

City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 01-0982116	Issue Date: 2 2 2001	CBL: 428 F004001
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Location of Construction: 197 Sherwood St	Owner Name: Hodgins Matthew S	Owner Address: 197 Sherwood St	Phone: 207-773-9975
Business Name: n/a	Contractor Name: Ham, John	Contractor Address: 197 Sherwood St. APT.#2 Portland	Phone: 2077739975
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Alterations - Dwellings	Zone: R-5

Past Use: Res. 2 Unit	Proposed Use: Same: Add two Dormers to Use Attic for storage and Recreational Space. <i>2 units of per microfiche</i>	Permit Fee: \$30.00	Cost of Work: \$1,000.00	CEO District: 2
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Proposed Project Description:
 Add two Dormers to Use Attic for storage and Recreational Space.

NO change of use Allowed

FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>313</i>
Signature: <i>[Signature]</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: cjh	Date Applied For: 08/10/2001	Zoning Approval	
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. 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>8/21/01</i>	Zoning Appeal <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: _____	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>NO 3rd unit allowed</i> <i>ok with conditions</i>		

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
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RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE	DATE	PHONE
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All Purpose 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: 197 Sherwood St.

Total Square Footage of Proposed Structure	Square Footage of Lot
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Tax Assessor's Chart, Block & Lot Chart# <u>428</u> Block# <u>F</u> Lot# <u>4</u>	Owner: <u>Matthew Hodgins</u>	Telephone: <u>773-9975</u>
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Lessee/Buyer's Name (If Applicable) <u>N/A</u>	Applicant name, address & telephone: <u>—</u>	Cost Of Work: \$ _____ Fee: \$ _____
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Current use: 2 unit Residence

If the location is currently vacant, what was prior use: _____

Approximately how long has it been vacant: _____

Proposed use: finish Attic for storage / Recreational use.

Project description:
Same

Matts' Address

Contractor's name, address & telephone: John Ham 197 Sherwood St. Apt 2
Portland, ME 04103

Who should we contact when the permit is ready: _____

Mailing address: John Ham 415-7229

Phone: _____

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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 of applicant: <u>See Letter</u>	Date: <u>8/10/01</u>
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This is not a permit, you may not commence ANY work until the permit is issued

BUILDING PERMIT REPORT

DATE: 14 August 2001 ADDRESS: 197 Sherwood Street CBL: 428-F-004

REASON FOR PERMIT: To Construct dormers to use Attic for Storage

BUILDING OWNER: Matthew S. Hodgins

PERMIT APPLICANT: CONTRACTOR John Ham

USE GROUP: R-3 CONSTRUCTION TYPE: 5B CONSTRUCTION COST: 1,000.00 PERMIT FEES: 30.00

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: *1, *11, *13, *28, *33, *36, *38, *32

- 1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve.
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts.
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete and masonry.
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating.
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.
12. Headroom in habitable space is a minimum of 7'6".
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise.
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
15. The Minimum required width of a corridor shall be determined by the most restrictive of the criteria under section 1011.3 but not less than 36".
16. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue.
17. Each apartment shall have access to two (2) separate, remote and approved means of egress.
18. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's.
19. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment.

- 20. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
 - In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements
- 21. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
- 22. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.
- 23. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.
- 24. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
- 25. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
- 26. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
- 27. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).
- X 28. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
- 29. All requirements must be met before a final Certificate of Occupancy is issued.
- 30. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).
- 31. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16) *see attached*
- 32. Please read and implement the attached Land Use Zoning report requirements.
- X 33. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
- 34. Bridging shall comply with Section 2305.16.
- 35. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
- X 36. All flashing shall comply with Section 1406.3.10.
- 37. All signage shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

X 38. This permit does not authorize any new dwelling units

[Signature]
 P. Schumuck, Building Inspector
 Cc: Lt. McDougall, PFD
 Marge Schumuckal, Zoning Administrator
 Michael Nugent, Inspection Service Manager

PSH 10/00

****This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.**

...THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD. (You Shall Call for Inspections)

******ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.**

*******CERTIFICATE OF OCCUPANCY FEE \$50.00**

LAND USE - ZONING REPORT

ADDRESS: 197 Sherwood St DATE: 8/21/01

REASON FOR PERMIT: construct dormers to use for Attic Space storage & Rec Room

BUILDING OWNER: Matthew S. Hodgins C-B-L: 428-F-004

PERMIT APPLICANT: owner

APPROVED: With conditions: #1, #7, #10, #12, #13

CONDITION(S) OF APPROVAL

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. During its existence, all aspects of the Home Occupations criteria, Section 14-410, shall be maintained.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment, and/or revised permit.
4. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
5. Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and the same use. Any changes to any of the above shall require that this structure meet the current zoning standards.
6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
7. Our records indicate that this property has a legal use of two (2) units. Any change in this approved use shall require a separate permit application for review and approval.
8. Separate permits shall be required for any new signage.
9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
- * 10. This is not an approval for an additional dwelling unit. You shall not add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals. *
11. All of the attached Floodplain forms shall be appropriately filled out, signed, and returned prior to the issuance of any certificates of occupancy.
12. Other requirements of condition: you will not be permitted to wire-up Electrical work or plumbing work for the potential use of kitchen facility (ex: for kitchen stove or refrigerator or kitchen sinks)
13. This area is not to be rented out separately as a separate unit

Margaret Schmuckal Marge Schmuckal, Zoning Administrator

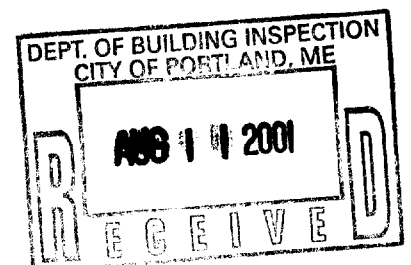
cc Mike Collins

197 SHERWOOD ST.
PORTLAND, ME. 04103

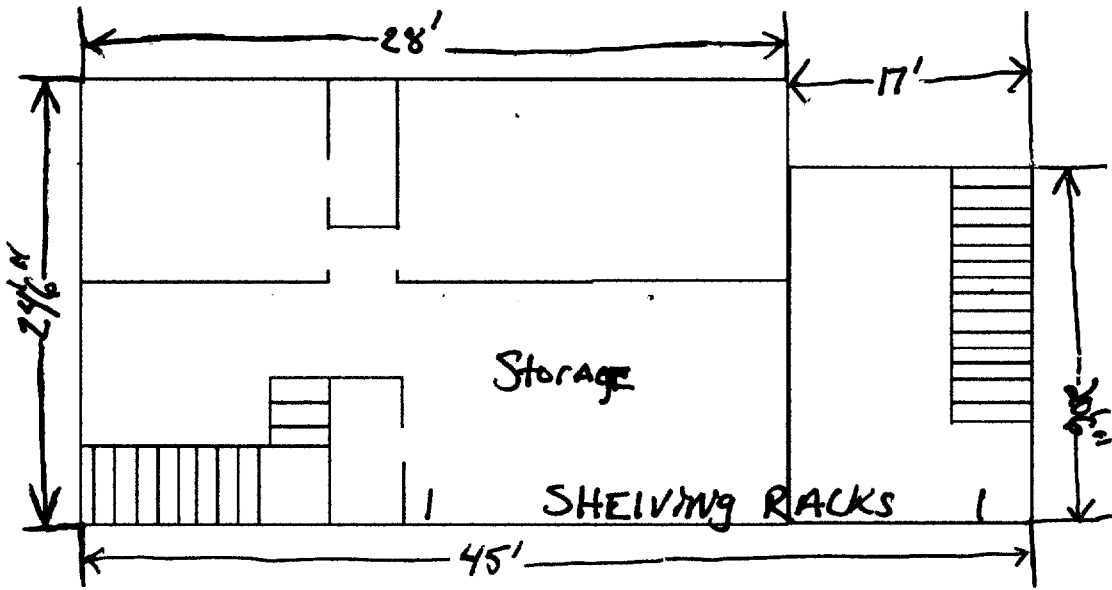
The prints I previously submitted to the city of Portland were an attempt to add a possible third unit to an existing 2-unit building. The space on the third floor is already existing I do understand I can not use this space as a (n) additional unit. Since I can't use this space for habitable space I would like to use this space for storage or recreational purposes, to me it just seems like such a waist of space. The dormer prints would be the same as the prints I have already given to you. Also I would like to request the return of my original prints whether my permit is accepted or denied. Thank you very much for your consideration of my plans.

