

**ARTICLE 7  
NON-CONFORMING USES**

**11-701. NON-CONFORMING USES, DISCONTINUED**

The lawful use of a lot of record for storage purposes or advertising signs and which contains no buildings, and which use for storage or signs is not permitted by this Ordinance or by an amendment thereto, shall be discontinued within five (5) years from the date of the adoption of this Ordinance.

**11-702. NON-CONFORMING USES, CONTINUED OR CHANGED**

The lawful use of a building existing at the time of the effective date of this Ordinance may be continued although such use does not conform to the provisions hereof. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of a more restrictive classification, or to a conforming use, such use shall not thereafter be changed to a non-conforming use of less restrictive classification.

**11-703. NON-CONFORMING USES, DUE TO CHANGE IN ZONING**

Whenever the use of a building or land becomes non-conforming through an amendment to the Zoning Ordinance or Zoning District Map, such use may be continued and if no structural alterations are made, it may be changed to another non-conforming use of a higher, more restrictive classification provided all other regulations governing the use are complied with.

**11-704. NON-CONFORMING USES, STOPPED OR DISCONTINUED**

In the event that a non-conforming use of any building or premise is discontinued, or its normal operation stopped, for a period of two (2) years, the use of the same shall thereafter conform to all regulations of the district in which it is located.

**11-705. NON-CONFORMING USES, ENLARGED**

A non-conforming use of a building may not be enlarged, extended, nor may the building be reconstructed, or altered unless such use is made to conform to the regulations of the district in which it is located, provided, however, that in case of evident hardship a building containing a non-conforming use may be enlarged an amount not greater than twenty-five (25) percent of its present ground area by variance from the Board of Adjustment after public hearing. A non-conforming use of a lot of record for storage purposes or for advertising signs, and which lot contains no buildings, shall not be extended, enlarged, or expanded.

**11-706. NON-CONFORMING USE, DESTROYED OR DAMAGED**

When a building containing a non-conforming use is damaged by fire, explosion, Act of God, or the public enemy to the extent of more than seventy-five (75) percent of its fair market value, it shall not be restored, rebuilt or repaired unless it is made to conform to the regulations of the district in which it is located. If a building containing a non-conforming use is damaged by fire, explosion, Act of God, or the public enemy to the extent of less than seventy-five (75) percent of its fair market value, it may be restored, provided such restoration is completed within one (1) year of the date of destruction and further provided that any necessary litigation shall not be counted as part of the six months allowed for restoration. The Board of Adjustment may grant variances relative to restoring such buildings provided said variances are of a minor nature such as yard, height or parking requirements and provided that the Board, after public hearing is convinced that property values in the neighborhood will not be jeopardized and that substantial justice will be done.