



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

Ann Machado, Zoning Administrator

April 18, 2017

NOTICE OF VIOLATION AND ORDER TO CORRECT
Sent by Certified and Regular Mail

Mikel DeAngelis & Dana French
183 Whitney Ave.
Portland, ME 04102

Re: 183 Whitney Avenue, Portland, Maine – CBL 186A-D-007 – R-3 Residential Zone

Dear Mr. DeAngelis & Ms. French:

On March 17, 2017, this office inspected the above-referenced property and observed that there were three dwelling units in the principal building. City records show that the legal use of the property is a two-family dwelling. The third dwelling unit 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."

On March 16, 2016 you or your representative submitted a permit application to legalize the third dwelling unit, using the process outlined in section 14-391 of the City's Code. However, this office found that the application did not provide competent evidence of eligibility for legalization per the requirements of section 14-391(c), and denied the permit on April 18, 2017.

To remedy this violation, you must 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 remove the illegal unit. 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', with a stylized flourish at the end.

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