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1. Nonconforming Development: A building, structure, or improvement which does not comply with the regulations for its zoning district set forth by this Zoning Ordinance but which complied with applicable regulations at the time of construction.
2. Nonconforming Lot: A lot which was lawful prior to the adoption, revision, or amendment of this Zoning Ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the Zoning Ordinance. No action can be taken which would increase the non-conforming characteristics of the lot.
3. Nonconforming Sign: A sign that was legally erected prior to the adoption, revision, or amendment of this Zoning Ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Ordinance.
4. Nonconforming Structure: A structure which was lawful prior to the adoption, revision, or amendment of this Zoning Ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the Zoning Ordinance. No action can be taken which would increase the non-conforming characteristics of the structure.
5. Nonconforming Use: A land use which was lawful prior to the adoption, revision, or amendment of this Zoning Ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the Zoning Ordinance. No action can be taken which would increase the non-conforming characteristics of the land use.

19.20 Non-conforming Uses and Structures: Statement of intent.

Within the various districts established by this chapter or amendments that may be adopted, there exist structures and uses of land and structures which were lawful prior to the effective date of the ordinance from which this chapter derives but which would be prohibited under this chapter. It is the intent of this chapter to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this chapter to be incompatible with permitted uses in the districts involved. It is further the intent of this chapter that such nonconformities shall not be enlarged upon, expanded or extended.

19.21 Non-conforming Uses in any R district.

a. Nonconforming uses of land.

The lawful use of land upon which no building or structure is erected or constructed which becomes nonconforming under the terms of the ordinance from which this chapter derives or as this chapter may be amended may be continued so long as it remains otherwise lawful, subject to the following:

1. No such nonconforming use shall be enlarged or increased or extended to occupy a greater area of land than was occupied at the effective date of the ordinance adopting or amending this chapter.

2. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel, which was not occupied by such use at the effective date of the ordinance adopting or amending this chapter.

3. If any such nonconforming use of land ceases for any reason for a period of more than six months, any subsequent use of such land shall conform to the district regulations for the district in which such land is located.

b. Nonconforming uses of structures.

If a lawful use of a structure or of a structure and land in combination exists at the effective date of the ordinance adopting or amending this chapter that would not be allowed in the district under the terms of this chapter, the use may be continued so long as it remains otherwise lawful, subject to the following:

1. No existing structure devoted entirely or in part to a use not permitted by this chapter in the district in which it is located, except when required by law, shall be enlarged, extended, reconstructed, moved or structurally altered, unless the use is changed to a use permitted in the district in which such structure is located.

2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use on the effective date of the ordinance adopting or amending this chapter. No such use shall be extended to occupy any land outside such building.

3. If no structural alterations are made, a nonconforming use of a structure may be changed to another nonconforming use of a similar nature within the same or a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restrictive use.

4. If a nonconforming use of a structure or structure and land in combination is abandoned, the use of such shall thereafter conform to the uses permitted in the district in which it is located. A use shall be deemed abandoned if while such use has been discontinued the owner of the property makes any change to the property inconsistent with the resumption of such use. Changes inconsistent with the resumption of a use include, but are not limited to: Placing the property to another use; or combining two or more dwelling units under one water, gas or electric meter; creating an opening between two dwelling units.

5. If a nonconforming use of a structure or structure and land in combination is discontinued for more than one year for any reason, the use of such shall thereafter conform to the uses permitted in the district in which it is located.

6. Any structure devoted to a use made nonconforming by this chapter that is destroyed by any means to an extent of 60 percent or more of its replacement cost at the time of destruction, exclusive of the foundations, shall not be reconstructed and used as before such happening. If the structure be less than 60 percent destroyed above the foundation, it may be reconstructed and used as before, provided it is done within six months of such

happening and is built of like or similar materials. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

c. Nonconforming structures, including signs.

Where a structure other than a sign exists at the effective date of the ordinance adopting or amending this chapter that could not be built under the terms of this chapter because of restriction on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following:

1. No such structure may be enlarged or altered in a way which increases its nonconformity.
2. If such structure is destroyed by any means to an extent of 60 percent or more of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with this chapter. Any single-family, semidetached or two-family dwelling which was a conforming structure on (effective date of ordinance) may be structurally altered, and if destroyed may be reconstructed and used as before, provided such reconstruction is commenced within one year of such destruction and diligently pursued to completion.

19.22 Non-conforming Uses in any district other than R districts.

a. Nonconforming uses of land.

The regulations governing nonconforming uses of land in any R district as described in Subsection 19.21 a. shall also apply to this section.

b. Nonconforming uses of structures.

If a lawful use of a structure or of a structure and land in combination exists at the effective date of the ordinance adopting or amending this chapter that would not be allowed in the district under the terms of this chapter, the use may be continued so long as it remains otherwise lawful, subject to the following:

1. Any structure in any district other than an R district devoted to a use made nonconforming by this chapter may be structurally altered or enlarged in conformity with the lot area, lot coverage, frontage, yard, height, and parking requirements of the district in which located, provided such construction shall be limited to buildings on land owned of record by the owner of the land devoted to the nonconforming use prior to the effective date of the ordinance from which this section derives. Such structural alteration or enlargement shall not authorize the substitution of a nonconforming use that is less restrictive than the one to which the structure was devoted on the effective date of the ordinance from which this section derives.
3. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use on the effective date of the ordinance adopting or amending this chapter. No such use shall be extended to occupy any land outside such building.

4. If no structural alterations are made, a nonconforming use of a structure may be changed to another nonconforming use of a similar nature within the same or a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restrictive use.

5. If a nonconforming use of a structure or structure and land in combination is abandoned, the use of such shall thereafter conform to the uses permitted in the district in which it is located. A use shall be deemed abandoned if while such use has been discontinued the owner of the property makes any change to the property inconsistent with the resumption of such use. Changes inconsistent with the resumption of a use include, but are not limited to: placing the property to another use; combining two or more dwelling units under one water, gas or electric meter; or creating an opening between two dwelling units.

6. If a nonconforming use of a structure or structure and land in combination is discontinued for more than one year for any reason whatsoever, the use of such shall thereafter conform to the uses permitted in the district in which it is located.

c. Nonconforming structures.

The regulations governing nonconforming structures in any R district, as described in subsections 19.21 c. shall also apply to this section.

19.23 Non-conforming Uses: Required repairs and unauthorized nonconformities.

a. Nothing in this chapter shall be deemed to prevent the restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

b. Any use of land, use of structures or structures, in existence on the effective date of the ordinance from which this chapter derives which was not an authorized nonconformity under previous zoning ordinances shall not be authorized to continue its nonconforming status pursuant to this chapter or amendments to this chapter.