



MEMORANDUM CODE ENFORCEMENT OFFICE

To: Planning Board
From: William C. Longley Jr. CEO
Subject: Zoning Ordinance change 315-29 A & B
Date: 02-12-20
CC: Carla Nixon, Town Planner

Bill J

Please find attached draft language from the Town Attorney to clear up some confusion around the current setback from a private way where a lot has frontage along both a public and private way. Currently a 50' front setback is required for both. In cases where the public way serves as a front and meets the required setback this change would allow for a less front setback allowing the private front to meet the side setback of 30'. Please let me know if you need any further explanation regarding this change.

Chapter 315. Zoning

Article IV. Lot Regulations

§ 315-29. Lots abutting more than one street.

[Amended 9-24-2018]

- A. Setback requirement. Lots which abut on more than one public street shall provide the required front setbacks along each and every public street on which that lot abuts, except for a lot in existence on August 23, 2005, that meets the following standards:

- (1) The lot was created in accordance with all applicable zoning requirements in effect at the time of its creation;
- (2) The lot is abutted on two or more sides by the street; and
- (3) The lot meets the frontage requirements for its zoning district on at least one side of the lot.

~~B. Setback requirement. For all other lots which abut on more than one street shall provide the required front setbacks along any public street on which that lot abuts. A side setback along any private street that also abuts the lot. A lot that abuts on both a private street and a public street shall provide the required front setback from any public street on which it abuts and shall provide a thirty (30)-foot front setback on any private street on which it abuts. This section shall not apply to lots in existence on August 23, 2005 that meet the standards set forth in Subsection A of this Section.~~

- C. Frontage requirement. A lot with frontage on more than one street only has to meet the applicable lot frontage requirements of the zoning district in which it is located along one frontage of the lot, regardless of whether the frontage is located on a public street or a private street approved by the Town in accordance with the provisions of § 315-61 of this chapter.

Formatted: Indent: First line: 0"

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 3 + Alignment: Left + Aligned at: 0.38" + Indent at: 0.38"

William Longley

From: William Longley
Sent: Thursday, January 30, 2020 11:23 AM
To: Christina Silberman
Subject: FW: 315-29 Rev proposed 1-16-20 (redlined-4)
Attachments: 315-29 Rev proposed 1-16-20 (redlined-4).docx

FYI



William "Bill" Longley
Code Enforcement Officer, Town of Cumberland
207-829-2207
www.cumberlandmaine.com
290 Tuttle Road, Cumberland, Maine 04021
  

From: Natalie L. Burns <nburns@JBGH.com>
Sent: Thursday, January 30, 2020 11:22 AM
To: William Longley <wlongley@cumberlandmaine.com>; Carla Nixon <cnixon@cumberlandmaine.com>
Cc: William Shane <wshane@cumberlandmaine.com>
Subject: [External] 315-29 Rev proposed 1-16-20 (redlined-4)

Attached is the revised version of this. Congratulations to Bill Longley for coming up with the simplest solution to this issue. Let me know if you have any questions or want further revisions.

Natalie L. Burns, Esq.
Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, Maine 04112-4510
207-775-7271 or 800-756-1166
Fax: 207-775-7935
nburns@jbgh.com
www.jbgh.com



Confidentiality Notice: This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message, attachments and/or files, including any contained in your reply. [External]