



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

April 26, 2013

Kevin S. and Margaret M. Noone
23 Berwick Street
Portland, Maine 04103

RE: 23 Berwick Street – 430-B-001, 2, 3, 4 – R-3 Residential Zone

Dear Mr. & Mrs. Noone,

It has come to my attention that you are currently using your detached garage located next to your residence at 23 Berwick Street as a commercial car repair garage. When the permit for your garage was issued in 2002, it was issued as an accessory garage to your home, not a commercial garage. Your property is located in an R-3 single family zone which prohibits commercial uses (section 14-89 of Land Use Zoning Ordinance). You must cease all commercial activities within thirty (30) days of the date of this letter. A re-inspection of your property will be made in thirty (30) days to insure compliance.

You have the right to appeal my decision concerning this matter. If you wish to exercise your right to appeal, you have thirty (30) days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paper work and fees that are required to file an appeal. Please note that section 14-473(c)(4) of the Land Use Zoning Ordinance specifically prohibits the Zoning Board of Appeals from granting a business use in a residential zone.

If you have any questions regarding this matter, feel free to contact me at (207) 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: Mark Rees, City Manager
Sheila Hill-Christian, Deputy City Manager
Mayor Michael Brennan
Jeff Levine, Director of Planning and Community Development