

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No:	01-1327	Issue Date:		CBL:	343 A011001
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Location of Construction:	46 Plymouth St	Owner Name:	Brockett, Judy A & Frank	Owner Address:	46 Plymouth St	Phone:	207-797-8328
Business Name:	n/a	Contractor Name:	no contractor/self	Contractor Address:	n/a n/a	Phone:	
Lessee/Buyer's Name:	n/a	Phone:	n/a	Permit Type:	Building Miscellaneous	Zone:	R-3

Past Use:	Single Family	Proposed Use:	Single Family	Permit Fee:	\$30.00	Cost of Work:	\$30.00	CEO District:	2
Proposed Project Description:				FIRE DEPT:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION:	Use Group:	Type:	

Erect three storage trailers on property 5'x8', 6'x10' and 8'x16'
2x8' 6'x8' 6'x8' 12'x16'

Permit Taken By:	SS	Date Applied For:	10/23/2001	Signature:		Signature:	
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Zoning Approval

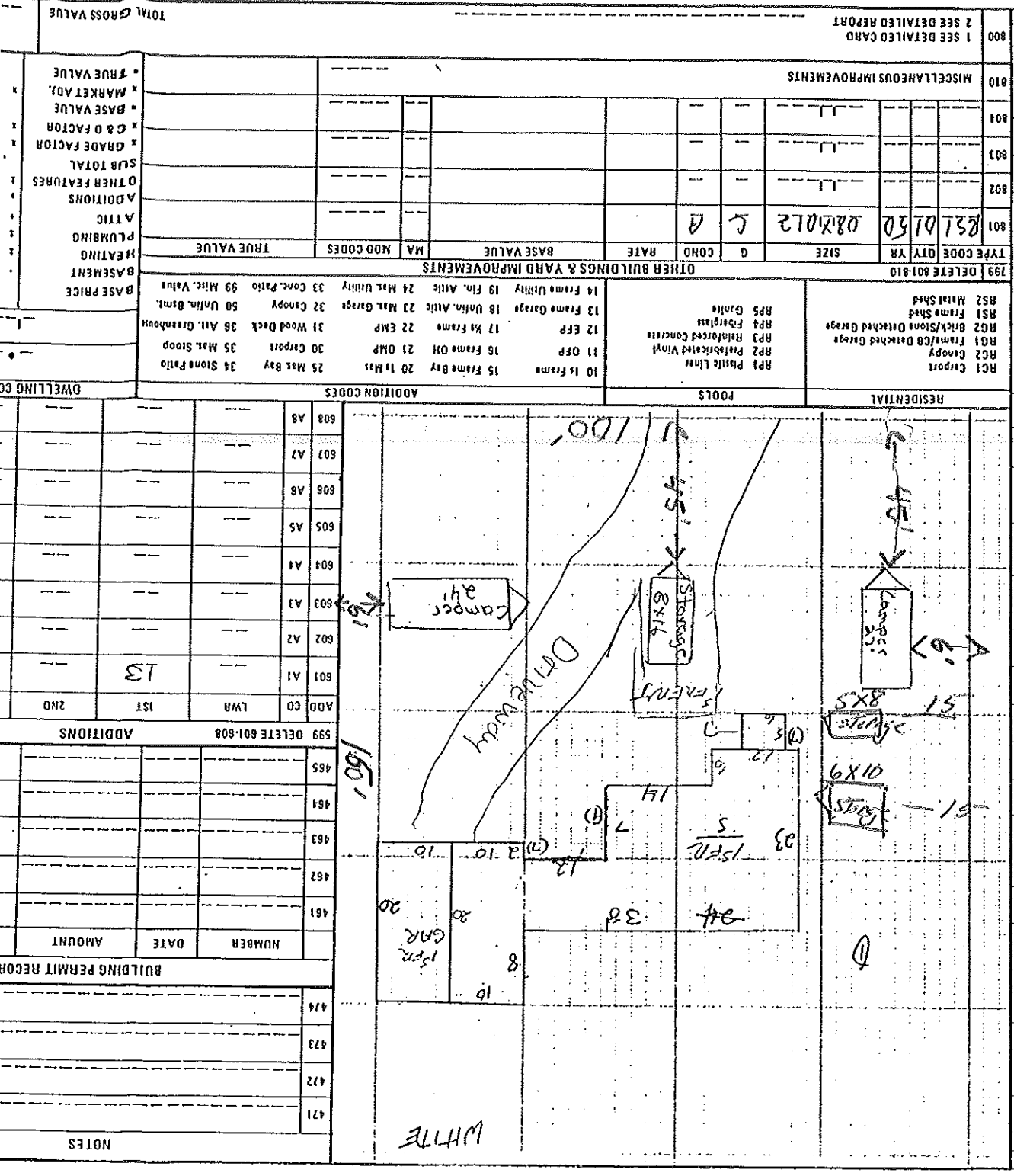
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Not in District or Landmark
2. Building permits do not include plumbing, septic or electrical work.	<input type="checkbox"/> Wetland	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does Not Require Review
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.	<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
	Major <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date:	Date:	Date:	Date:

