



Permitting and Inspections Department  
Michael A. Russell, MS, Director

*Ann Machado, Zoning Administrator*

February 22, 2018

**NOTICE OF VIOLATION AND ORDER TO CORRECT**  
**Sent by Certified Mail 7015 0920 0001 0776 6751 and by Regular Mail**

Bethany Field  
26 Hampshire Street  
Portland, ME 04101

Re: 26 Hampshire Street – 028 0005 – India Street Form Based Code Zone

Dear Ms. Field:

On October 13, 2017, this office inspected the above-referenced property and observed that there were three dwelling units in the building. City records show that the legal use of the property is two dwelling units. The additional dwelling unit was constructed without the required permits, in violation of section 14-463 of the City's Code (available online or at the City Clerk's office), which requires that "no building or part thereof shall be constructed, altered, enlarged or moved unless a permit for such action has been issued by the building authority."

To remedy this violation, you have three options. You must 1) submit a change of use permit to the Permitting and Inspections Department; 2) obtain legalization of the dwelling unit under section 14-391 of the City Code, or 3) remove the illegal dwelling unit by removing the kitchen including all equipment and plumbing.

Within 30 days of the date of this letter, you must submit an application to Legalize the Nonconforming Dwelling Unit, submit a change of use permit, or remove the illegal unit. If you choose to apply for legalization or a change of use permit, and the application is denied, you must remove the illegal unit within 30 days of the City's initial decision.

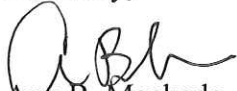
If you do not do so, the City will refer this matter to the City's Corporation Counsel's office for enforcement action. The City may be entitled to an order to correct the violations, civil penalties in the minimum of \$50 per violation per day, costs and fees, and other relief, under section 1-15 of the City Code and 30-A M.R.S. § 4452.

You have the right to appeal this Notice of Violation and Order to Correct pursuant to section 14-472 within thirty days from the date of this letter. If you do not appeal, you may be

barred from challenging my findings in the future. Please contact the Zoning Division for the necessary paperwork if you decide to file an appeal.

Please contact me with any questions. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann B. Machado', with a stylized flourish at the end.

Ann B. Machado

Zoning Administrator

Permitting and Inspections Department

City of Portland, Maine

(207) 874-8709

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