

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Emergency Temporary Zoning and Planning Ordinances

Section 674:28

674:28 Nonconforming Buildings, Land, or Uses Under Interim Zoning Ordinance. –

I. All nonconforming properties in active use when an interim ordinance is passed and adopted may continue indefinitely in their present use.

II. Any and all nonconforming property may be altered and expanded as the business and conditions warrant; providing, however, that any such expansion does not make any existing conforming structure nonconforming within the terms of the interim ordinance; nor shall such expansion bring any building within 35 feet of an abutter's building; nor shall the height exceed the limits as defined in RSA 674:25, IV, (d); nor shall the use of such property be materially altered in purpose.

III. Any and all nonconforming property which is partially or totally destroyed by reason of obsolescence, fire or other act of God may be restored, remodeled and operated if done within 2 years; providing, however, that proximity to a lot line or right-of-way may be no nearer than the lesser of the original building and the setbacks defined in RSA 674:25, IV, (a)-(c), and the height does not exceed the limits set forth in RSA 674:25, IV, (d).

Source. 1983, 447:1, eff. Jan. 1, 1984.