



Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

October 22, 2013

Virginia Fox
41 Bayview Terrace
Portland, ME 04103

Re: 41 Bayview Terrace – 128 G025 – R-3 Residential Zone – illegal Bed and Breakfast

Dear Ms. Fox,

This letter is a follow up to the fact that you were operating a bed and breakfast out of your home at 41 Bayview Terrace. As you were told by our Code Enforcement Officer, Chuck Fagone, a bed and breakfast is not a permitted use in the R-3 Residential Zone. Section 14-87 of the ordinance lists permitted uses for the zone, and section 14-88 lists conditional uses that are allowed in the zone. Section 14-89 states that uses that are not “enumerated herein as either permitted uses or conditional uses are prohibited”. Since a bed and breakfast is not listed as either a permitted or conditional use, it is prohibited.

When Chuck Fagone inspected your property on September 12, 2013, you told him that you had “some obligations through the end of September and wanted to keep them”. You then called Chuck Fagone on September 13, 2013 and left him a voicemail stating that you had contacted the few people that you had scheduled and cancelled their dates. You also said on the voicemail that you would “cease and desist”.

I want to thank you for working with our office to bring the use of your property back into compliance as a single family home. In the future if you would like to change the use of your property, you would need to apply for a change of use permit and the proposed use would have to be a permitted or conditional use within the R-3 residential zone.

Please feel free to contact me if you have any questions.

Yours truly,

Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc. file