

**112.0     NONCONFORMING BUILDINGS AND USES**

**112.1     Maintenance Permitted**

A nonconforming building or structure may be maintained.

**112.2     Repairs and Alterations**

Repairs and structural alterations may be made to a nonconforming building or to a building housing a nonconforming use.

### **112.3 Additions, Enlargements, Moving**

1. A building or structure occupied by a nonconforming use or a building or structure nonconforming as to height, area, or yard requirements shall not be added to or enlarged in any manner or moved to another location on the lot 'except as provided by subsections 2 and 3 below.

2. A building or structure occupied by a nonconforming use or a building or structure nonconforming as to height, area, or yard regulations may be added to or enlarged or moved to a new location on the lot upon a permit authorized by the Board of Adjustment, which may issue, provided that said Board, after hearing, shall find that:

a. The addition, or enlargement of, or moving of the building will be in harmony with one or more of the purposes of this Ordinance.

b. That the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure.

3. Additions or extensions may be made to a residential building which is nonconforming as to height, area or yard requirements providing such additions conform to all requirements of the district in which it is located and do not increase the number of dwelling units.

#### **112.4 Alteration Where Parking Insufficient**

A building or structure lacking sufficient automobile parking space in connection therewith as required by this Ordinance may be altered *or* enlarged provided additional automobile parking space is supplied to meet the requirements of this Ordinance for such alteration or enlargement.

#### **112.5 Restoration of Damaged Buildings**

A nonconforming building or structure which is damaged or destroyed by fire, flood, wind, earthquake, or other calamity or

act of God or the public enemy may be restored and the occupancy or use of such building, structure or part thereof, which existed at the time of such destruction, may be continued or resumed, provided that such restoration is started within a period of one year and is diligently prosecuted to completion.

#### **112.6 One Year Vacancy**

A building or structure or portion thereof occupied by a nonconforming use, which is, or hereafter becomes, vacant and remains unoccupied by a nonconforming use for a continuous period of one year, except for dwellings, shall not thereafter be occupied except by a use, which conforms to the use regulations of the district in which it is located.

#### **112.7 Continuation of Use**

The occupancy of a building or structure by a nonconforming use existing at the time this Ordinance became effective, may be continued.

### **112.8     Occupation Within One Year**

A vacant building or structure may be occupied by a use for which the building or structure, was designed or intended, if so occupied within a period of one year after the use became nonconforming.

### **112.9     Change of Use**

The nonconforming use of a building or structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a nonconforming use.

#### **112.10 Expansion Permitted**

A nonconforming use may be extended to include the entire floor area of the existing building in which it is conducted at the time the use became nonconforming.

#### **112.11 Nonconforming Use of Land**

The nonconforming use of land, existing at the time this Ordinance became effective, may be continued, provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or on adjoining property, and provided that if such nonconforming use of land, or any portion thereof, is abandoned or changed for 1 year or more, any future use of such land, shall be in conformity with the provisions of this Ordinance.