

## CHAPTER 19

### NON-CONFORMING USES

- 19.01 The lawful use of any dwelling, building or structure and of any land or premises as existing and lawful at the time of enactment of this Code or amendments thereto, may be continued although such use does not conform with the provisions of this Code or amendment. If no structural alterations are made, a non-conforming use of a building may be changed to another reasonable, non-conforming use of the same or a more restrictive use. Whenever a non-conforming use has been changed to a more restrictive use or to a conforming use, such use shall not thereafter be changed to a less restrictive use in accordance with the procedure set forth in Section 26.01.D.
- 19.02 In the event that a non-conforming use of any dwelling, building or structure and of any land or premises is voluntarily discontinued for two (2) years or more, any future use thereof shall be in conformity with the provisions of this Code.
- 19.03 No existing building or premises devoted to a use not permitted by this Code in the zone in which such building or premises are located, except when required to do so by law or order, shall be enlarge, extended, reconstructed, or structurally altered, unless the use thereof is changed to a use permitted in the zone in which such building or premises is located.
- 19.04 When a building, the use of which does not conform to the provisions of this Code, is damaged by fire, explosion, Act of God, or a public enemy it may be restored. The relocation of such use may be authorized by the Board of Zoning Appeals in the manner provided in Chapter 26.
- 19.05 Use of existing lots of record: In any zone where dwellings are permitted, a single family dwelling may be located on any lot or tract of ground of official record as of the effective date of this resolution irrespective of its area or width; provided, however that no lot shall be used if less than forty (40) feet wide in any case and further:
- A. If two (2) or more adjacent lots of sub-standard width for the zone in which they are located, belong to one owner, they shall be combined into new lot sizes as follows:
    - 1. If total combined width is less than the required minimum width for one (1) lot for the zone in which they are located, they shall be combined to form one (1) lot.
    - 2. If the total combined width is greater than the minimum required width for one (1) lot, for the zone in which it is located, but not a multiple of said width, it shall be divided into equal width lots of such as to result in one (1) more lot than the number of lots of the minimum width required in the zone in which they are located.
  - B. The sum of the side yard width of any sub-standard sized lot or plot shall be thirty (30) percent of the width of the lot and at least ten (10) percent of the lot width for any one (1) side yard.
  - C. The depth of the rear yard of any sub-standard sized lot need not exceed twenty (20) percent of the depth of the lot, but in no case less than ten (10) percent.

19.06

Non-conforming signs of this zoning code shall be the regulations pertaining to non-conforming signs. A conforming sign on a non-conforming dwelling, building, structure, land or premises shall be permitted to remain as long as the dwelling, building, structure, land or premises retains its non-conforming status.