

Chapter 500: Non-conforming Uses

510 Non-conforming buildings

- 511 The lawful use of any building which does not conform to these regulations whether by original adoption or by subsequent amendment, may be continued after such adoption or amendment, under the conditions herein specified.
- 512 The addition to, enlargement or expansion of any such non-conforming building may be permitted provided such addition, enlargement, or expansion complies with all height, area, parking, setback, and other requirements of the district in which it is located, and that total aggregate floor area of such additions does not exceed twenty percent of the floor area in such building at the time it became non-conforming.
- 513 A non-conforming building or structure which is damaged or partially destroyed by fire, flood, wind, earthquake, or other calamity, or the public enemy, may be restored and the same use and occupancy continued or resumed, provided that such restoration is started within a period of one year and is diligently prosecuted to completion. Any lot whose buildings are destroyed beyond 50 percent of their total value shall not be restored to its original use and the land used by such buildings shall thereafter be used in conformance with the district regulations.
- 514 The use of a non-conforming building may be changed to use of the same or more restricted classification but shall not thereafter be changed back to a less restrictive use.
- 515 A non-conforming building, or portion thereof, which is, or hereafter remains vacant and unoccupied for a period of two years or more, shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

520 Non-conforming Use of the Land

- 521 A non-conforming use of open land, where no primary building is involved, may be continued for a period of two years from the effective date of this resolution or any subsequent amendment; after which time, said use shall be discontinued.
- 522 A non-conforming use of land referred to in 521 shall not be expanded or extended into any other part of or the adjoining property; nor shall the use be changed except to a conforming use.
- 523 Any junk yard in existence at the time this resolution takes effect, shall be fenced in accordance with existing state law, such use shall be discontinued within two years of the adoption of these regulations; and thereafter, the land shall be required to be used in conformance with these regulations. For purposes of this provision, a junk yard shall be defined as in Chapter 900 of these regulations.
- 524 A non-conforming use of land, where principal buildings are involved, shall not be expanded or extended into any other portion of the lot or any adjacent lot; and use of such land that exists at the time of adoption of this resolution and any subsequent amendment may be changed only as specified for changes in use of non-conforming buildings as Section 510; provided such change in use is due to a change in use of the principal building.

530 Non-Conformance as to Lot Area, Width, and Depth

Any lot of record, existing at the time of adoption of this resolution, or any subsequent amendment, where the required lot area, width and depth do not meet the

regulations herein, may be used for residential purposes; provided that yard, coverage and other requirements are met; and provided that any contiguous land in common ownership be required to be used to meet the district lot area, width and depth requirements and that no portion of such be transferred to other ownership, if such transfer reduces the lot below the minimum requirements set forth in this resolution.