

## CHAPTER 8

### NONCONFORMING BUILDINGS, USES, AND LOTS

#### SECTION **NONCONFORMING BUILDINGS AND STRUCTURES** **801**

A nonconforming building or structure existing at the time of adoption of these regulations may be continued and maintained except as otherwise provided in this section.

**801.1 Alteration or Enlargement of Buildings and Structures.** A nonconforming building or structure shall not be added to or enlarged in any manner unless said building or structure, including additions and enlargements, is made to conform to all of the regulations of the district in which it is located.

**801.2 Outdoor Advertising and Structures.** When any commercial advertising structure or billboard, being an outdoor sign whereby the advertising content is for lease or rent, that is legally in existence either as a conforming sign or a nonconforming sign, that is required to be removed for public purposes, just compensation shall be paid for the removal thereof according to the terms and conditions as found in the laws of the State of Mississippi controlling outdoor advertising.

**801.3 Building Vacancy.** A nonconforming building, structure or portion thereof, which is or hereafter becomes vacant and remains unoccupied for a continuous period of one (1) year shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located. Manufactured homes which become vacant for a period of one (1) year, or longer, shall be deemed abandoned and shall be removed by the property owner, upon receipt of notice.

**801.4 Condemnation of a Nonconforming Use.** Any nonconforming building or structure which is condemned in accordance with the *Property Maintenance Code* shall be removed from the property, instead of repaired, if so ordered. In such an event, any new structure or use of the property shall be a use which conforms to the use regulations of the district in which it is located.

**801.5 Change in Use.** A nonconforming use of a conforming building or structure (i.e., commercial use in a dwelling, etc.) shall not be expanded or extended into any other portion of such conforming building or structure nor changed except to a conforming use.

#### SECTION **NONCONFORMING USES OF LAND** **802**

A nonconforming use of land existing at the time of adoption of these regulations, which becomes discontinued for a period of three (3) months may not be extended or renewed.

**SECTION**  
**803**

**NONCONFORMING LOTS OF RECORD**

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of these regulations, notwithstanding limitations imposed by other provisions of these regulations. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.