Thank you very much,

MATTHEW S. HODGINS
(207)773-9975



3RD FLOOR Existing



DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
AUG 11 2001
RECEIVED

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION PERMIT

Permit Number: 010866

Please Read
Application And
Notes, If Any,
Attached

This is to certify that Hodgins Matthew S/Ham, John

has permission to Change two apartments to three apartments.

AT 197 Sherwood St CBL 4 004001

provided that the person or persons, firm or corporation 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 laid or otherwise closed-in. 24 HOUR NOTICE IS REQUIRED.

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

OTHER REQUIRED APPROVAL

Fire Dept. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name

Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

Matt was denied for a change use.
He now wants to use the space
for storage / recreational space.

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

July 18, 2001

Matthew S. Hodgins
197 Sherwood St.
Portland, ME 04103

RE: 197 Sherwood Street – 428-F-4,5,6 - R-5 zone

Dear Mr. Hodgins,

I am in receipt of your building permit application to change the use from two families to three families. This change of use is considered a multiplex development under the definitions given within the R-5 zoning ordinance (section 14-117(a)2). A multiplex development requires 6,000 square feet of land area per dwelling unit, or 18,000 square feet of land area for three (3) dwelling units. Per your submittal and the Assessor's information, this lot is only 15,000 square feet in land area.

Because you are not meeting the minimum land area requirements for the change of use from two (2) to three (3) units, **your permit is denied.**

You have the right to appeal this determination to the Zoning Board of Appeals (section 14-472).

If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to apply. Please note that variance appeals are very difficult to receive based upon the criteria that the Zoning Board of Appeals is required to use. Please contact this office immediately for the required information you will need in order to apply for an appeal.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Mark Adelson, Dir. Neighborhood and Housing Services
File

Exhibit A - Property Description

A certain lot or parcel of land with the buildings thereon, situated at the easterly corner of Sherwood Street, (formerly known as B Street) and D Street in the City of Portland, County of Cumberland and State of Maine, being lots numbered 44, 45 and 75, as shown on plan of land formerly owned by Mary A. Lunt, recorded in Cumberland County Registry of Deeds in Plan Book 2, Page 51, and on plan of land owned by A.N. Richardson recorded in said Registry of Deeds in Plan Book 8, Page 1; said lots being bounded and described as follows:

Beginning at the intersection of the northeasterly line of Sherwood Street with the southeasterly line of D Street, as shown on said plan; thence running southeasterly by Sherwood Street one hundred (100) feet; thence northeasterly parallel with D Street and by lots numbered 46 and 64, one hundred fifty (150) feet to the southerly corner of Lot 74; thence northwesterly by Lot 74, one hundred (100) feet to D Street; thence southwesterly by D Street one hundred fifty (150) feet to the point of beginning.

Being the same premises conveyed to the Grantors herein by virtue of a warranty deed from Anne T. Grondin dated July 30, 1996 and recorded in the Cumberland County Registry of Deeds in Book 12641, Page 97.

WARRANTY DEED
Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS, That

Stephen J. Caiazzo and Laurie J. Caiazzo

of Scarborough , County of Cumberland, State of Maine,

for consideration paid, grant to **Matthew S. Hodgins**

of Portland , County of Cumberland, State of Maine,

whose mailing address is 166 Eastern Promenade, Portland, Maine 04101

with **warranty covenants**, the land in Portland, County of Cumberland, and State of Maine, described on the attached **EXHIBIT A**.

WITNESS our/my hand(s) and seal(s) this Fourth day of February, 1999.

Signed, Sealed and Delivered in presence of:

Stephen J. Caiazzo

Laurie J. Caiazzo

STATE OF MAINE

February 4, 1999

COUNTY OF Cumberland

Then personally appeared the above named Stephen J. Caiazzo and Laurie J. Caiazzo and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Notary Public
Printed Name: _____
My Commission Expires: _____

PHOTO ADDENDUM: SUBJECT PROPERTY

Owner/Borrower: Hodgins, Matthew

Property Address: 197 Sherwood St.

Lender/Client: First Financial Mortgage Corp.