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK TITLE		DATE	PHONE

500	VACANT	10	15	20	25	30	STORY HEIGHT	OTHER
505								
508	ERECTED 1950	AGE	EST	REMODELED	19			
509	TOTAL ROOMS 06	BED ROOMS 03	FAMILY ROOMS 02	BATHS 02	ADON. 0	FIXT. 0	TOTAL 02	
510	NO. KITCHEN 1	YES	NO. BATH 1	YES	REMODELED 0	NO		
512	NO. HEATING	1	BASIC	3	CENTRAL AIR COND.			
513	NO. 1	GAS	2	HEATING SYSTEM TYPE	3	HEATING FUEL TYPE	4	ATTIC
514	NO. 1	WARM AIR	2	ELEC	3	HOT WATER	4	STEAM
515	INTERIOR CONDITION	1	BETTER	2	SAME	3	POORER	
516	PHYSICAL CONDITION	1	EX	2	GD	3	AV	4
517	CONDO	1	INTERIOR	2	CORNER			



471								
472								
473								
474								
BUILDING PERMIT RECORD								
	NUMBER	DATE	AMOUNT					
481								
482								
483								
484								
485								
ADDITIONS								
ADD	CD	LWR	1ST	2ND				
601	A1							
602	A2							
603	A3							
604	A4							
605	A5							
606	A6							
607	A7							
608	A8							

500 DEL FT 505 533
 1 SEE DETAILED REPORT
 2 SEE DETAILED REPORT
 TOTAL GROSS VALUE

DUPLICATE

GENERAL RECEIPT

CITY OF PORTLAND, MAINE

DEPARTMENT Information DATE 10/25/11

RECEIVED FROM Info Systems

ADDRESS 610 201 Commercial

UNIT	ITEM	REVENUE CODE	DOLLAR AMOUNT
	Dues/Inf fee		2000
	CD1 343 A 011		
<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> OTHER			
TOTAL			2000

RECEIVED BY *[Signature]*

USE INFORMATION SYSTEMS Box 374, Portland, ME 04104 (207) 774-1482 2007A7-2P

Commercial Printing • Business Forms • Advertising Specialties • 426510

01 1357

All Purpose Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: 46 Plymouth St. Portland Me 04103		Total Square Footage of Proposed Structure		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# 343 Block# A Lot# 011	Owner: FRANK & JUDY BRACKETT	Applicant name, address & telephone: FRANK & JUDY BRACKETT 46 PLYMOUTH ST PORTLAND ME 04103 207-797-8328		Telephone: 797-8328	
Lessee/Buyer's Name (if Applicable)		Current use: <u>NO STORAGE TRAILERS</u>		Cost Of Work: \$ Fee: \$ 30.00	
If the location is currently vacant, what was prior use: _____					
Approximately how long has it been vacant: _____					
Proposed use: <u>To Rent RVs in use same of empty</u>					
Project description:					
Contract		10/25/01			
Who should Mailing c		Frank revised Application			
		* Permit 3 Storage Trailers.			
		JRB			

IF THE REG DENIED A INFORMA

- BE AUTOMATICALLY RE ADDITIONAL

I hereby ce have been jurisdiction, shall have; to this perm

zes the proposed work and that I form to all applicable laws of this ficial's authorized representative revisions of the codes applicable

Signature of applicant

Date: 10/23/01

DEPT. OF BUILDING & PERMITS
CITY OF PORTLAND, ME

This is not a permit, you may not commence ANY work until the permit is issued

OCT 23 2001

10/23/01

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

PS Form 3800, April 1995

Sent to	343-A-011
Special Number	48 Plymouth St
Post Office, State & Zip Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	



