



Permitting and Inspections Department
Michael A. Russell, MS, Director

Ann Machado, Zoning Administrator

August 10, 2017

NOTICE OF VIOLATION AND ORDER TO CORRECT
Sent by Certified Mail #7014 1820 0001 4047 0645 and by Regular Mail

Michael L. Johnson
2707 Bay Blvd.
Indian Rocks Beach, FL 33785

Re: 120 Concord Street, Portland, Maine – CBL 131-H-015 – R-5 Residential Zone

Dear Mr. Johnson:

On October 13, 2016, this office inspected the above-referenced property and observed that there were two dwelling units in the principal building and one dwelling unit in the detached garage. City records show that the legal use of the property is a two-family dwelling. The additional dwelling unit in the garage was constructed without the required permits, in violation of section 14-463 of the City's Code (available online or at the City Clerk's office), which requires that "no building or part thereof shall be constructed, altered, enlarged or moved unless a permit for such action has been issued by the building authority." The creation of a third unit on the property also requires conditional use approval by the Zoning Board of Appeals, which has not been obtained, in violation of section 14-118 of the City Code.

To remedy these violations, you must either 1) obtain conditional use approval and the appropriate permits; or 2) obtain legalization of the dwelling unit under section 14-391 of the City Code; or 3) remove the illegal dwelling unit by removing the kitchen, including all equipment and plumbing.

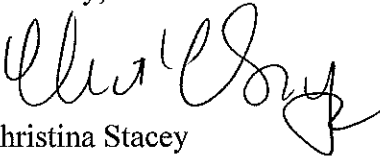
Within 30 days of the date of this letter, you must either apply for legalization or conditional use approval, or remove the illegal unit. If you choose to apply for legalization or conditional use approval, and that application is denied, you must remove the illegal unit within 30 days of the City's initial decision.

If you do not do so, the City will refer this matter to the City's Corporation Counsel's office for enforcement action. The City may be entitled to an order to correct the violations, civil penalties in the minimum of \$50 per violation per day, costs and fees, and other relief, under section 1-15 of the City Code and 30-A M.R.S. § 4452.

You have the right to appeal this Notice of Violation and Order to Correct pursuant to section 14-472 within thirty days from the date of this letter. If you do not appeal, you may be barred from challenging my findings in the future. Please contact the Zoning Division for the necessary paperwork if you decide to file an appeal.

Please contact me with any questions. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christina Stacey', written in a cursive style.

Christina Stacey
Zoning Specialist
(207) 874-8695
cstacey@portlandmaine.gov