



# PORTLAND MAINE

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*Lee Urban- Director of Planning and Development  
Marge Schmuckal, Zoning Administrator*

July 2, 2008

Linda Sheehy  
13 Braeburn Street  
Portland, ME 04103

RE: 13 Braeburn Street – 376 B003 - R-3 – deck addition – permit #08-0750

Dear Ms. Sheehy,

I have reviewed your application to add a ten-foot by sixteen-foot deck to the rear of your house at 13 Braeburn Street. Your property is located in the R-3 residential zone. To build the deck, you need to meet all the conditions of the zone. You do not meet all the conditions, so I must deny your application.

Section 14-90(b) of the ordinance states the minimum lot area that is required per dwelling unit in the R-3 zone. The minimum lot area that is required per dwelling unit is 6,500 square feet. Your lot is 5,639 square feet, so it is legally nonconforming. Section 14-388 in the ordinance says that a building that is nonconforming as to area per dwelling unit cannot be enlarged, so you are not permitted to add a deck.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to file an appeal. If you should fail to do so, my decision is binding and no longer subject to appeal. Please contact our office for the necessary paper work that is required if you choose to file an appeal. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

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

Yours truly,

Ann B. Machado  
Zoning Specialist  
(207) 874-8709