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

March 2, 2007

Mr. Chork
50 Alice Court,
Portland ME 04103

RE: 874 Washington Ave
CBL: 170-B-013

Dear Mr. Chork:

It has come to our attention that you have an illegal dwelling unit at your property at 874 Washington Avenue. Our records show that a letter was written to you on July 8, 2002, by Jeanie Bourke, Code Enforcement Office, informing you that there had been an illegal change of use from two to three apartments at 874 Washington Avenue because there was no permit issued to convert the building to four units. Since a permit has not been issued for legalization to three units, the legal use of the building remains as a two family dwelling, the third floor dwelling unit is illegal with no current legal rights.

Section 14 – 117(a)(2)(a) of the ordinance states that the land area required for three or more dwelling units in the R5 zone is 6,000 square feet per dwelling unit. Your property has 23,250 square feet and meets the minimal area requirements to start the legalization application process. In order to occupy the third floor as a dwelling unit a change of use permit must be submitted to our office.

The above, described, condition is in violation of 14-52 of the Municipal Zoning Ordinance and Section 105.1 of the Building Code. This is a notice of violation pursuant to Section 14-52 of the Municipal Zoning Ordinance and Section 105.1 of the building Code. **The property must be returned to the original permitted 2-family residential use within thirty (30) days.** A re-inspection of the premises will occur by March 30th, 2007, at which time compliance is required.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code in Title 30-A of M.R.S.A ss 4452.

Sincerely,

Jon Rioux,
Code Enforcement Office