Zoning Interpretation Record

Subject of Interpretation:

CUP extensions not necessary for existing uses

Zoning Ordinance Reference (Article and Section):

Article 9, Section 9.1

Interpretation:

The Ordinance states that a conditional use permit (CUP) is valid for one year after the date of approval and shall be void unless substantial construction or use has been initiated during the one-year period. The Ordinance further states that an extension of time may be approved by the Board of Supervisors for good cause shown. Often an existing grandfathered use is required to obtain a CUP to expand their use. Because the use has already been established on the property, an extension after one year is not necessary. The same rule applies to an amendment of a CUP for an existing use.

Examples:

A church built in the 1940's is required to obtain a CUP for an expansion of more than fifty (50) percent of its floor area. Once the CUP is approved, an extension is not necessary even if substantial construction of the approved expansion has not begun within one year of the approval of the CUP.

Interpretation by:

_____ _____
Signature Date

Gretchen Biernot
Printed Name

Approved by:

_____ _____
Signature Date

Michael Crescenzo
Printed Name