CITY OF PORTLAND

Department of Urban Development
 Joseph E. Gray, Jr.
 Director

Dear Judy Wheeler:

Certified Receipt #Z 397 901 880

-011)

An evaluation of your property at 48 Plymouth Street on May 23, 2000 revealed the following conditions:

1. Discarded parts of garage doors.
2. Several junked toys & sleds
3. 8 junked lawn mowers
4. 3 snow blowers
5. Misc. rubble and debris
6. Junked Winnebago Motor Home (not stickered and registration expired July 1995)
7. Junked Apeco Trailer (registration expired April 1996)
8. Jeep Wagoneer (not registered, no sticker) in disrepair

The above conditions meet the Statutory definition of a Junkyard as found in Title 30-A M.R.S.A., Section 3752 (subsection 4, Junkyard). All referenced violations shall be removed within 10 days of this notice. A reinspection of the premises will occur on June 5, 2000 at which time compliance will be 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 Title 30-A M.R.S.A. ss4452.

Please feel free to contact at 874-8706, if you wish discuss the matter if have any question.

Sincerely,

Tammy M. Munson
 Code Enforcement Officer / Field Supv.

storage by an establishment or place of business that is primarily engaged in doing auto body repair work to make repairs to render a motor vehicle serviceable.

B. "Automobile graveyard" includes an area used for automobile dismantling, salvage and recycling operations.

1-A. Automobile recycling business. "Automobile recycling business" means the business premises of a person who purchases or acquires salvage vehicles for the purpose of reselling the vehicles or component parts of the vehicles or rebuilding or repairing salvage vehicles for the purpose of resale or for selling the basic materials in the salvage vehicles, provided that 80% of the business premises specified in the site plan in section 3755-A, subsection 1, paragraph C is used for automobile recycling operations.

2. Highway. "Highway" means any public way. **3752**

3. Interstate System. "Interstate System" means those portions of the Maine Turnpike and the state highway system incorporated in the National System of Interstate and Defense Highways, as officially designated by the Department of Transportation.

- 4. Junkyard. "Junkyard" means a yard, field or other area used to store:
 - A. Discarded, worn-out or junked plumbing, heating supplies, household appliances and furniture;
 - B. Discarded, scrap and junked lumber;
 - C. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, waste and all scrap iron, steel and other scrap ferrous or nonferrous material; and
 - D. Garbage dumps, waste dumps and sanitary fills.

5. Primary System. "Primary System" means that portion of the state highway system which the Department of Transportation has by official designation incorporated into the Federal-Aid Primary System.

6. Recycling or recycling operations. "Recycling or recycling operations" means the dismantling of motor vehicles for the purpose of reselling the component parts of the vehicles or rebuilding or repairing salvage vehicles for the purpose of resale or for selling the basic materials in the salvage vehicles.

1987, c. 737, § A, 2; 1991, c. 745, § 1; 1993, c. 173, §§ 2, 3; 1995, c. 65, § A-130, eff. May 11, 1995.

Historical and Statutory Notes

Amendments

1991 Amendment. Laws 1991, c. 745, § 1, added subsec. 1, par. B.

1993 Amendment. Laws 1993, c. 173, § 2, added subsec. 1-A.

Laws 1993, c. 173, § 3, added subsec. 6.

1995 Amendment. Laws 1995, c. 65, § A-130, in subsec. 1, first par., substituted "Title 29-A, section 101, subsection 42" for "Title 29, section 101, subsection 7".

- Constitutionality 1
- Intended future use 5
- Purpose 2
- Review 6
- Unregistered vehicle 3
- Unserviceable vehicle 4

1. Constitutionality

Automobile graveyard which proscribed use of land for motor vehicles and other motor vehicles and other motor vehicles unconstitutionally vague as to what vehicles stored on land which are not presently useable, and which revealed abundant supply of scrap and other materials. Town of Scarborough (1994) Me., 639 A.2d 619.

Effect of ordinance proscribing use of automobile junkyard was not unconstitutional. Injunctive relief of property. State v. Scarborough (1994) Me., 639 A.2d 886.

