



CITY OF GARDINER BOARD OF APPEALS

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ADMINISTRATIVE APPEAL APPLICATION

Code Enforcement Historic Preservation Commission Planning Board

Applicant Information:

Name: Latoshia Egan Tel #: 207 588 7660
Mailing Address:
P.O. box 315 South Gardiner ME 04359

Property Owner Information

Property Owner as evidenced by deed recorded:
Deed Book Number 13740 Page 196
Dated _____
Name: Baldev Singh Vij Tel #: _____

Mailing Address:
39710 Bonaire Way Murrieta, CA 92563

Property Information:

Location: 25 Bartlett St Gardiner, Me 04345
City Tax Map: 040 Lot: 019 Zoning District

HDR
Lot size (acres): _____ Road frontage: _____' Shoreland frontage: _____'

Existing use of property:
residential

Abutting Property uses:
North: residential South: residential
East: residential West: residential

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Please describe the action taken by the Code Enforcement Officer, Historic Preservation Commission or the Planning Board that you are appealing:

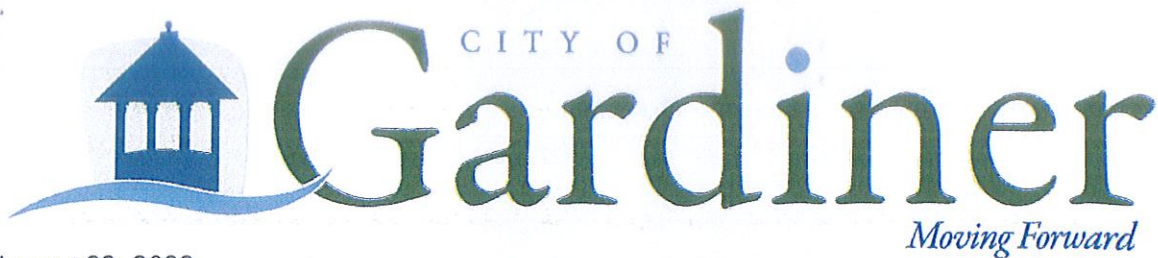
On March 28th 2022 I called city of Gardiner town hall and asked if there was a limit to how many dogs someone could own and was told that as long as our dogs were registered there was no limit. Then on August 12th Code enforcement showed up we asked how many we could have he said he wasn't sure but he would find out and be back Monday he came back Monday and we did everything they asked us to do over the weekend he still wasn't sure how many dogs we could have he said he would find out and get back to us later that day we didn't hear anything until the next afternoon when he said we could only keep 5 of our dogs I don't think its fair to ask us to get rid of 2/3 of our dogs because we were given misinformation I tried to find out how many dogs we could have back when most of our dogs were 2 months old now they are 8 months old and we are being told to get rid of part of our family because someone made a mistake which I don't think is fair to us when we would have rehomed them when they were 2 months old before we became attached to them if we had been told we couldn't keep them I don't believe we should have to get rid of 2/3 of our dogs because someone else made a mistake they are part of our family and it would be mentally and emotionally traumatizing not just for us but for our dogs to have to get rid of them by just dumping them at a kennel

Appellant's Signature: *Donald J. Egum*

Dated: 9/13/22

Property Owner's Signature: *Donald J. Egum*

Dated: 9/13/22



August 22, 2022

25 Bartlett St
South Gardiner, Maine 04359

NOTICE OF VIOLATION
IMMEDIATE CORRECTIVE ACTION REQUIRED

Dear Donald Eagan

This notice of violation regards your property at 25 Bartlett St (Tax Map 040, Lot 019) in South Gardiner, Maine. In response to several complaints, I visited 25 Bartlett Street on August 3rd 2022. While at the property, it was disclosed that there were 14 dogs and about 6 cats being kept on the property. This number of Dogs constitutes a kennel as defined in the Land Use Ordinance. Section 7.6.3 states that Kennels are not an allowed use in the High Density Residential Zone. The number of dogs on the property must be reduced to 5 or less.

Please note this Notice of Violation constitutes an enforcement order of the Gardiner Code Enforcement Officer. As permitted by Section 2.4.4 of the Gardiner LUO, an appeal of this enforcement order may be taken to the Gardiner Board of Appeals (BOA) within thirty (30) days of the date of this Notice of Violation, by submitting to the BOA a written statement and application of the relief requested and why it should be granted.

Do not disregard this Notice of Violation. Failure to exercise this administrative procedure will jeopardize your right to appeal, and this Notice of Violation will be a final judgment on the above violations.

The City of Gardiner is willing to work with you towards a resolution of the violations found on your property. This can be accomplished by immediately correcting the violations on the property no later than September 19th, 2022. Please note that any efforts to voluntarily resolve this Notice of Violation does **not** toll or continue any appeal period.

If you fail to comply with this Notice of Violation and voluntarily resolve this matter, the City of Gardiner may file a Land Use Enforcement Action in Maine District Court. Title 30-A M.R.S.A. Subsection 4452 establishes a fine of \$100 - \$2,500 for each violation of the Ordinance. (A separate fine will be assessed for each day a violation continues). The City will seek an order for corrective action, a substantial fine, plus attorneys' fees and costs in such an action.

Clearly it is in your best interest to resolve this matter out of court. Please contact me immediately to discuss your intentions regarding these violations or to schedule an inspection once the violations are corrected. You can reach me at my office in the City Hall building, by telephone at (207) 582-6892 or email at ceo@gardinermaine.com during regular working hours.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kris McNeill', with a long horizontal line extending to the right.

