

Zoning Division
Marge Schmuckal
Zoning Administrator



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

CITY OF PORTLAND

August 7, 2001

Amelia Kurtz
167 Harris Avenue
Portland, ME 04103

RE: 167 Harris Avenue - 335-G-001 - R-3 Zone

Dear Ms. Kurtz,

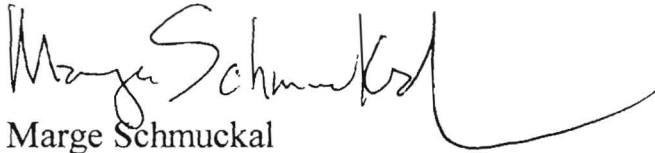
Recently it has been brought to my attention that the 8' x 12' deck and sunroom addition that was permitted and issued on April 11, 2000, was not constructed in the location noted on the submitted plans. Instead of a 30 foot setback on the left side of the principal structure, the deck and sunroom were constructed on the right side of the principal structure with a 16 foot setback, which abuts a paper street (Haskell St.).

Section 14-90 of the Zoning Ordinance requires a 20 foot side setback on a side street. 16 feet is being shown on a plan drawn by Livingston-Hughes Surveyors. Section 14-433 allows a reduction of side yards in the R-3 zone if the principal structure existed as of July 19, 1988. My research shows that the original house permit was issued in April, 1988 and that the principal structure existed as of July, 1988, so that this section of the ordinance may be applied.

I am allowing a reduction of the side yard from 20 feet to 16 feet using Section 14-433. This property is therefore not in violation of the zoning ordinance at this time. There is no appeal necessary.

Please keep a copy of this letter for your files. A copy of this letter will be forwarded to the realtor involved. If you have any other question, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Marge Schmuckal
Zoning Administrator

Cc: Lisa at ReMax by the Bay – fax #773-2525
File