

SENT 5/21/25  
MT



## NOTICE OF VIOLATION AND ORDER TO CORRECT

DATE: May 15, 2025

OWNER: Deanna Hutnik-Raihl

LOCATION: 131 Tenney Hill Road

PARCEL ID: 5-13

ZONING: Residential (R)

Dear Deanna:

Following a May \_\_, 2025 inspection I encountered no fewer than four (4) recreational vehicles located on the above-referenced property, which is owned by you pursuant to a deed from Dianne B. Bell, Personal Representative of the Estate of Ronald P. Fogg, dated May 21, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26086, Page 265 (the "Property"). Upon further discussions with you, I determined that each recreational vehicle is currently being used as a permanent (and not temporary) dwelling unit, and because none of these recreational vehicles are registered or road worthy, all are considered structures that to date have not been permitted by the Code Enforcement Office.

As such, the Property is in violation of the following provisions of the Town of Casco Zoning Ordinance (the "Ordinance"):

- **Section 215-2.1:** "No recreational vehicle shall be used for permanent residential purposes;" "In order to be considered a vehicle and not a structure, the unit must be able to be transported over public roads, must remain with its tires on the ground, must be road worthy, and must possess a valid current registration sticker from any state division of motor vehicles"; and
- **Section 215-4.6:** The minimum land area per dwelling unit in the Residential District is 60,000 square feet. At four (4) acres (174,240 square feet), the Property can accommodate no more than two (2) total dwelling units. The Property currently contains five (5) total dwelling units – your mobile home and the four (4) recreational vehicles.
- **Section 215-6.1.A.1:** "No building or structure shall be erected, moved, added to, or structurally altered without a permit therefor issued by the Code Enforcement Officer to the owner of record or his authorized agent."

Within thirty (30) days of the receipt of this letter, **you must remove all recreational vehicles from the Property, or otherwise ensure that the same are not used for permanent residential purposes, to the satisfaction of the Code Enforcement Office. To the extent that these recreational vehicles will remain on the Property and be used for non-residential purposes, you must also apply for and receive building permits from the Code Enforcement Office.**

Failure to comply with this notice of violation may lead to this matter being referred to the Town's attorney for legal action and possible civil penalties, as provided for in 30-A M.R.S. § 4452. In the event that the Town takes such an action and is

successful in proving the violation, the Court may impose a penalty of between \$100 and \$2,500. The Court may impose a separate penalty for each day that the violation has continued. The Town will ask the Court to order you to cease the violation and to take all actions required to bring the property into full compliance with the requirements of the Ordinance. In addition to these remedies, State statute requires the Court to order a person who is found in violation to pay the costs of the Town's expenses of bringing the case, including its reasonable attorney's fees.

**You have the right to appeal this Notice of Violation to the Town of Casco Appeals Board. Any such appeal must be filed with the Town no later than forty-five (45) days from the date of this letter, pursuant to Section 215-6.3.D.2 of the Town of Casco Zoning ordinance. If you fail to file an appeal within forty-five (45) days of the date of this letter, you may forfeit the right to challenge the allegations listed in this Notice of Violation in any future proceedings, including but not limited to subsequent land use enforcement proceedings initiated against you in Maine District Court. Please note, however, that your filing of an appeal does not stay or otherwise waive the accrual of daily penalties while the appeal is pending.**

Please contact me as soon as possible to discuss the situation and possible solutions. I can be contacted by phone at (207) 627-4298 or by email at [ceo@cascomaine.org](mailto:ceo@cascomaine.org).

Sincerely,

John Wieseemann  
Code Enforcement Officer  
Town of Casco, Maine

cc: Tony Ward, Town Manager  
Benjamin T. McCall, Esq., Town Attorney

encl: Inspection Photos, May \_\_, 2025  
Town of Casco Zoning Ordinance, Sections 215-2.1, 215-4.6, 215-6.1, and 215-6.3











