

ARTICLE VI NON-CONFORMING USES, STRUCTURES AND LOTS
SECTION 6.3 NON-CONFORMING STRUCTURES

6.3.6 Restoration: Notwithstanding Subsection 6.3.2, 6.3.3 and 6.3.5, a non-conforming building or structure or non-conforming portion of a building or structure which has been destroyed or damaged by fire, explosion, act of God, or by any other casualty to an extent of more than fifty percent (50%) of the physical structure, excluding the foundation, as determined by the Chief Building Official or the Chief Building Inspector of the City of Milford, may be restored or reconstructed to the same non-conforming building or structure as existed before such damage or destruction provided that:

- (a) such restoration or reconstruction shall be limited to the damaged or destroyed portion of the building or structure; and
- (b) such restoration or reconstruction shall begin within one (1) year and shall be completed within two (2) years of such damage or destruction; except where such damage or destruction is a result of a natural disaster, as declared by the Governor of the State of Connecticut, pursuant to Title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C §§ 5191 through 5193, as amended, and implementing regulations of 44 CFR Part 203, Subparts B and C, in which case restoration or construction shall begin within five (5) years and shall be completed within six (6) years of such damage or destruction;
- (c) such restoration or reconstruction shall adhere to all procedures necessary to obtain a proper Zoning permit. The owner of such damaged or destroyed building or structure may replace and reorganize the same amount of gross interior floor space in a manner to more nearly conform to these Regulations; and
- (d) such restoration of any use within a flood hazard area shall comply with the requirements of §5.8, Flood Hazard and Flood Damage Prevention Regulations.

Nothing in these Regulations shall be deemed to prohibit the restoration of any structure and its use where such structure has been damaged or destroyed by any means out of the control of the owner to an extent of fifty percent (50%) or less of the physical structure, provided that the restoration of such structure and its use shall in no way increase any non-conformity, and further provided that the restoration of such structure shall begin within one (1) year and shall be completed within two (2) years of such damage or destruction.