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Economic Development

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

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



THOMAS F. JEWELL
Chairman

ERIO J. GOUVIN
Secretary

RAY M. JOHNSON
JOHN O. KNOX
DEWEY A. MARTIN, JR.
MERRILL S. SELTZER
MICHAEL E. WESTORT

July 23, 1991

RE: 57 Coyle Street

Bernard and Karen Brown-Mohr
57 Coyle Street
Portland, Maine 04101

Dear Bernard and Karen Brown-Mohr:

As you know, at its meeting of July 18, 1991, the Board of Appeals voted to deny your conditional use appeal allowing a second unit at the above location.

A copy of the Board's decision is enclosed for your records.

sincerely,


William D. Giroux
Zoning Administrator

/el
Enclosure

7/18/91



CITY OF PORTLAND

CONDITIONAL USE APPEAL

DECISION

For the Record

Names and addresses of witnesses (proponents, opponents and others):

Bernard Brown-Mohr

James Pickett

Karen Brown-Mohr

Harry Eddy

Chris Corling

Donald Friedlander

Exhibits admitted (e.g., renderings, reports, etc.):

Sen. Altiero

Findings of Fact

1. The proposed conditional use is (circle one) not (circle one) permitted under Section 14-~~474~~ 474 of the Zoning Ordinance, for the following reason(s):

4-0

2. The proposed conditional use does not (circle one) meet all special standards, conditions or requirements, if any, applicable thereto, for the following reason(s):

4-0

14-88 V -

3-A. There are not (circle one) unique or distinctive characteristics or effects associated with the proposed conditional use, for the following reason(s):

4-0

3-B. There will not (circle one) be an adverse impact on the health, safety or welfare of the public or the surrounding area, for the following reason(s):

4-0 3-1

3-C. The impact does does not (circle one) differ substantially from the impact which would normally occur from such a use in that zone, for the following reason(s): _____

4-0

Conclusion*

After public hearing on July 18, 1991, and for the reasons above-stated, the accompanying application is hereby (check one)

0 granted.

_____ granted subject to the following condition(s):

4 denied.

