

Sagamore Hills Township

EXISTING NON CONFORMING BLDG., CONSTRUCTION & USES

Sec. 9.0 Non- conforming Use Regulation

The purpose of these regulations is to provide for the continuance of uses that do not conform to the existing zoning, but which were in operation prior to the enactment of this resolution or amendments thereto.

9.1 Existing Buildings and Uses Non-Conforming under this Resolution

The lawful use of any dwelling, building or structure, and of any land, building, or premises existing and lawful at the time of the effective date of this Zoning Resolution or amendment thereto, may be continued, although such use does not conform with the provisions of this Resolution, or amendment thereto.

9.2 Building under Construction

No change shall be required by this Resolution in the plans, construction, or designated uses of a building or structure which does not conform with the regulations of this Resolution for the district in which the premises are located, provided the construction on said building or structure was begun before the effective date of this Resolution, completed within six (6) months thereof. For the purpose of this Resolution such construction shall be deemed an existing non-conforming use.

9.3 Changes in the Non-Conforming Use

No change of a non-conforming use shall be made to a lesser conforming use. No change of a non-conforming use shall be made to another use of the same degree of non-conformity.

9.4 Abandonment of Non-Conforming Uses

A non-conforming use which has been abandoned for two (2) years or more shall not be replaced by a non-conforming use.

9.5 **Repair, Maintenance, and Restoration**

Such existing non-conforming building, construction, or use non-conforming under this Resolution shall be allowed reasonable repair, maintenance, and restoration to the extent of the pre-existing use.

9.5-1 Extension, addition to, or enlargement of a non-conforming use shall not be permitted in a Commercial or Industrial District.

9.6 **Certificates of Non-Conforming Use**

The Board of Zoning Appeals shall issue a “Certificate of Non-Conforming Use” within thirty (30) days of the effective date of this Resolution or amendments thereto, to all known owners of Commercial and Industrial District property, the use of which does not conform to the provisions of the District in which the property is located. No fee be charged for the certificate.

9.6-1 A copy of each Certificate of Non-Conforming Use shall be filed in the Office of the Board of Zoning Appeals. A copy shall be provided for the Zoning Inspector.