

SECTION 520 - NONCONFORMING USES, STRUCTURES, LOTS

520.1 CONTINUANCE. EXPANSION, REPLACEMENT

Any lawful use of land existing at the time of adoption of these regulations which is not allowed under the terms of these regulations may be continued, subject to the following conditions:

1. Any nonconforming commercial or industrial use may, by special permit, be expanded to a total of not more than an additional 50% of the area devoted to the use on the effective date of the regulations which were in effect at the time or that area devoted to the use on September 1, 1960 whichever is earlier.
2. Any nonconforming single family residential use may be expanded to a total of not more than an additional 100% of the area devoted to the use on the effective date of these regulations, provided that no additional dwelling unit is created and the dimensional requirements set forth in Section 470 will not be further violated.
3. In conjunction with Section 410 and 420 of these regulations, nonconforming two (2) family dwellings, duplex, and multi-family residential uses may, by special permit, be expanded to a total of not more than an additional 50% of the total number of dwelling units in existence on the effective date of these regulations. In reviewing such application, the Commission shall review Article VII, Special Permits (Section 700.6.1 and 700.8). Such non-conforming two (2) family dwellings, duplex and multi-family residential uses shall be. expanded in conformance with Section 470.
4. Any nonconforming use which is damaged or destroyed by natural disaster or any other means out of the control of the owner may be rebuilt if the reconstruction is begun within one year of the destruction and the restored building occupies the same amount of floor area and location as did the original building. Any expansion in the floor area shall be made as provided in the two preceding paragraphs.
5. Any nonconforming use may be sold or otherwise transferred.
6. Any expansion may not further violate the original requirements as set forth in Section 470.

520.2 NONCONFORMING STRUCTURES

Any building or structure in existence at the time of these regulations housing a permitted use which does not comply with the minimum area, frontage, or other dimensional requirements of , these regulations shall be considered a nonconforming structure. Such structures may continue to be used, subject to the following conditions.

1. Any nonconforming structure may be expanded, provided such expansion does not exceed the present nonconformity and does not exceed 150% of the gross floor, area of the structure at the effective date of these regulations;
2. Any nonconforming structure which is damaged or destroyed by natural disaster or any other means out of the control of the owner may be rebuilt to the same floor area as existed prior to the destruction, provided such reconstruction does not exceed the nonconformity of the structure in any way. Expansion shall conform to the preceding paragraph.
3. Any nonconforming structure maybe sold or otherwise transferred.

520.3 NONCONFORMING LOTS

Any unbuilt lot which has been assessed as a separate building lot at the time of the original date of adoption of these regulations may be sold or used as a building lot. All lots set out after this time must conform to the minimum requirements which were in effect at that time.

Where two or more adjacent. unbuilt lots of less than the required minimum lot area are held in single ownership, and do not meet either of these conditions, such lots shall be combined so as to be more nearly in conformity with the required minimum lot area, and shall not be sold separately.

520.4 CESSATION OF USE

No nonconforming use which shall have been discontinued by reason of abandonment for a continuous period of one year shall thereafter be resumed or be replaced by any other nonconforming use.

520.5 MOVING

No nonconforming use or structure shall be moved to another part of a lot or outside the lot, unless the result of such moving is to reduce or eliminate its nonconformity.

520.6 CHANGE

Any nonconforming use or nonconforming structure may be changed to a conforming use or structure, and may as a special permit be changed to another nonconforming use or structure, provided such use or structure is found to be more nearly conforming to these regulations. No nonconforming structure if once· changed to conform or to more nearly conform to these regulations as provided above shall thereafter be changed so as to be less conforming again.