

2.4 GENERAL REGULATIONS FOR STRUCTURES AND USES -

2.41 Nonconforming Uses and Structures - The lawful use of a building or premises, existing at the time of the adoption of this zoning regulations may be continued, except as otherwise provided herein, although such use does not conform to the provisions of such regulations.

Non conforming structures remain subject to the following regulations:

2.411 Extension - A nonconforming structure, or structure containing a nonconforming use, shall not be enlarged, replaced or structurally altered except that a nonconforming residential structure on a residentially zoned lot of less than sixty (60) feet in width at the time of the adoption of this regulation may be enlarged provided that the structure conforms with the side yard line of the existing nonconforming structure and adheres to all other yard requirements of the applicable residential district.

2.412 Alteration - No structure containing a nonconforming use shall hereafter be altered in a manner that would tend to prolong the nonconforming use except for ordinary repairs.

2.413 Damage - Any structure containing a nonconforming use which has been damaged to the extent of seventy-five (75%) or more of its then replacement value shall not be repaired or reconstructed except in conformity with this regulation.

2.414 Discontinuance - No nonconforming use may be reestablished after it has been discontinued for eighteen (18) months. Vacating of premises or building or non-operative status shall be evidence of a discontinued use.

2.415 Prior Approval - Proposed structures for which building permits have been issued prior to their designation as nonconforming by the adoption or amendment of this Zoning Regulation may be completed and used as originally intended provided they are completed and in use one (1) year after the date on which the building permit was issued.

2.416 Use Change - No nonconforming use may be changed to any other nonconforming use unless the Board of Zoning Adjustment shall find that the proposed nonconforming use is less detrimental to the district than the existing nonconforming use of the property. The Board of Zoning Adjustment may specify such

appropriate conditions and safeguards as may be required in connection with such change and shall require the owner to meet all other specifications of this regulation. This section does not allow for the expansion of a nonconforming structure containing old or new nonconforming uses.

2.417 Removal of Nonconforming Uses - All nonconforming signs, junk yards, lumber yards and similar uses of open land not involving an investment in permanent buildings of seventy-five (75%) or more of the assessed evaluation of the land or property on which they stand shall be torn down, altered or otherwise made to conform within four (4) years from the date of the adoption of this Zoning Regulation.

2.42 Required Street Frontage - All lots shall front on a public street or road for a minimum distance of sixty (60) feet except that lots which front on the turnarounds of permanent dead-end streets or on curves, shall front on such turnarounds or curves for a minimum distance of forty (40) feet.

2.43 Height - No building shall exceed two (2) stories or thirty (30) feet in height, unless each side yard is increased over the required minimum by five (5) feet for every five (5) feet, or fraction thereof, of additional height over thirty (30) feet. In no case shall the height exceed forty (40) feet. This section shall not apply to the Central Business District and Light Industrial districts where the building height shall not exceed fifty (50) feet. There shall be no height restrictions in Heavy Industrial and Agricultural Districts.

2.44 Rear Dwelling Prohibited - No building in the rear of a main building on the same lot may be erected for residential purposes.

2.45 Reductions in Lot Area Prohibited - No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of this regulation are not maintained.

2.46 Approved Water Supply and Sewerage Disposal for Buildings - It shall be unlawful to construct any building for human occupancy and use without water supply and sewerage disposal facilities approved by the State Plumbing Inspector. Wherever water or sewer mains are accessible, buildings shall be connected to such mains. In every other case, individual water supply and sewerage disposal must meet the requirements set by the State Plumbing Inspector. The Hancock County Health Officer's certificate approving

proposed and completed water and sewerage facilities must accompany applications for building permits and certificates of occupancy.

2.47 Regulation of Principal Buildings - Unless a plat has been approved for a multi-building project, only one principal building and permitted accessory structures may be erected on any lot of record. Temporary structures are permitted during construction only, except as stated in Section 4.15 of this Ordinance.

2.48 Sinkholes - Sinkholes and other similar depressions and the area within twenty-five (25) feet horizontally from the lowest point of said sinkhole or that area subject to periodic flooding, whichever is greater, shall be preserved in its natural state for the purpose of providing drainage of the surrounding area. No building, street or any other improvement shall be made within the given area around a sinkhole. The Planning Commission shall have the power to increase the area around the sinkhole if drainage conditions warrant such action. The sinkhole may be "punched" or otherwise altered to improve drainage.

2.49 Flood Plains - The Administrative Officer may approve but shall advise the applicant of a building permit when the site on which the applicant wants to build is within the 20-year flood plain, as determined by the United States Army Corp of Engineers.