

Section 6.9 Current Language

6.9 The owner or owners of a nonconforming lot shall apply to the Board for a conditional use to relocate or tear down either wholly or partially a dwelling or dwellings located thereon and build or replace the same in whole or in part. As a condition to applying for such a conditional use, the lot must be consolidated with any adjoining lot or lots in common ownership and not occupied by a dwelling, to form one or more lots conforming so far as possible with the lot area and width requirements of this Ordinance. The Board may grant the conditional use only if the following additional criteria are met:

- a. The reconstructed dwelling shall be used as a single family detached dwelling;
- b. The lot coverage shall not exceed fifty (50%) percent;
- c. A minimum setback of ten (10) feet from all lot lines shall be maintained;
- d. The reconstruction shall be no closer than twenty (20) feet to other buildings on any adjoining lot; and
- e. There are provided two off-street parking spaces for each dwelling unit.

The current language would allow an applicant with approval from the BZA to teardown and rebuild a new home as close as 10' to any property line, including property lines which the home was not previously encroaching into setbacks.

