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

April 6, 2011

David Peary &
George Schroth, Jr.
71 Carleton Street
Portland, ME 04102

Re: 71 Carleton Street – 055 C001 – R-6 – rebuild side entry porch – permit #2011-04-723

Dear Mr. Peary & Mr. Schroth,

I have finished my review of your application to remove the existing side entry porch and replace it with a larger side entry porch at your property at 71 Carleton Street. At this point, I must deny your application.

71 Carleton Street is located in the R-6 residential zone. The minimum required side setback is ten feet [section 14-139(1)(d)(3)]. The side setback to the existing entry porch is not given, but it appears to scale at around two feet. The side setback to the proposed entry porch appears to scale at about one foot. Since the existing entry porch is already nonconforming to the ten foot side setback, it cannot be made to be more nonconforming.

Section 14-139(1)(e) states that the maximum allowable lot coverage is fifty percent. Fifty percent of the lot is 975 square feet. The existing structure is legally nonconforming to the allowable lot coverage since it covers 1375 square feet of the lot which is 70.5 %. Scaling from the plot plan, the existing side entry porch is 3' x 8' (24 s.f.). The proposed side entry porch is 152" x 58.5" (61.75 s.f.). The proposed side entry porch would increase the size of the footprint and make the lot coverage more non conforming which is not allowed.

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 our office for the necessary paper work if you decide to file an appeal. If you choose not to file an appeal, you are entitled to get some of your money back if you bring in the original receipt you got when you applied for the permit.

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 file