Where enabling act for purpose of maintaining automobile junkyard proscribed storage of "three or more discarded vehicles and automobiles" and required to "apply more stringent regulations and conditions in any permit for an automobile graveyard * * * adjacent to a residential area." Municipal ordinance proscribing use of such a yard by "two or more discarded vehicles and automobiles" was not facially invalid. Injunctive relief of maintenance of such a yard. State v. Scarborough (1994) Me., 639 A.2d 886.

2. Purpose

The purpose of this section is to prevent the storage of 3 or more automobile junkyard so that they would, standing alone, constitute an automobile graveyard. State v. Scarborough (1994) Me., 639 A.2d 107.

§ 3753. Permit required for automobile recycling business

No person may establish an automobile recycling business from the municipal office or from an automobile recycling business.

City Of Portland
Inspection Services
RETURN OF SERVICE

343-A-11

On the 29 day of August, 2001, I made service of the Noise Violation
upon, Nobody (Study Worker), at 46. Plymouth St.

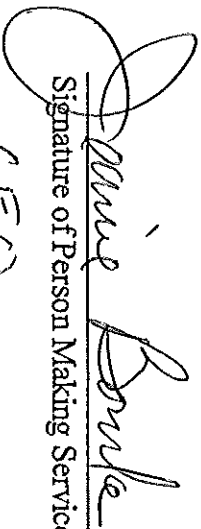
By delivering a copy in hand.

By leaving copies at the individual's dwelling house or usual place
of abode with a person of suitable age or discretion who resides
therein and whose name is _____.

By delivering a copy to an agent authorized to receive service of
process, and whose name is _____.

By (describe other manner of service) _____.

DATED: 8/29/01


Signature of Person Making Service

CEO
Title

I have received the above referenced documents

Person Receiving Service

Refused to sign
 Unable to sign

Inspection Services
Michael J. Nugent
Manager

Housing & Neighborhood Services
Mark B. Adelson
Director



CITY OF PORTLAND
NOTICE OF VIOLATION

August 29, 2001

Judy A. Wheeler
48 Plymouth Street
Portland, Maine 04103

RE: 48 Plymouth Street (CBL 343-A-011)

Hand Delivery

Dear Judy Wheeler:

An evaluation of your property at 48 Plymouth Street on July 11, 2001 revealed the following conditions:

1. 5 screen porches used as storage sheds installed without a building permit
2. 1 - Gray Dodge Caravan, unserviceable, junk or otherwise unusable.
3. 1 - Brown Dodge Caravan unserviceable, junk or otherwise unusable.
4. Junked Winnebago Motor Home


Condition #1 constitutes a violation of Section 107.1 of the Building Code and Section 14-461 of the Zoning Ordinance as these structures have been placed on the property without a valid permit.

The above conditions 2,3 & 4 meet the statutory definition of a Junkyard as found in Title 30-A M.R.S.A., Section 3752 (subsection 4.Junkyard). This use is not licensed or otherwise permitted. All referenced violations shall be removed within 30 days of this notice. A reinspection of the premises will occur on September 12, 2001, at which time compliance will be 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 Title 30-A M.R.S.A. ss4452.

This constitutes an appealable pursuant to Section 121.5 of the building code and 14-472 of the Zoning Ordinance.

Please feel free to contact at 874-8701, if you wish discuss the matter if you have any questions.

Sincerely,


Jeannine Bourke
Code Enforcement Officer

389 Congress St Portland, Maine 04101 (207) 874-8700 FAX 874-8716 TTY 874-8936

Inspection Services
Michael J. Nugent
Manager



Housing & Neighborhood Services
Mark Adelson
Director

August 29, 2001

CITY OF PORTLAND

ATTENTION!!!!

THIS SERVES AS NOTICE TO CORRECT
THE

JUNK CONDITIONS AT THIS PROPERTY
LOCATED AT

46 PLYMOUTH ST. CBL: 343-A-011!

YOU NEED TO CONTACT THIS OFFICE
IMMEDIATELY TO VERIFY RECEIPT OF THE
NOTICE OF VIOLATION!

FAILURE TO DO SO WILL RESULT IN LEGAL
ACTION AND ASSOCIATED FINES!!!

PLEASE CALL 874-8715 IMMEDIATELY TO
ADDRESS THESE ISSUES!!!

