

**Department of Permitting and Inspections***Ann Machado, Zoning Administrator*

May 18, 2016

Rocco Navarro
268 Concord St. West
Portland, ME 04103

Re: 268 Concord Street West – CBL 175 C007 – R-5 Residential Zone – nonconforming dwelling unit

Dear Mr. Navarro:

On May 5, 2016 the Fire Department inspected your property at 268 Concord Street West. The inspector found that there were three dwelling units in the building. Our records show that the legal use of the property is a two-family dwelling, based on the most recent permit issued on January 26, 2009 (permit #09-0052). Since the legal use of your property is a two-family dwelling, you need to bring your property into compliance.

The property is located in the R-5 Residential Zone, which limits residential uses to one- and two-family dwellings unless the property can meet the minimum land area for a "multiplex development" of 6,000 square feet of land per dwelling unit. For three dwelling units, your lot would need to be at least 18,000 square feet in size. Based on the tax assessor's records, this lot is 9,641 square feet, which does not meet the land area criteria for a multiplex development.

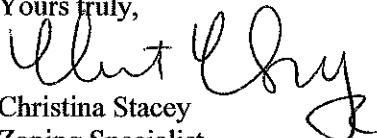
You have thirty days to bring your property into compliance. You need to either apply for a permit to legalize the non-conforming third dwelling unit, or seek Zoning Board of Appeals conditional use approval to add the third dwelling unit to the building, or remove the illegal unit by removing the third kitchen, including all equipment.

Enclosed please find the legalization application which is one of the options for bringing your property into compliance. If you are interested in the Zoning Board of Appeals conditional use option, please call or e-mail me and I will send you the necessary paperwork. I can be reached at (207) 874-8695 or estacey@portlandmaine.gov

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to file an appeal. If you should fail to do so, my decision is binding and no longer subject to appeal. To file an appeal, please contact me for the necessary paperwork.

Please feel free to let me know if you have any questions.

Yours truly,


Christina Stacey
Zoning Specialist

cc: File