

Sec. 8-3 Limitations on the Use of a Building or a Land by Nonconforming Uses.

- a. The following limitations shall be placed on the use of a tract of land by a nonconforming use:
 1. A tract of land, which has housed a nonconforming use, shall not be reopened to a nonconforming use after it has remained vacant for a period of six months.

- b. The following limitations shall be placed on the use of a building by a nonconforming use:
 0. A building which housed a nonconforming use shall not be reoccupied by a nonconforming use after it has remained vacant for a period of one year.
 2. A building which housed or houses a nonconforming use shall not be reoccupied by a nonconforming use after it has been damaged to the extent of 75 percent or more of the total value unless authorized to so by the Board of Appeals.
 3. When a building housing a nonconforming use is moved, it shall thereafter be used by a conforming use, except when such move shall only be from one location to another location on the same lot.
 4. When a building was designed and constructed to house a nonconforming use, and said building has not been significantly altered to such a degree as to change the intended use of said structure, said building may be reoccupied by the original use provided that it has not been vacant for a period of more than twelve (12) consecutive months, subject to a site plan being submitted to and approved by the Metropolitan Planning Commission. However, the Zoning Board of Appeals may authorized the reuse of the building after it has been vacant for greater than 12 months if the building has not been subsequently redesigned to house other uses and the use is found not to be detrimental to the adjacent uses or adverse to the livability of the area's residential land uses. The Site Plan shall address issues such as buffers, landscaping, curb cuts, internal traffic circulation pattern, hours of operation, lighting, signage, fencing and other features as deemed appropriate by the Planning Commission to minimize the impact of the requested use on surrounding uses.

- c. A nonconforming tower site may be allowed to house additional incidental or accessory equipment/maintenance buildings, cabinets, or structures necessary to support the collocation of an antenna, subject to the conditions of Section 4-6.5. (See Standards for Commercial Wireless Telecommunications Antennas and Towers).

- d. A nonconforming logging business established within a R-A zoning district prior to August 10, 1962, may be continued with the following limitations:
 - 1. It shall not be permitted to change to another nonconforming use or to expand or rent trailer space for private or commercial trailers other than the owner's vehicles. A maximum of six logging vehicles may be parked at the site at any given time.
 - 2. Provided further, the Chatham County Commissioners, at an announced public hearing, may also allow the sale of firewood as a secondary use upon a finding that such services were conducted from the site prior to August 10, 1962.
 - 3. The firewood and logging vehicles shall be screened from the view of adjacent properties as required by the MPC staff and shall not be stored within the front yard area.

- e. A nonconforming charter fishing service established within a R-1 zoning district prior to August 10, 1962, operating charter vessels from the site, may be continued with the following limitations:
 - 1. It shall not be permitted to change to another nonconforming use or to expand or rent dock space for private or commercial boats other than the owner's vessels. A maximum of four commercial/charter vessels may be moored at the site at any given time, excluding vessels docked only for fueling and bait sales.
 - 2. Gasoline or diesel fuels may be dispensed only to commercial (crabbing, charter, and shrimping) vessels from permitted fuel tank(s) which conform to local, State and Federal storage and dispensing regulations.