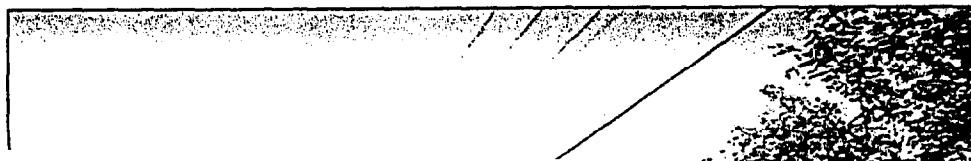
Portland, ME 04103



FRONT VIEW OF
SUBJECT PROPERTY

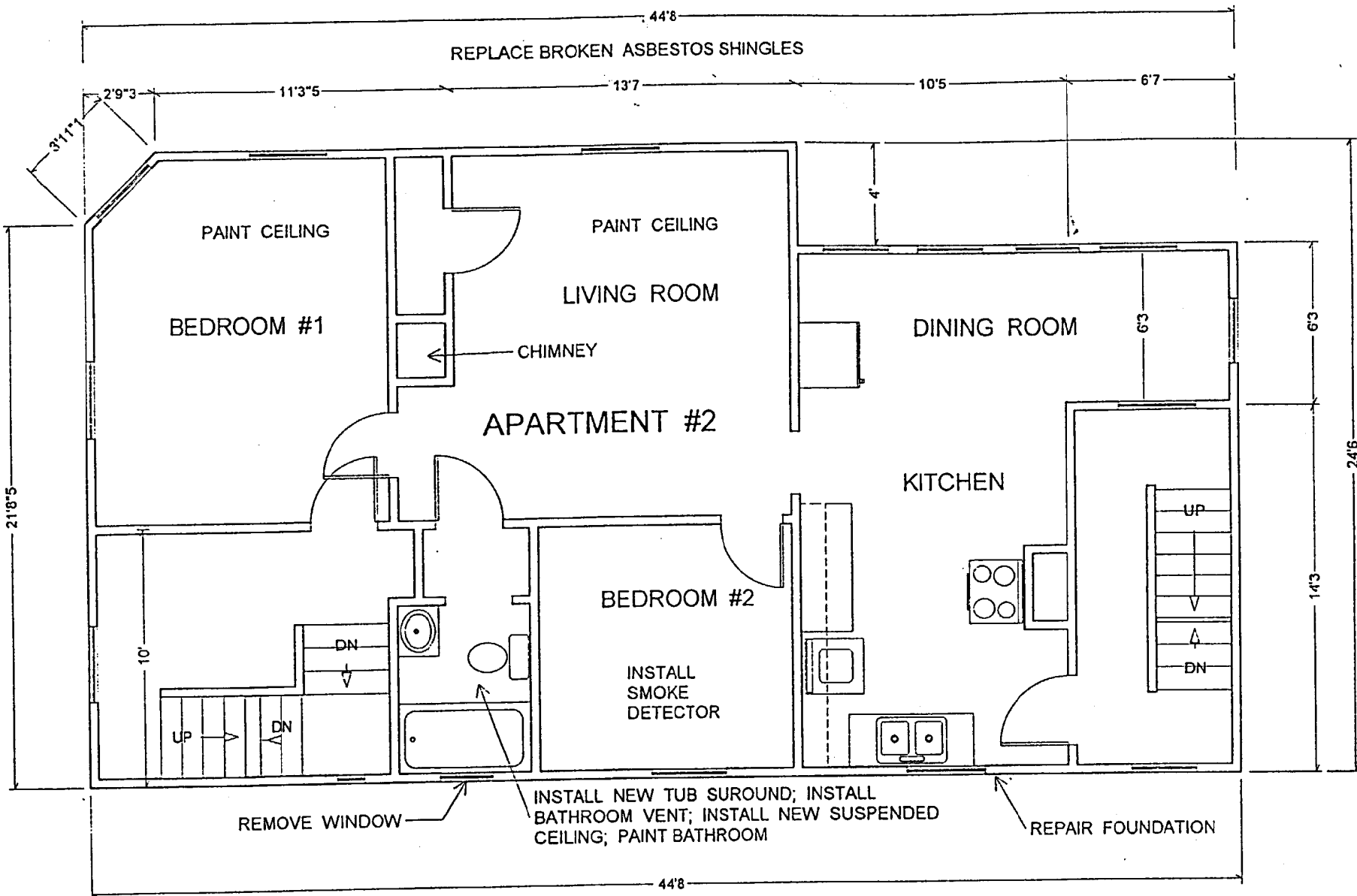


REAR VIEW OF
SUBJECT PROPERTY

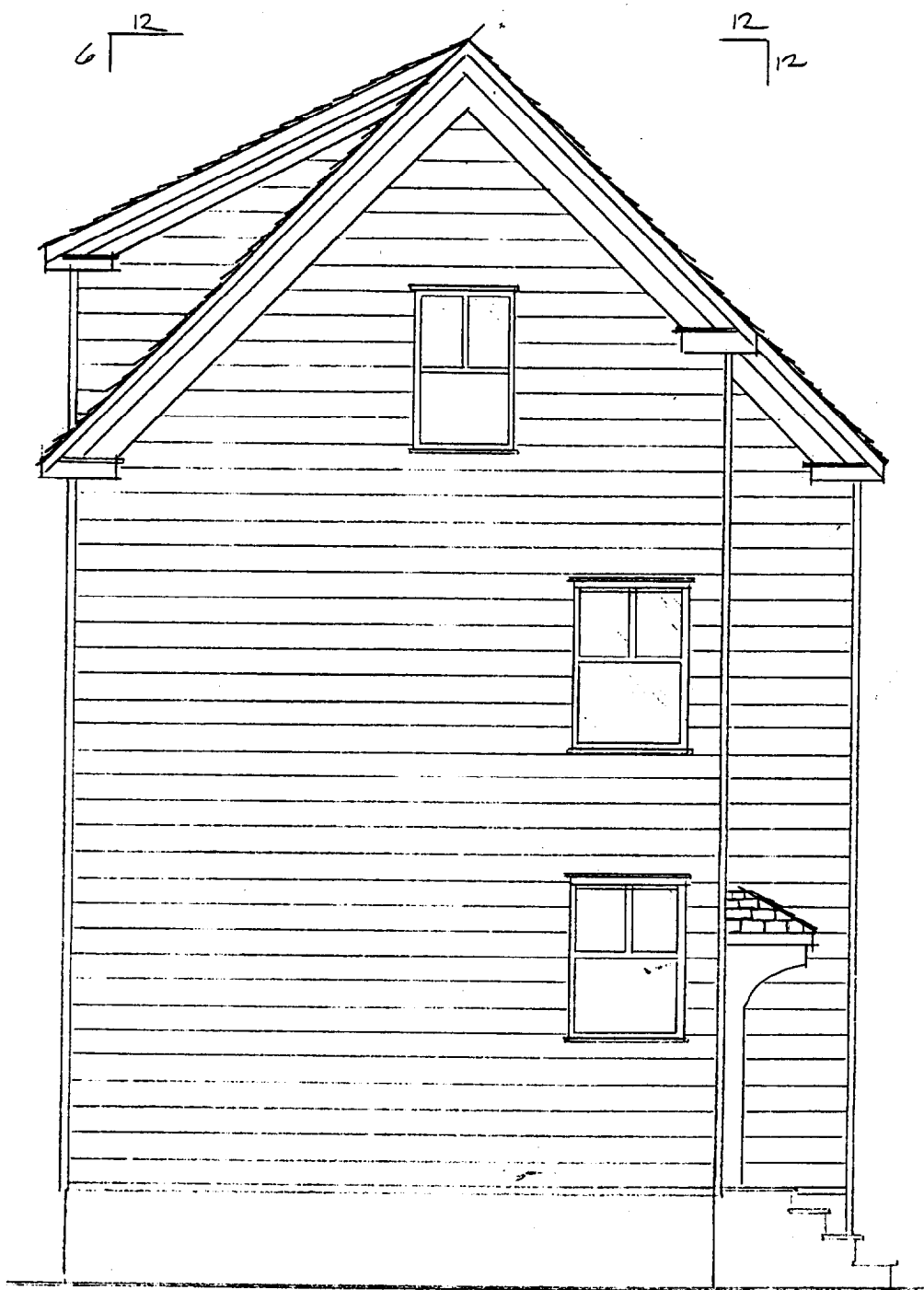


STREET SCENE

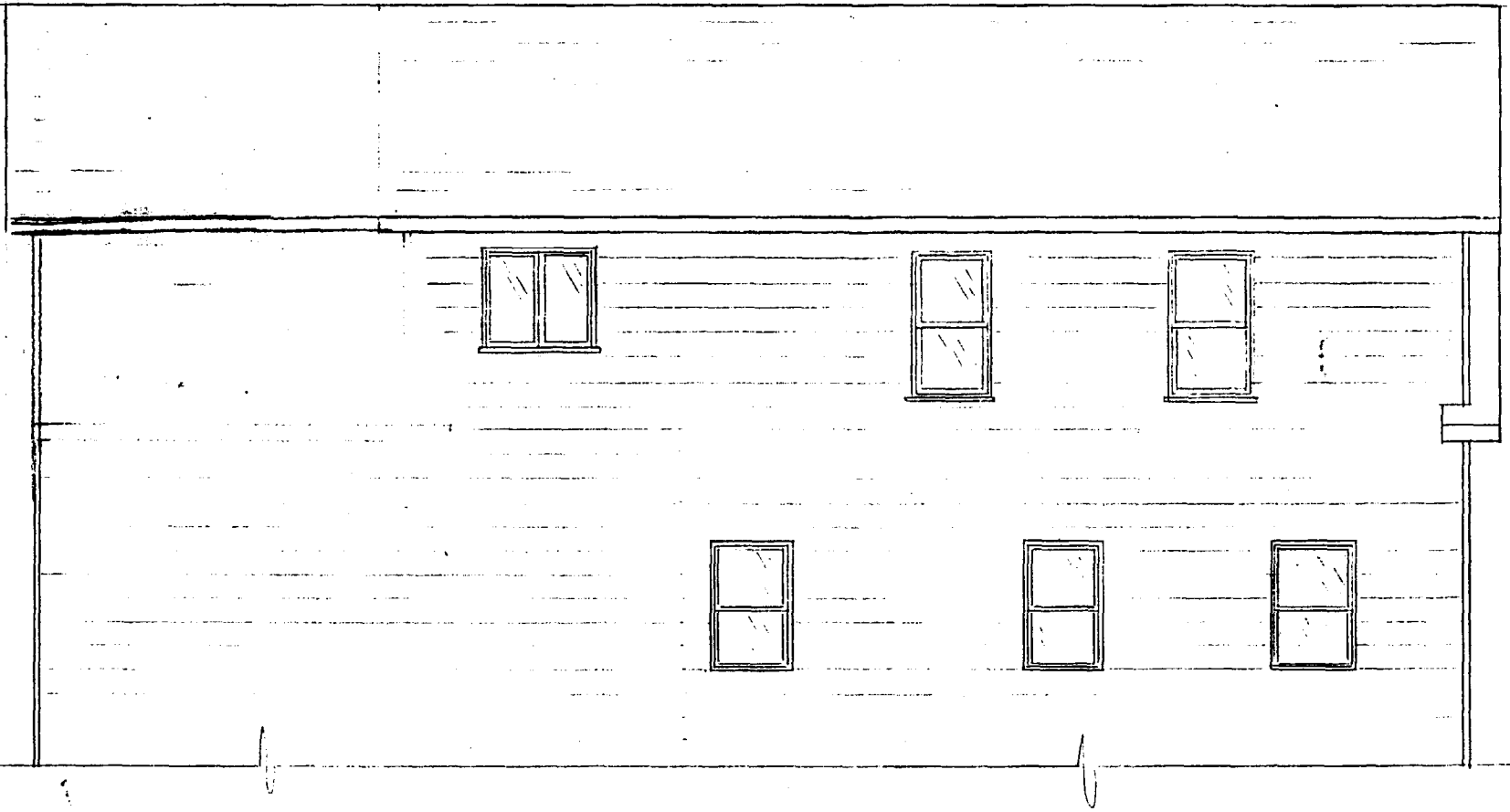
EXHIBIT "B" SECOND FLOOR PLAN



Peter W. Hudson, 203(k) Consultant

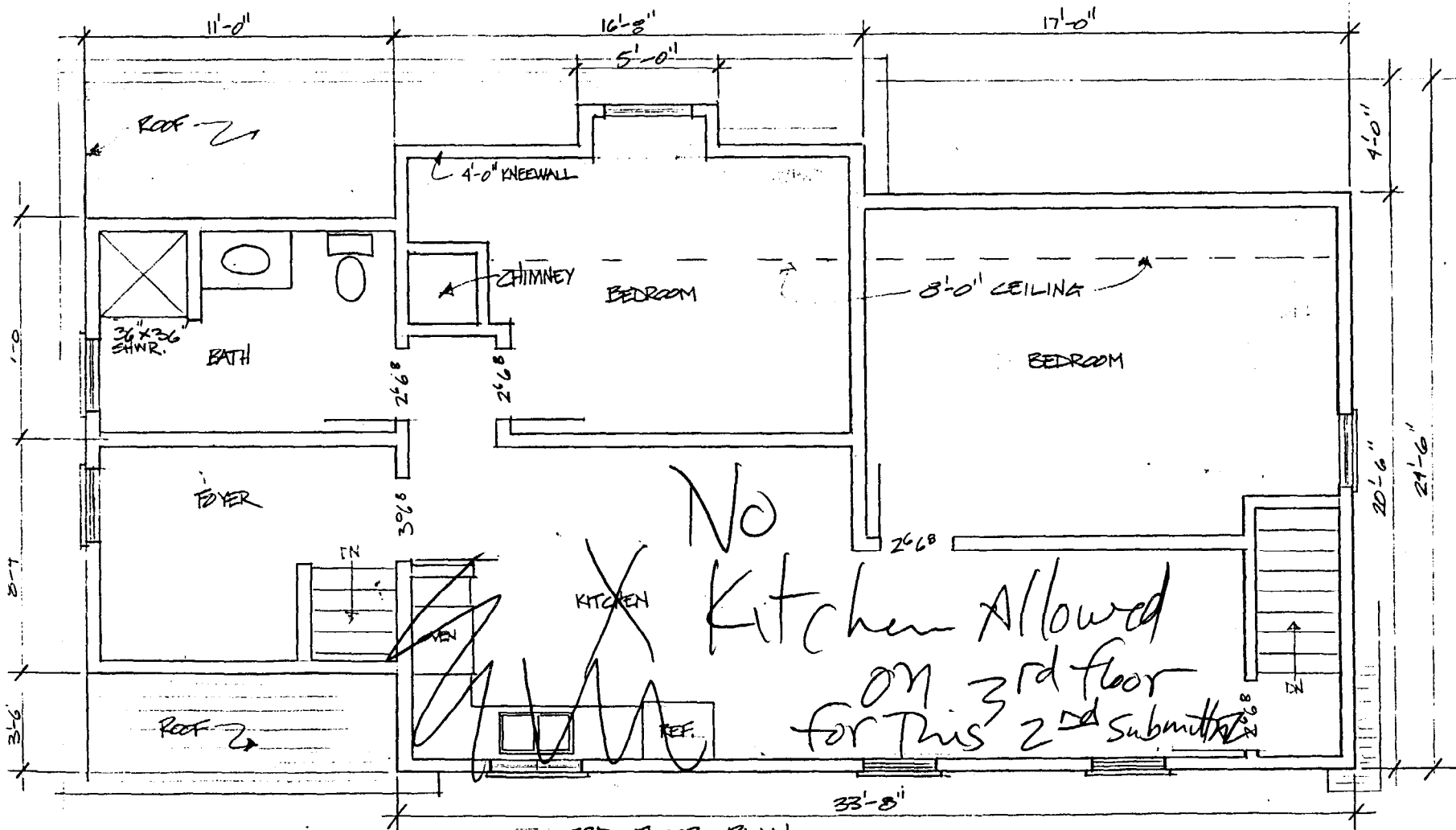


