



CITY OF PORTLAND

June 4, 2001

Justine Zappia & Gabriel Zappia Trustees
18 Cottage Lane
Cape Elizabeth, ME 04107

RE: 135 Clinton Street - 136-A-001 R-5 Residential Zone

Dear Mr. Zappia,

A recent inspection by one of our Code Enforcement Officers, Marland Wing, revealed an illegal third unit on the top floor of 135 Clinton Street. This office never received, nor approved the required permit applications for this unit. It will be necessary to remove this unit immediately.

Please note that the R-5 zone requires 3,000 square feet of land area per unit (section 14-120), or a minimum of 9,000 square of land area. This lot presently contains only 6,500 square feet of land area. It is 2,500 square feet short of the minimum required to legalize this unit. It is also noted by Mr. Wing that this building would not have the required two means of egress for this illegal unit. There may be other code and ordinance issues that may also apply to this building. It would only be with a full application that all issues could be detailed.

You have thirty (30) days in which to vacate this unit and to remove all kitchen facilities. Our office will also require floor plans showing how the third floor space is to be used with the rest of the building. Our Code Enforcement Officer will be making another inspection after 30 days in which to ensure that steps have been taken to bring this building into compliance.

You have the right to appeal my decision (section 14-472). If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to apply for an appeal. Please note that variance (section 14-473) appeals are very difficult to have granted by the Zoning Board of Appeals. If you wish to appeal, please contact this office as soon as possible for all the necessary information that you would need in which to apply for an appeal.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Mark Adelson, Dir. Housing & Neighborhood Services
Mike Nugent, Inspection Services
Marland Wing, Code Enforcement Officer
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