Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

December 3, 2007

Raymond McAllister
70 Pleasant Avenue
Portland, ME 04103

RE: 70 Pleasant Avenue – 130 C002 – R-5 – illegal dwelling unit

Dear Mr. McAllister,

It has come to our attention from an inspection by one of our code enforcement officers, that you have an illegal dwelling unit at your property at 70 Pleasant Avenue. Our records show that the legal use of the property is two dwelling units, but the inspection on November 30, 2007 found that there were three dwelling units in the building.

Your property is located in the R-5 residential zone. The ordinance, under section 14-117(a)(2)(a), states that the land area per dwelling unit required for a property with three or more dwelling units is 6000 square feet per dwelling unit. The square footage of your lot is 7,980 square feet, so you do not have the lot size to have three dwelling units.

Section 14-391 of the ordinance outlines a process where properties with existing illegal dwelling units may be recognized as a legal nonconforming use. If the zoning administration cannot approve the application based on the evidence submitted or if an owner of any property within 300' of the structure objects, then the applicant can file a Conditional Use Appeal to the Zoning Board of Appeals. If the application is denied, then you will be required to remove the illegal dwelling unit

You have thirty days from the date of this letter to bring your property into compliance. To do this you must either complete the application for Legalization of Nonconforming Dwelling Units and submit it to our office within thirty days or remove the illegal unit. I have enclosed an application for Legalization of Nonconforming Dwelling Units. If you have any questions regarding this matter please feel free to call me at 874-8709.

Yours truly,

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