

1005.035 Parcels of Land Recorded Without Required Approvals.

The owner of a lot or parcel of land created prior to the adoption date of this Ordinance in violation of Section 1005.030 may apply to the Director of Planning for a variance from the subdivision regulations for the construction of any one use allowed in the single family "R" zoning districts ("R-1" thru "R-5"), or a single family detached residence in the remaining "R" Districts ("R-6A" thru "R-8"). The Director shall investigate the situation, and finding that:

- a. The lot was created by record plat or recorded deed prior to adoption date of this Ordinance; and
- b. But for the failure to comply with this Chapter, the lot or parcel of land could be developed; and
- c. The lot or parcel of land was acquired by the present owner for a valuable consideration and in ignorance of the requirements of this Chapter; and
- d. Had proper application been made at the time of the creation of the lot, approval would have been given for lot size and frontage;

shall forward the findings to the County Council which may by order grant the variance upon such terms and conditions as will most equitably preserve the purpose and intent of this Chapter.

(O. No. 12035 - Adopted 4/25/85)