

CHAPTER IX- NONCONFORMING USES, SITES, *PARCELS*, AND STRUCTURES

Section 1. Purpose. The purpose of this chapter is to provide for the continuance, restoration, or replacement of nonconforming structures, and the continuation of nonconforming uses and sites.

Section 2. Continuance. Nonconforming uses sites, *parcels*, and structures legally established prior to the effective date of this resolution or any amendments thereto, may continue subject to the limitations set forth in this chapter.

Section 3. Enlargement or Expansion. A nonconforming use of land not including structures may be expanded by 20% in land occupied from the date it became a nonconforming use. A nonconforming structure may be expanded by 20% in floor area, as measured from the date it became a nonconforming structure. Any expansion of a nonconforming use or structure shall comply with all applicable development standards. Additionally, a nonconforming mobile home may be enlarged without size limitation on a parcel where it is located, by replacement of the nonconforming mobile home unit with another mobile home unit of larger size that has improved structural and safety design.

Section 4. Alteration, Maintenance, and Repair. Nonconforming uses and structures may be maintained and repaired as necessary for the safe, convenient, and efficient operation of the use or structure.

Section 5. Destruction-Reconstruction. Any nonconforming use or structure which is destroyed may be reconstructed, provided that the reconstruction is commenced within 6 months of the date of destruction, and further provided that the reconstruction shall not increase the degree of nonconformity of the use or structure.

Section 6. Change of Nonconforming Use. A nonconforming use may be changed to any use authorized in the zoning district in which the use is located. No nonconforming use shall be changed to another use not authorized in the zoning district in which the use is located.

Section 7. Discontinuance. If a nonconforming use is discontinued for a period of one year the nonconforming use shall not be resumed, and any future use of the site or structure shall conform to the requirements of the resolution. *The intent to resume a nonconforming use shall not affect the operation of this Section. is insufficient cause to reinstate a nonconforming use after the two-year period has elapsed.*

Section 8. Remnant Nonconforming Parcels. Remnant, nonconforming A-1 parcels which fail to meet the minimum site area as required in the development standards shall be subject to the permitted and conditional uses of the comparable R-R zoning district in which the parcel size qualifies. See. Chapter III sec. 18.

Section 9. Non-conforming with respect to lot size. Administrative Permits will be issued to parcels that are non-conforming with respect to lot size provided that all other development standards are met. (Res. 08-10040C)