



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

Ann Machado, Zoning Administrator

10/25/2017

NOTICE OF VIOLATION AND ORDER TO CORRECT
Sent by Certified Mail #7014 1820 0001 4047 0591 and by Regular Mail

Dean R. Bingham
55 Roberts ST
Portland Maine 04102

Re: 55 Roberts ST, Portland, Maine – CBL 066A B017001– ZONE R5

Dear: Mr. Bingham

On 08/16/2017, this office inspected the above-referenced property and observed that there were 3 dwelling units in the building. City records show that the legal use of the property is 2 dwellings.

In April of 2008 you applied for a permit (#08-0443) to do renovations to the attic area of the above referenced property. Due to the floor plan showing a separate apartment layout with a “Kitchen” that permit was denied and you were notified by certified mail.

This 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.”

There is now an option to apply for a conditional use “affordable housing” under the section 14-118(a)(5). Contact the Zoning division by emailing them at Zoning@portlandmaine.gov

To remedy this violation, you must 1) Obtain conditional use of the dwelling unit under section 14-118(a)(5) or 2) remove the 1 illegal dwelling unit by removing the kitchen, including refrigeration, all cooking equipment and plumbing.

Within 30 days of the date of this letter, you must either apply for conditional use, or remove the 1 illegal unit. If you choose to apply for conditional use, and that application is denied, you must remove the one 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 cursive script, appearing to read "Ken A. De".