

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

Please Read  
Application And  
Notes, If Any,  
Attached

## PERMIT

Permit Number: 080750

This is to certify that SHEEHY LINDA S /Donnic Wains

has permission to 10' x 16' Deck attached to rear of home

AT 13 BRAEBURN RD 376 B003001

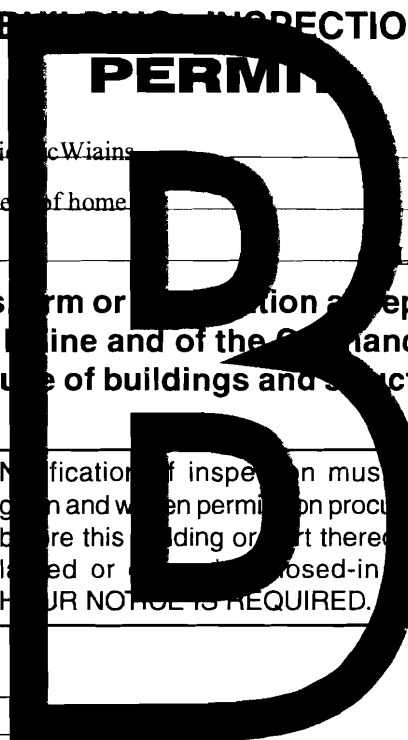
provided that the person or persons who perform or supervise the work accepting this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Notification of inspection must be given and when permission is procured before this building or part thereof is started or closed-in. 24 HOUR NOTICE IS REQUIRED.

Apply to Public Works for street line and grade if nature of work requires such information.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

**DELETED**



### OTHER REQUIRED APPROVALS

Fire Dept. \_\_\_\_\_

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**



**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 08-0750	<b>Date Applied For:</b> 06/24/2008	<b>CBL:</b> 376 B003001
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<b>Location of Construction:</b> 13 BRAEBURN RD	<b>Owner Name:</b> SHEEHY LINDA S	<b>Owner Address:</b> 13 BRAEBURN RD	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Donnie McWiains	<b>Contractor Address:</b> 145 New York Ave South Portland	<b>Phone</b> (207) 756-2146
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Additions - Dwellings	

<b>Proposed Use:</b> Single Family Home - 10' x 16' Deck attached to rear of home	<b>Proposed Project Description:</b> 10' x 16' Deck attached to rear of home
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<b>Dept:</b> Zoning	<b>Status:</b> Denied	<b>Reviewer:</b> Ann Machado	<b>Approval Date:</b>
<b>Note:</b> Can't expand building under section 14-388. See letter dated 07/02/2008.			<b>Ok to Issue:</b> <input type="checkbox"/>
<b>Dept:</b> Building	<b>Status:</b> Pending	<b>Reviewer:</b>	<b>Approval Date:</b>
<b>Note:</b>			<b>Ok to Issue:</b> <input type="checkbox"/>

<b>Comments:</b>
9/5/2008-amachado: Linda Shhehan did not appeal the decision.
7/3/2008-amachado: Spoke to Linda about section 14-388. Faxed her a copy of section 14-388 and her plot plan showing how she met all the criteria for the R-3 zone. She was just trying to understand it.
7/1/2008-amachado: Spoke to the contractor, Donnie McMains. Left voicemail for Linda Sheehy. Not meet land area per dwelling unit, so can't expand building under section 14-388. See letter dated 7/2/08.



# General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>3 BRAEBURN STREET</u>		
Total Square Footage of Proposed Structure/Area <u>160</u>	Square Footage of Lot <u>5724</u>	Number of Stories <u>2</u>
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot# <u>376-      B              3</u>	Applicant * <u>must be owner, Lessee or Buyer</u> * Name <u>LINDA SHEEHY</u> Address <u>13 BRAEBURN ST</u> City, State & Zip <u>PORTLAND 04103</u>	Telephone: <u>318-9442</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>1200.<sup>00</sup></u> C of O Fee: \$ <u>0</u> Total Fee: \$ <u>1200.<sup>00</sup></u> <u>40</u>
Current legal use (i.e. single family) <u>Single Family</u> Number of Residential Units <u>1</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>Residential</u> Is property part of a subdivision? <u>No</u> If yes, please name _____ Project description: <u>10X16 PT DECK ATTACHED TO REAR of HOUSE.</u>		
Contractor's name: <u>DONNIE McMAINS</u> Address: <u>145 NEW YORK AVE</u> City, State & Zip <u>SOUTH PORTLAND</u> Telephone: <u>756-2146</u> Who should we contact when the permit is ready: <u>DONNIE McMAINS</u> Telephone: <u>756-2146</u> Mailing address: <u>145 NEW YORK AVE SOUTH PORTLAND.</u>		

**Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.**

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: [Signature] Date: 6/24/08

**This is not a permit; you may not commence ANY work until the permit is issue**



*Strengthening a Remarkable City, Building a Community for Life - [www.portlandmaine.gov](http://www.portlandmaine.gov)*