389 Congress St Portland, Maine 04101 (207) 874-8700 FAX 874-8716 TTY 874-8936

City Of Portland
Inspection Services
RETURN OF SERVICE

343-A-11

On the 10 day of October, 2001, I made service of the ⁽²⁾ Notices of Violation
upon, Judy ~~Frank~~ ~~Brockett~~ ^{Brockett} 48 Plymouth St.

By delivering a copy in hand.

By leaving copies at the individual's dwelling house or usual place of abode with a person of suitable age or discretion who resides therein and whose name is _____.

By delivering a copy to an agent authorized to receive service of process, and whose name is _____.

By (describe other manner of service) _____.

DATED: 10/10/01

Signature of Person Making Service
Terrie Bowke
Title
CEO

I have received the above referenced documents

Person Receiving Service

Refused to sign
 Unable to sign

Judy Brackett

Inspection Services
Michael J. Nugent
Manager

Housing & Neighborhood Services
Mark B. Adelson
Director



CITY OF PORTLAND
NOTICE OF VIOLATION

October 10, 2001

Judy A. Wheeler
48 Plymouth Street
Portland, Maine 04103

RE: 48 Plymouth Street (CBL 343-A-011)

Hand Delivery

Dear Judy Wheeler:

An evaluation of your property at 48 Plymouth Street on October 2, 2001 revealed the following conditions:

1. 1-Brown Dodge Caravan unserviceable, junk or otherwise unusable.
2. 1-Junked Winnebago Motor Home

The above conditions are in violation of Section 12.79 of the Municipal Code, Junked motor vehicles. All referenced violations shall be removed within 30 days of this notice. A re-inspection of the premises will occur on November 9, 2001, at which time compliance will be 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 Title 30-A M.R.S.A. ss4452.

This constitutes an appealable decision pursuant to Section 12.80 Municipal Code. Please feel free to contact at 874-8715, if you wish discuss the matter if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeanie Bourke', is written over a horizontal line. The signature is fluid and cursive.

Jeanie Bourke
Code Enforcement Officer

Inspection Services
Michael J. Nugent
Manager

Housing & Neighborhood Services
Mark B Adelson
Director



CITY OF PORTLAND
NOTICE OF VIOLATION

October 10, 2001

Judy A. Wheeler
48 Plymouth Street
Portland, Maine 04103

RE: 48 Plymouth Street (CBL 343-A-011)

Hand Delivery

Dear Judy Wheeler:

An evaluation of your property at 48 Plymouth Street on October 2, 2001 revealed the following conditions:

1. 3 utility trailers used as storage sheds installed without a building permit

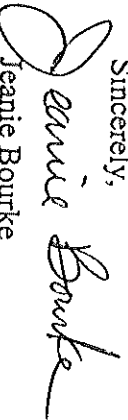
This constitutes a violation of Section 107.1 of the Building Code and Section 14-461 of the Zoning Ordinance as these structures have been placed on the property without a valid permit.

This use is not licensed or otherwise permitted. All referenced violations shall be removed within 10 days of this notice. A reinspection of the premises will occur on October 22, 2001, at which time compliance will be 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 Title 30-A M.R.S.A. ss4452.

This constitutes an appealable pursuant to Section 121.5 of the building code and 14-472 of the Zoning Ordinance.

Please feel free to contact at 874-8715, if you wish discuss the matter if you have any questions.

Sincerely,


Jeanie Bourke
Code Enforcement Officer

Inspection Services
Michael J. Nugent
Manager



Housing & Neighborhood Services
Mark Adelson
Director

January 10, 2002

Frank & Judy Brockett
46 Plymouth Street
Portland, Maine 04103

RE: 46 Plymouth St
CBL: 343-A-011 (Zone R-3)

Dear Mr. & Mrs. Brockett:

Hand Delivery

An evaluation of your property at 46 Plymouth Street on October 25, 2001 revealed violations including restricted off street parking, accessory use, rodent and vermin control, and structures placed without a building permit. The premises fail to comply with Sections 14-335 & 14-404 of the Zoning Ordinance, The Land Use Code, Section 22.3 of the City Code of Ordinances, and Section 107.1 of the 1999 BOCA Building Code.

