

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION
PERMIT

Permit Number: 080466

This is to certify that GEORGE JUDY D
Change of Use, no construct
has permission to
52 ATLANTIC ST
AT

016 E008001

**PERMIT
DENIED**

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of this 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 procured before this building or part thereof is lashed or 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 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: 08-0466	Issue Date:	CBL: 016 E008001
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Location of Construction: 52 ATLANTIC ST	Owner Name: GEORGE JUDY D	Owner Address: 52 ATLANTIC ST	Phone: 319-2445
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	Zone: R-6

Past Use: Apartment - 2 unit	Proposed Use: Apartment - 3 Unit/ Change of Use, no construction	Permit Fee: \$105.00	Cost of Work: \$0.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	

Proposed Project Description:
Change of Use, no construction

PERMIT DENIED

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)
Action: Approved Approved w/Conditions Denied
Signature: Date:

Permit Taken By: Imd	Date Applied For: 05/02/2008	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:

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
ABM
Date:

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

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>52 Atlantic Street</u>		
Total Square Footage of Proposed Structure/Area <u>890 for 3rd floor</u>		Square Footage of Lot <u>2554</u>
Tax Assessor's Chart, Block & Lot Chart# <u>16</u> Block# <u>E</u> Lot# <u>8</u>		Applicant * must be owner, Lessee or Buyer * Name <u>Judy George</u> Address <u>233 Smith Road</u> City, State & Zip <u>Windham, ME 04062</u>
Telephone: <u>3192445</u>		
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>same</u> Address _____ City, State & Zip _____	Cost Of Work: \$ <u>30.00</u> C of O Fee: \$ <u>75.00</u> Total Fee: \$ <u>105.00</u>
Current legal use (i.e. single family) <u>2 unit</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>3 unit</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>change of use from a 2 unit to a 3 unit.</u>		
Contractor's name: _____ Address: _____ City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: <u>Judy George</u> Telephone: <u>3192445</u> Mailing address: <u>233 Smith Road Windham ME 04062</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: Judy George Date: May 27, 2008

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

City of Portland, Maine - Building or Use Permit

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

Permit No: 08-0466	Date Applied For: 05/02/2008	CBL: 016 E008001
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Location of Construction: 52 ATLANTIC ST	Owner Name: GEORGE JUDY D	Owner Address: 52 ATLANTIC ST	Phone: () 319-2445
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Dwellings	

Proposed Use: Apartment - 3 Unit/ Change of Use, no construction	Proposed Project Description: Change of Use, no construction
--	--

Dept: Zoning	Status: Denied	Reviewer: Ann Machado	Approval Date:
Note: The legal use of the property is a two family according to permit #05-0512.			Ok to Issue: <input type="checkbox"/>
Dept: Building	Status: Pending	Reviewer:	Approval Date:
Note:			Ok to Issue: <input type="checkbox"/>

Comments:
5/12/2008-amachado: Application is denied. Need 1,000 sf of land arear per dwelling unit. Lot is 2554 sf so can't have three units. Driveway only show enough room for two parking spaces. Need to have three parking spaces for the change of use. See letter.
9/5/2008-amachado: Zoning Board of Appeals denied hardship variance appeal on 6/19/08.

COPY

THIS IS NOT A BOUNDARY SURVEY

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MORTGAGE INSPECTION OF: DEED BOOK 21605 PAGE 139 COUNTY Cumberland
PLAN BOOK --- PAGE --- LOT ---

ADDRESS: 52 Atlantic Street, Portland, Maine

Job Number: 488-71

Inspection Date: 3-08-05

Scale: 1" = 15'

