

From: Ann Machado
To: Jonathan Rioux
Date: 8/2/2007 7:19:01 AM
Subject: Re: Vespuccis

Jon -

The most recent record that I could find for 209-211 Danforth was a certificate of occupancy from May 15, 1974 that lists the uses of the property as a grocery store, a beauty parlor and a tavern.

Ann

>>> Jonathan Rioux 7/30/2007 3:15:37 PM >>>
Ann:

209 Danforth St. CBL 057 E008, has an apartment unit to the right of the store, is it legal? Thanks, JGR.

Jon Rioux,
Code Enforcement Officer

City of Portland
Inspection Services Division
389 Congress St. Rm 315
Portland, ME 04101
Office: 207.874.8702
jrioux@portlandmaine.gov

B-1 / closest to

CC: Tom Markley



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 209-311 Baxter St.

JOHN WILSON

Date of Issue: May 15, 1971

This is to certify that the building, premises, or part thereof, at the above location, has been found to conform to the requirements of the Building Code of the City, and is hereby approved for occupancy or use, limited to the use, as indicated below.

PORTION OF BUILDING ON PARADE

APPROVED OCCUPANCY

entire

1. Grocery store
2. Beauty parlor
3. Tavern

Issuing Conditions

This certificate supersedes
certificate issued

Approved:

5/15/71 *Nichols* *Carlwright*
(Date) Inspector

[Signature]
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and shall be considered from
owner to owner when property changes hands. Copy will be furnished to owner or lease for one dollar.

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	057 E008001
Location	211 DANFORTH ST
Land Use	RETAIL & PERSONAL SERVICE

Owner Address	WAGABAZA DAVID A 211 DANFORTH ST PORTLAND ME 04102
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Book/Page	8112/208
Legal	57-E-8 CLARK ST 79-83 DANFORTH ST 209-211 3344SF

Current Assessed Valuation

Land	Building	Total
\$129,400	\$120,900	\$250,300

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1915	1	5456	1

Total Acres	Total Buildings	Sq. Ft.	Structure Type	Building Name
0.077	5456		RETAIL - MULTI OCCUPANCY	VESPUCCIS / CORDELLS HAIR DES

Exterior/Interior Information

Section	Levels	Size	Use
1	B1/B1	2728	SUPPORT AREA
1	01/01	2728	RETAIL STORE

Height	Walls	Heating	A/C
7		NONE	NONE
12	FRAME	UNIT HEAT	UNIT
		NONE	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE

Building Other Features

Line	Structure Type	Identical Units
1	COOLER CHILLER	1

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
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PORTLAND MAINE

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

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

September 12, 2007

WAGABAZA DAVID A
211 DANFORTH ST
PORTLAND, ME 04102

CBL: 057 E008001
Located at 211 DANFORTH ST

Hand Delivered

NOTICE OF VIOLATION

Dear David Wagabaza:

An evaluation of the above-referenced property on the 11th day of July, 2007 reveals that the structure fails to comply with Chapter 14, Article III, of Code of Ordinance of the City of Portland.

Our files indicate that 209-211 Danforth St. with a certificate of occupancy from May 15, 1974, lists the uses of the property as a grocery store, a beauty parlor and a tavern. This office has no record of a building permit being issued to alter the existing legal use to accompany "an apartment" unit occupancy.

The apartment unit was vacated on the 31st day of August, 2007 when a code officer inspected the unit for occupancy verification. On the 12th day of September, 2007 you came into our office and indicated that the unit is presently occupied.

You must come back into our office within thirty (14) days of this notice for acceptance of a change of use permit application. If you do not contact this office by the 24th day of September, 2007, the illegal dwelling will be posted-against occupancy and.

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 § 6-1 Code and in Title 30-A of M.R.S.A. § 4452 and § 14-57 of the Portland Zoning Ordinance.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

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

Please feel free to contact me @ 874.8702 if you have any questions or would like to discuss this matter further.

