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*Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator*

February 5, 2013

Carolyn Rideout
PO Box 98
Cliff Island, ME 04019

Re: 142 Sunset Road, Cliff Island, - 109B B018 & 109B B041 – IR-1 Island Residential Zone – shed/ boathouse

Dear Ms. Rideout,

This letter is a follow up to the two letters I received from you, one dated January 15, 2013 and one dated January 22, 2013.

Regarding your letter dated January 15, 2013, you seem to have concerns about buildings that have been built on properties around you. You are welcome to come in to the Inspections Division, Room 315, at City Hall and look at the files for the properties that you are concerned about. If after your research, you find that things have been built without permits, then you can file a complaint with our front staff, but you would need to provide the addresses of the properties. As far as your question about the boathouse/shed that was built without a permit, the platform you mention that was built in 1990 was built without a permit, so it was not legal and the footprint is not legal. You also mention a foundation left from an art studio built around 1904. This foundation is not “grandfathered” (legally nonconforming). Under section 14- 385, if a building is nonconforming, and it is demolished, it needs to be rebuilt within one year or it loses its nonconformity. Since the art studio has been gone for over a year, the foundation cannot be used to build on.

In your letter dated January 22, 2013, you state that your carpenter can start work on the boathouse/shed during March and April, weather permitting. The building either needs to be relocated to meet the zoning requirements of the IR-1 Island Residential Zone and the Shoreland Zone or it needs to be removed. If you are planning to relocate it, you need to apply for a new building permit showing the new location of the shed. Since the property is in the Shoreland Zone, as part of your application you need to provide a boundary survey done by a professional surveyor that shows the property lines based on your most current deed, existing structures, the location of the proposed shed, the 75’ setback from the high tide and the flood zone if the property is in the flood zone. We cannot approve the permit without a boundary survey.

You need to bring your property into compliance. You either need to submit a new permit to relocate the boathouse/shed or remove it. You have a month to submit the new

application to relocate the shed or to submit a letter stating that you will remove the shed by the end of April of 2013 at the latest.

Please feel free to contact me if you have any questions.

Yours truly,

Ann B. Machado
Zoning Specialist
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