REAR VIEW



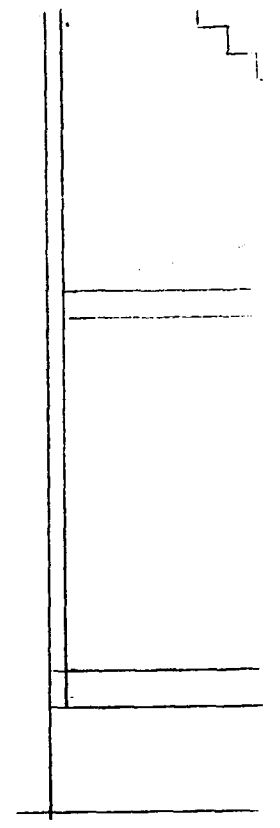
SIDE ELEVATION - DORMER (# 2ND FL.)
1/4" = 1'-0"



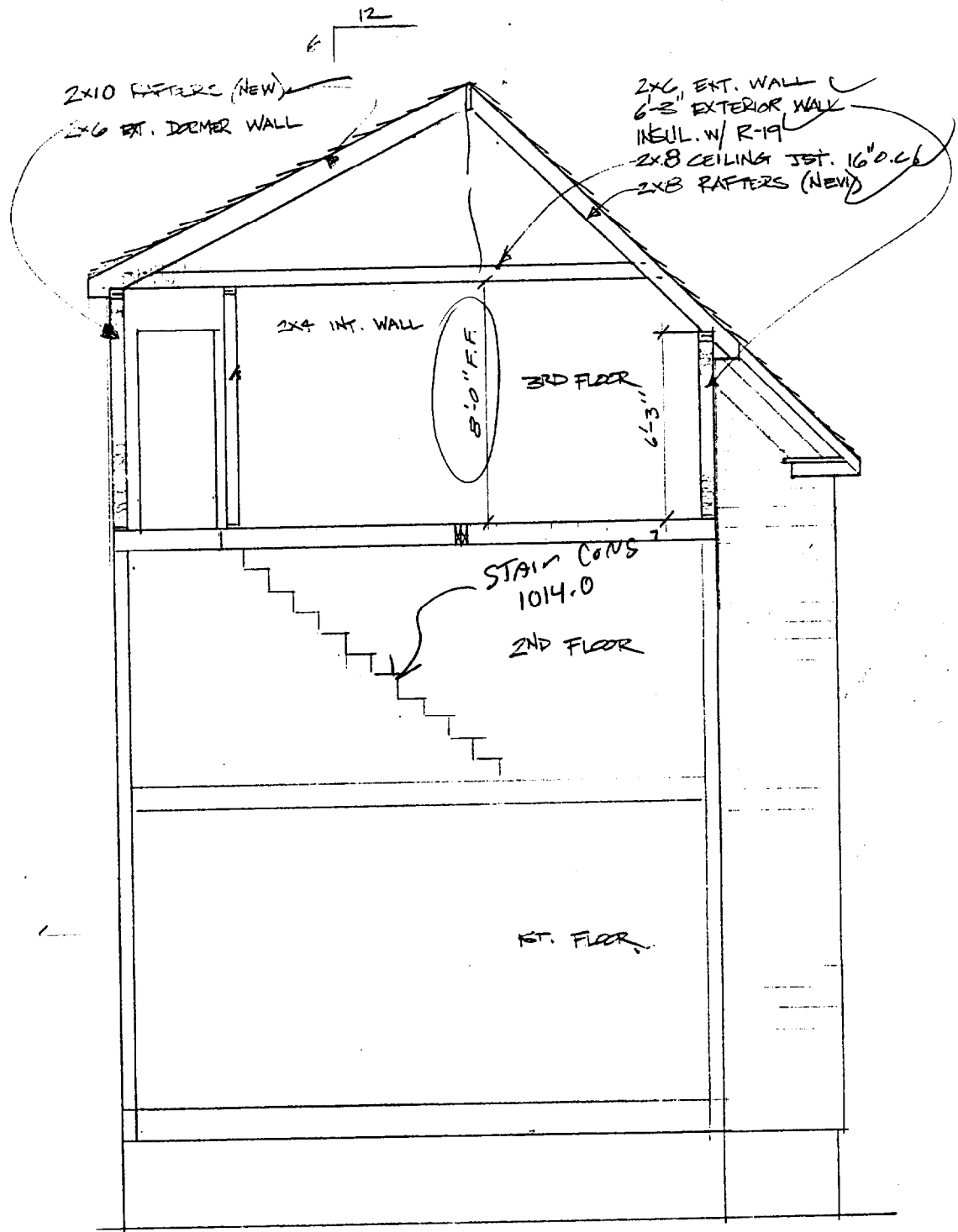


3RD FLOOR PLAN
 1/4" = 1'-0"

No Kitchen Allowed
 on 3rd floor
 for this 2nd submission



108



SECTION VIEW - REAR
 1/4" = 1'-0"

COMP. SHINGLE OVER FELT W/ KE & WATER
SHIELD AT EAVES (TYP.)

