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

July 18, 2008

Tom McAdam
92 Exchange Street
Portland, ME 04101

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

Dear Mr. McAdam,

I am writing to you about the property at 87 Walnut Street.

On May 21, 2008 Suzanne Hunt inspected the property at 87 Walnut Street and found that your tenant Dottie Seavey was building a two-story deck on the rear of the building without having applied for a building permit. She posted a stop work order on the property.

On May 23, 2008 Dottie Seavey applied for a building permit to build the two-story deck. I reviewed the permit on June 2, 2008 and found that the plot plan that was submitted was not adequate. I called Dottie Seavey and told her that I needed a complete plot plan that showed the footprint of the building, the proposed structure and the setbacks to the property lines in order to complete my review of the application. I also told her that we had no record in our files of a previous permit to build the two-story deck.

On June 9, 2008 Jeanie Bourke spoke to you about the decks. You told her that you had received the stop work order. She informed you that there might be some zoning restrictions on what could be built. You told her that you were going to talk to the tenants and get back to her.

On June 12, 2008 you spoke with Jeanie Bourke again. You told her that you had spoken to the tenants and told them to stop work on the decks. You also told her that you would be the contact for the property and you would follow up with zoning with a plot plan.

On June 23, 2008 you and I spoke on the telephone. I told you that we had no record in our files of a permit for a deck on the rear of the building. I told you that the R-6 zone requires a twenty-foot rear setback (Section 14-139(d)(2)). I also told you that the Seaveys might be able to use section 14-425 and put a fifty square foot one story entry

that you would talk to the Seaveys and get back to me about what they wanted to do.

I have not heard from you since June 23, 2008. I left you a voice mail on July 8, 2008 and another voice mail on July 11, 2008. In both voice mails, I asked you to call me and let me know what was going on. I have still not received a plot plan of the property and the existing and proposed structures. Since I have not received the required information, the permit to build the two-story deck is denied.

You have fourteen days from the date of this letter to remove the two-story deck that was started on the rear of the building without a permit. If the deck is not removed in that time period we will turn the matter over to our corporation counsel, and they may begin legal proceedings to bring the property into compliance.

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

Yours truly,

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

Cc: Suzanne Hunt
Jeanie Bourke
Marge Schmuckal
Dottie Seavey
file