



APPLICATION TO CONTINUE A LAWFUL NONCONFORMING USE

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL INFORMATION AND ATTACHMENTS ARE TRUE AND CORRECT.

A use or activity which was lawful prior to the adoption, revision, or amendment of this zoning ordinance but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district. **SEE REVERSE SIDE FOR CONDITIONS TO RE-ESTABLISH A NON-CONFORMING USE**

Address of Property _____

Name of Property Owner(s) _____

Name of Applicant _____

Telephone: Applicant _____ Property Owner _____

Last Know Use (in detail including business name): _____

Date Closed: (attach documentation) _____

Proposed Use: _____
(in detail) _____

12-month period
(See #6 on back)

APPLICANT SIGNATURE: _____ DATE: _____

OWNER(S) SIGNATURE: _____ DATE: _____

Section 3.15 of the City Zoning Ordinance
Non-Conforming Uses

1. No Nonconforming Use may be changed into another non-conforming use.
2. No Nonconforming Use shall, if changed into a conforming use, be changed back to a Nonconforming Use.
3. No Nonconforming Use shall be enlarged, increased, extended or expanded.
4. No Nonconforming Use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use.
5. External evidence of a Nonconforming Use shall not be increased by any means whatsoever.
6. No Nonconforming Use shall be re-established if such use has for any reason been discontinued for a period of 6 months during any 12-month period, except when government action impedes access to the premises. Discontinuance shall be deemed substantial or total cessation of activities with respect to the nonconforming use and/or substantial or total vacancy of the structure in which the nonconforming use was conducted. Such discontinuance shall be deemed abandonment, irrespective of whether intent to abandon the nonconforming use may exist. **Intent to resume a nonconforming use shall not confer the right to do so.**
7. If a nonconforming use of land is ceased for any reason, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.
8. A Nonconforming structure may be maintained, repaired, or altered but shall not be enlarged in any way that increases its nonconformity. Nothing in this Zoning Ordinance shall prevent the restoration to a safe condition of any building or part thereof declared to be unsafe by the Building Inspector.
9. Should a Nonconforming structure or portion thereof be destroyed or damaged by ANY means to an extent where the cost of reconstruction exceeds 50% of the fair market value thereof at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Zoning Ordinance.