

Can I Alter, Expand or Enlarge a Legal Non-Conforming Use or Structure

Generally, owners of legal non-conforming structures have the right to make repairs and alterations to the interior of a non-conforming building as long as it doesn't increase the intensity of the use (add another dwelling unit) subject to the issuance of normal building permits. Work involving modifications to any part of the exterior of the structure is almost always not allowed by right, although the Ordinance provides a process by which owners may ask for relief from the restrictions. This process involves the submittal of an application, payment of an application and other processing fees, and either consideration by the Zoning Administrator alone, or public hearings before the Zoning Board of Appeals and lastly, approval by the Village Council. Several of the Ordinance provisions that provide relief to the requirements have been adopted in recent years to facilitate limited alterations that were routinely being approved by the Council. It is this section of the code that the Village is evaluating to determine if further changes are warranted.