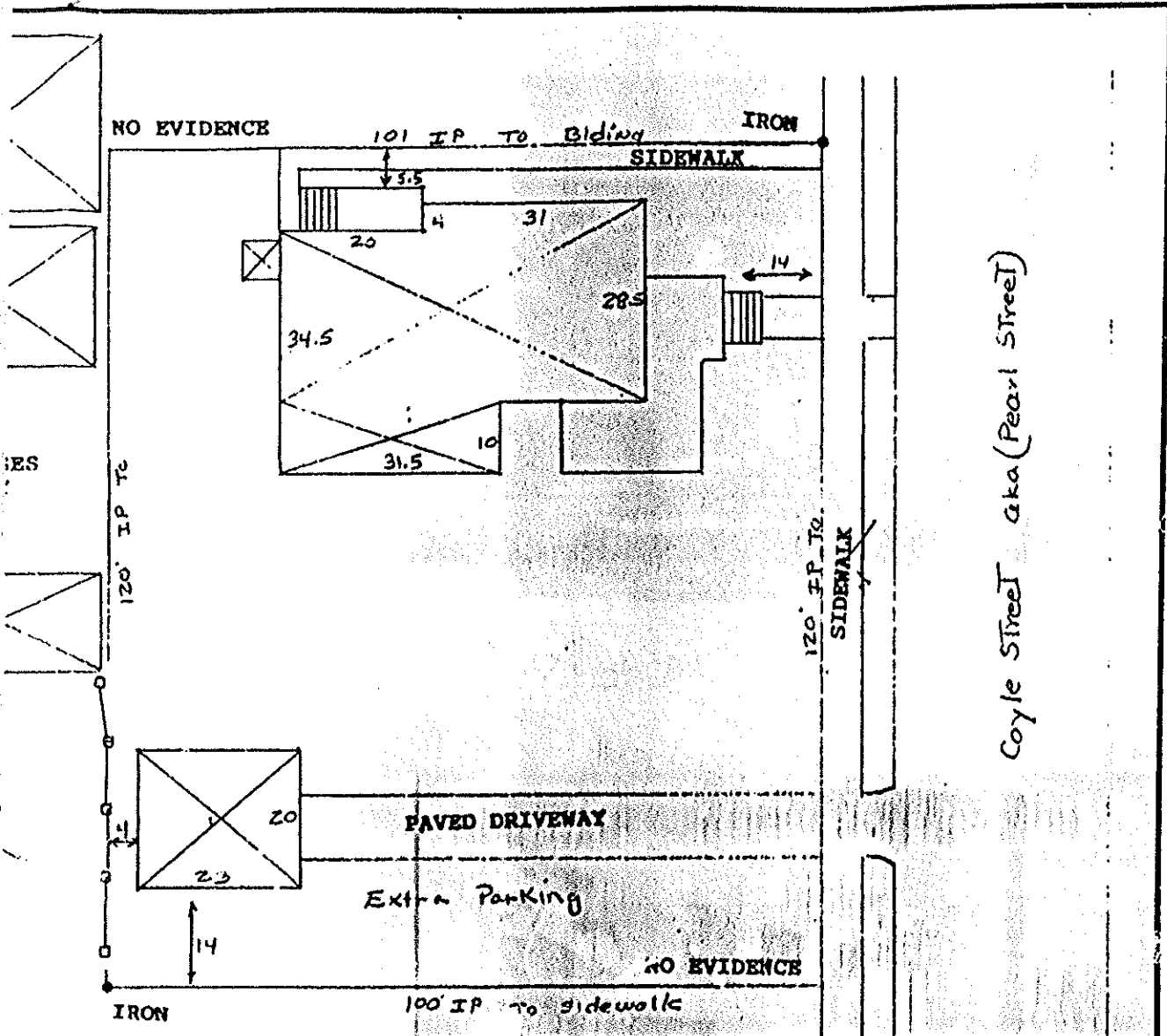
Dated: July 16, 1991

John C. Furr
Secretary of the Board

* The application may be denied only if EITHER the finding for #1 or 2 above is in the negative OR the findings for #'s 3-A, 3-B and 3-C above are each in the affirmative.

Granted

Denied
John C. Furr
Marion A. Miller
Thomas J. [unclear]
[unclear]



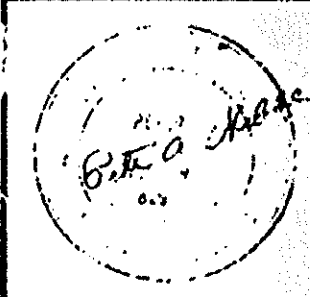
SURVEYORS CLASS D REPORT
MORTGAGE CERTIFICATION DRAWING

PROPERTY OF **Bernard J. Mohr**
Karen Brown-Mohr
57 Coyle Street, Portland

SCALE: 1" = 20'	INSTITUTION	DRAWN BY: P.A.W.
DATE: OCT 26, 1990		FILE NO.: CL 6581

FOR: **Bernard J. & Karen Brown-Mohr**

SURVEYOR Peter A. Webber, R.L.S. 0829 Scarborough, Maine	DRAWING NUMBER 19901026A
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APPEAL w/p

Bernard Mohr
 Karen Brown-Mohr
 57 Coyle St
 Portland 04101

84"
 24"
 60"

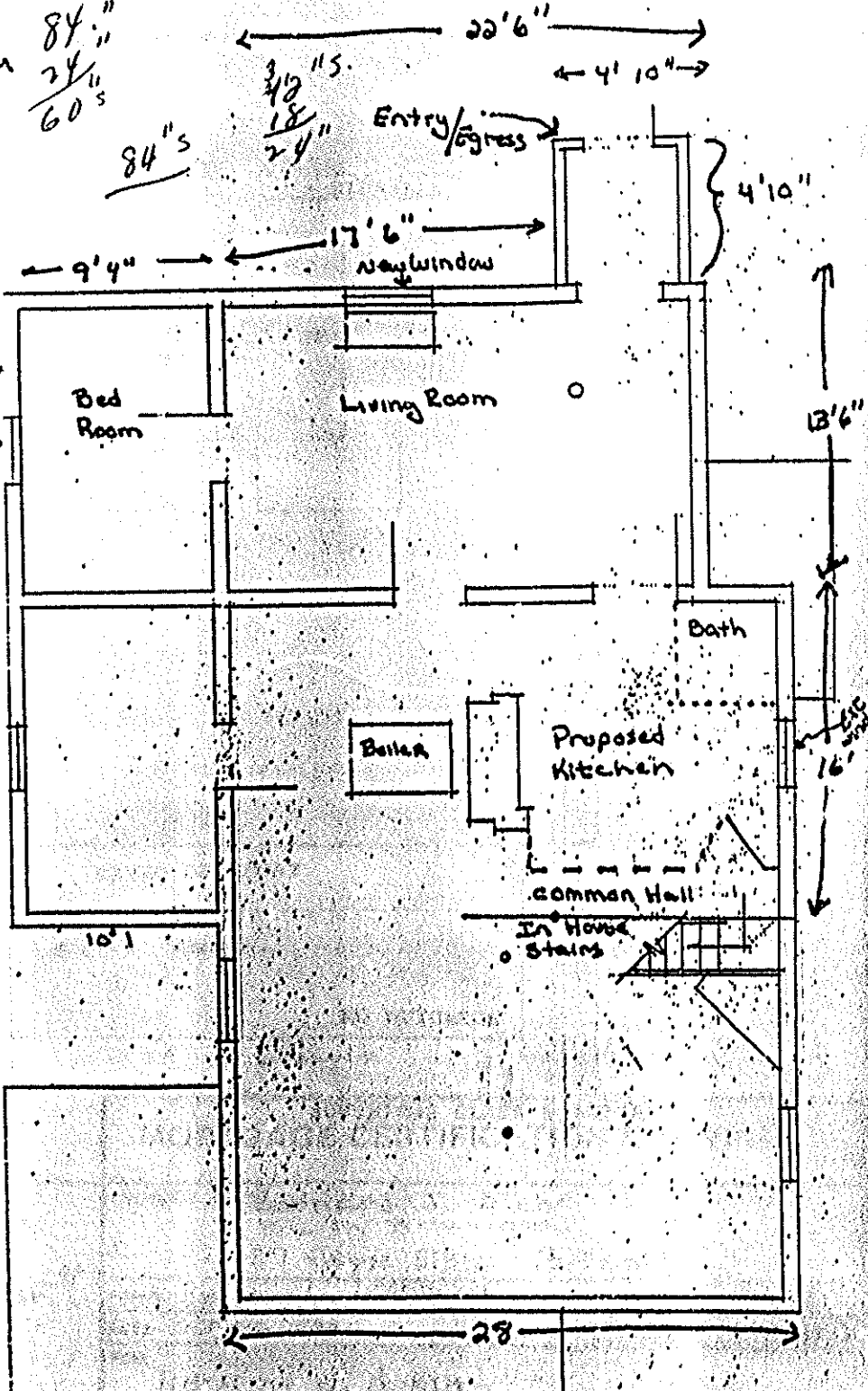
84"

