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## Front, Side, Rear Lot Lines and Frontage

zoning chapter 225

Table 225 attachment 2 footnote E states “No building may be erected on any lot which does not abut a public way or private way with the minimum length of frontage required for the particular zone. Any private way must connect directly to a public way”. Frontage is a requirement for a new lot however the lot may or may not have a Front Lot Line. By definition, Frontage is a measurement at the Road Right-of-Way and may be obtained from both public and private ways. A Front Lot Line is the lots property boundary between the lot and the Street right-of-way. As a result, it is not uncommon for a lot to have the required Frontage with no Front lot line (and therefore no Rear, see definition “Lot Line, Rear”). The result would be that the lot boundaries are Side lot lines with only side setback requirements applicable to lot improvements.

**FRONTAGE:** The horizontal distance, measured in a straight line, between the intersections of the side lot lines with the road right-of-way. Corner lots may include continuous frontage along adjoining streets. When located on a cul-de-sac, the frontage shall be the distance from sideline to sideline, measured at the front setback line. [Added 5-20-2004 STM, Art. 18]

**LOT:** A parcel of land occupied or capable of being occupied by one or more buildings and the accessory buildings or uses customarily incidental to them, including such open spaces as are required by this chapter, and having frontage upon a public street, right-of-way or private way and otherwise meets all dimensional requirements of this chapter.

**LOT, CORNER:** A lot with at least two contiguous sides abutting upon a street or right-of-way.

**LOT, INTERIOR:** Any lot other than a corner lot.

**LOT, THROUGH:** Any interior lot having frontages on two more or less parallel streets or rights-of-way or between a street and a body of water, or a right-of-way and a body of water, or between two bodies of water, as distinguished from a corner lot. All sides of through lots adjacent to streets, rights-of-way and bodies of water shall be considered frontage, and front yards shall be provided as required. (*At this time, there are no “Yard” requirements*)

**LOT LINES:** The lines bounding a lot as defined below:

**A. FRONT LOT LINE:**

1. On an interior lot, the line separating the lot from the street right-of-way. (*“the line” refers to the lots boundary line. A lot located on a Private Way does not have a front line, a private way is not a street as defined.*)
2. On a corner or through lot, the line separating the lot from either street or right-of-way. (*Topsham’s historical interpretation regarding a corner or through lot has been to let the*

*applicant choose which line will be their front, making any remaining line abutting other streets or right of ways side or rear lines. This “front line” may be re-determined by future applications provided existing regulated structures are not made non-conforming or made more non-conforming. The statement “either street or right-of-way” allows a property owner the flexibility to choose a private right of way or a street as their front property line; the location of a driveway does not pre-determine the front line)*

B. REAR LOT LINE: The lot line opposite the front lot line.

1. On a lot pointed at the rear, the rear lot line shall be an imaginary line between the side lot lines parallel to the front lot line, not less than 10 feet long, lying farthest from the front lot line. (*A “pointed” condition occurs whenever the lot does not contain a line parallel to and farthest from the front line*)
2. On a corner lot, the rear lot line shall be opposite the front lot line of least dimension. (*This supersedes any front line determined by “A2” above.*)

C. SIDE LOT LINES: Any lot line other than the front lot line or rear lot line.

PRIVATE ROAD (PRIVATE WAY): A private way meeting the Town's road construction standards for preparation, sub base and base (as specified in Chapter 191, Subdivision of Land). In order to be considered a road, for purposes of this chapter, the traveled surface need not be paved. To be considered a private road or way, it must serve two or more homes or lots, and be located within a right of way 50' in width throughout its length. (*Subject to 191-15, all road construction standards are now found in chapter 185 of the Topsham Code; tables 1 and 2 detail the requirements for preparation, subbase and base*)

SETBACK: That portion of a lot which runs parallel to the lot boundaries, the width of which is established by this chapter, and in which no regulated improvements, including, but not limited to, building, structures and parking shall be placed unless otherwise permitted by this chapter. To determine if the improvements are in compliance with the above, the distance at which any improvement is located from a property line shall be measured as a horizontal distance from the property line to the nearest part of the improvement. (*By this definition, setbacks are measured from property lines and not from easements or rights of way*)

STREET: All new and existing streets as defined in chapter 185-3 (*Street will have their own boundary lines, rights of way over properties are not streets.*)