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## DEPARTMENT OF PLANNING AND DEVELOPMENT

December 4, 2002

Bernard J. Mohr  
Karen Brown  
57 Coyle St.  
Portland, ME 04101

Re: Land Use/57 Coyle St. (126 E009) **Certified Mail Receipt#7001 1940 0004 2778 1135**

Dear Mr. Mohr & Ms. Brown,

This office has received complaints with regard to the use of the basement space at 57 Coyle St. The following record are enclosed:

- 1) A denial letter from the Zoning Board of Appeals;
- 2) A certificate of occupancy w/ conditions.

The record shows that sleeping space is not allowed in the basement. Section 14-47 of the Zoning Ordinance defines a dwelling unit as; "One (1) or more rooms with private bath and kitchen facilities comprising an independent self contained dwelling unit."

Kitchen facilities are also defined as; "Facilities used for the preparation of meals, including refrigerators and devices used for the cooking and preparation of food."

Our conversation this date revealed that both sleeping and cooking facilities are present in the basement and that your nanny lives in this space independently.

This arrangement constitutes the establishment of a two family home and is a violation of Section 14-463 of the Zoning Ordinance and Section 107.1.4 of the building code as this was done without valid building and occupancy permits. The activity must cease and the structure must be returned to a single family dwelling, in compliance with the above referenced Certificate of Occupancy within 30 days of the date of this notice. An inspection of the premises will occur on 1/7/03 at which time compliance is required.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code. This constitutes an appealable decision pursuant to Section 14-472 & 6-127 of the Code.

Please feel free to contact this office at 874-8700 if you wish to discuss the matter or have any questions.

Sincerely,

Mike Nugent  
Manager of Inspection Services