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

October 12, 2006

Stephen B. Burke
19 Olde Colony Lane
Cape Elizabeth, ME 04107

RE: Anderson Ave., cor. Of Hazelwood Rd., Little Diamond Island – 105-G-007 –
IR-2 Zone

Dear Mr. Burke,

I am in receipt of your request to determine whether the lot located at 105-G-007 on Anderson Avenue on Little Diamond Island meets the requirements of the Lot of Record provisions under section 14-433.

On 9/28/06 we meet together to review the chain of title information that you had researched. This lot is a lot of record that has been described prior to July 15, 1985. The chain of titles for the lot in question and adjacent lots showed that it has been held under separate and distinct ownership from those adjacent lots since July 15, 1985. The lot in question, #105-G-007 also meets the applicable street frontage requirements of 50 feet for that time. This lot is approximately 15,132 square feet in size which is more than the minimum of 6,500 square feet required under 14-433.

This is considered to be a buildable lot under 14-433 as described at this time.

Please note that this letter is not an allowance to start construction. There is a requirement to go through a building permit and site plan review process for any new construction. It will be necessary to apply with all the required paperwork at that time. It will be necessary to include this letter with your submittal at that time.

You have asked for further information on the Lot of Record requirements and the potential sale of your property to a member outside of your family. Please note that the Lot of Record requirements under section 14-433 do not require ownership of a lot to remain in one family name. It does require that the lot be held under separate and distinct ownership from adjoining lots. If this lot was sold to one of the current or previous owners since July 15, 1985 of the adjoining lots, you would lose your ability to meet the requirements of 14-433 and it would no longer be considered a buildable lot.

If you have any further questions, please do not hesitate to contact this office.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: file