Sincerely,

Jon Rioux,
Code Enforcement Officer
CC: Jeanie Bourke, Inspection Services Division Director

Room 315 - 389 Congress Street - Portland, Maine 04101 (207) 874-8715 - Fax: 874-8716 - TTY: 874-8936



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

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

August 3, 2007

WAGABAZA DAVID A
211 DANFORTH ST
PORTLAND, ME 04102

CBL: 057 E008001
Located at 211 DANFORTH ST

COPY

Mr. Wagabaza came in 8/13/07.
He has thirty days to apply for change
of use - tavern & → do - parking
off street
is issue.

Certified Mail 70070710000249761191

NOTICE OF VIOLATION

Dear David Wagabaza:

An evaluation of the above-referenced property on the 11th day of July, 2007 reveals that the structure fails to comply with Chapter 14, Article III, of Code of Ordinance of the City of Portland.

An evaluation of your property with confirmation of your staff members indicates that there is an illegal dwelling apartment unit. Our files indicate that 209-211 Danforth with a certificate of occupancy from May 15, 1974, lists the uses of the property as a grocery store, a beauty parlor and a tavern. This office has no record of a building permit being issued to alter the existing legal use to accompany "an apartment" unit occupancy.

You must come in to our office within ten (10) days of this notice to apply for a legalization permit. If you do not contact this office by the 13th day of August, 2007, the illegal dwelling will be posted-against occupancy.

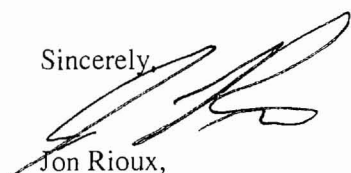
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Sincerely,


Jon Rioux,
Code Enforcement Officer

CC: Ann Machado, Zoning Specialist

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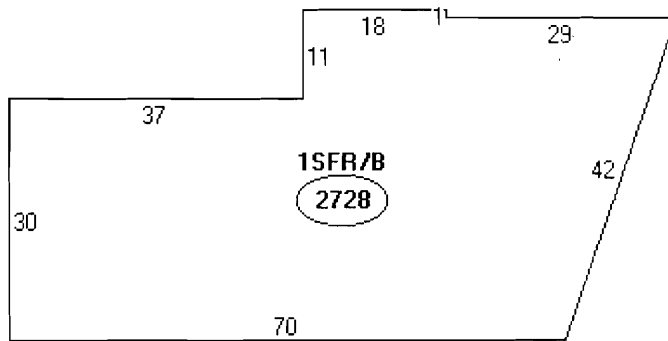
Building Other Features

Line	Structure Type	Identical Units
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Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
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Descriptor/Area

A: 1SFR/B
2728 sqft

From: Jeanie Bourke
To: Ann Machado
Date: 9/17/2007 10:44:42 AM
Subject: 209 danforth 057 E008 - David Wagabaza

Does this applicant need to apply for a site plan exemption for this change of use from a business to residential?

Thanks

Jeanie Bourke
Inspection Services Division Director

City of Portland
Planning & Development Dept./ Inspections Division
389 Congress St. Rm 315
Portland, ME 04101
jmb@portlandmaine.gov
(207)874-8715



From: Ann Machado
To: Jeanie Bourke
Date: 9/19/2007 3:45:00 PM
Subject: 209 Danforth - 057 E008 - David Wagabaza

He was in talking to Jon last week about the change of use application. He has not actually applied yet. He will not need a site plan exemption because the change of use is less than 5,000 sf.

Ann

From: Ann Machado
To: Jeanie Bourke
Date: 9/26/2007 2:42:26 PM
Subject: Re: 209 Danforth - 057 E008 - David Wagabaza

I also told him that he will need to do a miscellaneous appeal to the zoning board because the parking space is more than 100' from the property. I gave him the application and the ZBA process.

Ann

>>> Jeanie Bourke 9/26/2007 2:28:44 PM >>>

I sent him away on 9/24 due to lack of sufficient plans for review. I told him to get these ASAP as the 14 days was up. He is not getting the fire separation issues.

Jeanie Bourke
Inspection Services Division Director

City of Portland
Planning & Development Dept./ Inspections Division
389 Congress St. Rm 315
Portland, ME 04101
jmb@portlandmaine.gov
(207)874-8715

>>> Ann Machado 09/19 3:45 PM >>>

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CC: Jonathan Rioux