Kris McNeill
Code Enforcement Officer

Copies to: Property File
Correspondence

BK13740 PGS 196 - 199 10/08/2020 11:30:17 AM
INSTR#: 2020025826 ATTEST: BEVERLY BUSTIN-HATHEWAY
RECEIVED KENNEBEC SS REGISTER OF DEEDS
eRecorded Document

**NO REAL ESTATE
TRANSFER TAX PAID**

_____ space above this line for processing date _____

QUITCLAIM DEED

THIS INDENTURE, made this 30th day of September, 2020, by and between Singma Investments, Inc., a California Corporation, hereinafter called GRANTOR, whose mailing address is 39710 Bonaire Way, Murrieta, CA 92563, and, Baldev Singh Vij, herein after, whether one or more, called GRANTEE, whose mailing address is 39710 Bonaire Way, Murrieta, CA 92563 (the words GRANTOR and GRANTEE to include the respective heirs, successors and assigns of each where the context requires or permits).

WITNESSETH THAT:

GRANTOR, for and in consideration of Ten and No/100 Dollars (\$10.00), lawful money of the United States of America, to GRANTOR in hand paid by the GRANTEE, the receipt of which is hereby acknowledged, has remised, released and quitclaimed to the GRANTEE, GRANTEE'S heirs and assigns forever, all the rights, title, interest and claim of the GRANTOR in and to the following described land in the COUNTY OF Kennebec, STATE OF Maine to-wit:

SEE EXHIBIT A

**More Commonly Known as 25 Bartlette St, S Gardiner, ME 04359
Folio number 002569 RE**

Prior Recordation Instrument 2016800419

40-19

**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT
(CALIFORNIA CIVIL CODE § 1189)**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF Riverside)

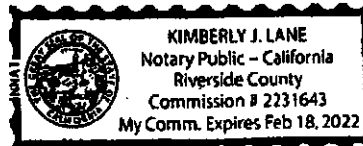
On 1 Oct. 2020 before me, Kimberly J. Lane, notary public
(Date) (Here Insert Name and Title of the Officer)

personally appeared Baldev Singh Vij,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
Signature of Notary Public



(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Additional Information: _____

EXHIBIT "A"

A certain lot or parcel of land situated in that part of Gardiner, County of Kennebec, and State of Maine, known as South Gardiner and bounded as follows, viz ..

Situated on the northerly side of Bartlett Street, so called and bounded on the south by said street on the east by land now or formerly of Jerry Preble on the west and north by land now or formerly of A. Y. Bartlett. Said lot having 68 feet frontage on Bartlett Street and having a depth of 138 feet.

Also all right, title, and interest in and to a certain lot or parcel of land in the City of Gardiner, in that part known as S. Gardiner, County of Kennebec, and State of Maine, more specifically located on the northerly side of Bartlett Street bounded and described as follows, to wit:

Commencing at an iron pin, said iron pin being the southwesterly corner of land of Mae Groves as recorded in Book 714, page 309, thence N 59 degrees 39' W a distance of 103 feet, more or less along the northerly right of way of Bartlett Street to an iron pin the point of beginning; thence from said iron pin N 30 degrees 45' feet E a distance of 132 feet more or less, along the westerly line of land now or formerly of Dorothy E. Hall to an iron pin in the land of Mae Groves, as recorded in Book 806, page 432, thence N 59 degrees 39' feet west a distance 8.5 feet, more or less along the southerly line of Groves to a point in the land of Homer and Doris Kenerson; thence S 31 degrees 24' feet W a distance of 132 feet, more or less, along the easterly line of Kenerson to a point in the northerly right of way of Bartlett Street; thence S 59 degrees 39' feet E a distance of 1.5 feet, more or less, along the northerly right of way line of Bartlett Street to an iron pin, the point of beginning, being 0.02 acres, more or less.

The present day description was furnished by Dewey C. Gray, Jr. on October 19, 1975.

Also all right, title and interest in and to a certain lot or parcel of land in the City of Gardiner, in that part known as S. Gardiner, County of Kennebec, State of Maine, more specifically located on the northerly side of Bartlett Street, bounded and described as follows, to wit:

Commencing at an iron pin on the northerly side of said Bartlett Street at the southeast corner of land set forth in deed recorded in the Kennebec County Registry of Deeds in Book 1885, page 63; thence northerly along the easterly boundary of said land previously conveyed a distance of 132.9 feet, more or less, to the boundary of land of Mae Groves; thence easterly along the southerly boundary of land of Mae Groves 5.5 feet to a pin; thence southerly to the northerly side of said Bartlett Street at a pin located .5 feet easterly of the point of beginning; thence westerly along the northerly side of said Bartlett Street a distance of .5 feet to the southeast corner of land previously conveyed at the point of beginning.

Excepting and reserving a 12 foot right of way for passage by foot and vehicle along the easterly boundary of land of the herein described premises, said right of way leading from Bartlett Street, so called in a northerly direction to land of Mae Groves.

Also excepting and reserving any portion of the above-described premises included in a parcel conveyed by Homer Kenerson and Doris Kenerson to Ronald P. J. Blais and Rose M. Blais by deed dated December 17, 1976 and recorded in the Kennebec County Registry of Deeds in Book 1885, page 61.

