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

October 20, 2008

Gary Brookman
39 Lafayette Street
Portland, ME 04101

RE: 39 Lafayette Street – 014 C011 – R-6 – rebuild 10' x 16' shed – permit #08-1267

Dear Mr. Brookman,

This letter is a follow up to the telephone conversation that we had on October 15, 2008. I reviewed your application to rebuild a ten-foot by sixteen-foot shed that you demolished on January 3, 2008 under permit #07-1360. Since the proposed shed does not meet the current setbacks for the R-6 residential zone, I had to research our files to see if a permit had been issued previously for the ten foot by sixteen foot shed. I could find no record of a building permit in our files for a ten-foot by sixteen foot shed. Since we have no record of a permit being issued for the shed, you have no right to rebuild it within its previous footprint and therefore I must deny your permit.

Section 14-139(d) of the ordinance outlines what the required rear and side setbacks are for a detached accessory structure over one hundred square feet. The required rear setback is twenty feet, and the required side setback is ten feet. A ten-foot by sixteen-foot shed must meet these requirements. A shed with ground coverage of 100 square feet or less has to have a rear setback of five feet and a side setback of five feet.

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. I have enclosed the necessary paper work that is required 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,

Yours truly,

Ann B. Machado
Zoning Specialist

