



GEORGIA REAL ESTATE EXAM GLOSSARY

Nonconforming use

A nonconforming use is a land use that lawfully existed before a zoning change but no longer conforms to the current ordinance and is allowed to continue subject to local rules.

OFFICIAL AREA

Land Use Controls and Regulations

KNOWLEDGE CLUSTER

Land use controls

LEARNING SYSTEM

Define, distinguish, apply, retrieve

SOURCE STANDARD

Official exam outline plus authoritative Georgia or federal references where the topic has a controlling rule. Independent educational resource, not affiliated with GREC or PSI.

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01 / COMPLETE LESSON

Build the complete exam definition

Learn the rule, separate it from the nearest distractor, then apply it to a Georgia fact pattern.

CORE DEFINITION

What does Nonconforming use mean?

A nonconforming use is a land use that lawfully existed before a zoning change but no longer conforms to the current ordinance and is allowed to continue subject to local rules.

CLOSEST DISTINCTION

How do you separate the nearest exam answer?

A nonconforming use predates the restriction. A variance is permission to deviate from current zoning because the legal standard for relief is met.

GEORGIA APPLICATION

What changes or stays the same in Georgia?

Local Georgia ordinances control continuation, abandonment, expansion, and rebuilding. The exam clue is that the use was lawful before the zoning change.

WORKED EXAMPLE

A small grocery store remains in operation after the neighborhood is rezoned residential because the store lawfully existed first.

EXAM TRAP

Grandfathered does not mean permanently immune from every local condition. Read for abandonment or expansion facts.



02 / PRACTICE AND MASTERY

Retrieve the rule under exam conditions

Answer before reading the explanation. Then explain why every distractor belongs to a different term.

ORIGINAL PRACTICE CHECK

A grocery store lawfully opened in 1998. In 2015 the area was rezoned residential, and the store kept operating. In 2026 the owner wants to double the size of the building. Which statement is most accurate?

- ☒ A It is a nonconforming use, and local rules may limit growth
- ☐ B It holds a variance, so any expansion has been pre-approved
- ☐ C It is a nonconforming use, so it may expand without limit
- ☐ D It must close now because it violates the current zoning

CORRECT ANSWER: A

The store lawfully existed before the rezoning, so it is a nonconforming use that may continue under local rules. Those rules commonly restrict expansion, abandonment, and rebuilding. The tempting mistake is to read grandfathered status as unlimited freedom to grow.

MASTERY TRACKER

Mark each box only when you can perform the skill without looking.

- ☐ I can define the term in one precise sentence.
- ☐ I can separate it from the closest look-alike.
- ☐ I can explain the Georgia rule or confirm that the national rule applies.
- ☐ I can answer the practice check and explain every option.



03 / CONNECTIONS AND AUTHORITY

Connect the term to the wider exam

Use these relationships to move from isolated recall to a connected exam model.

RELATED TERM

Zoning variance

A zoning variance is official permission to depart from a specific zoning requirement when the applicant satisfies the ordinance's legal standard, commonly involving a property-specific hardship rather than personal convenience.

<https://www.passgeorgiarealestate.com/glossary/zoning-variance>

RELATED TERM

Police power

Police power is the government's authority to regulate private property and conduct to protect public health, safety, morals, and general welfare, including zoning, building codes, and environmental regulation.

<https://www.passgeorgiarealestate.com/glossary/police-power>

RELATED TERM

Eminent domain

Eminent domain is the government's power to take private property for a public use upon payment of just compensation.

<https://www.passgeorgiarealestate.com/glossary/eminant-domain>

RECOMMENDED NEXT COMPLETE LESSON

Land Use Controls and Regulations complete lesson

<https://www.passgeorgiarealestate.com/study-guide/land-use-controls/zoning-relief>

EXAM SOURCES AND AUTHORITY NOTES

1. PSI Georgia Candidate Information Bulletin, 7/1/2026

Official exam administration and content-outline source.

<https://test-takers.psiexams.com/api/content/bulletin/4672>