2x8 RAFTERS 16" O.C.

2x6 CEILING JOISTS 16" O.C.

PINE TRIM TO MATCH EXIST.

RIDGE VENT
EXISTING 2x8 RAFTERS
INSULATION W/ "PROPER VENTS"

1/2" PLYWOOD ROOF SHEATHING

1/2" O.S.B. SHEATHING ON EXTERIOR OF
DORMER WALLS
WOOD SIDING OVER SHEATHING

1/2" A.P. (TYP.)
1x4 STRAPPING ON CEILING

2x6 WALL (NEW)
R-19 INSUL. IN EXT. WALLS

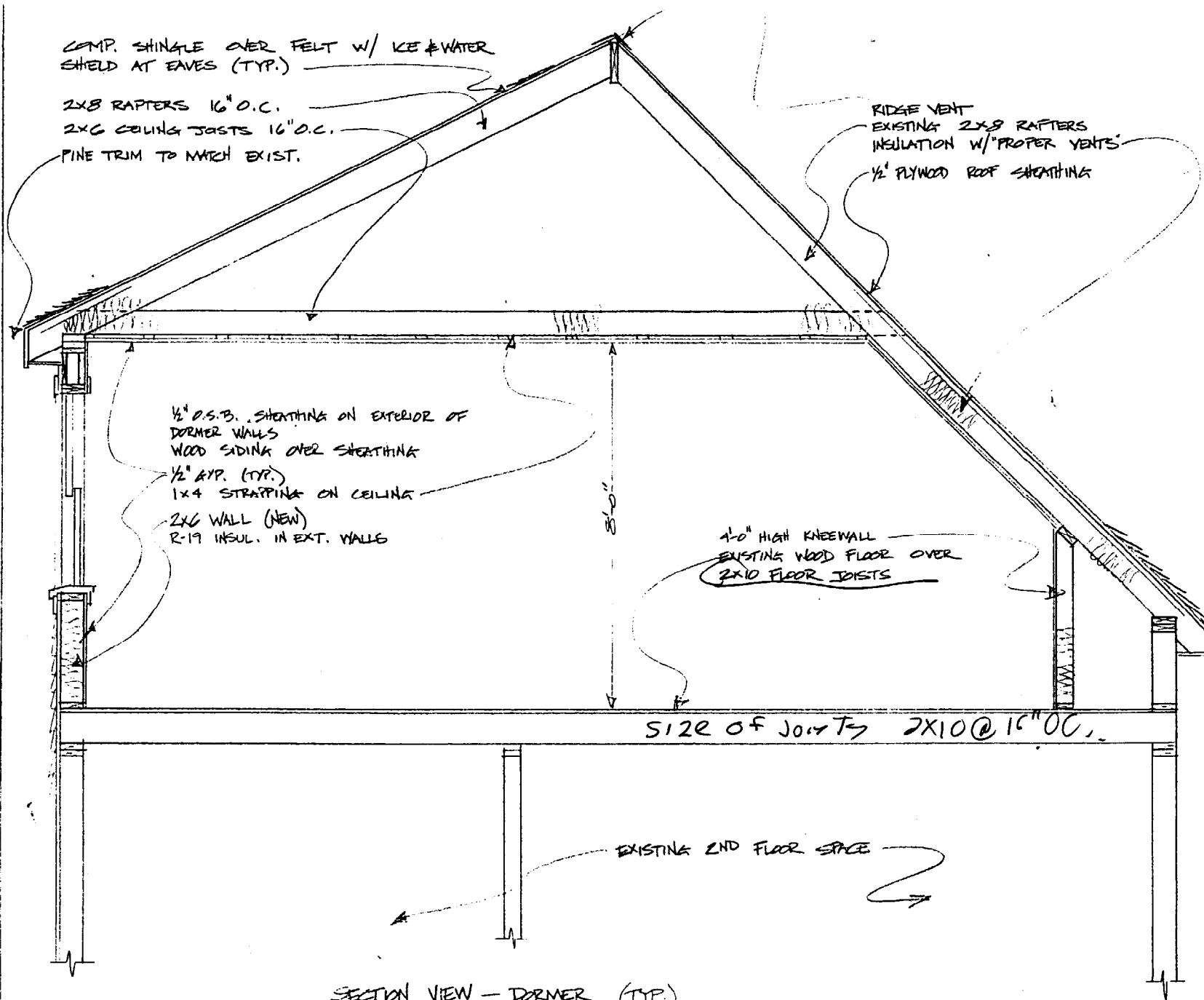
4'-0" HIGH KNEEWALL
EXISTING WOOD FLOOR OVER
2x10 FLOOR JOISTS

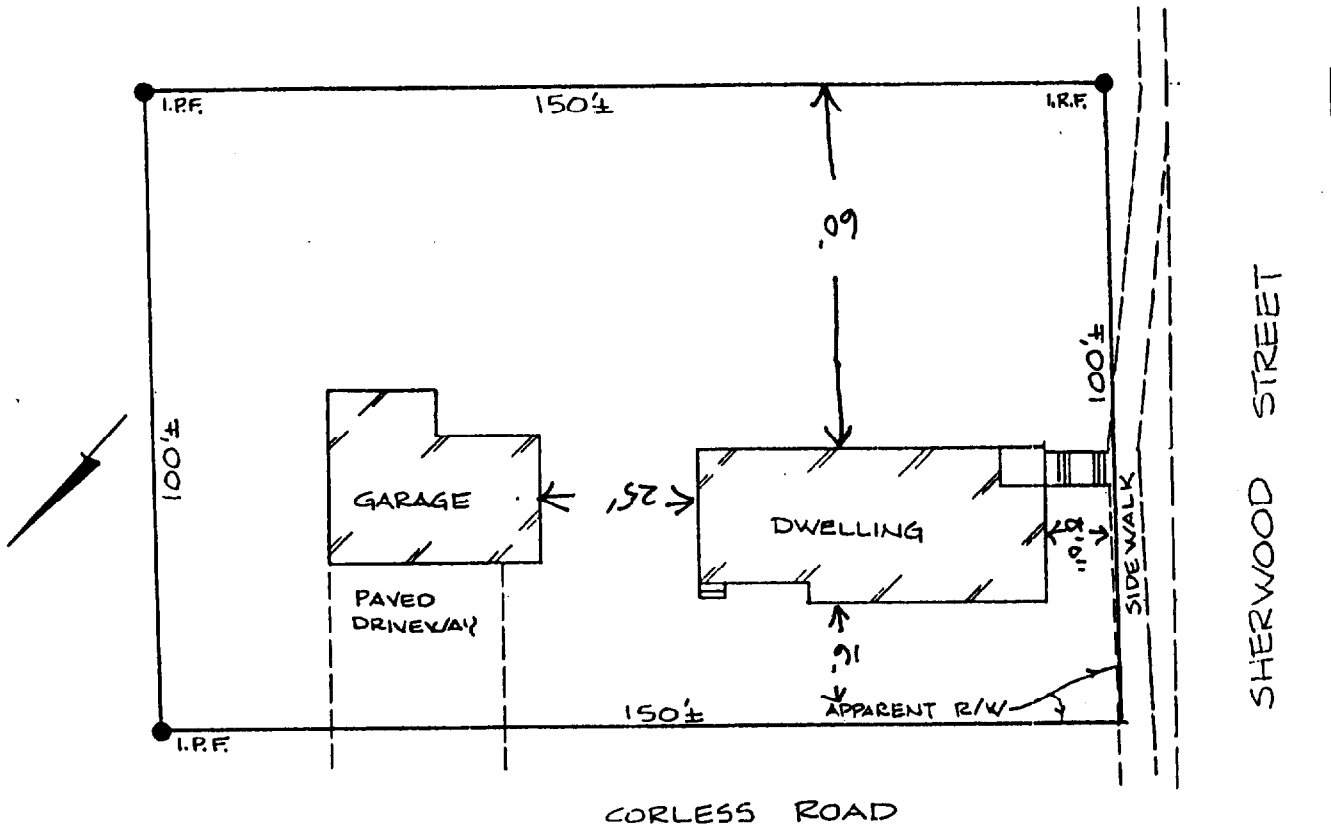
SIZE OF JOISTS 2x10 @ 16" O.C.

EXISTING 2ND FLOOR SPACE

SECTION VIEW - DORMER (TYP.)

1/2" = 1'-0"





MORTGAGE LOAN INSPECTION PLAN

The dwelling does conform to local zoning building setbacks at the time of construction.

