

ARTICLE VI

NONCONFORMING USES AND STRUCTURES

SECTION 601 NONCONFORMING USES, BUILDINGS

The lawful use of a building or structure existing at the time of the adoption of this Ordinance may be continued although such use does not conform to the district provisions herein.

SECTION 602 NONCONFORMING USES, EXTENSION

A nonconforming use may be extended throughout the building or structure, provided no structural alterations or changes are made therein, except those required by law or Ordinance or such as may be required for safety, or such as may be necessary to secure or ensure the continued use of the building during its natural life.

SECTION 603 NONCONFORMING USE, DAMAGED

Any nonconforming building or structure damaged more than 60 percent of its then appraised value, exclusive of foundations at the time of damage by fire, collapses, explosion, or acts of God or public enemy, shall not be restored or reconstructed and used as before such happening; but, if less than 60 percent damaged above the foundation, it may be restored, reconstructed, or used as before provided that it is done within 12 months of such happening and that it be built of like or similar materials, or the architectural design and building materials are approved by the Planning Commission and Town Board.

SECTION 604 NONCONFORMING USE, LAND

The nonconforming lawful use of land where a structure thereon is so employed or existing at the time that this Ordinance becomes effective, may be continued provided:

1. The nonconforming use of land shall not in any way be expanded or extended either on the same or adjoining property.
2. That if the nonconforming use of land, existing at the time this Ordinance became effective, is thereafter discontinued or changed, then the future use of land shall be in conformity with the provisions of this Ordinance.

SECTION 605 NONCONFORMING USE CHANGE

A nonconforming use may not be changed to a different nonconforming use in the same zoning classification without special circumstances consistent with this Ordinance and approval of a conditional or interim use permit if allowed for said change by the Town Board.

SECTION 606 NONCONFORMING USE, DISCONTINUANCE

In the event that a nonconforming use of any building or building and land is discontinued for a period of one year, the use of the same shall conform thereafter to the uses permitted in the district in which it is located.

SECTION 607 NONCONFORMING USE, ZONE CHANGE

The foregoing provisions relative to nonconforming uses shall apply to buildings, land, and uses which hereafter become nonconforming due to classification or reclassification of districts under this Ordinance.