

## **CHAPTER 500 - NON CONFORMITIES**

### **510 NON-CONFORMING BUILDINGS**

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 specified herein.

### **511 EXPANSION OF NON-CONFORMING BUILDINGS OR STRUCTURES**

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, yard, and other requirements of the district in which it is located, and that the 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.

### **512 RESTORATION OF DAMAGED NON-CONFORMING BUILDINGS OR STRUCTURES**

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 so long as the replacement building or structure is not larger than the original building or structure and the same use and occupancy continued or resumed provided that such restoration is begun within a period of one (1) year and is diligently pursued towards completion. Any lot whose buildings are destroyed beyond 90 percent of their total value shall not be restored to its original use and the land used by such buildings, shall thereafter be used only in conformance with the district regulations.

### **513 CHANGE OF USE OF NON-CONFORMING USES**

Any use of a non-conforming building or structure that becomes conforming shall not thereafter be made non-conforming.

A change from one non-conforming use to another may be permitted by the Board of Appeals, after conducting a public hearing, and after the following conditions are met:

1. The change in use will not involve any addition, enlargement, or expansion in excess of that which is allowed in Section 511.
2. The change in use is determined not to have any more impact on the neighboring uses in terms of traffic generated, hours of operation, noise or odors generated, parking, and any other potentially adverse impacts as determined by the Board.
3. The new non-conforming use proposed would be permitted use in the same zoning district (s) as the existing non-conforming use.

### **514 VACANCY OF NON-CONFORMING BUILDING**

A non-conforming building, or portion thereof, which is or hereafter remains vacant and unoccupied for a period of two (2) 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.