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

February 12, 2010

Gregory Gay
12 Tarbell Street
Portland, ME 04103

Certified Mail 7009 0820 0001 4187 9110

Re: 12 Tarbell Street – 332 E038 – R-3 – illegal deck & 16' x 20' single story addition – permit #09-1235

Dear Mr. Gay,

This letter is a follow up to the two previous letters that I sent you on November 18, 2009 and January 8, 2010. As you know, the existing deck on the rear of your house was never permitted and does not meet the zoning requirements of the R-3 zone (section 14-90). Since it was not permitted and does not meet the zoning requirements, it needs to be removed to bring your property into compliance.

The two previous letters I sent you informed you of this and told you that you had thirty days to appeal my decision. When you came into the office on February 1, 2010, I gave you the practical difficulty appeal application and told you that the thirty day period to appeal was up February 8, 2010. You did not submit an appeal application by that date, so you may not appeal the decision.

Since it is in the middle of winter, we do not expect you to remove the deck immediately, but it does need to be removed by May 1, 2010. By then, the weather should be better and you would have time to complete the removal. An inspection will be scheduled for that day.

Also, your building permit to build a single story, twenty by sixteen foot addition on the rear of the house cannot be issued at this time because it does not meet the zoning requirements of the R-3 zone. Your thirty day period to appeal this denial also was up on February 8, 2010. If you still want to build an addition, you need to revise your plans so that the zoning requirements can be met. If you don't want to modify your plans, you can withdraw your application and get most of your money back.

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

Yours truly,

Ann B. Machado
Zoning Specialist
207-874-8709