



# PORTLAND MAINE

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*Penny St. Louis Littell - Director of Planning and Urban Development  
Marge Schmuckal, Zoning Administrator*

July 16, 2009

Gordon Smith  
116 Sheridan Street  
Portland, ME 04101

Re: 116 Sheridan Street – 013 J010 – R-6 – permit #09-0722 – illegal deck

Dear Mr. Smith,

This letter is a follow up to the telephone conversation that we had earlier today. Part of our review of a building application is to make sure that the building meets the requirements of the zone that it is located in. If any of the structures shown on the plot plan do not meet the zoning requirements, we do research to see if structure in question was previously permitted

116 Sheridan Street is located in the R-6 residential zone. Section 14- 139(d)(2) gives the rear yard setback as twenty feet. Section 14-139(d)(3) gives the side yard setback as ten feet. The existing house does not meet the rear or side setback, but my research shows that the main part of the house (18' x 24') and the rear one story addition (5' x 10') were permitted prior to 1957. There is no record though of the 8' x 8' rear deck being permitted. The plot plan shows it being located right up to the rear property line and one to two feet from the side property line. Since it is not permitted and it does not meet the setbacks, the deck is not legal and 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 file an appeal. If you should fail to do so, my decision is binding and no longer subject to appeal. If you choose to file an appeal, you may contact our office for the necessary paper work.

You have thirty days to bring your 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

