that the 21 space requirement will not be applied for all hours and all days.

Sincerely,

Paul Brown
Co-leader - Sudanese Presbyterian Fellowship
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Attachment: Letter from landlord Loren Goodridge