

Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Planning & Development  
Lee Urban, Director

## CITY OF PORTLAND

October 9, 2003

Birchlane, LLC  
C/o King Weinstein  
198 Saco Avenue  
Old Orchard Beach, ME 04064

RE: 12 White Birch Lane – 343-D-016 – R-5/R-3 PRUD – 27 Dwelling Units – permit application # 03-1157

Dear Mr. Weinstein,

I am in receipt of your permit application to change the twenty-seven (27) residential dwelling units from rental to condominium dwelling units. You have stated within your application that you have not made official written notice to the tenants notifying them of this change in ownership because you are not requiring any tenants to vacate at this time.

The entire purpose of the condominium conversion regulations is to regulate conversion and to minimize the potential adverse impacts of such conversion on tenants. I understand this purpose to mean that tenants must still be notified in writing that a conversion from rental to condominiums is being made. This notice to tenants shall be delivered prior to the issuance of a condominium conversion permit. In that notice to the tenants you shall officially inform them of the conversion. The notice shall also contain the specific wording outlined within the ordinance that notifies the tenants of irrevocable rights and how to contact the City of Portland with any questions. If you are not intending to market or sell these condos at this time and tenants are not required to vacate, it should also be stated as such within the notice that you provide to the tenants. This office shall receive a copy of all the delivered tenant notices.

Please note that you shall be required to provide a SECOND NOTICE to each tenant at the time you require the tenant to vacate. This second notice shall contain a specific offer and terms for the tenant to purchase their unit. The notice shall again contain specific wording outlined within the ordinance that notifies the tenants of irrevocable rights and how to contact the City of Portland with any questions. The tenant also shall be given a specific time for notice to vacate based upon the number of years that they have occupied their unit. Because you have chosen to delay the selling of the proposed condominiums, you will be required this two-tier notification.

All other requirements within the condominium conversion ordinance shall be in force at all times. If there are any vacancies, during either notification, this office shall be given the name and telephone number of the previous tenant(s) and reason for their vacation of the unit.

It has also been brought to my attention by our front staff that all the required fees for the condominium conversion permit have not been paid. I have attached a copy of request of additional payment of \$1,980.00

This office has the responsibility of ensuring that all tenants have been afforded their rights under this ordinance prior to and during condominium conversions. Your permit shall be on hold until all the required tenant information has been satisfied and when all required fees have been paid.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal  
Zoning Administrator

Cc: Mark Adelson, Housing and Neighborhood Services Division Director  
File

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
 389 Congress Street  
 Portland, Maine 04101

**INVOICE FOR PERMIT FEES**

<b>Application No:</b> 3-1157		<b>Applicant:</b> Birchlane, LLC	
<b>Project Name:</b> Change of Use from 27 Units to 27		<b>Location:</b> 12 White Birch Ln	
<b>CBL:</b> 343 D016001		<b>Development Type:</b>	
<b>Invoice Date:</b> 09/09/2003			

<b>Previous Balance</b>	-	<b>Payment Received</b>	+	<b>Current Fees</b>	=	<b>Total Due</b>	<b>Payment Due Date</b>
\$0.00		\$0.00		\$6,105.00		\$1,980.00	On Receipt

**First Billing**

<b>Previous Balance</b>	<b>\$0.00</b>
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Fee Description	Qty	Fee Charge
Certificate of Occupancy	27	\$2,025.00
Building Permit Fee First \$1000	1	\$30.00
Condo Conversion	27	\$4,050.00
		\$6,105.00
<b>Total Current Fees:</b>	<b>+</b>	<b>\$6,105.00</b>
<b>Amount Due Now:</b>		<b>\$6,105.00</b>

Detach and remit with payment

**Bill to:** Birchlane, LLC  
 198 Saco Avenue  
 Old Orchard, ME 04064

CBL 343 D016001  
**Application No:** 3-1157  
**Invoice Date:** 09/09/2003  
**Invoice No:** 11228  
**Total Amt Due:** \$1,980.00  
**Payment Amount:**

Make checks payable to the *City of Portland*, ATTN: Karen Dunfey, 3rd Floor, 389 Congress Street, Portland, ME 04101