April 27, 2017

**NOTICE OF VIOLATION AND ORDER TO CORRECT**

**Sent by Certified and Regular Mail**

773 Congress, LLC

110 Marginal Way, Suite 292

Portland, ME 04101

Re: 56 Douglass St, Portland, Maine – CBL 078-A-028 – R-5 Residential Zone

To Whom it May Concern:

On \_\_\_\_\_\_, this office inspected the above-referenced property and observed that there were three dwelling units in the principal building. City records show that the legal use of the property is a two-family dwelling. The third 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.” The creation of a three-unit building also requires conditional use approval by the Zoning Board of Appeals, which has not been obtained, in violation of section 14-118 of the City Code.

On December 22, 2016 you or your representative submitted a permit application to legalize a dwelling unit at the above-referenced property, using the process outlined in section 14-391 of the City’s Code. However, this office found that the application did not provide competent evidence of eligibility for legalization per the requirements of section 14-391(c), and denied the permit on \_\_\_\_\_\_\_\_\_\_.

To remedy these violations, you must either 1) obtain conditional use approval and the appropriate permits; or 2) 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 either apply for conditional use approval or remove the illegal unit. If you choose to apply for legalization or conditional use approval, and those applications are denied, you must remove the illegal unit within 30 days of the City’s initial decision.**

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,

Christina Stacey

Zoning Specialist

(207) 874-8695

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