



# PORTLAND MAINE

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Lee Urban- Director of Planning and Development  
Marge Schmuckal, Zoning Administrator

February 22, 2008

Russell Levine  
518 Washington Avenue  
Portland, ME 04103

- Reinspect March 24<sup>th</sup>.  
inspection 3/26/08,  
Scheduled.

RE: 5 Bates Street (518 Washington Avenue) – 429 J004 – B-2 – illegal dwelling unit

Dear Mr. Levine,

It has come to our attention that you have an illegal dwelling unit at your building at 5 Bates Street (518 Washington Avenue). The most recent permit (#912821) we have on file for your property was issued on July 10, 1991. The proposed use for the building was for "auto repair and sales". The letter from P. Samuel Hoffses, Chief of Inspection Services, issued with the permit had several requirements. One requirement was that the permit was issued "with the understanding that the second floor is not to be used for habitable space". The Certificate of Occupancy for the permit was issued on September 24, 1991 and the use of the building was listed as "auto repair and sales".

An inspection on February 20, 2008 by one of our building inspectors, found that you have a dwelling unit on the second floor. This dwelling unit is illegal and must be removed. You have thirty days from the date of this letter to remove the illegal unit. There will be a re-inspection at the end of the thirty-day period to confirm that you have brought your building into compliance with the legal permitted use. If the unit is not removed within this thirty-day period, we will turn the matter over to our corporation council and they may begin legal proceedings to bring the property into compliance.

Please call me at 874-8709 if you have any questions.

Yours truly,

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

Inspection Services  
Samuel P. Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

CITY OF PORTLAND

*copy not mention  
du.*

July 10, 1991

Mr. Russell Levine  
390 Middle Road  
Falmouth, ME 04105

Re: 5 Bates Street, Portland, ME

Dear Mr. Levine:

Your application to conduct auto repair and sales has been reviewed and a permit is herewith issued subject to the following requirements:

No certificate of occupancy can be issued until all requirements of this letter are met.

1. This permit is being issued with the understanding that the second floor is not to be used for habitable space.
2. The separation between the service area and office space shall be of construction equal to 1 hr.

If you have any questions regarding these requirements, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Samuel P. Hoffses", written over a circular stamp.

P. Samuel Hoffses  
Chief of Inspection Services

/kb

Mail Permit to Mr. Thomas Jewell 465 Congress St. Room 408

Permit # \_\_\_\_\_ City of Portland BUILDING PERMIT APPLICATION Fee \$50.00 Conditional Use Appeal

Please fill out any part which applies to job. Proper plans must accompany form. Change of Use \$25.00 7/8/91

Owner: Russell Levine Phone # \_\_\_\_\_

Address: 390 Middle Road Falmouth, Me. 04105

LOCATION OF CONSTRUCTION 5 Bates St. (Corner Bates-Washington)

Contractor: 912821 Sub: \_\_\_\_\_

Address: \_\_\_\_\_ Phone # \_\_\_\_\_

Est. Construction Cost: \_\_\_\_\_ Proposed Use: Auto repair and sales

Past Use: vacant-prior auto sales

# of Existing Res. Units \_\_\_\_\_ # of New Res. Units \_\_\_\_\_

Building Dimensions L \_\_\_\_\_ W \_\_\_\_\_ Total Sq. Ft. \_\_\_\_\_

# Stor. \_\_\_\_\_ # Bedrooms \_\_\_\_\_ Lot Size: \_\_\_\_\_

Is Proposed Use: Seasonal \_\_\_\_\_ Condominium \_\_\_\_\_ Conversion \_\_\_\_\_

Explain Conversion conditional use appeal to conduct auto repair and sales  
Change of Use 7/8/91 No renovations (Explain)

**PERMIT ISSUED**

**For Official Use Only**

Date: March 18, 1991 Subdivision: \_\_\_\_\_

Inside Fire Limits: \_\_\_\_\_ Name: \_\_\_\_\_

Bldg Code: \_\_\_\_\_ General: \_\_\_\_\_

Time Limit: \_\_\_\_\_ Estimated Cost: \_\_\_\_\_

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**HISTORIC PRESERVATION**

Ceiling:

- Ceiling Joists Size: \_\_\_\_\_
- Ceiling Strapping Size \_\_\_\_\_ Spacing \_\_\_\_\_  Not in District nor Landmark
- Type Ceilings: \_\_\_\_\_  Does not require review
- Insulation Type \_\_\_\_\_ Size \_\_\_\_\_  Requires Review
- Ceiling Height: \_\_\_\_\_

Roof:

- Truss or Rafter Size: 12x12 08 25  Approved
- Sheathing Type \_\_\_\_\_ Size \_\_\_\_\_  Approved with Conditions
- Roof Covering Type \_\_\_\_\_

Chimneys:

Type: \_\_\_\_\_ Number of Fire Places: \_\_\_\_\_ Date: 3/18/91

Heating:

Type of Heat: \_\_\_\_\_

Electrical:

Service Entrance Size: \_\_\_\_\_ Smoke Detector Required Yes  No

Plumbing:

- Approval of soil test if required  No
- No. of Tubs or Showers \_\_\_\_\_
- No. of Flushes \_\_\_\_\_
- No. of Lavatories \_\_\_\_\_
- No. of Other Fixtures \_\_\_\_\_

Swimming Pools:

- Type: \_\_\_\_\_
- Pool Size: \_\_\_\_\_ x \_\_\_\_\_ Square Footage
- Must conform to National Electrical Code and State Law.

Permit Received By Latini 7/8/91 Mr. Thomas Jewell

Signature of Applicant \_\_\_\_\_ Date 3-18-91

Signature of CEO \_\_\_\_\_ Date \_\_\_\_\_

Inspection Dates \_\_\_\_\_

**Foundation:**

- Type of Soil: \_\_\_\_\_
- Set Backs - Front \_\_\_\_\_ Rear \_\_\_\_\_ Side(s) \_\_\_\_\_
- Footings Size: \_\_\_\_\_
- Foundation Size: \_\_\_\_\_
- Other \_\_\_\_\_

**Floor:**

- Sills Size: \_\_\_\_\_ Sills must be anchored.
- Girder Size: \_\_\_\_\_
- Lally Column Spacing: \_\_\_\_\_ Size: \_\_\_\_\_
- Joists Size: \_\_\_\_\_ Spacing 16" O.C.
- Bridging Type: \_\_\_\_\_ Size: \_\_\_\_\_
- Floor Sheathing Type: \_\_\_\_\_ Size: \_\_\_\_\_
- Other Material: \_\_\_\_\_

**Exterior Walls:**

- Studding Size \_\_\_\_\_ Spacing \_\_\_\_\_
- No. windows \_\_\_\_\_
- No. Doors \_\_\_\_\_
- Header Sizes \_\_\_\_\_ Span(s) \_\_\_\_\_
- Bracing: Yes  No
- Corner Posts Size \_\_\_\_\_
- Insulation Type \_\_\_\_\_ Size \_\_\_\_\_
- Sheathing Type \_\_\_\_\_ Size \_\_\_\_\_
- Siding Type \_\_\_\_\_ Weather Exposure \_\_\_\_\_
- Masonry Materials \_\_\_\_\_
- Metal Materials \_\_\_\_\_

**Interior Walls:**

- Studding Size \_\_\_\_\_ Spacing \_\_\_\_\_
- Header Sizes \_\_\_\_\_ Span(s) \_\_\_\_\_
- Wall Covering Type \_\_\_\_\_
- Fire Wall if required \_\_\_\_\_
- Other Materials \_\_\_\_\_

**PERMIT ISSUED WITH LETTER**

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