



Planning & Urban Development Department

Jeff Levine, AICP, Director

Ann Machado, Zoning Administrator

June 2, 2015

Chad & Debra Flynn
47 Runnells Street
Portland, ME 04103

Re: 47 Runnells Street – 177-A-010 – R-5 Residential Zone – nonconforming carport

Dear Mr. and Ms. Flynn,

Permit #07-1059 was issued on September 28, 2007 to add a 1,421 square foot addition to the existing single family home. Part of the work under the permit was to demolish the existing 18'3" by 12'4" legally nonconforming, detached garage and build a 14'7" by 8'1" carport attached to the house. The existing garage was located two foot from the side property line. The carport was to be located no closer than two feet from the side property line, maintaining the legally nonconforming setback of the original garage. At a backfill inspection for the foundation by a code enforcement officer on December 14, 2007, the setbacks were checked and approved. The carport and the addition to the rear of the house were built.

A mortgage loan inspection plan done by Livingston-Hughes Land Surveyors on May 14, 2015 revealed that the carport is located only one foot off of the side property line. This was brought to my attention on June 1, 2015. After looking at the permit and speaking with both of you and the contractor, it appears that the carport which was to be 8'1" wide is actually 9'3" wide. This discrepancy was not observed at the backfill/setback inspection or at the later close-in inspection. Although the carport is located a foot closer to the side property line than the original garage, it is only a roof with no side wall and therefore not as imposing a structure as a full garage. For these reasons, the City has decided to not take any action against the one foot encroachment of the carport, and will allow it to remain as built.

A copy of this letter will be placed in the file for the property. Please feel free to contact me with any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "A. B. Machado".

Ann B. Machado
Zoning Administrator
Planning and Urban Development Department
City of Portland
207.874.8709