

Section 29

Non-Conformities Mobile Homes/Trailers

29.1 Non-Conforming Lot: Nothing in these Regulations shall prevent the construction, enlargement, extension or structural alteration of a building or other structure or the use of a lot, as defined, which does not conform to the area and shape requirements of these Regulations, subject to all of the following provisions:

- 29.1.1 The lot shall have access as required by Subsection 26.4.4.
- 29.1.2 The use, building or other structure on such lot shall conform to all other applicable requirements of these Regulations.
- 29.1.3 If used for a dwelling, the lot shall have a minimum area of five thousand square feet (5,000 sq. ft.).
- 29.1.4 Any lot which does not conform to the above provisions shall not be used or shall be used only for a nursery, truck garden, farm or permitted off-street parking and no building or other structure shall be established in connection therewith.
- 29.1.5 Non-conforming lots that abut each other and are under the same ownership shall be deemed one lot. (Amended 1/1/2016)

29.2 Non-Conforming Buildings or Structures:

- 29.2.1 No non-conforming building or structure shall be expanded or enlarged unless such expansion or enlargement is in conformity with all applicable requirements of these Regulations. No building or structure non-conforming relative to structural setbacks shall be expanded or enlarged along the plane of the existing non-conforming setback except as necessary to elevate a structure above flood elevations.
- 29.2.2 No non-conforming building or structure, if once changed to conform or more nearly conform with these Regulations, shall thereafter be changed so as to be non-conforming again.
- 29.2.3 Any non-conforming building or structure or one or more of a group of non-conforming buildings or structures which has been or may be damaged by fire, flood, explosion, earthquake, war, riot, terrorism, act of God or any governmental authority, may be reconstructed and used as before if it is completed within twenty-four (24) months after the damage is sustained.
- 29.2.4 Except in the event of fire or other casualty as provided in Subsection 29.2.3, nothing in this Section shall be deemed to prohibit work on any non-conforming building or structure when necessary to protect the public health or safety and/or when ordered by the Building Official, Fire Marshal or the Director of Health, provided that such work does not increase the non-conformity. Nothing in this Section shall be

deemed to prohibit work on ordinary repair and maintenance of a non-conforming building or structure or replacement of existing materials with similar materials.

29.2.5 No change of title, possession or right of possession shall be deemed to affect the right to continue a non-conforming building or other structure.

(Amended 1/1/2016)

29.3 **Non-Conforming Uses:** Any use of land, buildings and other structures lawfully existing on the effective date of these Regulations, or any amendment hereto, and which does not conform to one or more of the provisions of these Regulations, may be continued in accordance with the following provisions:

29.3.1 No non-conforming use shall be enlarged and no non-conforming use of land, buildings or other structures shall be extended to include any land, building or other structure, or portion thereof, which is not subject to such non-conformity. Any non-conforming use of a building or other structure, or portion thereof, however, may be extended to include any portion of the building or structure manifestly designed for such use.

29.3.2 No non-conforming use, if once changed to conform or more nearly conform with these Regulations, shall thereafter be changed so as to be non-conforming again.

29.3.3 No change of title, possession or right of possession shall be deemed to affect the right to continue a non-conforming use.

29.4 **Subdivision:** No lot or land shall be subdivided, sold, encumbered or transferred so as to make a lot non-conforming or more non-conforming, to make any use, building or other structure non-conforming or more non-conforming, to reduce any setback, open space or off-street parking and loading spaces to less than is required by these Regulations or to make any non-conforming setback, open space or off-street parking or loading space more non-conforming.

29.5 **Junk Yard:** Any motor vehicle recycler's business (as defined in CGS Section 14-67g) shall be completely surrounded with a solid fence at least eight feet (8') high with a suitable gate, which shall be locked except during work hours of such junk yard. All unregistered motor vehicles, used parts, old iron, metal, glass, paper and any other junk material or cutting up of parts such as vehicles must be carried on within this enclosure. Any existing motor vehicle junk yard shall have four (4) months from the effective date of this amendment to commence and fifteen (15) months from the effective date to complete said fencing. Upon application, the Commission may modify the requirements of this Subsection for special reasons affecting the subject premises.

29.6 **Mobile Homes/Trailers:** A mobile home/trailer shall only be used or occupied within the town of Clinton as stipulated by this Section.

29.6.1 **Mobile Home(s)/Trailer(s)-Parks:** As a dwelling or for living quarter when such mobile home/trailer conforms to all applicable ordinances of the Town of Clinton and is located in a trailer park for which a Certificate of Zoning Compliance has been

issued in accordance with this Section. No trailer park shall be established, and any trailer park existing on June 15, 1965, the effective date of these Regulations, shall be discontinued within ninety (90) days after the effective date of these Regulations, unless a Certificate of Zoning Compliance shall have been issued by the ZEO certifying that the trailer park conforms to the following standards:

- (a) The mobile home/trailer park shall be lawfully in existence on the effective date of these Regulations.
- (b) The mobile home/trailer park shall contain a specific maximum number of prepared and usable trailer sites accommodating a specific maximum number of trailers, which number of site and trailers shall not exceed the number for which the trailer park was designed and improvements were installed on the effective date of these Regulations.
- (c) Satisfactory provision is made for water supply, sewage disposal and refuse storage and collection approved by the Director of Health for the Town of Clinton.

29.6.2 Temporary Mobile Home Permit: A temporary permit may be issued, except in one hundred (100) or five hundred (500) year flood plains as indicated by the Flood Insurance Rate Map (FIRM) of the Town of Clinton, by the ZEO with extensions by the Commission, for the following mobile home/trailer uses as stipulated.

- (a) The use of a mobile home for sleeping and living quarters in connection with the permitted construction of a residence by virtue of a validly executed building permit. Such permit for living quarters shall be limited to the owner of the premises being constructed and their immediate family and such use shall terminate and the mobile home shall be removed from the property within thirty (30) days from the date of completion of the construction of said residence or upon the issuance of a Certificate of Occupancy for said residence; or six (6) months from the date of issuance of said temporary permit, whichever shall occur first.
- (b) The use of a mobile home as a field office, tool shop or storage shed in connection with a bona fide construction operation and provided the same shall not be used for sleeping or living quarters. Permit may be issued for six (6) months.
- (c) Renewal: Upon review of the circumstances, the ZEO may extend the temporary permit for one additional period not to exceed six (6) months. Application for further extensions must be made to the Commission. Continuous construction in compliance of the building permit is required for the maintenance of the temporary permit.