



Planning & Urban Development Department

*Jeff Levine, AICP, Director**Ann Machado, Zoning Administrator*

March 4, 2016

Aymen A. Korika
160 Bridge St. #160
Westbrook, ME 04092

Re: 144 Veranda St. – CBL 432-A-002 – R-5 Residential Zone – Illegal Dwelling Units

Dear Mr. Korika:

On February 25, 2016, Code Enforcement Officer Chuck Fagone inspected your property at 144 Veranda Street. During his inspection, he found that there were at least three dwelling units in the building, but he was unable to access the basement to verify whether there is a fourth unit. Our records show that the legal use of the property is a two family. There is a zoning letter from 1989 stating the legal use at that time was two dwelling units, and there is no record of more recent permit approvals for the additional unit(s). Since the legal use of your property is a two family dwelling, you need to bring your property into compliance.

Your property is located in the R-5 Residential Zone, where multi-family dwellings are an allowed use. Section 14-117(a)(2)(a) states that the land area requirement in this zone is 6,000 square feet for each dwelling unit. According to tax records, your property is 5,177 square feet. Since you do not meet the land area per dwelling unit requirement to have three or four dwelling units, you cannot apply for a change of use permit to add a third and fourth dwelling unit to legalize the use of the property.

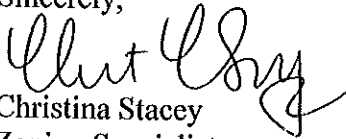
Section 14-391 outlines a process by which you can legalize nonconforming dwelling units if you can meet certain criteria. I have enclosed the application to legalize nonconforming dwelling units. The application explains the process and the conditions that have to be met and it includes section 14-391 of the ordinance.

You have thirty days to bring your property into compliance. You need to either apply for the legalization of the nonconforming dwelling unit or remove the illegal unit which includes removing the third kitchen including all the equipment.

You have the right to appeal my 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, my decision is binding and no longer subject to appeal.

If you have any questions about this letter, please contact me at (207) 874-8695 or by e-mail at stacey@portlandmaine.gov.

Sincerely,


Christina Stacey
Zoning Specialist

cc: file
Chuck Fagone