



Town of Johnston
State of Rhode Island and Providence Plantations

Ordinance 2008-9

ADOPTED
6/19/2008
attest
[Signature]

“AN ORDINANCE AMENDING ARTICLE X OF CHAPTER 340 OF THE TOWN OF JOHNSTON CODE OF ORDINANCES ENTITLED “SUBSTANDARD LOTS OF RECORD AND LOT REDUCTION”

Article X of Chapter 340, of the Town of Johnston Code of Ordinances entitled “Substandard lots of record and lot reduction” is hereby amended by removing there from: Sections 340-65 & 340-66 in their entirety and adding thereto the following:

ARTICLE X, Substandard Lots of Record and Lot Reduction

340-62. Substandard Lots of Record.

Except as required in § 340-63, a lot or group of contiguous lots having dimensions and/or area of lesser amounts than required in § 340-9 for the district in which such lot is located may be considered as coming within the minimum lot requirements of § 340-9, provided that such lot or group of contiguous lots was shown on a recorded plat or on a recorded deed prior to December 14, 1994. These are also referred to as prior recorded lots.

340-63. Contiguous lots under common ownership.

It is the intent of this chapter to require merger of contiguous unimproved or improved substandard lots of record in the same ownership in order to create dimensionally conforming lots.

If two or more contiguous lots are under common ownership at any time after December 14, 1994 and one or more of these lots fails to meet the requirements of section 340-9 with regard to minimum lot area or minimum lot width, or lot building coverage, or minimum setbacks as required by the applicable sections of this chapter, or the off-street parking requirements of this chapter, such lots shall be considered to be an individual lot of land for the purpose of this chapter. Contiguous lots or parcels shall share common and abutting boundary lines and not be separated by a street or other property. Contiguous parcels under separate ownership shall be considered to make up a single lot if application is made by all owners of such parcels. No single lot shall be used in violation of the requirements of 340-9 with regard to minimum lot area or minimum lot width, except as provided in this chapter.

340-64. Enlargement of undersized lots.

Lawfully established lots which have less than the minimum area requirements may be maintained and may be changed by adding additional land to such lots without prejudice to the rights of the owner of such lots pursuant to the provisions of this chapter and in accordance with the land development and subdivision review regulations of the Town of Johnston.

This Ordinance shall take effect immediately upon its passage.

Stelanie P. May

Councilperson

Approved to form:



Town Solicitor

Ordinance 2008-9

Date of passage June 9, 2008

Absent

Gabriel N. DeFeo
District 1

Aye

Ernest F. Pitochelli
District 2

Aye

Joseph Wells
District 3

Aye

Stephanie P. Manzi – Vice President
District 5

Aye

Robert V. Russo – President
District 4

Approve Veto

Mayor Joseph M. Polisena
Mayor

Attest: Vincent P. Baccari, Jr.
Vincent P. Baccari, Jr
Town Clerk

Date 6/11/08