

CHAPTER XXXI
ZONING ORDINANCE
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

ARTICLE 8.00 NONCONFORMING USES & STRUCTURES

8.01 EXISTING NONCONFORMING USES

The lawful nonconforming use of a structure, land or water, existing at the time of the adoption or amendment of this ordinance may be continued, although the use does not conform with the provisions of this ordinance, however;

- A. Only that portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order or so as to comply with the provisions of this ordinance.
- B. Total lifetime structural repairs or alterations shall not exceed fifty (50) percent of the Village's equalized value of the structure unless it is permanently changed to conform to the use provisions of this ordinance.
- C. Substitution of new equipment may be permitted by the Zoning Board of Appeals if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

8.02 ABOLISHMENT OR REPLACEMENT

If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land, or water shall conform to the provisions of this ordinance. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity; to the extent of more than fifty (50) percent of its equalized value, it shall not be restored except so as to comply with the use provisions of this ordinance.

8.03 EXISTING NONCONFORMING STRUCTURES

A lawful nonconforming structure existing at the time of the adoption or amendment of this ordinance may be continued although it does not conform with the lot width, lot area, height, parking and loading, or access provisions of this ordinance; however, it shall not be extended, enlarged, reconstructed, moved, or structurally altered except when required to do so by law, to comply with the provisions of this ordinance, or to decrease its nonconformity.

8.04 FLOODLAND NONCONFORMING USES

Floodland nonconforming uses repaired or altered under the nonconforming use provisions of this code shall provide for floodproofing to those portions of the structures involved in

such repair or alteration. Certification of floodproofing shall be made to the Zoning Administrator and shall consist of a plan or document certified by registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the 100-year recurrence interval flood.

8.05 CHANGES & SUBSTITUTIONS

Once a nonconforming use or structure had been changes to conform, it shall not revert back to a nonconforming use or structure. Once the Zoning Board of Appeals has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Zoning Board of Appeals.

8.06 NONCONFORMING CHARACTERISTICS OF STRUCTURES

Structures which encroach upon setback and other yard requirements, but which met setback and yard requirements at the time of construction may be continued, and also may be enlarged or structurally altered provided that they do not create a greater degree of encroachment and meet other applicable requirements as set forth in this ordinance.