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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

September 4, 2007

Walter & Mona Morris
219 S Jackson Street
Beverly Hills, FL 34465

RE: 88A (Rear) Winter Street – 045 E055 – R-6 – enclosing screened porch – permit # 07-1066

Dear Mr. & Mrs. Morris,

I am in receipt of your application to remove the existing covered porch and replace it with a new enclosed porch at your property at 88A Winter Street. Your property is located in the R-6 residential zone. The ordinance in section 14-139(d)(1) gives the minimum required front yard setback as ten feet. The plot plan submitted with the application gives the front yard setback from the porch as three feet. The application says that the new porch is going to be in the exact footprint of the old, existing one. Since the footprint was not going to be enlarged, I checked our records to see if the existing porch had been permitted previously. I could find no record of a permit for the existing porch in our files. I also checked the assessor's records from before 1957 to see if the porch had been built before the ordinance went into effect, but there was no porch then. Since I cannot find a permit for the porch and it does not meet the ten-foot front setback, it is not legal and you have no right to it. The porch must be brought into compliance with the present ordinance. If it cannot comply, then it 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. You may contact this office for the necessary paperwork that is required to file an appeal. If you choose not to file an appeal, then the porch must be brought into compliance or removed.

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

Yours Truly,

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

