

Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Urban Development  
Joseph E. Gray, Jr.  
Director

## CITY OF PORTLAND

William Presby  
40 Avalon Road  
Portland, ME 04103

July 3, 2000

RE: 40 Avalon Road - 295-D-011 - R-3 zone

Dear Mr. Presby,

I am in receipt of your permit to erect a 12' x 12' storage shed. This permit is being denied because the R-3 residential zone requires any structure over 100 square feet to be a minimum of 25' from the rear property line, and 8 feet from the side property line. Your rear setback shows a setback of 6' and your side setback is not enumerated. I understand that this shed may be a replacement of a smaller existing shed. Our files do not indicate any approved permits for sheds at this location. This shed would come under the requirements of today's ordinances.

The current ordinance does allow an accessory shed that is 100 square feet or less to be as close as 5 feet from both the rear and side lot lines. If you were able to submit a revised plot plan showing this reduced size and indicating the 5 foot setbacks, I would be able to issue your permit.

You do have the right to appeal my decision. Variance appeals are an extremely difficult appeal to have granted by the Zoning Board of Appeals. 99 percent of these types of appeals are denied. If you wish to appeal, you would have 30 days from the date of this letter in which to appeal. You may pick up the appropriate paperwork by contacting this office and speaking to Nadine Williamson.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

cc: file  
Code Enforcement Officer