Buyer: Judy George

Client File #: -----

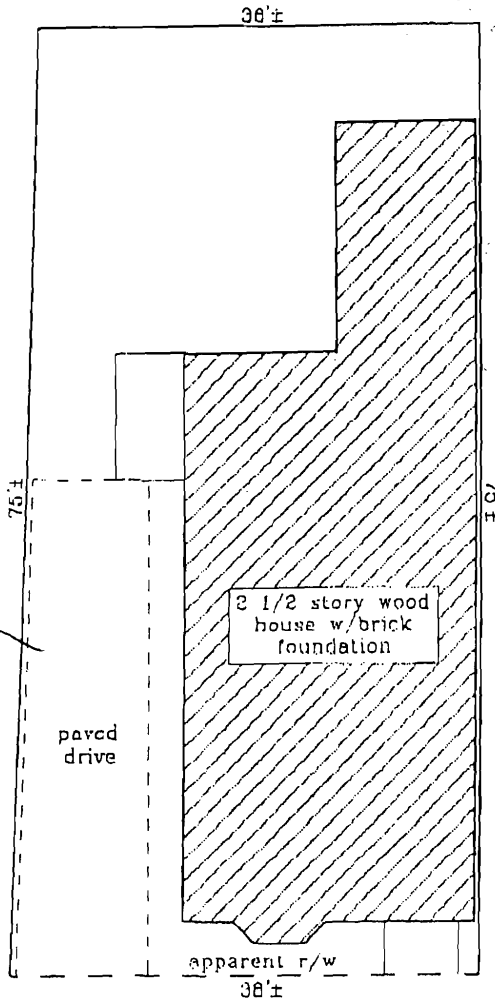
Sellers: Nicholas Oppedisano & Donna Buchanan

RL

lot size - 25540

land area per dw = 1,000.

1 parking space for each unit
& stairs



appears to be only 2 parking spaces.

[Handwritten signature]

Atlantic Street

I HEREBY CERTIFY TO: Bay Area Title Services, Inc.
Residential Mortgage, and its title insurer.

- Monuments found did not conflict with the deed description.
- The dwelling setbacks do not violate town zoning requirements.
- As delineated on the Federal Emergency Management Agency Community Panel:
- The structure does not fall within the special flood hazard zone.
- The land does not fall within the special flood hazard zone.
- A wetlands study has not been performed.

APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMBRANCES, RECORDED OR NOT, MAY EXIST. THIS SKETCH WILL NOT REVEAL ABUTTING DEED CONFLICTS, IF ANY.

Livingston - Hughes
Professional Land Surveyors
66 Guinea Road
Kennebunkport - Maine 04046
207-967-9761 phone 207-967-4831 fax
www.livingston-hughesurveyors.com

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

* 2nd floor

$$\begin{array}{r}
 18 \times 10 = 180 \\
 23 \times 44 = 1012 \\
 \hline
 1192 \\
 - 60 \\
 \hline
 1132 \text{ ft}
 \end{array}$$

18' x 10

8' x 7'

Rear stairs

3rd Bedroom

23 ft.

6' x 5' Pantry & Laundry

Kitchen

Bath 6' x 10'

