



TOWN OF CAPE ELIZABETH

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MEMORANDUM

TO: Michael McGovern, Town Manager
FROM: Maureen O'Meara, Town Planner
DATE: September 13, 2004
SUBJECT: Undersized lots

You have asked me to provide you with the number of lots that are smaller than 10,000 sq. ft. The information will be used as part of a policy discussion to reduce the minimum buildable lot size to less than 10,000 sq. ft.

Data used

Approximately 200 subdivisions have been recorded in Cape Elizabeth, most before local zoning established minimum lot sizes. In some communities, when contiguous, undersized lots are held in common ownership, lots are required to be merged to the extent that they can comply with current minimum lot size requirements. In Cape Elizabeth, there is no requirement to merge lots.

It is common in the older, developed neighborhoods of Cape Elizabeth for individual property owners to own more than one lot in common. For the purpose of assessing taxes, these lots held in common ownership are depicted as one lot on the Assessing maps. Some of these lots, however, have the potential to be separated out. For this reason, the Assessor's data base cannot be used to get an accurate sense of the number of existing lots under 10,000 sq. ft. in size.

A similar issue was raised in 1999. At that time, the town built a GIS data coverage to show all the original subdivision lots. I have added existing GIS wetland and sewer service area data coverages to further the analysis.

Methodology

In order to focus the discussion, only lots of between 10,000 and 5,000 sq. ft. in size have been analyzed. (It should be noted that lots of less than 5,000 sq. ft. could be grouped together to meet the minimum lot size, resulting in an unknown number of additional buildable lots.) The lots have been separated into two categories, 10,000 -7,500 sq. ft. and 7,500-5,000 sq. ft., in order to provide more flexibility in the policy discussion.

Once the lots were identified, lots which were not vacant were eliminated. Lots located in RP1 and RP2 wetlands (as depicted on the Town Zoning Map) were also eliminated (Actual wetland boundaries could change based on field determinations). Finally, lots not located in public sewer service areas were eliminated.

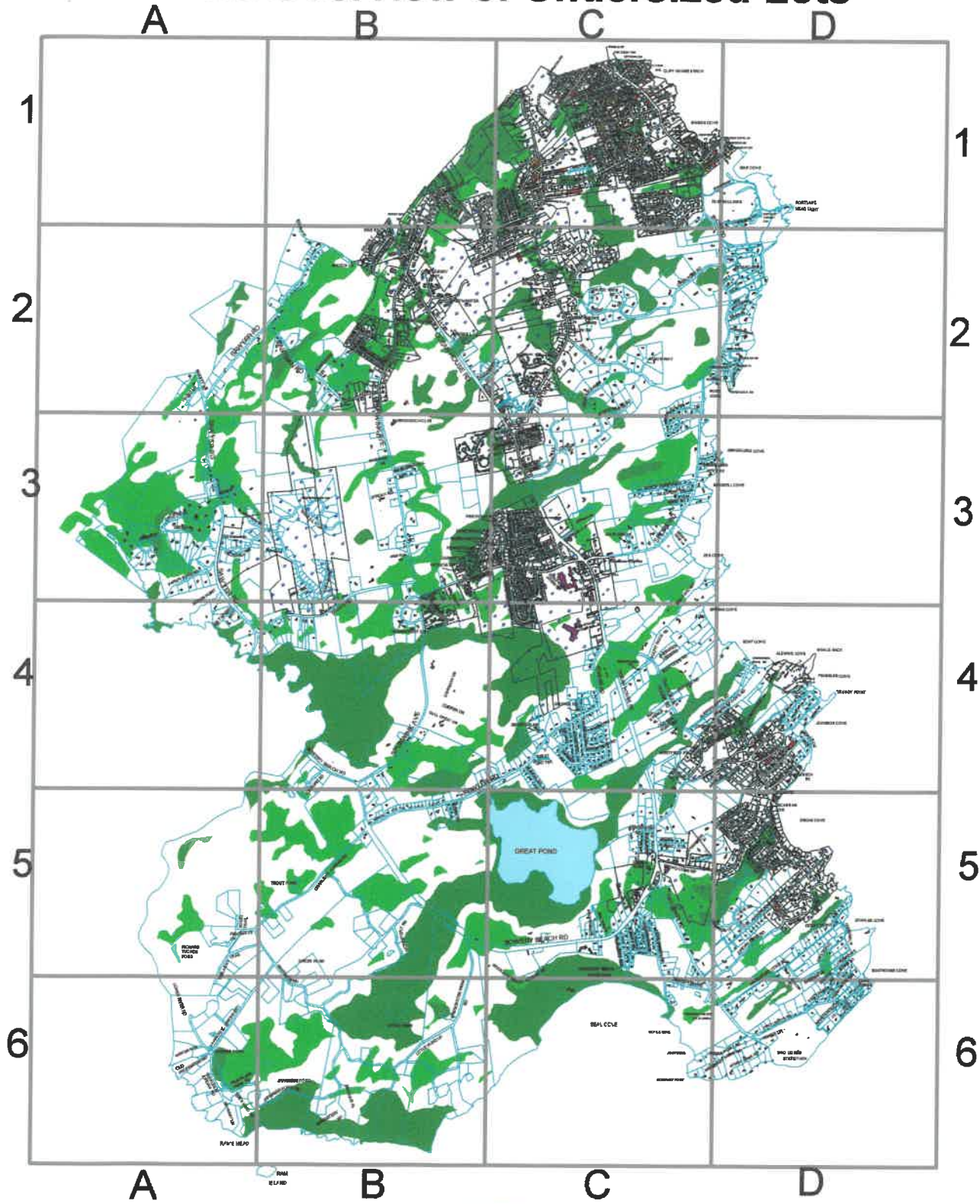
Results







Below is a summary of the number of lots. Some of the lots may still not be buildable due to setback requirements for buildings on abutting lots in common ownership. Attached are maps depicting the lots and a key map of the Town.

| Lot Size | Vacant | Wetlands | Public Sewer | Other | Total |
|------------------------|--------|----------|--------------|-------|-----------|
| 10,000 - 7,500 sq. ft. | 74 | -17 | -9 | -7 | 41 |
| 7,500 - 5,000 sq. ft. | 160 | -78 | -7 | -3 | 72 |

The final total column reflects further adjustments reflecting known conservation easements, roads and other impediments. This would leave a total of **41** lots between 10,000 -7,500 sq. ft. and **72** lots between 7,500 -5,000 sq. ft.

Town of Cape Elizabeth Grid Overview of Undersized Lots



-  Lots between 7,500 -5,000 sq. ft (vacant, no wetlands, public sewer)
-  Lots between 10,000 - 7,500 sq. ft (vacant, no wetlands, public sewer)
-  Sewer Service Area
-  RP1 Wetland
-  RP2 Wetland
-  Building Footprint



2000 0 2000 Feet



1" = 4,000'