



DEPARTMENT OF COMMUNITY DEVELOPMENT  
CITY OF HUDSON, OHIO

# Non-Conforming Structures/Lots

## INFORMATION BULLETIN NO. 5

### Introduction

The following is a brief summary of information contained in the Land Development Code describing the effect it may have on existing lots and existing structures which may not conform to the Code.

### What is a Non-Conforming Structure?

The Code defines a non-conforming structure as a structure that was lawful under prior law on the day before the effective date of this Land Development Code of December 31, 1999 or subsequent amendment thereof, but that fails by reason of such adoption, revision, or amendment, to conform to all the present setback height, or other site development requirements of this Code.

### Requirements for Enlargement of Non-Conforming Structures

The Land Development Code puts tight restrictions on uses grandfathered by a change of zoning or made "non-conforming". The current maximum enlargement of 50% allowed will be reduced to a maximum permitted enlargement of 25%. Non-conforming structures as of the adoption date of the Land Development Code may be enlarged provided that such enlargement does not interfere with the operation of conforming uses within the district, nor provide any greater adverse impacts on surrounding properties than did the original non-conforming structure.

The enlargement may not exceed 25% of the existing total floor area, nor may all increases and enlargements during any five year period exceed a total of 25% of the total floor area of the existing non-conforming structure

### What is a Non-Conforming Lot?

The Code defines a non-conforming lot as the area, dimension, or location being lawful under prior law on the day before the effective date of this Land Development Code or subsequent

amendment thereof, but that fails by reason of such adoption, revision, or amendment, to conform to all the present requirements of this Code.

### Requirements for Non-Conforming Lots of Record

It is the intent of the Land Development Code to permit the development of existing lots only to the extent that they comply with the standards with respect to setbacks, width, open space, density and other requirements as specified within the Land Development Code at the time of its adoption. The Board of Zoning and Building Appeals may permit development to occur after granting specific variances where such requirements make development impractical.

A consolidation requirement is included within the Land Development Code which states that should two or more contiguous lots be of single and common ownership, and are of record as of the effective date of adoption of the Land Development Code, and do not meet the minimum lot area requirements, such lots shall be considered to be a single, undivided parcel.

#### For more information contact:

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This information is intended to provide guidance only. Please consult the Land Development Code for the definitive requirements.

