

SECTION 20 NONCONFORMING USES AND STRUCTURES

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2001 Intent

To recognize the lawful use of land or buildings existing at the time of the adoption of this Resolution that do not conform to the regulations set forth herein. Any use, structure, or parcel of land which was conducted, erected or created in violation of any previous zoning resolution shall not be considered as a legal, nonconforming use, structure, or lot and shall be required to comply with all provisions of this Resolution.

2002 Nonconforming Use

A use of land which was lawful before this Resolution was adopted or amended may continue to exist even though the use would be prohibited, regulated, or restricted under the provisions of this Resolution and amendments, subject to the following provisions:

- 2002.01 Such nonconforming use shall not be enlarged, expanded, extended, increased, or moved to occupy an area of land or area in a structure which was not occupied before this Resolution was adopted or amended.
- 2002.02 An existing structure devoted to a nonconforming use shall not be enlarged, expanded, extended or altered to accommodate the nonconforming use or any other use not allowed in the district in which the structure is located.
- 2002.03 If any nonconforming use is discontinued for any reason for a period of more than 12 consecutive months, a subsequent use of such land or structure shall conform to the provisions of this Resolution and as thereafter amended.
- 2002.04 A nonconforming use of land may be changed only to a use that is allowed in the zoning district in which the land is located.
- 2002.05 Should a structure devoted to a nonconforming use be damaged or destroyed by any means, the structure may be reconstructed and the nonconforming use reestablished pursuant to section 2002.02.

Legal nonconforming properties housing more than 1 registered sex offender must be brought into conformity with 15 months. *(Amended 9/12/00)*

2003 Nonconforming Structure

A structure which was lawful before this Resolution was adopted or amended may continue to exist, even though the structure would be prohibited, regulated, or restricted under the provisions of the Resolution or amendments, subject to the following provisions:

- 2003.01 Such nonconforming structures shall not be enlarged or altered in a manner which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.
- 2003.02 Should a legal nonconforming structure be damaged or destroyed by any means, it may be restored provided the reconstruction begins within 1 year of the date the structure was damaged or destroyed and the reconstruction is completed within the time limits of the building permit.
- 2003.03 Should such nonconforming structure be moved for any reason for any distance whatever, it shall conform to the provisions of the district in which it is located after the move.
- 2003.04 Any nonconforming structure may be repaired and maintained for ordinary upkeep. Such repairs or maintenance shall not enlarge, expand, extend, or increase the nonconformity in any manner.

2004 Nonconforming Lot

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot which was of record before this Resolution was adopted or amended. This provision shall apply even though such lot fails to meet the requirements for area, applicable in the given district. However, all minimum yard requirements shall conform to the provisions within this Resolution and as hereafter amended. On nonconforming lots, uses shall be limited to the principal, accessory, and special uses allowed in the zone district to which the lot conforms to in area.

2005 Termination (Deleted 8/11/04 due to Statutory Changes)

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