22'6"
 4'10"

3 1/2"
 18"
 24"

50%

13'6"
 EXC window



4'10"

13'6"

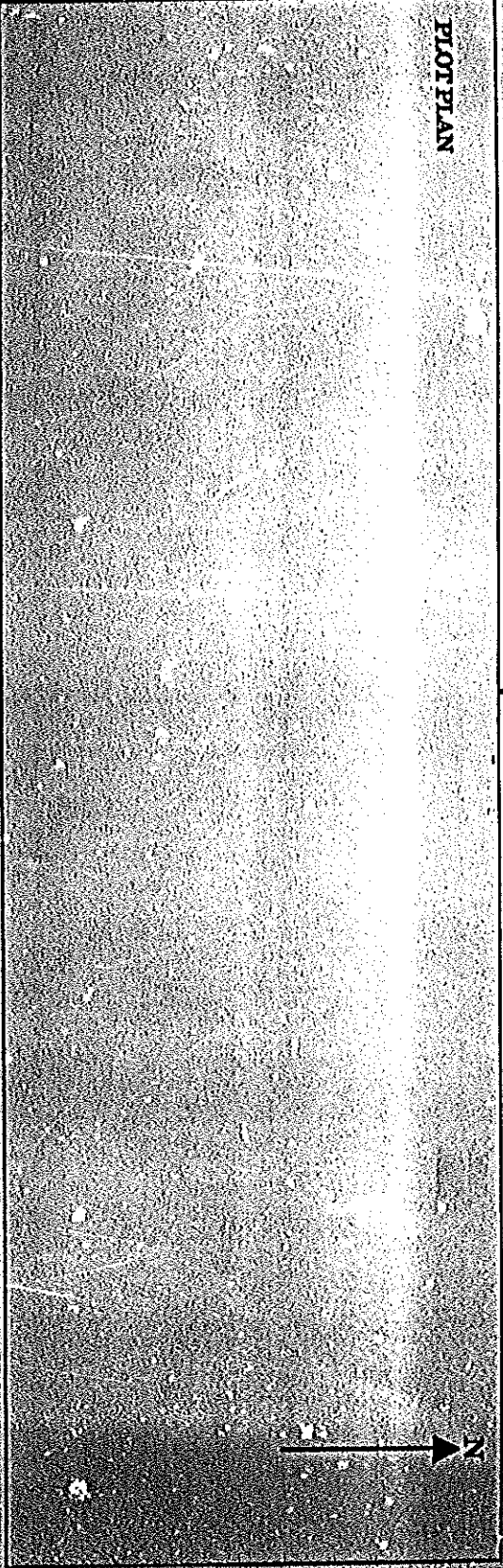
16"

28'

10'1"

C

PILOT PLAN



FEES (Breakdown From Front)

Base Fee \$ 105

Subdivision Fee \$ _____

Site Plan Review Fee \$ _____

Other Fees \$ _____

(Explain) _____

Late Fee \$ _____

Type

Inspection Record

Date

COMMENTS

Sept 3, 1991 70 for living space NO sleeping rooms
 and wait occurs a single family

AD

X

Signature of Applicant

W.L.T. D.S.

Date MAY. 23 - 1991



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 57 Gayle St.

Issued to Bernard A. Karan Mohr

Date of Issue 3/29/91

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 90/2216 has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

single-family dwelling

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

3/29/91

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and does not be transferred from owner to owner when property changes hands. City will be furnished in writing by owner for this notice.