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*Penny Littell - Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

August 6, 2008

Dottie Seavey
87 Walnut Street
Portland, ME 04101

RE: 87 Walnut Street – 012 G019 – R-6 – two-story rear deck – permit #08-0566

Dear Ms. Seavey,

After receiving the plot plan for 87 Walnut Street, I was able to complete my review of the application to build the eight-foot by twenty-foot two-story rear deck. Since your application does not meet all the requirements of the R-6 zone, I must deny your application to build the two-story deck.

Section 14-139(d) of the ordinance states the required yard dimensions for the R-6 zone. The required rear yard setback is twenty feet. According to the plot plan, the existing structure is only sixteen feet from the rear property line and the proposed two-story deck is only eight feet from the rear property line, so it does not meet the required rear setback of twenty feet.

The required side setback for a two-story structure is ten feet for each side. The left side setback is given as eight feet, so it does not meet the required side yard setback. Also the numbers on the plot plan for the side yards do not appear to be accurate. The proposed two-story deck is twenty feet wide. The right side setback was given as thirteen feet, and the left side setback was given as eight feet. These numbers add up to a total width of forty-one feet, but the lot is only thirty feet wide at the rear. The numbers on the plot plan need to be accurate.

Section 14-139(e) states that the allowable maximum lot coverage is fifty percent of the lot. The lot is 1921 square feet, so the allowable maximum lot coverage is 960.5 square feet. The existing structure is 947 square feet. The proposed two-story deck is 160 square feet. The total square footage would be 1107 square feet, which is 146.5 square feet over the allowable maximum allowable lot coverage.

Since the proposed two-story deck does not meet the required rear or side setback and is over the maximum allowable lot coverage, the permit is denied and the decks must be removed. 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 appeal. If you should

fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork to file an appeal. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

Feel free to call me at 874-8709 if you have any questions.

Your Truly,

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

Cc. Tom McAdam
file