



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

Ann Machado, Zoning Administrator

November 27, 2017

NOTICE OF VIOLATION AND ORDER TO CORRECT
Sent by Certified Mail 7013 2250 0001 6995 1649 and by Regular Mail

315 Brackett Street, LLC
55 D Street
South Portland, ME 04108

Re: 315 Brackett Street – 054 – E-010 – R-6 Residential Zone

To Whom It May Concern:

On November 27, 2017, this office inspected the above-referenced property and observed that there were four dwelling units in the building. City records show that the legal use of the property is three 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 must either obtain legalization of the dwelling unit under section 14-391 of the City Code, or 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, or remove the illegal unit. If you choose to apply for legalization, 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 'ABL', with a long horizontal flourish extending to the right.

Ann B. Machado
Zoning Administrator
Department of Permitting and Inspections
City of Portland
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amachachado@portlandmaine.gov