1. **Section 14-335: Off Street Parking Restricted:** Off street parking shall not include: (c) Loading, sales, dead storage, etc...except when customarily incidental or accessory to a conforming principal building... This refers to the containers used for storage of miscellaneous items.
2. **Section 14-404: Accessory Use:** The term "accessory use" shall include only the following: (2) Off-street parking when serving conforming uses located in any zone...except that **not more than three (3)** motor vehicles may be parked on any lot used for a single family house. There is an excess of 3 stored on the property.
3. **Section 22. 3: Rodent and Vermin Control:** (a) The owner or occupant of a single family residential building shall maintain the building and the lot on which the building is located free from any accumulation of garbage, debris, or rubble, except in watertight covered containers.
4. **Section 107.1 Permit Application** – application for permit required – no application has been filed for the construction or placement of two (2) sheds or storage structures at the above referenced property.

This is a notice of violation. A re-inspection of the premises will occur 14 days from the receipt of this notice at which time compliance will be 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.

This constitutes an appealable decision pursuant to Section 14-472 of the Land Use Ordinance, Section 22-21 of the City Code of Ordinances, and Section 121.5 of the 1999 BOCA Building Code.

You have 30 days from the date of this letter in which to exercise your right to appeal. Please contact this office for the necessary information and paperwork to apply.

Please contact me Jeanie Bourke @ 874-8715 if you wish to discuss the matter or have any questions.

Sincerely,

Sincerely,

A handwritten signature in black ink, appearing to read "Marge Schnuckal". The signature is written in a cursive style with a long horizontal stroke at the end.

Marge Schnuckal
Zoning Administrator

Jeanie Bourke

Code Enforcement Officer

Inspection Services
Michael J. Nugent
Manager



Housing & Neighborhood Services
Mark Adelson
Director

January 10, 2002

CITY OF PORTLAND

Frank & Judy Brockett
46 Plymouth Street
Portland, Maine 04103

RE: 46 Plymouth St.
CBL: 343-A-011 (Zone R-3)

Dear Mr. & Mrs. Brockett:

Hand Delivery

An evaluation of your property at 46 Plymouth Street on October 25, 2001 revealed violations including restricted off street parking, accessory use, rodent and vermin control, and structures placed without a building permit. The premises fail to comply with Sections 14-335 & 14-404 of the Zoning Ordinance, The Land Use Code, Section 22.3 of the City Code of Ordinances, and Section 107.1 of the 1999 BOCA Building Code.

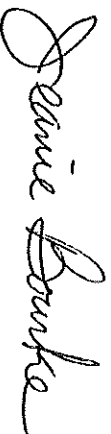
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This is a notice of violation. A re-inspection of the premises will occur **14** days from the receipt of this notice at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

This constitutes an appealable decision pursuant to Section 14-472 of the Land Use Ordinance, Section 22-21 of the City Code of Ordinances, and Section 121.5 of the 1999 BOCA Building Code. You have 30 days from the date of this letter in which to exercise your right to appeal. Please contact this office for the necessary information and paperwork to apply.

Please contact me Jeanie Bourke @ 874-8715 if you wish to discuss the matter or have any questions.

Sincerely,



Jeanie Bourke
Code Enforcement Officer

Sincerely,



Marge Schmuckal
Zoning Administrator

City Of Portland
Inspection Services
RETURN OF SERVICE

On the 10 day of January, 2002, I made service of the Notice of Violation
upon, Frank Bockett, at 46 Plymuth

By delivering a copy in hand.

By leaving copies at the individual's dwelling house or usual place
of abode with a person of suitable age or discretion who resides
therein and whose name is _____

By delivering a copy to an agent authorized to receive service of
process, and whose name is _____

By (describe other manner of service) _____

DATED: 1/10/02

Signature of Person Making Service

Shirine Bonke
Title CEO

I have received the above referenced documents

Person Receiving Service

Frank Bockett

Refused to sign

Unable to sign

Memo



To: Central File

From: Jeanie Bourke – Code Enforcement Officer

Date: January 30, 2002

Re: 46 Plymouth St. CBL: 343-A-011

The 14-day re-inspection was performed at the above property on January 28, 2002, with the following people in attendance:

Jeanie Bourke – Code Enforcement
Frank Brockett, Judy Brockett - Property owners
Jerold Bradley - Advocate

A discussion ensued regarding the Notice of Violation dated January 10, 2002 and it was determined code compliance was not achieved.

