



CHARLOTTE

Zoning Interpretation

Nonconforming Structure Renovation

A nonconforming structure may undergo a change of use or renovation without having to bring the structure into conformity with the requirements of these regulations provided that: (a) the change in use or renovation does not increase the floor area of the structure.

An enclosure of an area even with an established roof overhung would be considered an increase because floor area measurements are taken from the exterior walls. Once an exterior wall is extended, the floor area has increased, which would be in direct violation of Code Section 7.103(4) which allow renovations so long as it does not increase the floor area of the structure. The ordinance does not allow uses in transitional setbacks that are prohibited in the required setback. A structure is not allowed in the required setback.

ISSUE

Can an open area of a nonconforming structure be enclosed with a wall?

POLICY

Enclosing an area adjacent or attached to a nonconforming structure with wall(s) increases the floor area and therefore is not allowed.

Date Agreed: January 22, 2009

Approved By: Katrina J. Young
Zoning Administrator

Code Sections: 7.103(4)
2.201
12.103(2)

SUPERSEDES :