

**ORDINANCE NO. 2010-17**

**AN ORDINANCE AMENDING SECTION 50-288 OF THE HOWARD MUNICIPAL CODE ESTABLISHING REGULATIONS FOR NONCONFORMING BUILDINGS AND STRUCTURES RESULTING FROM PUBLIC ROAD IMPROVEMENTS OR RIGHT-OF-WAY ACQUISITION**

**WHEREAS** the Village Clerk published a notice of public hearing regarding such proposed amendment to the Zoning Ordinance and a public hearing was held at the Village Hall on May 18, 2009 at 6:40 P.M., whereupon the Plan Commission heard all interested persons and/or their agents and attorneys; and

**WHEREAS** the Village Board of the Village of Howard has received a written recommendation and findings of the Village Plan Commission regarding such proposed amendment to the Zoning Ordinance;

**NOW THEREFORE** the Village Board of the Village of Howard, Brown County, Wisconsin, does hereby ordain that the Zoning Ordinance be amended as follows:

**SECTION 1.** Section 50-288 is hereby amended to read as follows:

**Sec. 50-288 EXISTING NONCONFORMING USES** The existing lawful use of a building or premises at the time of enactment of this ordinance, or any amendments thereto, may be continued, although such use does not conform to the regulations of this ordinance for the zoning district in which it is located. Such nonconforming use, however, shall not be expanded or extended nor shall such building be structurally altered or enlarged. For the purposes of this section, whenever an existing building or structure, presently complying with the minimum setback regulations set forth in this Ordinance, becomes nonconforming as to minimum setback from a public street or road right-of-way due to road widening, road relocation, right-of-way acquisition or other public improvement, such building or structure shall be classified as an "existing permitted nonconforming use."

**SECTION 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 3.** This ordinance shall take effect upon its adoption and publication.

Approve this 28th day of June, 2010.

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BURT R. McINTYRE, Village President

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JOSHUA A. SMITH, Administrator/Clerk