

Portland, Maine



Yes. Life's good here.

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

Ann Machado, Zoning Administrator

February 13, 2018

NOTICE OF VIOLATION AND ORDER TO CORRECT
Sent by Certified Mail #7014 1820 0001 4047 0690 and by Regular Mail

Duc Ho and Yem Lee
17 Allen Rd.
South Portland, ME 04106

Re: 249 St. John St. – CBL 064 D006 – B-2 Community Business Zone

Dear Duc Ho and Yem Lee,

On March 28, 2017, the City Fire Department inspected the above-referenced property and observed that the second floor was being used as a dwelling unit and the third floor was being used for offices. City records show that the legal uses of the property are offices on the second floor and storage on the third floor. The second floor dwelling unit and third floor offices were 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 the violation with regards to the third floor office, you must submit a change of use permit to the Permitting and Inspections Department. To remedy the violation with regards to the second floor dwelling unit, 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.

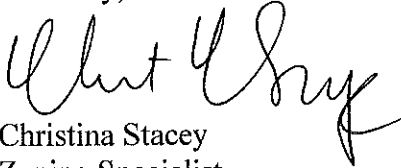
Within 30 days of the date of this letter, you must apply for a change of use permit for the office, or discontinue its use as an office by vacating the unit. Also within 30 days of the date of this letter, you must apply for legalization or change of use permit for the dwelling unit, or remove the illegal dwelling unit. If you choose to apply for legalization or a change of use permit, and the application is denied, you must remove the illegal dwelling 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 \$100 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 "Christina Stacey". The signature is fluid and cursive, with the first name being more prominent.

Christina Stacey
Zoning Specialist
(207) 874-8695
cstacey@portlandmaine.gov