

# ORDINANCE NUMBER 82C

## CITY OF TOWER, MINNESOTA

An ordinance deleting Article XIV Non Conforming Uses of Ordinance #82 and superseding it with revised Article XIV Non Conforming Uses and Structures.

The City of Tower ordains:

Section 14.01 INCOMPATIBILITIES OF NON-CONFORMITIES. Non conformities are declared by this ordinance at the time of this ordinance or amendments to be incompatible with permitted uses in the district in which the non-conformity occurs. A non-conforming use of a structure, a non-conforming use of land or a non-conforming use of a structure and land in combination shall not be extended or enlarged by the addition of others uses of nature which would be generally prohibited in the district in which such use is located.

### Section 14.02 NON-CONFORMING LOTS OF RECORD

A. Dwellings on a small lot. In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected or rebuilt on any small lot of record at the effective date of this ordinance or amendment despite the fact that the lot fails to meet the requirements for width or area in the district but yard dimensions and other requirements for the lot shall conform to the regulations in the district. However, if a dwelling or structure existing at the time of adoption or amendment to this ordinance is destroyed beyond repair by fire or natural disaster, that structure may be rebuilt within one year on the original site of that dwelling or structure even though the yard dimensions and/or other regulations do not meet the regulations of the district.

B. Lots in same ownership. If two or more lots or combinations of lots and portions of lots with contiguous street frontage in single ownership that are of record on the effective date of this amendment and if all or part of the lots do not meet the width and area requirements of this ordinance for lots in the district, the land involved shall be considered to be an undivided parcel for the purpose of this ordinance and no portion of such parcel shall be used or occupied which does not meet lot width and area requirements of the district, nor shall the parcel be so divided that any remaining lot does not comply with such requirements.

### Section 14.03 NON-CONFORMING USE OF LAND

A. The nonconforming lawful use of land existing at the time of this ordinance or amendment may be continued providing:

1. The non-conforming use of land shall not be expanded or extended either on the same or adjoining property.
2. That a non-conforming use of land existing at the time of this ordinance, amendment is there after discontinued for a period of more than one year, the future use of such land shall be in conformity with the regulations of the district where located.

Section 14.04 NON-CONFORMING CHANGE. A non-conforming land use cannot be changed to another non-conforming use without prior approval of the Planning & Zoning Commission. The Commission, by general rule, or by making findings in a specific case, may find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use.

Introduced by Councilor Mollers and given the first reading on September 8, 1997. Second reading given by Councilor Mollers on October 13, 1997.

Motion by Mollers seconded by Hiltunen to approve and adopt Ordinance #82C. All yes. Motion carried.

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Herbert Lamppa, Mayor

ATTEST: \_\_\_\_\_  
Timothy Kotzian, City Clerk