



Planning & Urban Development Department

November 19, 2015

South Side LLC
243 Jeannie Ln
Eliot, ME 03903

CBL: 109B F023001
Located at: 87 Church Rd (Cliff Island)
RE: Land Use Complaint # 30997

Certified Mail: 70101870000281368206

Notice of Violation/ Stop Work Order

Dear South Side LLC:

On 11/09/2015 the City of Portland's Inspections Division, based on a Complaint, visited 87 Church Rd. on Cliff Island ("the Property"). During that visit, we observed several violations of the City's Building Code and Land Use Ordinances. Specifically, you have violated § 105.1 Permits Required, §111.1 Use and Occupancy, §14-57, and §14-449 (c), (d)(4), and (j). Our visual inspection revealed clearing of vegetation entirely within a Shoreland Zone (I- R1), and that the principal building on the property was demolished without proper permits.


1. By virtue of this letter and the violation(s) listed below, the City is putting you on notice of existing Building and Land Use Ordinances observed at 87 Church Rd. These violations require immediate correction. Further:
 1. All activities (construction, demolition, and clearing of vegetation) at the property must stop immediately. This is a Stop Work Order pursuant to Section 114 of the IBC, 2009 (MUBEC).
 - a. Note: Before you may proceed with any corrective actions, establishing a new use, alteration, demolition, clearing of vegetation, installation of drainage or driveways or other work on this site within the Shoreland Zone, you must submit a building permit application and site plan application, and receive approvals from the appropriate State and City agencies. You must immediately cover and secure the existing well in compliance with City Code.
 2. You must immediately provide erosion and sedimentation control measures in compliance with City Code.
 3. To the extent it is permitted in the future, all clearing or removal of vegetation within the Shoreland Zone must comply with §14-449 (c).

4. You must follow all inspection requirements outlined in each permit issued by the City.

The performance of work while a Stop Work Order is a violation of the International Building Code, 2009 (MUBEC) and the City Code and will be immediately referred –along with the present violations which have already been referred - to the City of Portland Corporation Counsel for legal action and civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A of M.R.S.A. Section 4452. This letter constitutes a decision from which you may appeal pursuant to § 6-127, and §14-472 (b)1 of the Portland City Code and Rule 80B of the Maine Rules of Civil Procedure.

If you have any questions or concerns please feel free to contact me at (207) 874-8701.

Sincerely,



Jonathan Rioux,
Deputy Director of Inspection

cc: Adam R. Lee, Associate Corporation Counsel
Ann Machado, Zoning Administrator
South Side LLC via Certified Mail and Email elfriede.walden@mac.com
Thomas F. Jewell, via Certified Mail #70101870000281368275
Benjamin R. Walden via Email benspond@me.com