↑
44 ft.
↓

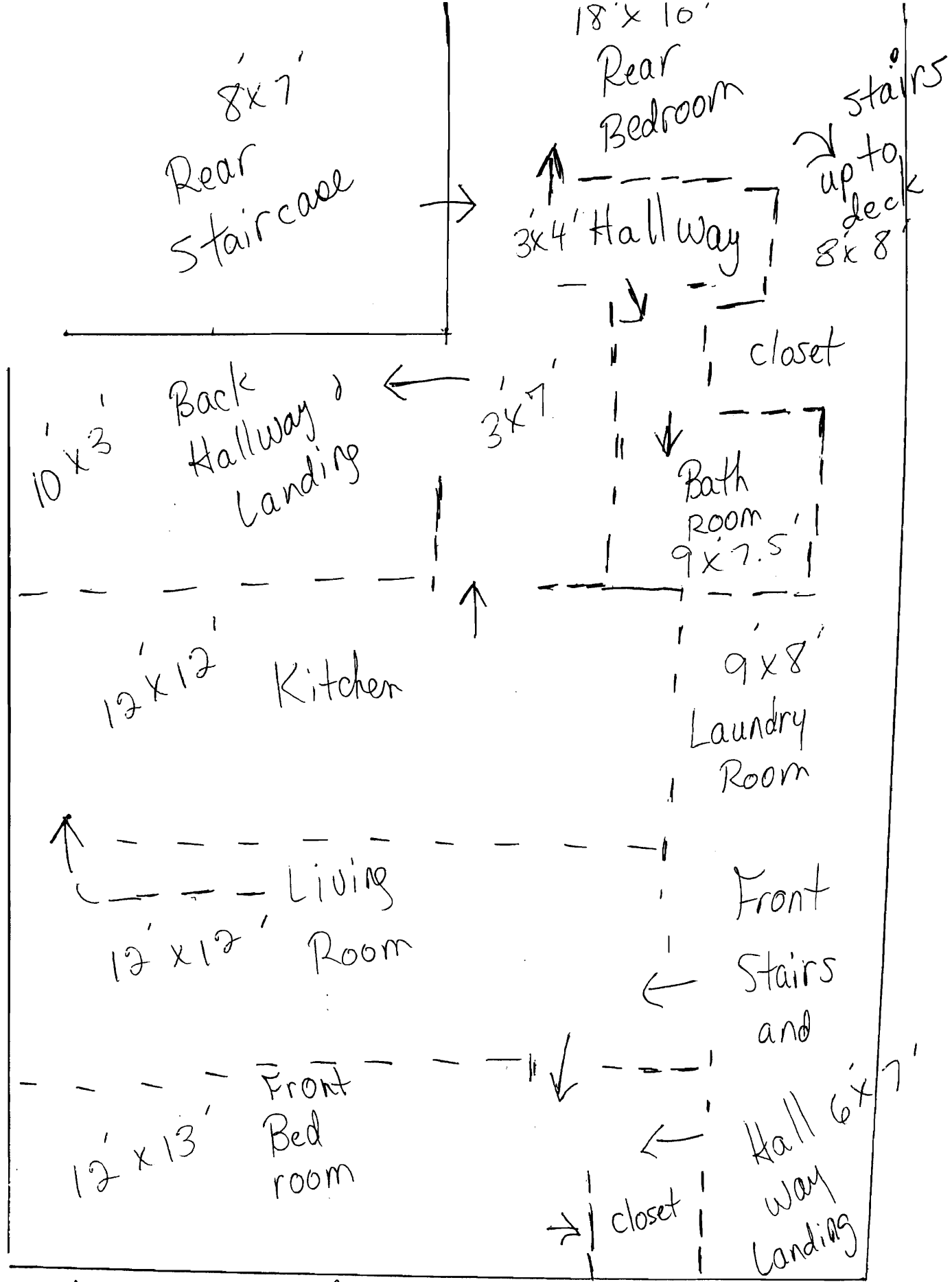
Living Room

2nd Bedr 10' x 12'

1st Bedroom 13' x 12'

Front stairs 10' x 6'

1390 sq. ft with ~~out~~ common space 23 ft.



$12 \times 13 = 156$
 $12 \times 12 = 144$
 $12 \times 12 = 144$
 $9 \times 8 = 72$
 $3 \times 7.5 = 22.5$
 $18 \times 10 = 180$

 763.5
 over 600

890 sq ft
without
common

* 3rd floor
← 23 ft →



Date: 4/11/2008 1:54:51 PM
Subject: Re: 52 Atlantic illegal unit. legal 2 being used as 3

Suzanne

I must apologize I forgot about the inspection.

Thank you for covering for me.

Greg

Captain Greg Cass
Portland Fire Dept.
Fire Prevention Officer

>>> Suzanne Hunt 4/11/2008 1:50:17 PM >>>

I went to 52 Atlantic in response to Fire Department request. Met with owner Judy George 319-2445 of 233 Smith Rd. Windham 04062. The property has unclosed permits pertaining to renovations. There are three floors each one is being occupied. there are two egresses from each floor. the LL states that she is renting the third floor to her son and that since it does not have a stove she felt it was not a unit. I explained that this does not pass the straight face test and that she should contact the city to look into legalization. Judy George is a realtor with Remax By the Bay.

