



Planning & Urban Development Department

*Jeff Levine, AICP, Director**Marge Schmuckal, Zoning Administrator*

FINAL NOTICE OF VIOLATION

November 14, 2014

Changiz Fard
684 Baxter Blvd
Portland, Maine 04103

RE: 783 Forest Avenue - #2013-044 & 2014-025 – CBL: 137-C-001- B-2 Zone

Dear Mr. Fard,

On September 26, 2014 I hand delivered a first notice of failure to comply with conditions of approval. The City has not heard from you or any representatives for you during the previous 35 days to comply.

The property located at 783 Forest Avenue is currently in violation of the Planning Board approval dated June 24, 2014 for the display and sale of automobiles. The property is also in violation of permitted/conditional uses as outlined in sections 14-14-183 (a) 5 of the City of Portland's Land Use Zoning Ordinance, and of Section 28-57 of the City's Traffic and Motor Vehicle Ordinance, which prohibits cars being parked on the street for the purpose of "displaying it for sale" or "advertising" .

Based on your violation of the above-cited City Ordinances, I hereby order you to remove all cars from the property located at 783 Forest Avenue and from any of the streets surrounding such location within 30 days of the receipt of this letter. I also order you to cease any and all sales of automobiles from 783 Forest Avenue. If you fail to comply with this order within 30 days of receiving this letter, I will be forced to recommend that the City of Portland take immediate enforcement action against you. I remind you that each violation of the City's Ordinances is subject to a minimum fine of \$100 per violation. Each day that you continue to operate without a valid approval and each car sold in violation of the City's Ordinances constitute separate violations. Additionally, if the City prevails in any enforcement action against you, it will be entitled to recover its court costs and attorneys' fees from you.

Clearly it is in your best interest to resolve this matter out-of-court. Please contact the Zoning Office immediately to discuss your intentions regarding this violation.

You have the right to appeal this decision. If you wish to exercise your right to appeal, you have thirty (30) days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

Cc: Jean Fraser, Planning
Barbara Barhydt, Planning
Philip Dipierro, Planning
Jennifer Thompson, Legal
Ann Machado, Zoning
City Clerk, licensing
Bob Greenlaw, Agent for Site Plan and Conditional Use Application
Stephen Mardigan, Property Owner