



Tammy Munson  
Division Director, Inspections Division

August 27, 2015

Mark A. Hibbard  
54 Hennessy Drive  
Portland, Maine 04103

**RE: 54 Hennessy Drive, BP#2015-00519**  
**CBL: 344 F020001**

**Certified Mail Receipt: #7010 1870 0002 8136 9173**

Dear Mr. Hibbard:

An evaluation of your building permit application and recent discussions with you regarding the required front setback dimension and construction details of the proposed shed fail to comply with the following sections of the 2009 International Residential Building Code of the City of Portland.

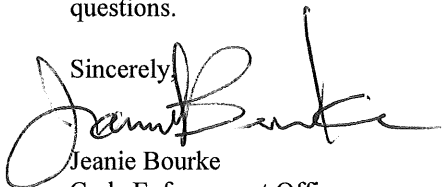
**R106.2 Site Plan:** The site plan submitted shows the structure is located in the front yard with a dimension of 26' to the front line. When we spoke on 4/28/15 you indicated that this measurement was to the street curb. I informed you that the setback is required to the property line, not the curb. I advised you to contact the Public Services Department to find out what the width of the street Right of Way is for Hennessy St. With this information an approximate front property line could be established. I did not receive contact from you to confirm this information.

I next contacted you on 7/24/15 with further understanding that this permit application is "after-the-fact", which means the shed has been constructed without approval. You stated that the "fence" does meet the required setback of 25' from the curb. I questioned what the fence was, and you stated that the shed walls were built of fencing material. The shed is a structure, not a fence and therefore is required to be a minimum of 25' from the front yard property line, not the curb. You were going to confirm this information and call me on 8/3/15. I have not received a call and have tried unsuccessfully to contact you; therefore, I am not able to approve this permit for zoning due to insufficient information and presumed non-compliance.

**R105.2 Work exempt from permit:** While the proposed storage shed of 120 square feet is exempt from building code review, this does not grant authorization for any work to be done in any manner in violation of the provisions of this code. The plans submitted lack sufficient information on the construction details, and through our conversation, it appears the structure that was built without approval does not comply with standard structural practices, therefore, I am not able to approve this permit.

The above referenced permit application is denied pursuant to Section 105.3.1 of the building code. This is also a notice of violation pursuant to Sec. 6-21 of the Municipal Code. The structure shall be removed from the property within 30 days of the date of this letter in order to avoid further enforcement action. Failure to comply with this order may result in liable penalties per Sec. 6-1. This constitutes an appealable decision pursuant to Section 6-20. An appeal must be filed within 10 days of the date of this notice. Please feel free to contact me at 874-8715, if you wish to discuss the matter or have any questions.

Sincerely,



Jeanie Bourke  
Code Enforcement Officer