

**SECTION 700: NONCONFORMING USES, STRUCTURES OR LOTS (3/97)**

**700.2: Structures:** Any structure existing at the time of the original passage of this Ordinance, March 1985, or which has been legally constructed since, but is now non-conforming to the requirements of this Ordinance shall have the right to continue indefinitely.

**700.2.1:** Nonconforming buildings or structures may be repaired, improved, or expanded, provided:

**700.2.1.1:** No alteration shall increase the nonconformity according to the requirements of this Ordinance, including use regulations, and all dimensional and area requirements.

**700.2.1.2:** Specifically for an existing setback nonconformity, any reconstruction must be completed within the existing footprint and no expansion of any kind shall occur within that part of the structure that is in the setback.

**700.2.1.3:** For the purpose of snow load management adding a pitched roof or increasing the slope of an existing roof will not be considered an expansion provided it does not increase any living or storage space.

**700.2.1.4:** A nonconforming structure which has been destroyed or partially destroyed, or has been purposely demolished, may be reconstructed as long as the pre-existing nonconformity is not increased. Provisions of Section 700.2.1.1, 700.2.1.2 and 700.2.1.3 apply. Reconstruction must be completed within two years of the destruction or demolition date. If the reconstruction is not completed (fully enclosed) within two years of the destruction or demolition date any new structure must be built conforming to the standards in this ordinance.

**Expansion –**

1. For structures, any increase in height, width, length, or living space, above or below ground. This includes, but is not limited to, porches, decks, roof overhangs, patios, dormers and basements/cellars. (3/14)

**Living Space** - This includes any area measured in square feet, or any space measured in cubic feet, that is fully enclosed space used for indoor living or storage. This includes dormers and lofts, and any open space regardless of ceiling height. This does not include crawl spaces and screened-in porches (porches not enclosed with windows). (3/11)

**700.2: Structures:** Any structure existing at the time of the original passage of this Ordinance, March 1985, or which has been legally constructed since, but is now non-conforming to the requirements of this Ordinance ~~and which does not conform to the maximum height limitations and/or minimum setbacks,~~ shall have the right to continue indefinitely. ~~A structure may be razed and reconstructed provided reconstruction is completely within the existing footprint, is started within 6 months of the demolition date, and is completed within 2 years of demolition. Legally established structures, which do not conform to present setback requirements may be expanded in size, provided the addition or expansion complies with current setback requirements and lot coverage. (3/12)~~

**700.2.1:** Nonconforming buildings or structures may be repaired, improved, or expanded, provided:

**700.2.1.1:** No alteration shall increase the nonconformity according to the requirements of this Ordinance, including use regulations, and all ~~other~~ dimensional and area requirements.

**700.2.1.2:** ~~Specifically for an existing setback nonconformity, any reconstruction must be completed within the existing footprint and no expansion of any kind shall occur in any setback within that part of the structure that is in the setback. (3/02)~~

**700.2.1.3:** ~~For the purpose of snow load management adding a pitched roof or increasing the slope of an existing roof will not be considered an expansion provided it does not increase any living or storage space.~~

~~**700.2.2:**~~ **700.2.1.4** A nonconforming structure which has been destroyed or ~~partly~~ partially destroyed, or has been purposely demolished, may be ~~rebuilt with the following limitations~~ reconstructed as long as the pre-existing nonconformity is not increased. Provisions of Section 700.2.1.1, 700.2.1.2 and 700.2.1.3 apply. ~~The rebuilt structure shall not exceed the dimensional size of the original structure.~~ Reconstruction must be completed within two years of the destruction or demolition date. If the reconstruction ~~of a destroyed or demolished nonconforming structure~~ is not completed (fully enclosed) within two years of the building's destruction or demolition date any new ~~building located on the property shall~~ structure must be built conforming to standards ~~identified elsewhere~~ in this Ordinance. (3/11)

### **Expansion** –

1. For structures, any increase in height, width, length, ~~living area square footage,~~ or living space, above or below ground. This includes, but is not limited to, porches, decks, roof overhangs, patios, ~~dormers~~ and basements/cellars. (3/14)

**Living Space** - This ~~area~~ includes any area measured in square feet, or any space measured in cubic feet, that is fully enclosed space used for indoor living or storage. ~~three dimensional, -calculated in cubic feet in area,~~ This includes ~~including~~ dormers and lofts and any open space regardless of ceiling height. This ~~but~~ does not include crawl spaces and screened-in porches (porches not enclosed with windows). ~~as long as windows are not installed.~~ (3/11)

**700.2: Structures:** Any structure existing at the time of the original passage of this Ordinance, March 1985, or which has been legally constructed since, but is now non-conforming to the Ordinance and which does not conform to the maximum height limitations and / or minimum setbacks, shall have the right to continue indefinitely. A structure may be razed and reconstructed provided reconstruction is completely within the existing footprint, is started within 6 months of the demolition date, and is completed within 2 years of demolition. Legally established structures, which do not conform to present setback requirements may be expanded in size, provided the addition or expansion complies with current setback requirements and lot coverage. (3/12)

**700.2.1:** Nonconforming buildings or structures may be repaired, improved, or expanded, provided:

**700.2.1.1:** No alteration shall increase the nonconformity according to the requirements of this Ordinance, including use regulations, and all other dimensional and area requirements.

**700.2.1.2:** No expansion of any kind shall occur in any setback. (3/02)

**700.2.1.3:** Adding a pitched roof will not be considered an expansion provided it does not increase any living or storage space.

**700.2.2:** A nonconforming structure which has been destroyed or partly destroyed may be rebuilt with the following limitations: The rebuilt structure shall not exceed the dimensional size of the original structure. If the reconstruction of a destroyed or demolished nonconforming structure is not completed within 2 years of the building's destruction or demolition, any new building located on the property shall be built conforming to standards identified elsewhere in this Ordinance. (3/11)

**Expansion** –

2. For structures, any increase in height, width, length, living area square footage, above or below ground. This includes, but is not limited to, porches, decks, roof overhangs, patios, and basements/cellars. (3/14)

**Living Space** - This area includes three dimensional, fully enclosed space used for indoor living, calculated in cubic feet in area, including dormers and lofts, but does not include crawl spaces and screened-in porches as long as windows are not installed. (3/11)