
Sec. 94-515. - Nonconforming structures.

A nonconforming structure may continue to exist if it lawfully existed prior to the time when the regulations were amended to make the structure non-conforming, subject to the following limitations and restrictions:

1. *Alteration, extension, enlargement, or expansion of nonconforming structure.* No alteration, extension, enlargement, or expansion of a nonconforming structure which increases its noncompliance with the zoning and land development regulations shall be permitted. A nonconforming structure may be enlarged or expanded only in compliance with the regulations of this chapter. Any nonconforming structure may be altered to decrease its nonconformity, or increase its compliance, with the current regulations. Additional site features may be permitted provided such expansion conforms to the regulations. Nothing in this subsection shall prohibit the building official or the fire marshal from ordering the compliance with all applicable building construction and life safety related codes.
2. *Repairs and maintenance of nonconforming structures.* Routine repairs and maintenance of nonconforming structures or fixtures, wiring or plumbing and the repair or replacement of roofs shall be permitted regardless of cost. Major repairs, renovation or restoration in an amount not to exceed 50 percent of the current assessed value of the nonconforming structure, as determined by the records of the Palm Beach County Property Appraiser, may be carried out in any 12 month period, provided that such work does not increase the nonconformity. This provision shall not apply to nonconforming yet contributing or individually designated historic structures within a historic district.
3. *Rehabilitation, restoration, repair and maintenance of nonconforming contributing structures within a historic district or an individually designated historic structure.* Nonconforming contributing structures within a Historic District, or individually designated historic structures, may be rehabilitated, restored, repaired, or maintained regardless of cost. Structures individually designated on the National Register shall be reconstructed utilizing the Secretary of Interior's Standards.
4. *Relocation of nonconforming structures.* Should any nonconforming structure be relocated or moved for any reason from its original location, the structure shall conform to the regulations of the zoning district where it is being relocated, unless it is an historic structure which qualifies under subsection 94-219(g).
5. *Destruction.* If a nonconforming structure is destroyed by a windstorm, flood, or natural disaster, such structure may be reconstructed or restored to its existing condition at the time of destruction, regardless of costs, if an application for a building permit is submitted within 12 months of the destruction. If a nonconforming structure is otherwise destroyed and the cost to reconstruct exceeds 50 percent of the assessed value of the structure at the time of destruction, as determined by the records of the Palm Beach County Property Appraiser, such structure shall only be rebuilt in conformance with the zoning and land development regulations of this chapter. In no event shall such destroyed nonconforming structure be reconstructed in a manner that increases any nonconformity.

(Ord. No. 4714-17, § 3, 9-14-2017)