



PORTLAND MAINE

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Director of Planning and Urban Development
Penny St. Louis Littell

February 9, 2010

MULKERN MICHAEL E
1445 FOREST AVE
PORTLAND, ME 04103

CBL: 340 D003001
Located at 1445 FOREST AVE

Certified Mail: 70090820000141892294

Notice of Violation/ Posting Notice

Dear Michael E Mulhern:

An evaluation of your property on 02/02/10 located at 1445 Forest Ave. revealed that the building is being used as four (4) unit apartment with two (2) illegal units. City records indicate the legal use of the property as a two (2) family home. This structure fails to comply with § 6-120 (d) of the Housing Code of the City of Portland.

There has been a change of use without benefit of proper permits or approvals as required under § 14-463 of the Zoning Ordinance, and § 6-107 of the Housing Code. Furthermore, City Inspectors posted 1445 Forest Ave against occupancy on 12/24/08. You have since purchased the property, framed walls, doors, and installed plumbing for kitchens and bathrooms, creating two (2) illegal dwelling units. Our City Zoning Ordinance § 14-87 & 14-88 for the R-3 Zone does not permit a four (4) family dwelling unit as a conditional, and or permitted use.

These violations require immediate correction. They are as follows:

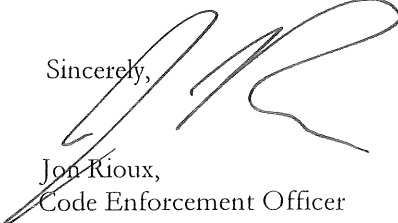
1. The use (two (2) illegal dwelling units) must be terminated and reverted back to the original legal use (Two Family Residence), within fourteen (14) days
2. Dismantle the un-permitted (closed-in) walls/ doors, and kitchens used to create illegal units within the dwelling, within fourteen (14) days.
3. Remove all additional wiring, plumbing, and or mechanic work completed without benefit of a building permit, within fourteen (14) days.
 - a. This work must be completed by an Electrical Licensed for two (2) family residential units, and Master Plumber.

Based on that list, and pursuant to § 14-89 (Prohibited Uses) and § 6-120.(d), this office declares the two (2) illegal dwelling unit are unfit for human habitation. This is a notice of violation pursuant to § 14-57 of the Land Use Ordinance; the referenced violations shall be corrected within fourteen (14) days of the date of this notice.

Failure to comply will result in further enforcement action taken by the City of Portland Corporation Counsel. This constitutes an appealable decision pursuant to § 121 of the Building Code and § 14-472 of the Zoning Ordinance.

Please feel free to contact me at 207.874.8702 if you wish to discuss the matter or have any questions.

Sincerely,



Jon Rioux,
Code Enforcement Officer

CC: Penny St. Louis Littell, Dir. of Planning and Urban Development, & Ann Machado, Zoning Specialist

From: Jonathan Rioux
To: Machado, Ann
Date: 2/2/2010 3:15 PM
Subject: RE: 1445 Forest Ave

340-D-3

R-3

CBL: 340 D003001
Owner: MULKERN MICHAEL E

Ann,

This is currently being used as a four (4) unit; the new owner bought the property under foreclosure and created two additional units. One unit's four foot egress door(s) will by no means met the bld. Code... Could he convert to a three (3) unit? Otherwise, the letter is going state that it must be returned to a two unit w/ signs-offs from the trades. Thanks, JGR.

Jon Rioux,
Code Enforcement Officer

City of Portland
Planning and Urban Development Department
Inspection Services Division
389 Congress St. Rm 315
Portland, ME 04101
Office: 207.874.8702
Support Staff: 207.874.8703
jrioux@portlandmaine.gov

Located in R-3 residential zone

Section 14-87 gives permitted uses

Section 14-88 gives conditional uses

Section 14-89 prohibited uses ~~as per code~~

three or less family

not listed as permitted use or conditional use.