

137 – NON-CONFORMING USES OF LANDS AND BUILDINGS

137.1 Any lawful use of land or building existing at the effective date of this Resolution may be continued, even though such use does not conform to the provisions hereof. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use. The non-conforming use of a building may be extended throughout those parts thereof which were manifestly arranged or designed for such use at the time of adoption of this Resolution.

137.2 Whenever the use of land or building shall become non-conforming through a change in the Zoning Resolution or in the district boundaries, such use may be continued or changed to another non-conforming use of the same or of a more restricted classification by permit.

137.3 A non-conforming use of land or building or portion thereof which is hereafter discontinued for a period of two (2) years shall not again be used except in conformity with the regulations of the district in which such building is located.

137.4 Any building arranged, intended, or designed for a non-conforming use, the construction of which has been started at the time of the passage of this Resolution, but not completed, may be completed and put into such non-conforming use, provided it is done within one (1) year after this Resolution takes effect.

137.5 A non-conforming building which has been damaged by fire, explosion, act of God or the public enemy, may be repaired or reconstructed and used as before the time of damage, provided such repairs or reconstruction are completed within two (2) years of the date of such damage. A structure also may be reconstructed by a variance in accordance with Section 142.3.2.2.

137.6 A building devoted to a non-conforming use permitted in another district under the provision in Section 104 through 122 thereof, may be extended or completed upon a lot occupied by such building or on a lot adjoining, provided that such a lot was under the same ownership as the lot in question on the date such building became non-conforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed in all, one hundred (100) percent of the floor area of the existing building or buildings devoted to a non-conforming use.

137.7 Any existing, non-conforming manufactured home may be continued or replaced, but shall conform to all current zoning requirements set for that district.