

ORDINANCE NO. 1897

AN ORDINANCE to amend and reordain Section 42-43, Article VI, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, which Article VI relates to NONCONFORMING USES AND STRUCTURES, and which Section 42-43 relates to APPLICATION OF ARTICLE TO BUILDINGS, ETC., NONCONFORMING BECAUSE OF CHANGE IN CHAPTER; LANDS RECEIVED IN EXCHANGE WITH ARLINGTON COUNTY.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 42-43, Article VI, of Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same is amended and reordained to read as follows:

Sec. 42-43. Application of article to buildings, etc., nonconforming because of change in chapter; lands received in exchange with Arlington County; residential buildings in areas designated for residential use on the 1962 Generalized Land Use Plan Map, as amended.

The preceding provisions of this article shall apply to buildings, structures, lands or uses which may become nonconforming after December 28, 1951, by reasons of any change in this chapter; wxccept, that where any period of time is specified therein, such period shall commence from the date on which such change became effective.

In the case of land that has become a part of the city through an exchange with Arlington County, effective 12:00 Midnight December 31, 1965, which land had been developed prior to such date and which is zoned RA residential by the city, but does not meet all of the regulations and requirements of the RA zone; such land shall be allowed to be maintained, altered, repaired or reconstructed in use without the restrictions that normally accompany a nonconforming status, so long as the nonconforming elements of such land are not changed in such a way as to make them more nonconforming than on the date they are zoned RA.

Notwithstanding any other provisions of this article in conflict herewith, a residential building which is located in a zone where residential uses are not permitted may be repaired, structurally altered, extended and enlarged subject to the provisions of subsections (b) through (f), inclusive, of Section 42-12 of this Code, if such nonconforming residential building is situated in an area designated for residential use on the 1962 Generalized Land Use Plan Map, as amended.

Section 2. That this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

FINAL PASSAGE: OCTOBER 23, 1973