

TOWN OF LARKSPUR  
ORDINANCE NO. 3.13

AN ORDINANCE AMENDING TOWN OF LARKSPUR ZONING ORDINANCE NO.  
3.01 TO REGULATE NONCONFORMING USES.

BE IT ORDAINED by the Board of Trustees of the Town of Larkspur,  
Colorado, as follows:

Article 1, General Provisions, Section 1.6, Application, is  
hereby amended to add Subsection (e), which shall be as follows:

(e) Non-conforming uses - Except as provided in this subsection, the  
lawful use of any buildings or land existing at the time of this  
ordinance, or of any amendments to this ordinance, may be  
continued even though such use does not conform to the requirements  
of this ordinance, subject to the following limitations.

UNSAFE BUILDINGS - Any non-conforming building or portion thereof  
declared unsafe by the Town Building Inspector shall be strengthened  
or restored to a safe condition.

REPAIRS AND MAINTAINENCE - Ordinary repairs and maintainence of a  
non-conforming building shall not be deemed as extension of such  
non-conforming building and shall be permitted.

RESTORATION - A non-conforming building which has been damaged by  
fire or other causes may be restored to its original condition  
provided such work is commenced within 180 days of such calamity,  
and provided such building is no more than 50% destroyed.

ABANDONMENT - Whenever a non-conforming use has been discontinued  
for a period of 180 days, such use shall not therefore be re-  
established, and any future use shall be in conformance with the  
provisions of this ordinance.

EXTENSIONS - A non-conforming use shall not be extended, but  
the extension of a conforming use to any portion of a non-conforming  
building shall not be deemed the extension of such non-conforming  
use.

DISPLACEMENT - No non-conforming use shall be altered, extended  
or restored so as to displace any conforming use.

COMPLETION - Any building or structure for which a building permit  
has been issued prior to the date of enactment of this ordinance

may be completed and used in accordance with the plans, specifications, and permits on which said building permit was granted, if construction is commenced within 60 days after the issuance of said permit and diligently prosecuted to completion.

NON-CONFORMING USE RESIDENTIAL DWELLING - Notwithstanding anything stated above in this Subsection (e) to the contrary, the lawful use of any building as a residential dwelling, if existing as such on the effective date of this Ordinance, may be continued even though such use does not conform to the requirements of this Ordinance. Any such building that has been damaged by fire or other causes, regardless of the degree of such damage, may be restored to its original condition provided that such work is commenced within one year of such calamity. If the owners are unable to commence restoration work in that time, then during the last 60 days of that one year period they may request of the Board of Trustees an additional one year period within which to commence restoration. It shall be within the discretion of the Board of Trustees to grant or deny such renewal requests. Additional renewal requests, if necessary, may be applied for within the 60 days preceeding the termination of any such one year period and shall be left solely to the discretion of the Board of Trustees.


Notwithstanding anything stated above to the contrary in this Subsection (e), a non-conforming residential dwelling use that has been discontinued for a period of one year shall not hereafter be re-established unless during the last 60 days of such one year period, the owners thereof have requested and been granted an additional one year period in which to re-establish such non-conforming residential uses. It shall be within the discretion of the Board of Trustees to grant or deny such request. Requests for additional one year periods within which to re-establish a non-conforming residential use, may be made during the last 60 days of the period then in effect, and shall be left solely to the discretion of the Board of Trustees.

Also notwithstanding anything stated above in this Subsection (e) to the contrary, a non-conforming use residential dwelling may be extended but only upon the prior written approval of the Board of Trustees.

Introduced as an Ordinance at a regular meeting of the Board of Trustees of the Town of Larkspur, Colorado, on the 23rd day of September, 1981, and passed by a vote of 5 for and 0 against, and ordered published.

  
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Mayor

ATTEST:

  
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Town Clerk