Suzanne Hunt Code Enforcement, 874-8707

52 Atlantic

JUH

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number	1 of 1
Parcel ID	016 E008001
Location	52 ATLANTIC ST
Land Use	TWO FAMILY
Owner Address	GEORGE JUDY D 52 ATLANTIC ST PORTLAND ME 04101
Book/Page	24002/051
Legal	16-E-8 ATLANTIC ST 50-52 2554 SF

Current Assessed Valuation

Land	Building	Total
\$106,800	\$203,400	\$310,200

Property Information

Year Built 1910	Style Old Style	Story Height 2	Sq. Ft. 3080	Total Acres 0.059		
Bedrooms 7	Full Baths 2	Half Baths	Total Rooms 12	Attic Full Finsh	Basement Full	

Outbuildings

Type	Quantity	Year Built	Size	Grade	Condition
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Sales Information

Date	Type	Price	Book/Page
05/26/2006	LAND + BLDING		24002-051
03/18/2005	LAND + BLDING	\$322,000	22430-285
07/29/2004	LAND + BLDING	\$137,240	21606-139

Picture and Sketch

<u>Picture</u>	<u>Sketch</u>	<u>Tax Map</u>
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[Click here](#) to view Tax Roll Information.

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

New Search!

City of Portland, Maine - Building or Use Permit

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

Permit No: 05-0336	Date Applied For: 0313 112005	CBL: 016 E008001
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Location of Construction: 52 Atlantic St	Owner Name: Judy & Justin George	Owner Address: 233 Smith Road	Phone: () 319-2445
Business Name:	Contractor Name: M & M Builders	Contractor Address: 16 Tenney Street Yarmouth	Phone: (207) 846-0774
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions	
Proposed Use: Demolish barn to make room for addition		Proposed Project Description: Demolish barn to make room for addition	

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 04/06/2005**Note:** **Ok to Issue:**

- 1) This property shall remain a two (2) family dwelling. Any change of use shall require a separate permit application for review and approval.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 3) 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 same use. Any changes to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of removal. It shall be the owner's responsibility to contact the Code Enforcement Officer and notify them of that specific date.
- 4) 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.

Dept: Building **Status:** Approved **Reviewer:** Jeanine Bourke **Approval Date:** 04/07/2005**Note:** **Ok to Issue:**

- 1) An inspection is required before demolition

City of Portland, Maine - Building or Use Permit

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

Permit No: 05-0512	Date Applied For: 05/03/2005	CBL: 016 E008001
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Location of Construction: 52 Atlantic St	Owner Name: Buchanan Donna	Owner Address: 201 Harvard St	Phone:
Business Name:	Contractor Name: M & M Builders	Contractor Address: 16 Tenney Street Yarmouth	Phone (207) 846-0774
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Residential / Addition/ new rooms 1st, 2nd & 3rd flr new deck	Proposed Project Description: Addition/ new rooms 1st, 2nd & 3rd flr new deck
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 06/01/2005**Note:** ok under 14-436 B - 80 % expansion allowed**Ok to Issue:**

- 1) 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 same use. Any changes to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of removal. It shall be the owner's responsibility to contact the Code Enforcement Officer and notify them of that specific date.
- 2) 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.
- 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:** Tammy Munson **Approval Date:** 06/01/2005**Note:****Ok to Issue:**

- 1) This permit DOES NOT certify the use of the property or building. It only authorizes the construction activities.
- 2) As discussed, hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, on every level, and in a common area.
- 3) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.
- 4) Separate permits are required for any electrical, plumbing, or heating.
- 5) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Dept: Fire**Status:****Reviewer:****Approval Date:****Note:****Ok to Issue:**

W/permit 05-0512

M & M Industries
33 Chapel Street #1
South Portland, Me 04106
207-329-4875

May 3, 2005

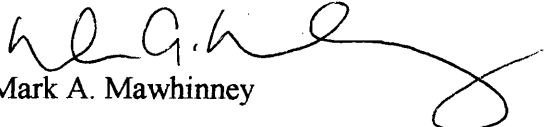
Building Inspections
City of Portland
389 Congress Street
Portland, Maine 04101

To whom it may concern:

Arthur Rowe met with my client, Judy George, on May 2nd, 2005 in regards to the construction of the deck and the rebuilding of the elle. My client is of the understanding that this addition will not be used to facilitate the construction of an extra unit on the premises.