Items removed were:

- Three (3) camper trailers, one (1) open sided storage trailer

Items remained were:

- Four (4) automobiles, one (1) motor home, two (2) dead storage trailers and miscellaneous loose debris & rubble

Items added were:

- One (1) motor home

Note: There is no record of application for building permits for the two (2) storage sheds.

The Brocketts stated they would not exercise their right to appeal. They will continue to remove the items stated in the violation notice and apply for building permits. This case will be re-visited when the 30-day appeal period expires.

Jerrold H. Bradley
89B Lovers Lane
Gorham, Maine 04038

2/7/2002

City of Portland
Jeanie Bourke
Code Enforcement Officer
389 Congress Street
Portland, Maine 04101

343-A-11

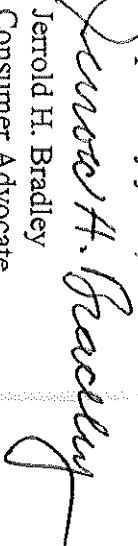
Dear Ms. Bourke,

RE: Frank & Judy Brockett

46 Plymouth St

As per our visit last week I told you that Judy had a mental illness called Obsessive Compulsive Disorder and likes to collect things. In her case lots of things. Judy is working with her mental health care providers to get you a letter that states that she has this mental illness. She is not in the business of selling things from her home. She has not had a yard sale at her home in years. For the past several months Frank and Judy have been working very hard with you to comply with all of your request. The first of your request were to remove the screen rooms, they did that, another request was to remove the 3-RVs they did that also. This past weekend Frank and Judy took the 2 utility trailers to Vermont to also comply. If Frank and Judy had known that they could not have the two utility trailers they would have never purchased them, they did that to once again to try and comply with the Cities request. The dealer that sold them the utility trailers told them that they could have them as long as they were registered so they also went to the expense of doing that. The other flat bed utility trailers they had they sold to also comply. Frank and Judy are working very hard on finding a storage area for the large motor home. They contacted E-Z Self-Storage in Westbrook and now have their name on top of a list to take the motor home there. This could take a few weeks. Frank and Judy also tried every storage area in the Greater Portland area to take the motor home and found that they were filled up. Any help and understanding you could have in this case would be greatly appreciated.

Respectfully yours,


Jerrold H. Bradley
Consumer Advocate

Memo

City of
Portland

To: Central File

From: Jeanie Bourke – Code Enforcement Officer

Date: July 10, 2002

Re: 46 Plymouth Street CBL: 343-A-011

Inspected the property on February 19 & March 14. Between these dates, the storage trailers and camper trailers were removed. There were 3 automobiles remaining and a motor home. A substantial amount of the misc. debris and rubble was removed.

On April 9, 2002 Building Permit #02-0248 was issued for a 24'x24' garage and to legalize to existing sheds.

May 21, 2002 I visited the property prompted by a call from Scott Petachnick concerned about activity associated with the building permit. Mr. Brockett was clearing the land and stringing the lines for the garage. No earth was being moved. Mr. Brockett decided to relocate the garage to the left side yard and I instructed him to submit an amendment at our office. At that time I spoke to Mr. Brockett about continuing to remove misc. debris and he said it will happen in order to continue with the construction of the garage.

On June 17, 2002 I visited the property after a call from Scott Petachnick concerned about vehicles returning and another camper trailer. No one was home, and it was noted that there were 3 cars (only 1 had valid registration), 1 registered motor home and 1 camper trailer. The owner also drives a white pick up truck, which was not on site. Also noted were 2 riding mowers and 1 riding mower/plow.

On July 2, 2002 I visited the property after a call from Scott Petachnick concerned about a new vehicle brought on site with no plates and 2 motor homes, plus all the other vehicles. No one was home, and it was noted that there were 3 cars (the brown Dodge Caravan was gone, a registered black Geo Tracker was new). The motor home and camper trailer were still on site and the owner's white pickup was not on site.

On July 11, 2002 I spoke with Frank Brockett on the phone and he said the Tracker was owned by a friend who was visiting. That leaves 3 cars, 1 motor home and 1 camper trailer.

Inspection Services
Michael J. Nugent
Manager

Dept. of Planning & Development
Lee Urban
Director



CITY OF PORTLAND

October 22, 2002

Frank & Judy Brockert
46 Plymouth Street
Portland, ME 0410

RE: 46 Plymouth St.
CBL: 343-A-011 (Zone R3)

Dear Mr. & Mrs. Brockert:

An evaluation of the above property on October 16, 2002 revealed that there is retail business conducted from this premises. The property is located in the R3 Zone where this use is not permitted.

