

**§ 235-14. Location of accessory buildings and structures.****A. Accessory buildings are permitted as follows:**

- (1) A one-story accessory building having a total floor area of 250 square feet or less and a building height of not more than nine feet shall not be located closer than five feet to the rear and side lot lines and shall not be located within the required front yard. [Amended 2-20-2008 by L.L. No. 2-2008]
- (2) The location of accessory buildings having a total floor area greater than 250 square feet or a building height of greater than nine feet shall be in compliance with the required front, side and rear yard areas of the respective districts. [Amended 2-20-2008 by L.L. No. 2-2008]

**B. Accessory structures (other than buildings) are permitted as follows:**

- (1) Accessory structures (other than buildings) equal to or less than 15 feet in height, including satellite dishes with a diameter of three to 13 feet, shall not be located closer than 15 feet to the side and/or rear lot line and shall not be located within the minimum required front yard. Satellite dishes less than three feet in diameter may be located anywhere on a lot provided the minimum front and side yard setbacks are maintained along with a minimum five-foot setback from the rear property line.
- (2) Accessory structures (other than buildings) greater than 15 feet in height, including production model wind energy conversion systems (windmills), antennas and satellite dishes greater than 13 feet in diameter, shall be located in compliance with the required yard area of the respective districts and shall be located in the rear yard.

**§ 235-15. Nonconforming uses, buildings, structures and lots.****A. Lawful existing uses, buildings, structures and lots. Except as otherwise provided in this section, the lawful use of land, a building or a structure existing at the effective date of this chapter may be continued although such use, building or structure does not conform to the regulations specified in this chapter for the zoné in which such land, building or structure is located; provided, however, that:**

- (1) No lot shall be reduced to a nonconforming size.
- (2) A nonconforming lot shall not be further reduced in size.
- (3) A nonconforming building or structure shall not be enlarged, extended or increased unless such enlargement would tend to reduce the degree of nonconformance.
- (4) An existing mobile home which is occupied as a one-family dwelling on any lot in an AG, AG-R, R, C or PUD District may be replaced with another mobile home provided that the following criteria, as well as the criteria in § 235-54A, are met. The new mobile home may be larger than the existing nonconforming mobile home. Otherwise, however, the new mobile home shall not increase the degree of nonconformity that exists with the existing nonconforming mobile home.

- (5) A nonconforming use may not be expanded.
  - (6) No existing conforming use shall be changed to a nonconforming use.
  - (7) Such uses must comply with all applicable state, federal and other local laws or regulations.
- B. Abandonment. A nonconforming use shall be deemed abandoned when there occurs a cessation of any such use or activity and a failure on the part of the tenant or owner to reinstate such use within a period of one year from the date of cessation or discontinuance.
  - C. Restoration and repair. Nothing in this chapter shall prevent the restoration and repair or continuation of use of a nonconforming building or structure destroyed or partly destroyed by a disaster, provided that restoration is commenced within eight months after the date of destruction and is completed within 16 months after the date of destruction.
  - D. Reversion. No nonconforming use shall, if once changed into a conforming use, be changed back again to a nonconforming use.
  - E. Alterations. A nonconforming building or structure may not be improved during its life to an extent exceeding, in aggregate cost, 50% of the assessed value of the building unless said building is changed to conform to the requirements of this chapter.
  - F. District changes. If a nonconforming use is established by a transfer of an area from one district to another after the effective date of this chapter, then the foregoing provisions shall apply to any nonconforming use created by such change.

**§ 235-16. Uses not permitted.**

Uses which are not specifically allowed by this chapter are prohibited.

**§ 235-17. Minimum enclosed living area.**

- A. One-family dwellings shall have a minimum enclosed living area (not including a garage but also not limited to only habitable floor area) of at least 720 square feet.
- B. Two-family dwellings shall have a minimum enclosed living area of at least 720 square feet for the first unit and the second unit as follows:

<b>Number of Bedrooms Per Unit</b>	<b>Minimum Square Footage</b>
Efficiency	300
1	550
2	650
3	800
4	1,000
5+	As determined by Planning Board