

1. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout parts of a building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
3. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.
4. When a nonconforming use of a structure or structure and premises in combination is discontinued or abandoned for six (6) consecutive months, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located.
5. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

**B. Nonconforming Use of Land**

Where, at the effective date of adoption or amendment of this Ordinance, lawful uses of land exist that are no longer permissible under the terms of this Ordinance as enacted or amended, such uses may be continued, so long as they remain otherwise lawful, subject to the following provision:

1. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.
2. No such nonconforming use shall be moved in whole or in part of any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance.
3. If any such nonconforming use of land ceases for any reason for a period of more than thirty (30) days, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.

**C. Specific Uses and Special Exceptions**

A specific use or special exception use existing prior to the effective date of this Ordinance that is permitted in its entirety as a principal use in the district in which it is located under this Ordinance shall remain applicable.

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**8.4 NONCONFORMING LOTS OF RECORD**

In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings

may be erected on any lot which is of official record on the effective date of this Ordinance, subject to the following restrictions:

- A. There must be provided a minimum lot width of fifty feet (50').
- B. There must be provided a minimum of fifteen feet (15') in side yards with ten feet (10') on any one side.
- C. The front and rear yards must comply with the requirements set forth in this Ordinance for the zoning districts within which the lot of record is located.

Further, the lot of record lot must be in separate ownership and not of continuous frontage other lots in the same ownership. Variance of area, width, and yard requirements shall be obtained only through action of the Board of Adjustment.

## **8.5 NONCONFORMING SIGNS**

### **A. Termination**

A nonconforming sign shall immediately lose its legal nonconforming status, and therefore shall be brought into conformance with this Ordinance or removed, when any of the following occur:

- 1. The size or shape of the sign is changed; or
- 2. The sign structure is altered. Alteration does not include repairs and/or maintenance; or
- 3. The nonconforming sign is accessory to a nonconforming use that has lost its nonconforming status; or
- 4. The primary structure on the property at which the sign is located is the subject of an application for a building permit for reconstruction, remodeling, expansion, or other improvements to the primary structure on such property, and the value of the proposed improvements total more than twenty-five percent (25%) of its replacement cost of such primary structure.

### **B. Maintenance of Nonconforming Signs**

Nonconforming signs shall continue to be maintained in safe condition pursuant to the building regulations of the City.

### **C. Alteration, Relocation, or Replacement of Nonconforming Signs**

A nonconforming sign shall not be structurally altered, relocated, or replaced unless it is brought into compliance with the provisions of this section.

### **D. Reconstruction of Damaged Sign**

If a sign and/or its support are damaged to the extent where the repair costs exceed fifty percent (50%) of the replacement cost of the sign, the sign shall be removed or brought into compliance.