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

*30 day period up.  
August 1*

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



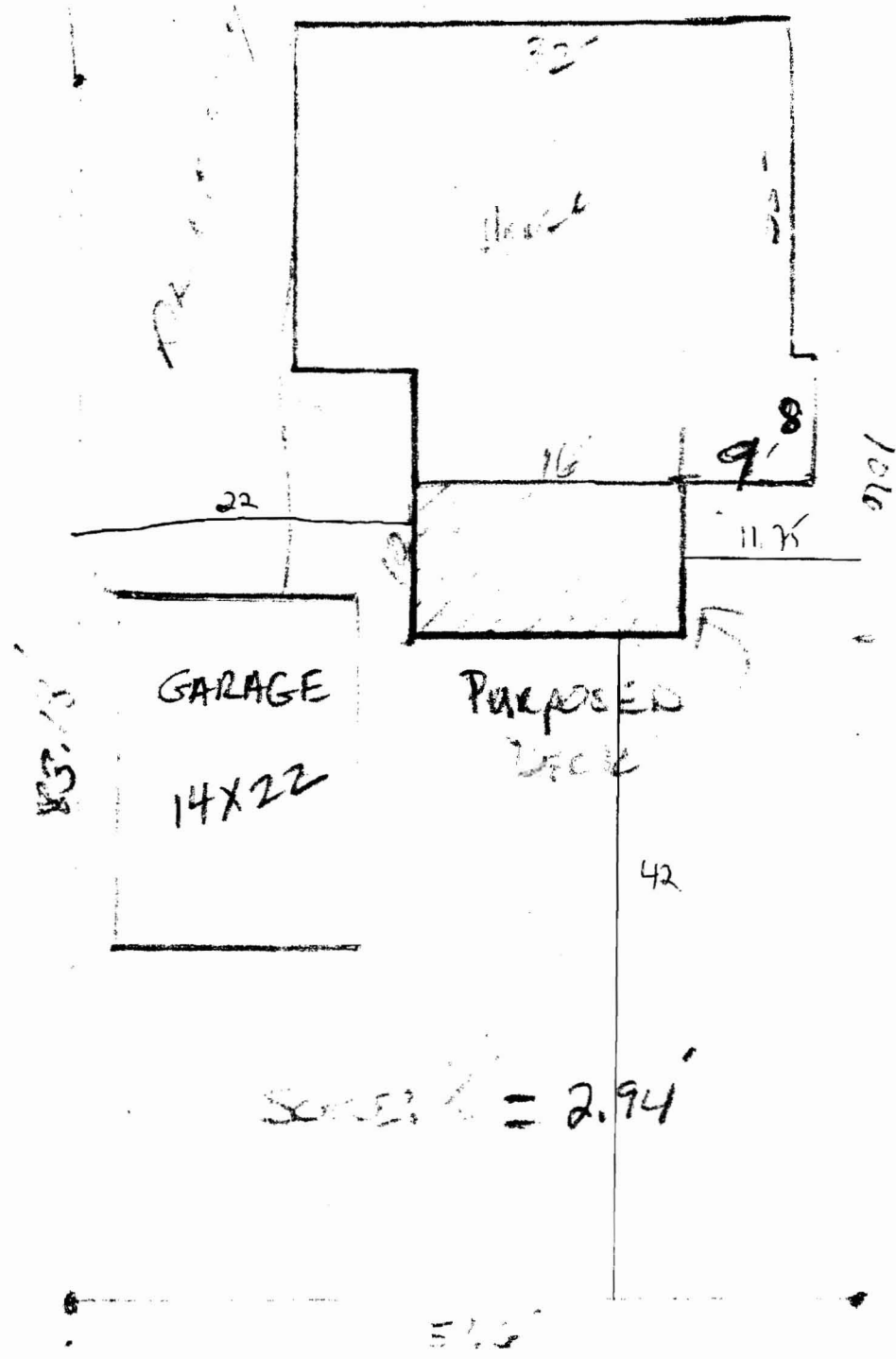
R3

lot size 5139 $\phi$   
 land area per du = 6,500<sup>sq</sup> ft  
 rear 25' - 42'  
 side 8' - 22' - 11.75'  
 lot coverage = 35%  
 = 1973.65<sup>sq</sup> ft  
 0.4352 $\phi$

← 13 200' 300' →

house = 904<sup>sq</sup> ft  
 garage = 308<sup>sq</sup> ft  
 deck = 144<sup>sq</sup> ft (9x16)  
 1356<sup>sq</sup> ft

\* Section 14-388









FAX



To: Linda Sheehy

Fax Number: 874-0714

From: Ann Machado

Fax Number:

Date: 7/3/08

Regarding: denial of deck application

Total Number Of Pages Including Cover: 3

Phone Number For Follow-Up: 874-8709

**Comments:**

Linda - here is a copy of your plot plan showing that you are meeting all the criteria of the R-3 zone except land area prod. There is also a copy of section 14-308.

City Of Portland, Maine  
Inspections Division Services  
389 Congress St Room 315 Portland Me 04101-3509  
Phone: (207) 874-8703 or (207) 874-8693  
Fax: (207) 874-8716  
<http://www.portlandmaine.gov/>

R3

lot size 5139 $\phi$   
 land area per dw = 6,500<sup>sq</sup> ft  
 rear 25' - 42'  
 side 8' - 11.75'  
 lot coverage = 35%  
 = 19736<sup>sq</sup> ft  
 014358 $\phi$

← 13' back setback →  
 5'

house = 904 $\phi$   
 garage = 308 $\phi$   
 deck = 144 $\phi$  (9x16)  
 1356 $\phi$

\* Section 14-388