The dwelling is not in a special flood zone as defined by flood insurance rate map 230051-0007 dated 12-8-1998.

THIS IS NOT A STANDARD BOUNDARY SURVEY. Information shown on this plan is for mortgage purposes only. Property lines shown on this plan are based on current lines of occupation, current deed information (referenced below), and tax map information. A **STANDARD BOUNDARY SURVEY IS SUGGESTED TO CONFIRM ALL BOUNDARY LINES SHOWN ON THIS PLAN.** This plan may not be recorded or used for any land divisions. The property shown on this plan may be subject to easements, covenants, and restrictions of record which may not be shown on this plan.

This inspection conforms to the standards of the Maine Board of Licensure for Professional Land Surveyors, standards of practice for a Mortgage Loan Inspection.

PROPERTY INFORMATION

Street: 197 SHERWOOD STREET Town: PORTLAND County: CUMBERLAND , Maine

Owner: STEPHEN & LAURIE CAIAZZO

Buyer: MATTHEW S. HODGINS

Deed Reference: book 12641 page 97

Plan Reference: book page lot

Tax Map # 428 Lot 4, 5, 6 Block F

Lending Institution: FIRST FINANCIAL MORTGAGE CORP.

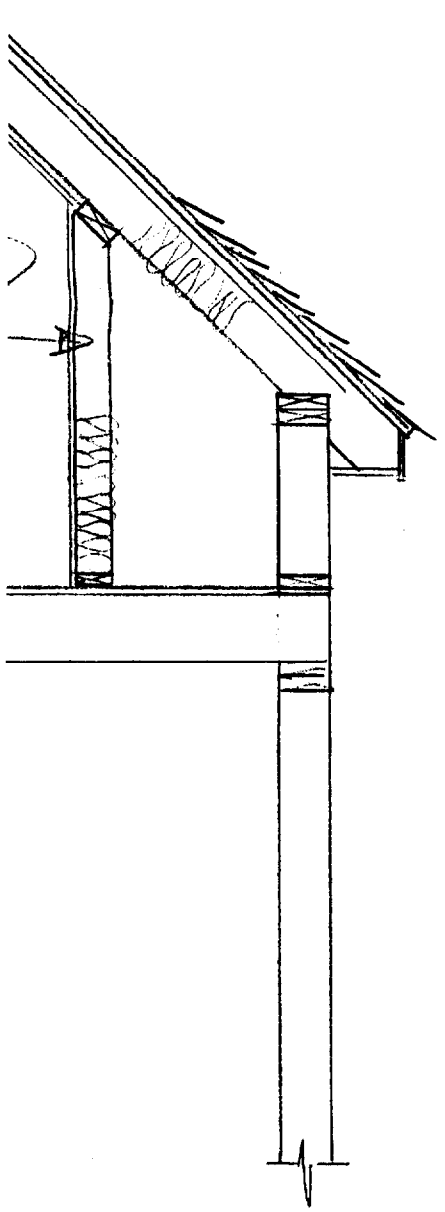
Scale: 1 inch = 30 feet Date: FEBRUARY 2, 1999

Atlantic Title Company
76 Atlantic Place
South Portland, Maine 04106
Telephone (207) 774-4400

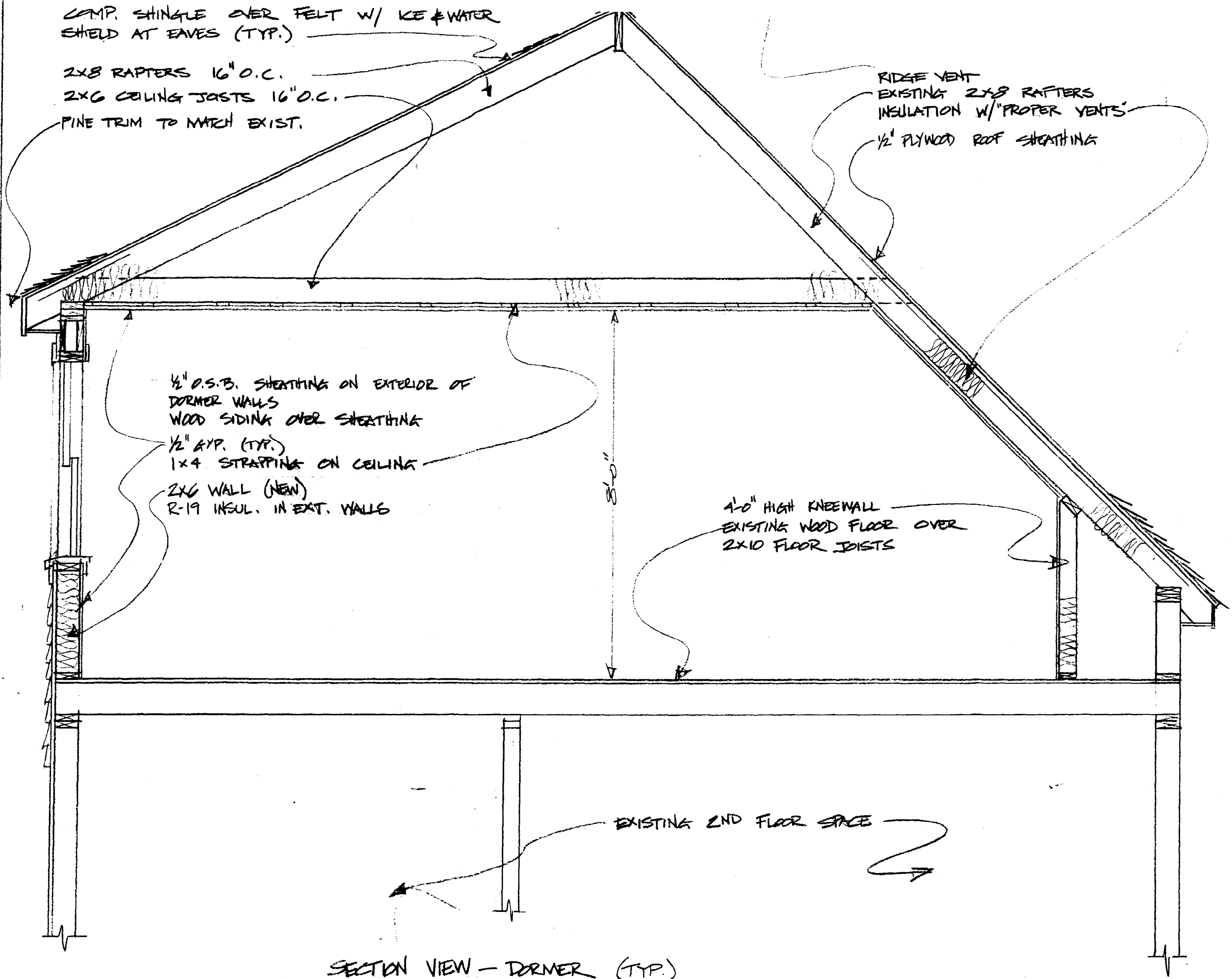
WILLIAM G. AUSTIN
STATE OF MAINE
PROFESSIONAL LAND SURVEYOR # 2174



