

9. Notwithstanding any provision to the contrary herein, no junkyard shall be permitted to continue for more than six (6) months after the effective date of this Local Law, nor shall any use, structure, or activity regulated by Sections 336 through 339 of this Local Law enjoy protection as a prior nonconforming use. Quarrying or soil mining conducted in a manner that is exempt from the permitting requirements of the New York State Department of Environmental Conservation or the location restrictions under Section 332(2) of this Local Law shall not be considered a nonconforming use giving rise to any right to mine above applicable permit thresholds in locations where quarrying or soil mining is not a permitted use.

Section 392. NONCONFORMING LOTS

A nonconforming lot, as defined in Section 610, Definitions, of this Local Law, may be built upon for any purpose permitted in the zoning district in which it is located, without a variance, despite its failure to comply with the area, shape, or frontage requirements of this Local Law *provided:*

1. The nonconformity results solely from the adoption of this Local Law (including any preceding zoning law or subsequent amendments); *and*
2. The nonconformity has not been increased by any act or event subsequent to the effective date of this Local Law; *and*
3. The lot contains at least twenty thousand (20,000) square feet of area.
- ⁴⁹4. A nonconforming lot satisfying Subsections 1 through 3 above shall be designated an “eligible nonconforming lot.” A lot shall remain an eligible nonconforming lot until the occurrence of any of the following events:
 - a. Reduction in the lot’s size, or any other increase in the degree of its nonconformity for any reason, other than the adoption of a more stringent zoning law;
 - b. Acquisition after December 27, 1989 by the owner of adjoining land which, when added to the original nonconforming lot, forms one or more lots complying with the area, shape, and frontage requirements of this Local Law. In such case no portion of the lot(s) so formed shall thereafter qualify as an eligible nonconforming lot under this Section, unless and until again made nonconforming by the adoption of a more stringent zoning law; *and*
 - c. Acquisition after December 27, 1989 by the owner of the lot of adjoining land which, when added to the original nonconforming lot, reduces its nonconformity, but does not form a lot complying with the area, shape, and frontage requirements of this Local Law.

⁴⁹ Section 392, paragraph 4 amended; Local Law #3 of the year 1990 on 10/11/90.