

Section 719.166 – Intent

- A. It is the intent of this Section to permit legal nonconforming lots, structures, or uses to continue until they are removed and to provide for their gradual elimination. It is recognized that there exist within the districts established by the Ordinance and subsequent amendments, lots, structures, and uses of land and structures that were lawful before this Ordinance was passed or amended, which would be prohibited, regulated, or restricted under this Chapter or future amendments.
- B. Such uses are declared by this Chapter to be incompatible with permitted uses in the district involved. Further, this Chapter intends that non-conforming uses shall not be enlarged, expanded, or extended. Moreover, a nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of structure and land shall not be extended or enlarged after the passage of this Chapter by attachment on a building or premises of additional signs intended to be seen from off the premises, or by addition of other uses of a nature which would not be permitted in the district involved.
- C. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun before the effective date of adoption or amendment of this Chapter and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in a permanent position and fastened permanently, except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, if work shall be diligently carried on until completion of the building involved.