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Lee Urban - Director of Planning and Development
Jeanie Bourke - Inspection Division Services Director

December 27, 2007

LARKIN ROBERT
2 COTTAGE RD
SOUTH PORTLAND, ME 04106

CBL: 036 I001001
Located at 84 PORTLAND ST

Certified 70070710000135792506

PERMIT DENIED/ POSTING NOTICE

Dear Robert Larkin,

An examination of permit # 07-1010 for 84 Portland Street revealed that the application fails to comply with § 14-523 of Article V Site Plan of the Land Use Ordinance of the City of Portland.

An evaluation of your property on the 21st day of December, 2007 with your staff member confirmed the commercial addition for storage space (Permit #041626) and function room addition (Permit Application # 07-1010) are occupied without approval from this office.

Our files indicate that a letter sent to Mr. Larkin on the 15th day of February, 2004 from Alex Jaegerman, Planning Division Director specified conditions of approvals by the Development Review Coordinator prior to issuance of a Certificate of Occupancy for permit # 04-1626. Permit application # 07-1010 "Change of use from storage space (Permit #041626) to function room and build addition for bottle storage" is denied due to failure to comply with site regulations under permit #041626 pursuant to § 105.3.1 (Action on Application).

Based on that list, and pursuant to § 120.(e), and § 110.1 (Use and Occupancy), this office is authorized to prevent occupancy or use of the space specified in permit application # 07-1010 in violation of this code or of any other ordinances of this jurisdiction. You shall not occupy the "storage space" area as specified in permit application # 07-1010 until a Certificate of Occupancy is issued.

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 § 1-15 of the Code and in Title 30-A M.R.S.A. § 4452.

This constitutes an appealable decision within (10) ten days of the date of this letter pursuant to § 14-527 of the Land Use Ordinance of the City of Portland Code of Ordinances. Please feel free to contact me at 207.874.8702, if you wish to discuss the matter or have any questions.

Sincerely,

Jon Rioux,
Code Enforcement Officer

CC: Alex Jaegerman, Planning Division Director, Marge Schmuckal, Zoning Administrator, Greg Cass, Captain, Jeannie Bourke, Inspection Services Division Director, Andrews B. Campbell, Esq., & Penny Littell, Associate Corporation Counsel