

#### 1280.04 NONCONFORMING BUILDINGS OR STRUCTURES.

A building or structure existing lawfully on the passage date of this Planning and Zoning Code, but which no longer conforms to this Code with respect to yards, height, lot coverage, or other regulations, standards, or requirements concerning such building or structure, may continue, except as otherwise specifically provided in this Code, so long as it remains otherwise lawful, subject to the following provisions:

- (a) Alteration. No such building or structure shall be enlarged or altered in such a way so as to increase its nonconformity. However, a structure or portion thereof may be altered, added to, or enlarged, provided such alteration, addition, or enlargement conforms to all yard regulations.
- (b) Destruction. ~~If Any nonconforming building or structure, other than a single-family dwelling, is destroyed by fire, flood, wind, or other act of God, or is deliberately dismantled or destroyed to an extent that exceeds fifty percent of its replacement value at the time of such destruction, it shall only be reconstructed in conformity with this Zoning Code, except as provided herein:~~
  - (1) Single-family dwellings destroyed by fire, flood, wind, or other act of God may be rebuilt on the same foundation, provided that such rebuilt single-family dwelling cannot be made to conform to this Zoning Code; and
  - (2) **Any structure or building that is nonconforming solely as a result of failure to comply with a riparian or wetland setback pursuant to Chapter 1470 may be reconstructed in the same location and setback.**
- (c) Relocation. Should the building or structure be moved for any reason, for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- (d) Change in Principal Use of Building. The principal use of a nonconforming building may be changed to any other use permitted in the district in which it is located so long as the new use complies with all regulations of this Zoning Code specified for such use.