

Zoning Interpretation Record

Subject of Interpretation:

Boundary line adjustments between nonconforming lots

Zoning Ordinance Reference (Article and Section):

Title I, Article 5, Section 1.7a

Interpretation:

Article 5, Section 1.7a states that boundary line adjustments are permitted for adjacent legally non-conforming lots under certain conditions, including the requirement that neither lot "be reduced to less than two acres in size as a result of such boundary adjustment." Therefore, the result following the adjustment must be that both lots will be 2 acres or greater. Otherwise, an offsetting change in acreage would be permitted, where the total acreage of each lot would remain unchanged following the boundary line adjustment.

Examples:

Property owner has requested to move a lot line between two A-1 lots, 1 acre and 3 acres in size. The 1-acre lot must be increased to 2 acres and the 3-acre lot cannot be reduced to below 2 acres. The only other option permitted would be an offsetting change where the acreage remains the same for both lots.

Approved by Michael Crescenzo, Director of Planning 10/2/08