

806 **Restoration**

- A. Any building or structure which contains a nonconforming use which is designated by the letter "N" in Article 4, Section 405, Table of Use Regulations, and which is damaged by fire or other natural causes to the extent of more than thirty percent (75%) of its market value at the time the damage occurred, shall forfeit its nonconforming status, and shall not be permitted to resume the nonconforming use thereafter, and shall be treated as any other building, or structure, subject to the terms of this ordinance.

- B. Any building or structure which contains a nonconforming use which is designated by the letters "SE" in Section 405, Article 4, Table of Use Regulations, and which is damaged by fire or other natural causes to the extent of more than sixty percent (75%) of its market value at the time the damage occurred shall forfeit its nonconforming status. Thereafter, the use shall be continued only if the Board of Appeals grants a Special Exception, under Article 10 hereof, and the building and structure is repaired or restored in such a way that its nonconformity, if the building itself was nonconforming, is not altered, changed or increased beyond the extent which existed at the time of the damage. The reconstructed structure shall not exceed the height, area or volume of the damaged structure unless such expansion shall be approved by the Board of Appeals as a Special Exception under Article 10 hereof.

- C. Structures, except mobile homes, damaged to the extent of less than seventy-five percent of their market value at the time the damage occurred may be reconstructed, repaired or used for the same nonconforming use without action of the Board of Appeals, but in no event shall the reconstruction, repair or restoration result in any alteration, reconstruction or enlargement of the nonconforming use, or the nonconformity of the building or structure.

- D. A structure which does not contain a nonconforming use, which is damaged by fire or other natural causes may be restored, reconstructed, or repaired, irrespective of the amount of damage. All such reconstruction or repairs shall be subject to the following provisions, if the structure is nonconforming:
 - 1. Reconstructed structures shall not exceed the height, area or volume of the damaged structure.
 - 2. Reconstruction shall begin within one year from the date of damage and shall be carried out without interruption.
 - 3. All such reconstruction shall comply with all other provisions of this Ordinance.