

**Building Permit Application**  
**Excerpt Article 9T from Land Use Ordinance as amended June, 2010**

**T. Back Lots** *[Adopted 5/18/02]*

Back lots may be developed for single-family residential use if they are served by a back lot driveway approved by the Planning Board (hereinafter the "Board") pursuant to Section 5.8 of the Raymond Street Ordinance and comply with the following provisions:

The back lot driveway must be located within a right-of-way with a minimum width of 50 feet. The Code Enforcement Officer may approve a back lot driveway right-of-way with a minimum width of 40 feet if he/she determines that no alternative exists. The right of way must be conveyed by deed recorded in the Cumberland County Registry of Deeds to the owner of the back lot.

A legal description of the back lot right-of-way by metes and bounds shall be attached to any building permit application for construction on the back lot.

A back lot right-of-way shall be created only over a front lot that is conforming to public road frontage and lot size at the time of creation of the right of way. That portion of the front lot within the right of way shall be considered part of the front lot for purposes of space and bulk regulations. Existing buildings on the front lot need only be set back from the right-of-way by a distance equivalent to the minimum side setback in the applicable zoning district. For front lots that are vacant on the effective date of this ordinance, access to future buildings on the front lot shall be from the right of way.

If the front lot is already developed, the existing driveway shall be relocated to the back lot right of way unless the Board determines that it is prohibited by site conditions or the orientation of existing buildings.

A back lot driveway shall serve no more than two back lots unless it is improved to meet the standards for private streets in Section 5.5 of the Raymond Street Ordinance. No more than one back lot shall be created during any 5-year period. Prior to the creation of a second back lot, the applicant shall submit for review and approval a proposed revision of the back lot driveway plan previously approved by the Board and a driveway maintenance plan as described in Article 4, Section 8.A.4.vii of the Raymond Street Ordinance.

No more than one back lot right-of-way may be created out of a single front lot unless each subsequent right-of-way is created out of at least an additional amount of frontage as required in the applicable zoning district. The entrances of such rights of way onto the public road shall

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be separated by a distance equivalent to at least the required frontage in the zoning district plus half the right of way width.

A back lot driveway shall conform to the driveway standards of the Raymond Street Ordinance.

Each dwelling constructed on a back lot shall be set back at least 200 feet from public roads.

A back lot driveway must conform to the minimum sight distance of the Raymond Street Ordinance.

The back lot must comply with all space and bulk regulations in the applicable zoning district as well as the lot standards of Article 9, Section U of the Land Use Ordinance. For the purposes of this section, the portion of the right of way within the back lot may not be used to satisfy the minimum lot area requirement and frontage for the back lot shall be on the back lot right of way.

5. A back lot driveway must conform to the minimum sight distance of the Raymond Street Ordinance.
6. The back lot must comply with all space and bulk regulations in the applicable zoning district as well as the lot standards of Section IX.U of the Land Use Ordinance. For the purposes of this section, the portion of the right of way within the back lot may not be used to satisfy the minimum lot area requirement and frontage for the back lot shall be on the back lot right of way.