

# Village of Lake Isabella - Codified Ordinances

## Article XII – Planning & Zoning

### Chapter 1210 – Lots in Common Ownership

Adopted August 4, 1998 – Ordinance 1998-01

Last amended on July 19, 2016 by Ordinance 2016-01

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Chapter 1210.01      Regulations

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#### **1210.01      REGULATIONS**

The following shall apply where a structure or building is or will be located on portions of two or more lots or parcels:

1. If a structure or dwelling is physically located on two or more lots or parcels, all such lots or parcels shall be deemed to be automatically combined and considered one overall lot for purposes of this zoning code. Furthermore, no such combined lots or parcels (or portions thereof) shall ever be detached or be sold, divided, split, conveyed or transferred separate from one another in a manner which would create a non-conformity to the zoning code.
2. After the effective date of the chapter if an accessory structure is proposed to be located on two or more lots or parcels which are considered adjoining and under common ownership, no zoning, building, or other permit shall be issued for the construction or installation of such structure or building (and no such structure or building shall be built, installed or commenced) unless all of the following requirements are met:
  - (a) If lots are owned by the same person, but are separated by a private or public road, said lots may be treated as a single parcel for the purpose of this zoning code if the following conditions are satisfied:
    1. The lots are combined as a single parcel for taxation.
    2. The lots are combined via a deed restriction listing the Village of Lake Isabella as a party to the restriction which prevents the lots from being decoupled or separated in the future without the approval of the Village of Lake Isabella if an accessory structure is placed on the side of the parcel on the opposite side of the street from the primary structure.
  - (b) If lots are owned by the same person and are not separated by a private or public road, said lots may be treated as a single parcel for the purpose of this zoning code if the properties share an overlapping common property line, and the lots are combined via a deed restriction listing the Village of Lake Isabella as a party to the restriction which prevents the lots from being decoupled or separated in the future without the approval of the Village of Lake Isabella if an accessory structure is placed on a lot which would otherwise lack a conforming primary structure and use.

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3. If the then-owner(s) of any such lots or parcels joined together desire to separate, divide, or split two or more of the combined properties, that splitting, division, or decoupling shall not occur until and unless the Zoning Administrator issues a permit to allow such split, division, or decoupling and all of the following requirements are also met:
  - (a) Each parcel, lot, or piece of property which would result from the proposed split, division, or decoupling must meet all applicable minimum area and dimensional requirements of this zoning code, including, but not limited to, minimum lot size, setbacks, minimum width, and minimum road frontage requirements, and the requirements of any other applicable Village ordinance or code.
  - (b) No parcel, lot, or piece of property shall be created upon which there exists an accessory building (including, but not limited to, a garage or detached storage building) or accessory structure without a conforming dwelling or other primary structure located thereon.
  - (c) Such split, division, or decoupling must also be approved by the Village Planning Commission pursuant to the procedures and standards for Site Plan Review, but is not subject to the Site Plan Escrow Account, as specified in chapter 1214 of the zoning code.