

Section 3.08 Non-Conformities

D. If a structure is damaged or destroyed by fire or an “act of nature”, it shall be permitted to be reconstructed to original size and within the spatial envelope (Including original footprint, height, and bulk). Such construction shall be completed within the constraints of the zoning permit. Actual construction shall be construed as permanent fixation of construction material in place. A zoning permit is required.

E. Should such structure be destroyed due to voluntary relinquishment of a building, lack of maintenance, voluntarily destroying a building, or by any means other than fire or act of nature, it must be constructed in compliance with the provisions of this Ordinance. Reconstruction of building (s) and / or structure (s) on an existing non-conforming lot may be permitted after approval of the Zoning Administrator with any necessary variances approved by the Zoning Board of Appeals. Where nonconforming use status applies to a structure and premise in combination, removal or demolition of the structure shall eliminate it’s nonconforming status. A zoning permit for such reconstruction is required. Such reconstruction shall be completed within twelve months. Actual construction shall be construed as permanent fixation of construction materials in place.

Add to definitions.

Act of Nature – A single overwhelming, unpreventable event caused exclusively by a force of nature, such as earthquake, flood, or tornado.

Destroyed – The damage meets or exceeds 50% of the original footprint.

Damaged – The damage does not meet or exceed 50% of the original footprint.