8.05 Legal Nonconforming Lots

The following provisions apply to legal nonconforming lots:

A. Legal Nonconforming Lot Provisions: A legal nonconforming lot shall be permitted to be developed as long as the desired structure(s) and use(s) meets the current Unified Development Ordinance. If the application of the current Unified Development Ordinance renders the lot undevelopable (e.g. the current setbacks do not permit a developable building envelope), the owner shall request the City apply for reasonable variances from the Board of Zoning Appeals.

B. Loss of Legal Nonconforming Lot Status:

1. *Combining Lots Results in Conformity*: If a legal nonconforming lot is combined with an adjacent lot resulting in conformity with the current Unified Development Ordinance, it shall lose its legal nonconforming status. Therefore, future division of the combined lot shall conform to the current Unified Development Ordinance.
2. *Lots in Combination*: If a legal nonconforming lot is owned by the same person as the adjacent lot, and the owner uses both lots in combination for a duration of more than five (5) years, the legal nonconforming lot shall lose its legal nonconforming status; provided the two (2) or more lots in combination would constitute a single conforming lot.
3. *Permanent Structure Across Property Lines*: If a legal nonconforming lot is owned by the same person as the adjacent lot, and the owner constructs a permanent structure across the property line, thus permanently using two (2) lots in combination, the legal nonconforming lot shall lose its legal nonconforming status; provided the two (2) lots in combination would constitute a single conforming lot.