

Recommended modification:

Sec 14.7.2 - Non-Conformities

In addition to that as specified in Article 5, Part 3 Non-Conformities of the *Burlington Comprehensive Development Ordinance*, any non-conformity which lawfully existed at the time of adoption of the applicable provisions of this Article may be continued subject to the following provisions:

- a) Any Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto which legally existed on the effective date of this Article that does not conform to the requirements of this Article may continue until a Substantial Modification is requested or Abandonment occurs. At such time, the affected Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto shall be required to comply with all applicable provisions of this Article.
- b) The minor modification of an existing Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto shall be permitted By Right only if such changes result in greater conformance with the specifications of this Article.
- c) Any change or modification shall not create any new nonconformity.
- d) Buildings listed or eligible for listing on the State or National Register of Historic Places shall be considered conforming, and shall not be required to make any modifications under a) and b) above that would threaten their historic integrity.
- e) Previously permitted on-site parking requirements applicable to any Lot or Building prior to the effective date of this Article that exceed those prescribed by this Article are automatically reduced to comply with the standards for the Form District and those found in Table 14.6.8-A Parking Spaces Required without any additional action on the part of the Property Owner.

Substantial Modification: Any demolition, deconstruction, relocation, rehabilitation or redevelopment of an existing Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto that affects or exceeds fifty percent (50%) of the area, square footage or pre-development market value of the Structure, Building or Lot as determined by the Zoning Administrative Officer.