

1205.09 DISTRICT 6: WESTERN HUDSON GATEWAY

(e) Property development/Design Standards

(3) Setbacks.

A. Minimum front yard setbacks: fifty feet for principal and accessory buildings; and twenty-five feet for parking areas/lots.

B. Minimum side and rear yard setbacks: twenty-five feet.

C. Setbacks from adjacent residential uses other than the Hike Bike (HB) Senior Housing Overlay Zone: Notwithstanding the provisions above:

1. All buildings and structures, shall be located at least 100 feet from the lot line of any adjacent residentially zoned **or used** property.

2. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least fifty feet from the lot line of any adjacent residentially zoned **or used** property.

~~3. All buildings and structures shall be located at least fifty feet from the lot line of any adjacent residentially used property.~~

~~4. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least twenty five feet from the lot line of any adjacent residentially used property.~~

1205.11 DISTRICT 8: INDUSTRIAL/BUSINESS PARK

(e) Property development/Design Standards

(3) Setbacks.

A. Minimum front yard setbacks: fifty feet for principal and accessory buildings; and twenty-five feet for parking areas/lots.

B. Minimum side and rear yard setbacks: twenty-five feet.

C. Setbacks from adjacent residential uses other than the Hike Bike (HB) Senior Housing Overlay Zone: Notwithstanding the provisions above:

1. All buildings and structures, shall be located at least 100 feet from the lot line of any adjacent residentially zoned **or used** property.

2. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least fifty feet from the lot line of any adjacent residentially zoned **or used** property.

~~3. All buildings and structures shall be located at least fifty feet from the lot line of any adjacent residentially used property.~~

~~4. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least twenty five feet from the lot line of any adjacent residentially used property.~~

3.5. The minimum setbacks of division (e)(3)A., B., and C. of this section shall apply within District 8 proper and its permitted uses including office and industrial uses adjacent to all property within the Hike Bike Senior Housing Overlay Zone.

#### 1206.05 NONCONFORMING USES/STRUCTURES/LOTS

(e) Nonconforming Uses. Nonconforming uses shall be subject to the following standards:

(4) Damage or destruction.

A. Except as otherwise expressly permitted in division (e)(4)B. of this section, if any structure that is devoted in whole or in part to a nonconforming use is damaged or destroyed, by any means, to the extent of more than fifty percent of its fair market value prior to the destruction, such use shall not be restored except in conformance with this Code. The determination of such reduced value shall be made by the Board of Zoning and Building Appeal, which may, if necessary, consult with a City-appointed appraiser.

B. A structure devoted solely to a nonconforming single-family dwelling or two-family residential use that is damaged or destroyed any means ~~by fire, earthquake or other act of God,~~ may be reconstructed so as not to exceed 110 150 percent of the gross floor area of the previous structure as used before such event of damage or destruction. All reconstruction of the structure must be completed within two years following the event of damage or destruction, shall not increase the degree of nonconformance or noncompliance existing prior to such damage or destruction, and shall otherwise be in conformance with this Code.