

88-610-03 - NONCONFORMING LOTS

88-610-03-A. DESCRIPTION

A nonconforming lot is a lawfully created lot, ~~shown on a plat or survey map recorded in the appropriate recorder of deeds office~~ that does not comply with the most restrictive minimum lot area or lot width standards of the zoning district in which the lot is now located.

88-610-03-B. USE OF NONCONFORMING LOTS

1. ~~4.~~ In residential zoning districts, a nonconforming lot whose width is 30 feet or more may be developed with a detached house subject to applicable lot and building standards of the district in which it is located. A nonconforming lot whose width is less than 30 feet may be developed with a detached dwelling only if the dwelling is separated from any adjacent dwelling by a minimum of six feet; however, in no case shall it be required to be setback more than 4 feet from the intervening property line.
2. In nonresidential zoning districts, a nonconforming lot may be developed with a use allowed within the subject zoning classification. If the zoning allows a variety of uses or a variety of intensities of uses and one or more uses or intensities would comply with applicable lot area and lot width standards, while others would not, then only the uses or intensities that comply with applicable standards are permitted.

88-610-03-C. LOT CONSOLIDATION

- ~~1. If two or more abutting lots (or portions of abutting lots), one or more of which are nonconforming, are in single ownership, the land involved will be deemed a single lot for purposes of determining compliance with lot size requirements, and no portion of the lot may be sold or used in a manner that diminishes compliance with lot size requirements.~~
- ~~2. In cases where 2 or more abutting lots of record are under single ownership and are deemed a single lot as set forth in paragraph 1 above, the city planning and development director may allow re-establishment of a lot previously combined with an abutting lot in order to accommodate a detached house, provided both of the following conditions are met:
 - ~~(a) granting of the request results in compatible infill development that is in keeping with the pattern of development on the subject block; and~~
 - ~~(b) the lot split will not result in the creation of any lot that is less than 30 feet in width.~~~~

88-610-03-D. DIMENSIONAL STANDARDS

Development on nonconforming lots must comply with the bulk and density standards of the subject zoning classification unless otherwise expressly stated.