

Town of Lamoine
606 Douglas Highway
Lamoine, Maine 04605
Office of Code Enforcement
Rebecca Albright, CEO/LPI
207 667-2242
4/12/19

To Whom It May Concern:

The problem with the potentially excessive height of the new Tom & Kathryn True residence of Lupine Lane lies ultimately in the interpretation of the key term "Building Height" from the Lamoine Building and Land Use Ordinance. I quote from the Ordinance,

"Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater."

Mr. True interpreted "whichever is greater" to refer to/modify the word "elevation", meaning that if, in his situation, the average final grade of his project is a larger number than the number produced by the elevation of the average original grade, the greater number applies.

In his case, the greater number is derived from a measurement of the average final grade and the highpoint of his structure.

Other people have interpreted this definition in a much different way. They believe that the phrase, "whichever is greater" is intended to modify the phrase "vertical distance".

Herein lies the problem. Tom True actually included a highlighted copy of the building definition from the BLUO to justify the building of his house as it sits, with a 9'7" basement and a tremendous amount of fill brought in.

A final note for the record, the height of the "naked" building is 28' 10", and the average of the filled grade is (slightly) under 34'.

Rebecca Albright, CEO

The submitted height calculation calculates the height of the average final grade
is greater than the original grade
the elevation of the average final grade
is the elevation of the original or final grade
either the original or final grade
refers to the vertical distance compared to the grades