



CITY OF PORTLAND

February 2, 2001

TO: Aaron Shapiro, Housing & Neighborhood Services

FROM: Marge Schmuckal, Zoning Administrator

SUBJECT: Peaks Island, 3rd Proposed Street 85-U-1&2 - IR-1 zone

Aaron,

The IR-1 zone presently requires a minimum lot size of 40,000 sq. ft. for lots with public water, and 60,000 sq. ft. for lots without public water. Either way, this lot is only 17,506 sq. ft. and is undersized. However, if it can be proved that this is a lot of record, or as everyone likes to call it, grandfathered, then it may be allowable to build on. In that case, only 10,000 sq. ft. would be needed. The test for a lot of record means that these lots have been held under separate and distinct ownership from any adjoining lot since July 15, 1985. That means the any of the adjoining lots #3, #7, or #8 can not have been owned by a common owner since that date. It is a protection to be sure these lots were not illegally cut off during that time frame to create an illegal lot(s). I make the developer supply this information to me.

If an adjoining owner purchases this land under the same name as the adjoining property, then it most certainly would not be developable. These lots would then merge in with the adjoining lot.

Also, under State Laws, the minimum lot size is 20,000 sq. ft. unless it is on sewer, or a soil analysis states that a valid septic system could be installed on the lot.

So right now, with the limited information that I have, it is not a buildable lot.

Does this help, or is it too convoluted? I would be more than happy to sit down with you to go over this information.