1. Shasta motor home with "For Sale" sign #838-9926, Shasta camper trailer located directly across the street with a "For Sale" sign #838-9926.
2. The retail sale of miscellaneous items including but not limited to snow blowers, mowers & gas grills.

The above, described, condition is in violation of Section 14-52 of the Municipal Zoning Ordinance.

This is a notice of violation pursuant to Section 14-56 of the Municipal Zoning Ordinance. The property must be returned to the original permitted residential use within 10 days. A reinspection of the premises will occur on October 31, 2002 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 and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 14-472 of the Municipal Zoning Ordinance. You have the right to appeal this decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to apply.

Please feel free to contact me at 874-8715, if you wish to discuss the matter or have any questions.

Sincerely,

Jeanie Bourke
Code Enforcement Officer

City Of Portland
Inspection Services
RETURN OF SERVICE

On the 22 day of Oct, 2002, I made service of the Note of Violation
upon, Frank Brackett, at 46 Plymouth St.

By delivering a copy in hand.

By leaving copies at the individual's dwelling house or usual place
of abode with a person of suitable age or discretion who resides
therein and whose name is _____.

By delivering a copy to an agent authorized to receive service of
process, and whose name is _____.

By (describe other manner of service) _____.

DATED: 10/22/02

Signature of Person Making Service

Maive Burke w/ Tommy
Code Enforcement Officer / munson

Person Receiving Service

Frank L Brackett

Refused to sign
 Unable to sign

I have received the above referenced documents

Inspection Services
Michael J. Nugent
Manager

Housing & Neighborhood Services
Mark Adelson
Director



CITY OF PORTLAND

November 6, 2002

Frank & Judy Brockett
46 Plymouth Street
Portland, ME 04103

RE: 46 Plymouth St
CBL: 343-A-011

Dear Mr. & Mrs. Brockett:

A re-inspection at the above noted property was made on November 4, 2002.

This is to certify that you have complied with our request to correct the violation(s) of the Municipal Code relating to housing conditions noted on our letter dated October 22, 2002. Both the motor home and the camper trailer have been removed.

The primary residential use must be maintained and there shall be no sale of goods from this property per Sec. 14-52 of the Municipal Zoning Ordinance.

This notice is intended to document that you have corrected the specific violations as previously noted. It is not intended to indicate compliance with other City regulations, it also does not imply that the structure or premises is violation free.

Thank you for your cooperation. If you have any questions, feel free to contact me at this office.

Sincerely,

Jeanie Bourke
Code Enforcement Officer

Inspection Services
Michael J. Nugent
Manager

Housing & Neighborhood Services
Mark Adelson
Director



CITY OF PORTLAND

December 12, 2002

Merle Fisher
Fisher Construction
RR 2 Box 1082
Belgrade, ME 04917

RE: 46 Plymouth Street
CBL: 343-A-011

Certified Mail Receipt: #7001 1940 0004 2778 1074

Dear Mr. Fisher:

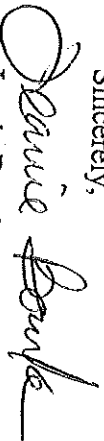
An evaluation of above property on November 4, 2002 revealed that the structure fails to comply with Chapter 6, Article II of the Code of Ordinances of the City of Portland, The Building Code.

Section 111.2 Compliance with the code: The permit was issued for conventional roof framing. Truss rafters have been installed, and per the code a specification is required to be submitted to determine the load capacity. Also, a stairway access to the storage area has been framed which has compromised the structural integrity of the truss system. One truss has been removed from 1/2 of the span, and the stair connection detail needs to be verified by the manufacturer's engineer. Please submit the necessary documents and correct any deficiencies.

This is a notice of violation pursuant to Section 116.0 of the Code. All referenced violations shall be corrected within 14 days of the date of this notice. 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.

This constitutes an appealable decision pursuant to Section 121.0 of the Code. Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection. Please feel free to contact me if you wish to discuss the matter or have any questions.

Sincerely,


Jeanie Bourke @ 874-8715
Enforcement Officer