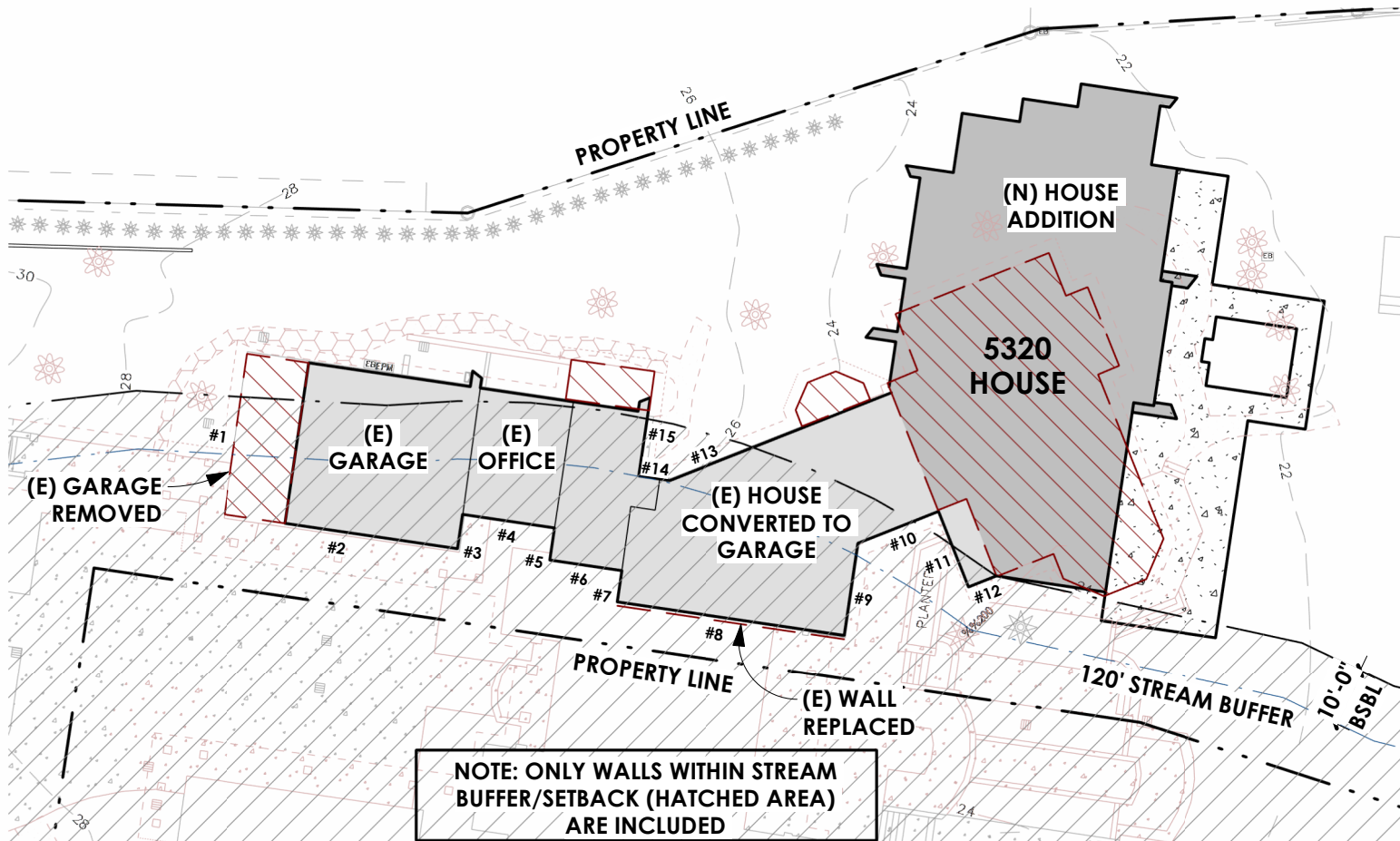


5320 BUTTERWORTH RD.

EXISTING NON-CONFORMING STRUCTURE CALCS
MICC 19.01.050(D)(1)(b)



NON-CONFORMING WALLS		
	LENGTH	ALTERED
1	20.5	20.5
2	40.5	10.0
3	6.0	
4	15.0	
5	6.0	
6	12.5	
7	5.5	
8	39.5	39.5
9	16.0	
10	15.0	
11	14.0	
12	5.0	
13	15.5	
14	5.5	
15	10.0	
TOTAL	226.5	70
% ALTERED		31%
		MAX 40%

Pursuant to [MICC 19.01.050\(D\)\(1\)\(b\)](#) the following may apply:

Intentional exterior alteration or enlargement.

- i. Detached single-family dwelling. A legally nonconforming detached single-family dwelling may be intentionally altered or enlarged without losing its legal nonconforming status as long as no more than 40 percent of the length of the dwelling's existing exterior walls, excluding attached accessory buildings, is structurally altered. **Any portion of the length of existing walls that is structurally altered shall be included in calculating the 40 percent threshold. In no event shall the alteration or enlargement increase any existing nonconforming aspect of the dwelling or create any new nonconformance. Legal nonconforming status shall be lost, and the structure shall be required to come into conformance with current code requirements, if the 40 percent threshold is exceeded. An increase in height of that portion of a structure that is legally nonconforming because it intrudes into a required yard is an increase in the nonconformity and is not allowed unless the additional height meets the current yard requirements of MICC 19.02.020(C)(1) except:**
 - (a) A change from a flat roof to a pitched roof is allowed under MICC 19.02.020(C)(3)(a); and
 - (b) A height increase of a single-family dwelling and any accessory building or structure in the R-8.4 zone that is legally nonconforming because it intrudes into a minimum five-foot required side yard is allowed only if the additional height is modulated so that it is a minimum of ten feet from the side yard property line.
- ii. Accessory buildings or structures. A legally nonconforming attached or detached accessory building or structure, including but not limited to a carport, garage, shed, gazebo, deck or fence, may be altered or enlarged without losing its legal nonconforming status as long as no more than 40 percent of its existing exterior perimeter (or length in the case of a fence) is structurally altered. A wall that is shared with the main dwelling shall not be included in the calculation for the attached accessory building. In no event shall any alteration or enlargement increase any existing nonconforming aspect of the building or structure or create any new nonconformance. Legal nonconforming status shall be lost, and the structure shall be required to come into conformance with current code requirements, if the 40 percent threshold is exceeded.

iii. **Structural alteration calculation.** For the purposes of determining the percentage of exterior walls of a nonconforming structure that is being structurally altered, the following calculation applies:

Formula: $\text{Percentage of exterior walls altered} = (\text{sum of the length of existing exterior walls to be structurally altered}) \div (\text{sum of the length of existing exterior walls})$

Where:

- (a) The "sum of the length of existing exterior walls to be structurally altered" is the sum of each wall segment that is completely demolished.
- (b) The "sum of the length of exterior walls" is the sum of the lengths of each exterior wall segment of a structure or building.
- (c) For the purposes of this subsection, a wall segment is "completely demolished" when any portion of the wall is completely removed, such that no structural elements remain.
- (d) For the purposes of this subsection, the "wall segment" is the horizontal length of each continuous exterior wall plane or façade; provided, that each building modulation (e.g., a bay window bump-out) shall be accounted for as a separate exterior wall plane. For example, the sum of the length of the exterior wall segments for a building that is a perfect cube with a dimension of 50 horizontal feet on each side of the house is 200 feet. The same building with a second story bay window bump-out dimensioned two feet by ten feet by two feet has a sum of 214 feet.