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*Greg Mitchell – Acting Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

May 31, 2012

Marion Puglisi
295 Allen Avenue
Portland, ME 04103

Re: 295 Allen Avenue - 344-B009 – R-5 Residential Zone – illegal dwelling unit.

Dear Ms. Puglisi,

It has come to the attention of our office that you have an illegal dwelling unit at your property at 295 Allen Avenue. You were issued a permit (#05-1158) in 2005 to renovate the third floor of your property for a home office. The conditions for the permit specifically stated that the property was to remain a two family dwelling and that you were not being approved for an additional dwelling unit. Code Enforcement Officer Paul Fagone inspected the property on May 21, 2012 and found that a kitchen had been put in the third floor creating a third dwelling unit. Since the permit issued in 2005 stated that the property was only a two family, the third unit is illegal and it must be removed.

295 Allen Avenue is located in the R-5 Residential Zone. Section 14- 117(a)(2)(a) states that the land area per dwelling unit requirement for a multiplex (3 or more units) is 6,000 square feet. The lot is 13,890 square feet, so there is not enough land to add a third dwelling unit.

You have thirty days from the date of this letter to bring your property into compliance by returning it to a two family dwelling. You need to remove the kitchen from the third floor including all the kitchen equipment. An inspection has been scheduled thirty days from the date of this letter to make sure that you have brought the property into compliance.

You have the right to appeal the 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, the decision is binding and no longer subject to appeal. Please contact our office for the necessary paper work if you decide to file an appeal.

Please feel free to call if you have any questions.

Sincerely,

Ann B. Machado
Zoning Specialist
(207) 874-8709

Paul Fagone
Code Enforcement Officer
(207) 874-8789