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

September 8, 2008

Mr. Richard Rust
461 Woodford Street
Portland, ME 04103

RE: 461 Woodford Street – 176 B003 – R-5 – illegal deck – permit #08-0249

Dear Mr. Rust,

I called you last Friday, September 5, 2008 to follow up on your application to add a roof to the rear porch at your house at 461 Woodford Street. I wrote you an initial letter about this application on March 20, 2008 informing you that the existing deck was not permitted and that it did not meet the required side setback of eight feet. I also told you that you could not permit the deck after the fact because section 14-388 did not allow you to enlarge your building if you did not meet the required land area per dwelling unit. You had thirty days to appeal my decision or remove the deck.

You left me a voicemail on March 27, 2008 talking about the foundation still existing from the stairs that were covered over by the deck. I left you a voicemail the next day telling you that if you could take a picture of the foundation of the stairs and give the dimensions of them, that you might be able to rebuild them once you had removed the deck, so that you could have steps to grade from your back door.

I did not hear from you after that and the thirty-day period to appeal ended on April 19, 2008. When I called you last Friday, you told me that the deck was still there. You also asked me about whether section 14-388 of the ordinance had been changed. At this point section 14-388 is part of the ordinance, so you can't apply to permit the existing deck. It must be removed within fourteen days to bring your property into compliance. An inspection has been scheduled for Monday, September 22, 2008. If the deck is still there, we will turn the matter over to our Corporation Counsel, and they may begin legal proceedings to bring the property into compliance. As I said before, you might be able to rebuild the back stairs that existed before the deck was built, but we need a picture of the old foundation and the dimensions.

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

Yours truly,

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