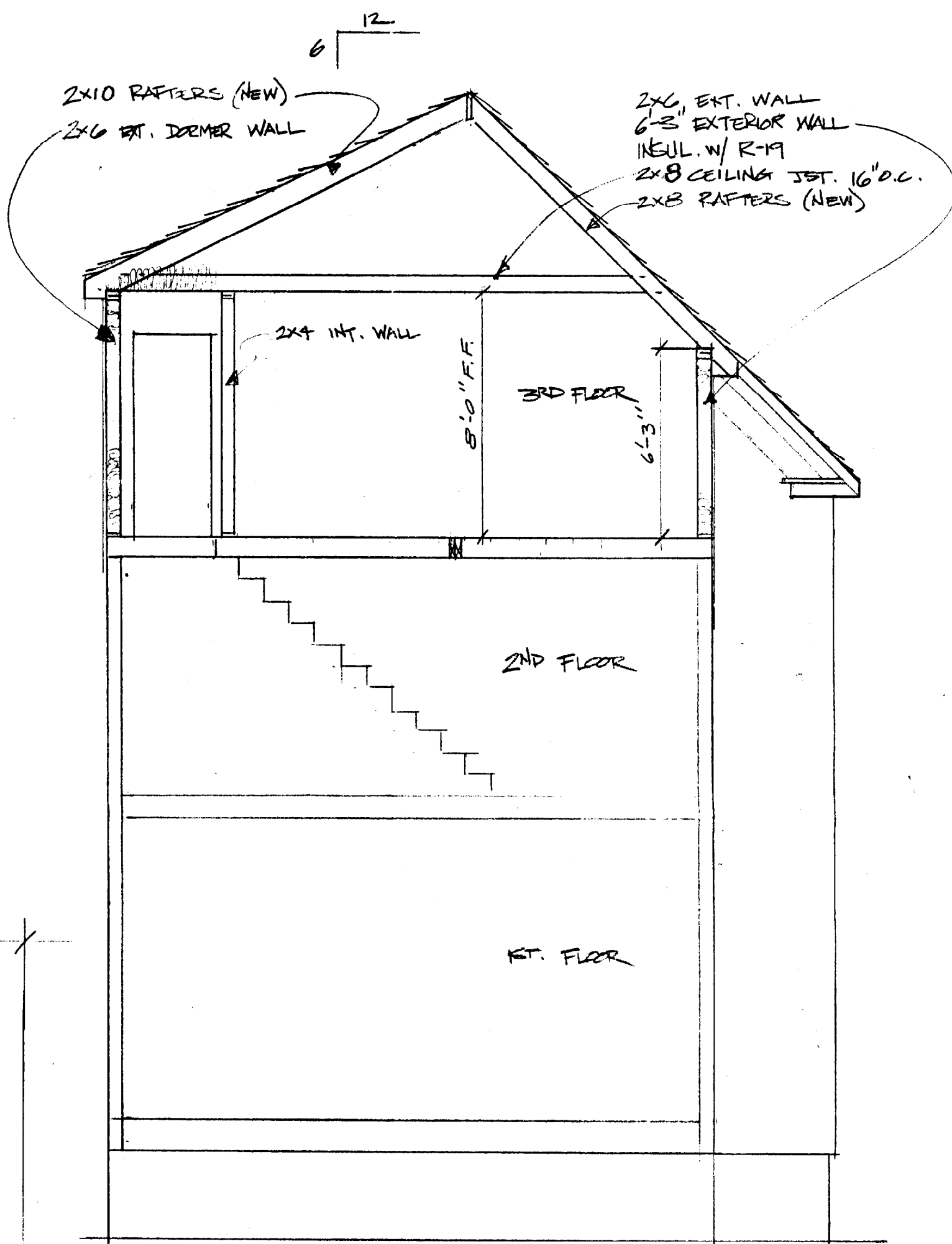
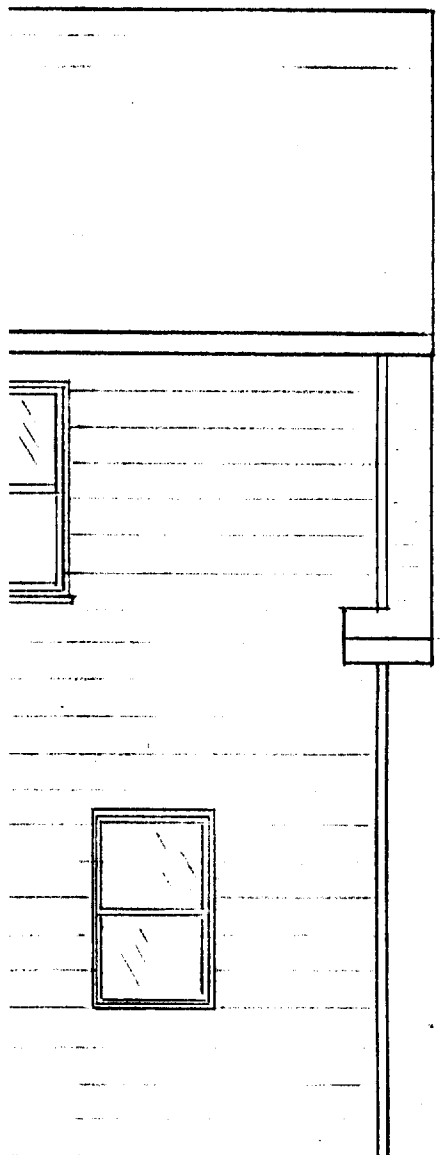
AFTERS
PER VENTS'
HEATHING



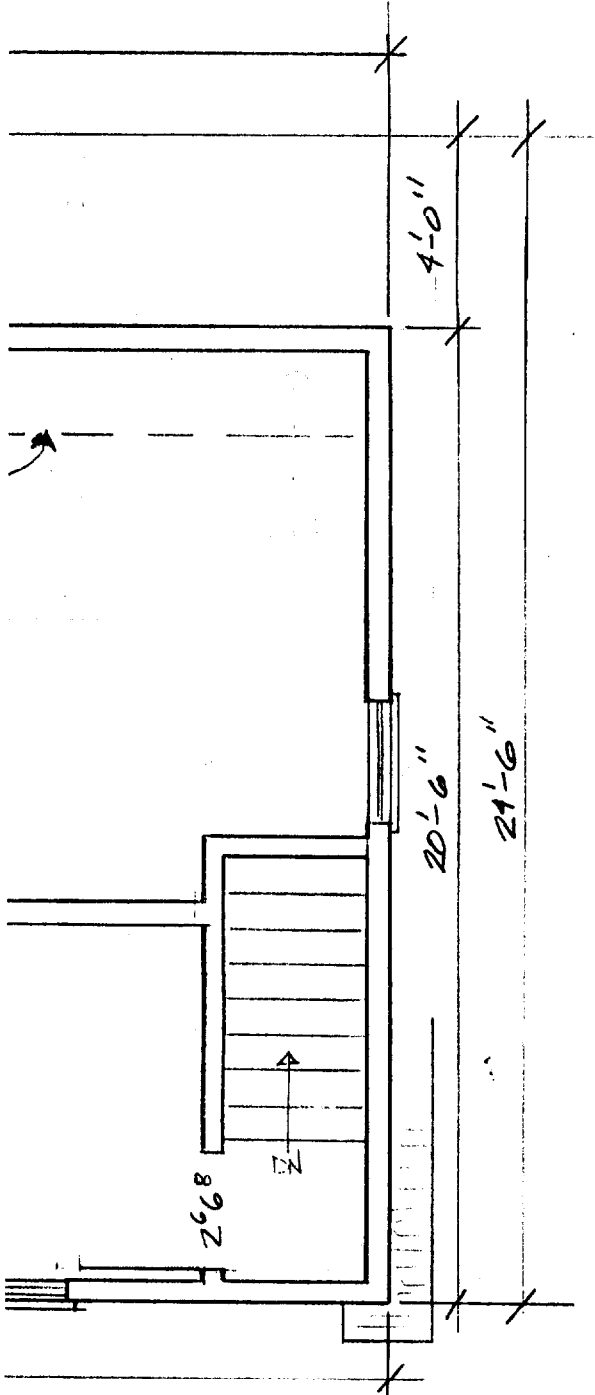
REAR VIEW
1/4" = 1'-0"

