

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

June 24, 2004

Jason Kendeigh
24 Vaill Street
Portland, ME 04103

RE: 24 Vaill Street – 433-C-010 – R-5 Zone with Shoreland Zone Overlay

Dear Jason,

I am in receipt of your application to add a rear deck to your property located at 24 Vaill Street. Your application is denied because it can not meet the requirements of the Zoning Ordinance.

Section 14-449 of the zoning ordinance requires all principal and accessory structures to be setback at least seventy-five (75) feet from the high water mark or associated wetlands. Your plans are showing that the proposed deck will be 68 feet from the high water mark. If that measurement is accurate (this office would need an accurate survey), it would appear that you would be able to adjust your plans to meet all required setbacks, including the 75 foot shoreland setback.

Also section 14-120 of the zoning ordinance requires a minimum side yard setback of eight (8) feet instead of the 5 feet shown.

You have the right to appeal my decision concerning setbacks as a regular variance appeal. Please note that variance appeals are very difficult to receive from the Zoning Board of Appeals. Variances are meant to be difficult to receive. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,

Marge Schmuckal, Zoning Administrator

CC: Matt Troy, 202 Spring Street, Portland