At the present time my client has pulled all permits(electrical & demolition) and is presenting this permit to do as stated, and understands that the city and code does not allow a third unit in this building.

Sincerely yours,


Mark A. Mawhinney

This data is provided by the Assessor's Office and is current as of

Apr. 3, 2008

Fees

New

Scheduling

CBL	016 E008001	Acct No	2578	Property Address	52 ATLANTIC ST	View Complaint	Close				
Owner Name 1	GEORGE JUDY D			Property Type	RESIDENTIAL	Dist#:	1				
Name 2				Description	16-E-8 ATLANTIC ST 50-52	View Inspection	Print Inv.				
Mailing Address	52 ATLANTIC ST			Census Tract	2.00 2554 SF	View Site Plan	View Permit				
City, State, Zip	PORTLAND	ME	04101								
Prop Info	Inspections	Site Plans	Permits	Complaints	Food/Water/Odor	Documents	Letters	Property Mgmt	Fees	Taxes	Notes

App Type	Permit No	App Date	Iss Date	Status	PastUse	ProposedUse
Building Permit	051526	10/19/2005		Pending	multi unit (2)	Multi unit (2) Install a Peerless ECT04 w/ Beckett Burner in basement w/ a 275 gal tank.
Building Permit	050954	07/12/2005	08/03/2005	Open	2 Family Home	2 Family Home / ammendment to permit #050336 change in floor plan
Plumbing	20058225	06/29/2005	06/29/2005	Open		
Electrical Permit Residential	20054581	06/28/2005	06/28/2005	Open		
Building Permit	050512	05/03/2005	06/01/2005	Open	Residential	Residential / Addition/ new rooms 1st, 2nd & 3rd fir new deck

R6 LCI: R

App Type	Permit No	App Date	Iss Date	Status	PastUse	ProposedUse
Building Permit	050336	03/31/2005	04/07/2005	Closed	Barn - attached to a 2 residential dwelling unit building	Demolish barn to make room for addition

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Peter Coyne
Philip Saucier-sec
Peter Thornton
Deborah Rutter
Jill E. Hunter
David Dore, chair
Gordan Smith

June 24, 2008

Judy George
233 Smith Road
Windham, ME 04062

RE: 52 Atlantic Street
CBL: 016 E008
ZONE: R6

Dear Ms George:

As you know, at its June 19, 2008, meeting, the Board voted 4-0 to deny your Hardship Variance Appeal.

Enclosed please find the billing for the Zoning Board Appeals legal ad and abutters notification; also a copy of the board's decision

The inspections office has scheduled a re-inspection for 52 Atlantic Street on Thursday, July 24, 2008, which is 30 days from the date of this letter. The kitchen facilities on third floor unit need to be removed and you need to show us how the building will be restored to two units.

Should you have any questions please feel free to contact me at 207-874-8701.

Sincerely,



Gayle Guertin
Office Assistant

CC: file

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

①

“Undue Hardship” Variance Appeal

DECISION

Date of public hearing: 6/19/08

Name and address of applicant:

~~52 Atlantic Street,~~ / Judy George /
233 Smith Rd

Location of property under appeal:

Same

For the Record:

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

Judy George

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

John Carter / Witness;
48 Atlantic Street

Findings of Fact and Conclusions of Law:

“Undue Hardship” Variance standard pursuant to Portland City Code §14-473(c)(1):

1. The land in question cannot yield a reasonable return unless a variance is granted. (Note: “Failure to yield a ‘reasonable return’ means ‘the practical loss of all beneficial use of the land.’ . . . Reasonable return does not mean maximum return.” *Rowe v. City of South Portland*, 730 A.2d 673, 675 (Me. 1999) (citations omitted).)

Satisfied ~~0~~ Not Satisfied 4

Reason: even w/ the 2-unit, it is still rentable w/ reasonable return

2. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.

