

PROPOSED TEXT AMENDMENT TO THE COUNTY ZONING ORDINANCE

§1000-602

Non-Conforming Structures

The following is a proposed text amendment to the Fayette County Zoning Ordinance. This was discussed during the public meeting of the Planning Commission during their November 2007 Meeting. It was asked to have a draft amendment presented at the December public meeting.

G. If a lot was created prior to 1968, with a duplex contained on the lot constructed prior to 1968, the minimum lot size, minimum lot width, and setback regulations are accepted as it was laid out and constructed prior to 1968. Documentation indicating the lot was laid out prior to 1968 and documentation the duplex was constructed prior to 1968 shall be submitted to the county planning office for review and acceptance. If the county planning office does not accept the documents, then the property owner may file for a variance before the County Zoning Hearing Board. A photograph of the lot and structure is not an acceptable form of documentation. This provision is only valid for lots and residential duplexes that were laid out and constructed prior to 1968. Any change in the type of dwelling, use, etc. will need to conform to the ordinances adopted in July 2006 (County Subdivision and Land Development Ordinance) and November 2006 (County Zoning Ordinance). This regulation does not apply to a duplex and lot (laid out and constructed prior to 1968), that can subdivide and meet the minimum requirements contained within the Zoning Ordinance adopted in November 2006.