



Planning & Urban Development Department

*Jeff Levine, AICP, Director**Ann Machado, Zoning Administrator*

March 4, 2016

Sabatino Nappi
75 Bay Street
Portland, ME 04103

Re: 63 Revere Street - 124-J-008 – R-5 Residential Zone – illegal unit

Dear Mr. Nappi,

In response to a complaint, Code Enforcement Officer Chuck Fagone inspected the property at 63 Revere Street on February 10, 2016 and found that there are four dwelling units in the building. The legal use of the property is three dwelling units. During the inspection, Mr. Fagone informed the building manager of the legal use as a three unit. The building manager said that they would speak to the owner to determine a plan of action to bring the property into compliance.

The property is located in the R-5 Residential zone. § 14-117(a)(2)(a) of the ordinance states that the "land area requirement for a multiplex shall be six thousand (6,000) square feet of land area per dwelling unit". A multiplex (multifamily) is a building with three or more dwelling units. The lot at 63 Revere Street is 9,716 square feet. Our records show that it is legally a three unit. Under the land area per dwelling unit requirement, the building is already legally nonconforming as a three unit. Since there is not enough land area to add a fourth unit you cannot apply for a change of use permit to legalize the use of the property as four units.

§ 14- 391 outlines a process by which you can legalize a nonconforming dwelling unit if you can meet certain criteria. I have enclosed the application to legalize a nonconforming dwelling unit. The application explains the process and the conditions that have to be met and it includes § 14-391 of the ordinance.

You have thirty days to bring your property into compliance. You need to either apply for the legalization of the nonconforming dwelling unit or remove the illegal unit which includes removing the kitchen including all the equipment.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to file an appeal. If you should fail to do so, my decision is binding and no longer subject to appeal.

Please feel free to contact me with any questions.

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

Jeff Levine, AICP, Director

Ann Machado, Zoning Administrator

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado", with a long, sweeping flourish extending to the right.

Ann B. Machado

Zoning Administrator

Planning and Urban Development Department

City of Portland Maine

207.874.8709