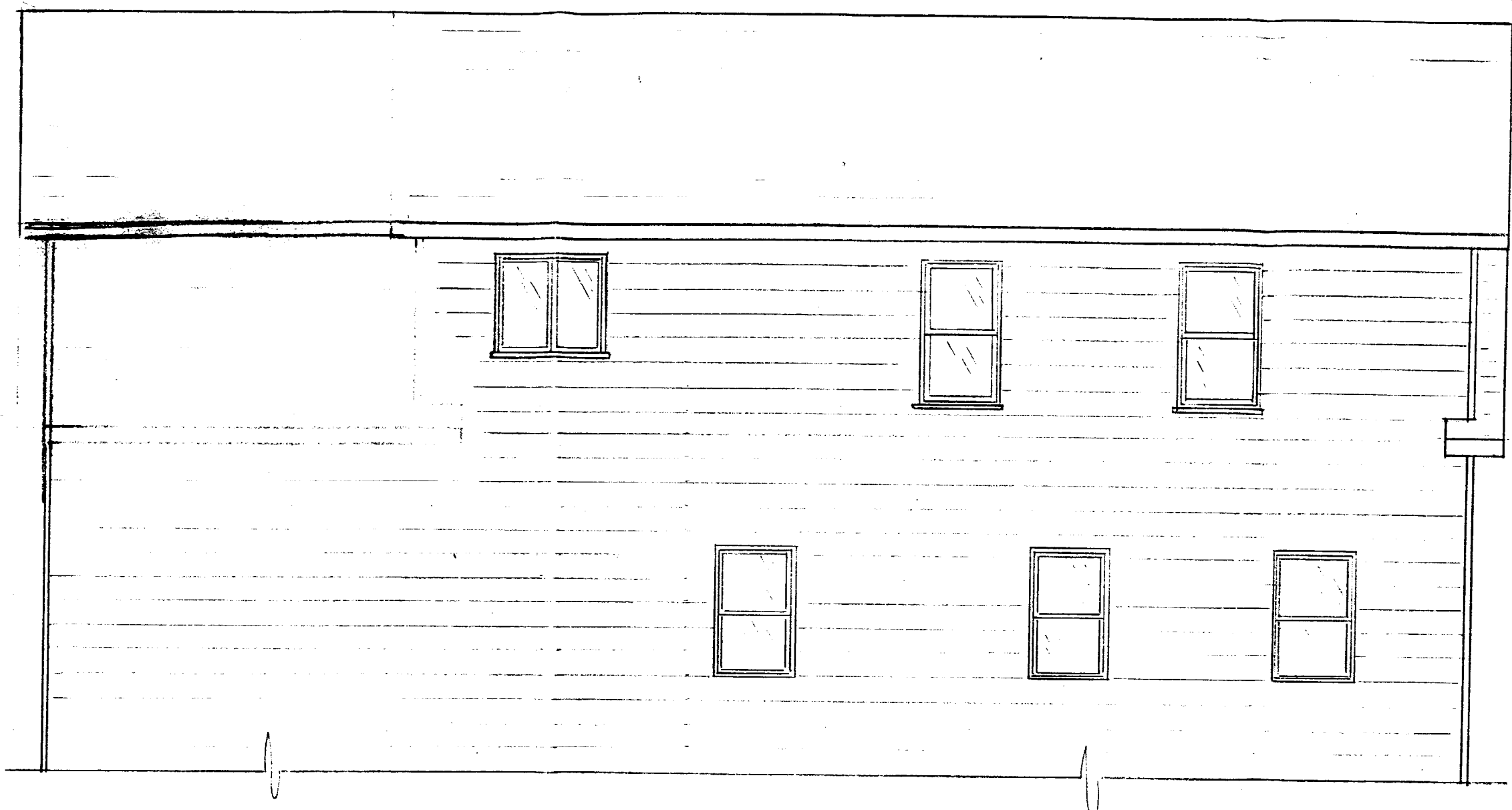


SECTION VIEW - DORMER (TYP.)



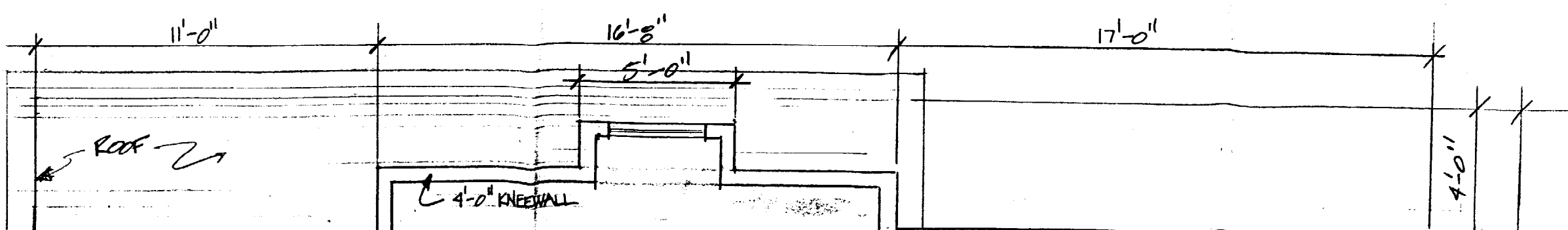
SECTION VIEW - REAR
 1/4" = 1'-0"





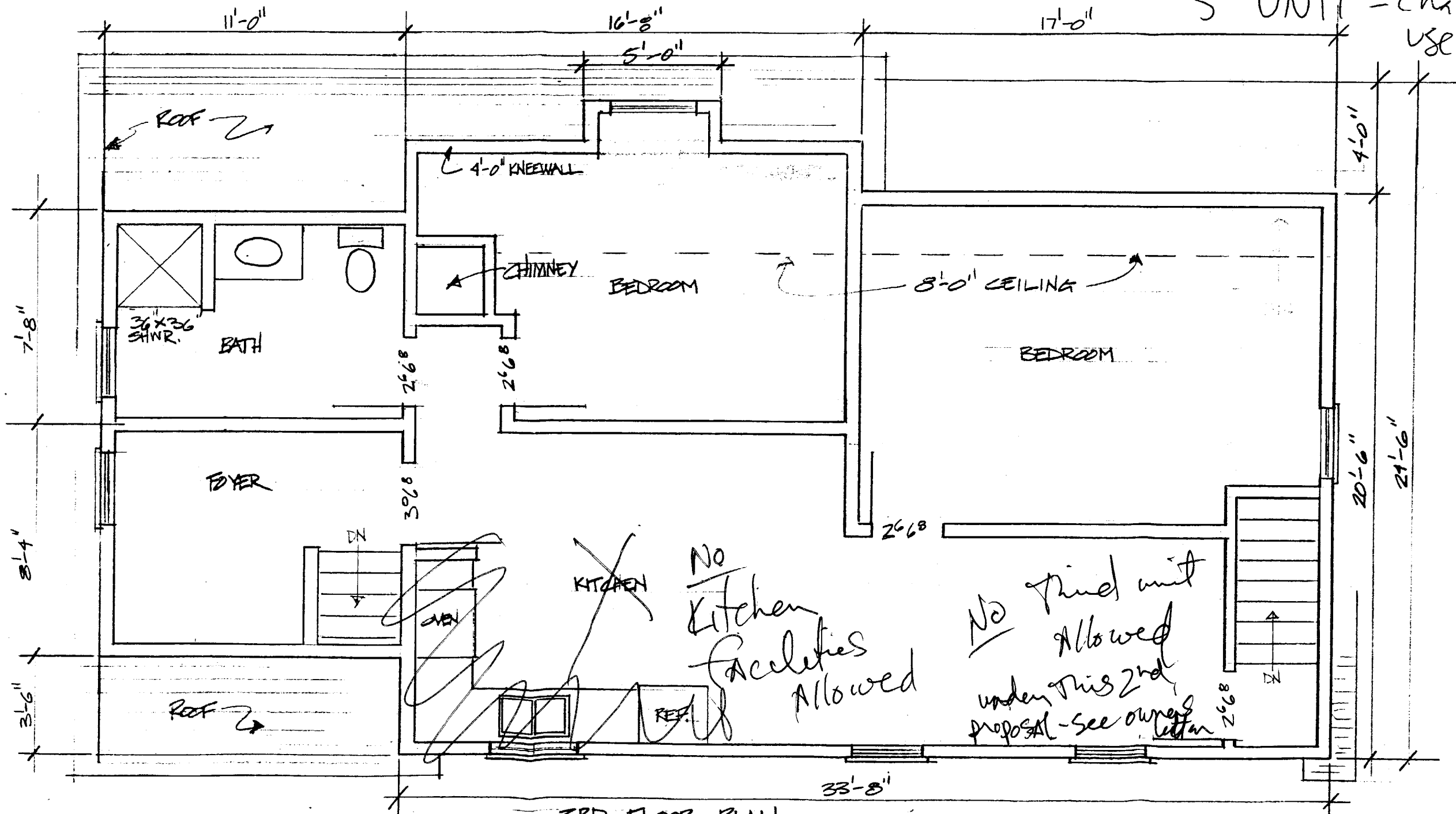
2x10 RAFTERS (NEW) -
 2x6 EXT. DORMER WALL

SIDE ELEVATION - DORMER (# 2ND FL.)
 1/4" = 1'-0"



SIDE ELEVATION - DORMER (# 2ND FL.)
 $\frac{1}{4}'' = 1'-0''$

NOT BEING
 DONE AS
 3 UNIT - change use



SECTION VIEW -
 $\frac{1}{4}'' = 1'-0''$

3RD FLOOR PLAN
 $\frac{1}{4}'' = 1'-0''$

~~KITCHEN~~
 No Kitchen
 Facilities
 Allowed

No find unit
 Allowed
 under this 2nd
 proposal - see owners
 letter

3RD FLOOR
 PORTLAND, ME