Satisfied 4 Not Satisfied ~~0~~

Reason: the bldg itself lends itself to 2 vs. 3

3. The granting of a variance will not alter the essential character of the locality.

Satisfied 4 Not Satisfied ~~0~~

Reason: internal unit / issue w/ no outside issues

4. The hardship is not the result of action taken by the applicant or a prior owner.

Satisfied ~~0~~ Not Satisfied 4

Reason: applicant created issue

Conclusion: (check one)

Option 1: The Board finds that the standards described above (1 through 4) have been satisfied and therefore GRANTS the application.

Option 2: The Board finds that while the standards described above (1 through 4) have been satisfied, certain additional conditions must be imposed to minimize adverse effects on other property in the neighborhood, and therefore GRANTS the application SUBJECT TO THE FOLLOWING CONDITIONS:

Option 3: The Board finds that the standards described above (1 through 4) have NOT all been satisfied and therefore DENIES the application.

Dated: June 19, 2008



Board Chair



Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

appealed to ZBA - on June 5th agenda

May 12, 2008

Judy George
233 Smith Road
Windham, ME 04062

RE: 52 Atlantic Street – 016 E008 – R-6 – denial of third unit – permit #08-0466

Dear Ms. George.

I am in receipt of your application to change the use of your property at 52 Atlantic Street from a two family to a three family dwelling. Section 14-139(b)(1) of the ordinance states that the minimum area per dwelling unit that is required in the R-6 zone is 1,000 square feet per dwelling unit. You need 3,000 square feet of land area to change the use of you property to a three family, but your lot size is only 2,554 square feet. Since you do not have enough land area, you cannot change the use of your property to a three family, and I must deny your application. Section 14-332(a)(2) of the ordinance requires that for a change of use in an existing structure, you need one parking space for each unit. Your plot plan shows that there are only two parking spaces on the property, and since you need three spaces, you do not meet the parking requirement, and your permit must be denied.

Our office received an application for a hardship variance for the land area per dwelling unit requirement on May 2, 2008. This appeal application was in response to the letter I wrote you on April 22, 2008 pointing out the illegal use of your property as a three family dwelling and requiring you to bring the property into compliance as a two family dwelling.

Please contact me at 874-8709 if you have any questions.

Yours truly,

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



Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

April 22, 2008

Judy George
233 Smith Road
Windham, ME 04062

RE: 52 Atlantic Street – 016 E008 – R-6 – illegal dwelling unit

Dear Ms. George.

This letter is a follow up to the conversation that we had at the counter on April 11, 2008 about the illegal use of your property at 52 Atlantic Street. As you know, when Suzanne Hunt inspected the property on April 11, 2008, she found that there were three dwelling units in the building, one on each floor.

In researching the legal use of the property, I found the legal use to be a two family dwelling. Permit #05-0336, issued on April 7, 2005 to demolish the barn to make room for an addition, listed the legal use of the property as a two-family dwelling under the conditions listed under zoning. Permit #05-0512, issued on June 1, 2005 to build the addition, stated that the permit was not an approval to add an additional dwelling unit.

You were the owner of the property in 2005 when these permits were applied for and issued. As the applicant, you accepted the conditions listed on the approval of the permits; the property is a legal two family dwelling, and a third unit cannot be added. Despite this, a third unit has been added. Section 14-139(b)(1) of the ordinance states that the minimum area per dwelling unit that is required in the R-6 residential zone is 1,000 square feet. Your lot has 2,554 square feet, so it does not have the minimum land area per dwelling unit to allow three dwelling units.

You need to bring the property back into compliance as a two-family dwelling. You have thirty days from the date of this letter to remove the third unit. An inspection will be scheduled at this time. If the unit has not been removed, we will turn the issue over to our corporation counsel, and they may begin legal proceedings to bring the property into compliance.

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 the office for the necessary paper work if you decide to appeal.

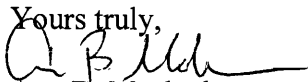
30 day period up
May 22

4/28/08 - Spoke w/ Judy she
is applying to convert the
rest of building to a 3 unit
house. Will also do the
hardship variance.

4/30/08 met
w/ Judy.
- Went over what
she needs for
change of use
application
- Went over what
she needs for
hardship variance.

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

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado", with a long horizontal flourish extending to the right.

Ann B. Machado

Zoning Specialist

(207) 874-8709