



Planning &amp; Urban Development Department

*Director of Planning and Urban Development  
Jeff Levine**Inspection Services, Director  
Tammy M. Munson*

May 29, 2015

40WATERVILLE LLC  
5518 PAINTER GREEN  
SAN ANTONIO, TX 78240**CBL: 017 E014001**  
**Located at: 40 WATERVILLE ST****Certified Mail 70101870000281368121**

Dear 40WATERVILLE LLC,

An evaluation of the above-referenced property on **04/15/2015** shows that the structure fails to comply with Chapter 6.Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within **30** days of the date of this notice. A re-inspection of the premises will occur on **06/29/2015** at which time compliance will be required. 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$150.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$150.00 fee will be assessed for each inspection.

Sincerely,

/s/  
A handwritten signature in black ink, appearing to read "Doug Morin".

Doug Morin  
Code Enforcement Officer  
(207) 874-8705

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> 40WATERVILLE LLC		<b>Inspector</b> Doug Morin	<b>Inspection Date</b> 4/15/2015
<b>Location</b> 40 WATERVILLE ST	<b>CBL</b> 017 E014001	<b>Status</b> Violations Exist	<b>Inspection Type</b> Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 105.1 Exterior Deck  
**Violation:** BUILDING W/O PERMIT; Any owner or authorized agent who intends to construct, enlarge, alter, repair move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.  
**Notes:** See Letter Dated 04/21/2015 from the Zoning Administrator.

2) 6-108.(b) Interior Various locations  
**Violation:** INTERIOR FLOORS, WALLS, CEILINGS AND DOORS; EVERY FLOOR, WALL, CEILING, AND DOOR SHALL BE IN A STRUCTURALLY SOUND CONDITION AND IN GOOD REPAIR AND SHALL BE SUBSTANTIALLY VERMIN PROOF.  
**Notes:** This shall include repairs to the floor joist on the first floor, and the first floor ceiling (kitchen and bathroom). A building permit is required prior to the commencement of work (See Photographs).

3) 6-113.(e) Interior 3 3 Electrical Panel  
**Violation:** MAINTENANCE OF LIGHTING FIXTURES; Maintenance of lighting fixtures. All fixtures required by this article and all fixtures installed in addition thereto shall be maintained in good and safe working conditions and shall be installed in accordance with the electrical code of the city.  
**Notes:** A separate service is required for the proposed dwelling unit.

**Comments:** Third floor is an illegal unit. Rear Decks appear to have been built without a permit, need structural engineer approval. It is unknown what the ledger to band joist is, but it is specifically not attached per code specs, ie; staggered 1/2 inch lag screws or listed product. There is also no lateral load connection in the prescribed two location minimum. Basement floor joist are supported at foundation wall with pressure treated lumber and adjustable columns, structural engineer will need to inspect and approve repairs. Several holes and penetrations need sealing above suspended ceiling for continuity (1st floor). Life safety needs complete updating from fire doors to updated smoke detectors as well as carbon monoxide detectors. Sprinkler needed in basement over the fuel fired furnace. To legalize the thrid unit the apartment will need it's own meter and a house meter added as well for all common area power.

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

*Jeff Levine, AICP, Director*

*Ann Machado, Acting Zoning Administrator*

April 21, 2015

Jayasankar Arla  
40 Waterville LLC  
5518 Painter Green  
San Antonio, TX 78240

Re: 40 Waterville Street - 017-E-014 – R-6 Residential Zone – illegal dwelling unit

Dear Mr. Arla,

It has come to the attention of this office that you have an illegal dwelling unit in the building located at 70 Waterville Street. The legal use of the property is two dwelling units. This is based on my review of our records. Since there were no building permits on file that listed the use of the building, I refer to the pre-1957 assessor's card to determine the legal use of the building. The current ordinance went into effect in June of 1957. The use listed on the assessor's card from the early 1950s is the legal use at this time if there are no permits on file after that date. The 1950s assessor's card for this property lists the use as a two family. An inspection by Code Enforcement Officer, Doug Morin on April 15, 2015 found three units in the building. Since the legal use is two dwelling units, the current use of the building as three units is not legal.

40 Waterville Street is located in the R-6 Residential Zone. This zone allows for multi-unit dwellings. You need to apply for a change of use permit to change the use from a two family to a three family. As part of the permit application, you will need to show that you have a total of three off street parking spaces, one for each dwelling unit. This permit application can also include any work that you need to complete to meet the required building codes and life safety codes.

You have thirty days to bring your property into compliance. You must either apply for the change of use permit to change the use to a three family, or you need to remove one of the dwelling units which includes removing the kitchen.

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 file an appeal. If you should fail to do so, my decision is binding and no longer subject to appeal. If you decide to file an appeal please contact our office for the necessary paper work.

Please feel free to contact me if you have any questions.

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

*Jeff Levine, AICP, Director*

*Ann Machado, Acting Zoning Administrator*

Yours truly,

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

Ann B. Machado

Acting Zoning Administrator

City of Portland, Maine

207.874.8709

[amachado@portlandmaine.gov](mailto:amachado@portlandmaine.gov)