

ARTICLE VIII

NON-CONFORMING USES

Section 800. Continuance of Non-Conforming Uses.

The lawful use of any building or structure or land existing at the time of the enactment or amendment of this Resolution may be continued, even though such use does not conform with the provisions of this Resolution, except that the non-conforming use shall not be:

1. Extended to occupy a greater area of land.
2. Extended to occupy a greater area of a building or structure unless such additional area of the building or structure existed at the time of the passage or amendment of this Resolution and was clearly designed to house the same use as the non-conforming use occupying the other portion of the building or structure.
3. Re-established after discontinuance for one (1) year.
4. Changed to another or different non-conforming use.

Section 801. Continuance of a Non-Conforming Building or Use.

A non-conforming building or use existing at the time of the enactment or amendment of this Resolution may be retained except as follows:

1. No building other than a single-family detached dwelling may be enlarged, or altered except in conformance with this Resolution but it may be repaired to the extent necessary to maintain it in a safe and sanitary condition.
2. No building other than a single-family detached dwelling shall be rebuilt, altered or repaired after damage exceeding 50 percent of the replacement cost of the above-ground structure at the time of destruction, except in conformity with this Resolution, provided that such damage occurred as a result of fire, flood, wind, earthquake, or other natural disaster.

Section 802. Validity of Previously Issued Permits and Approvals.

No provision of this Zoning Resolution shall be construed to affect the validity of any of the following:

1. Any development permit lawfully authorized prior to the adoption of this Resolution, or any Amendment thereto, upon approval of relevant construction drawings; and such development may proceed to record provided that all time constraints and conditions relating to the approval are observed, and that the lot size and construction of buildings shall be in accordance with the area and dimensional requirements existing on the date of such approval.