

900.00 LOT OF RECORD

1. 901.00 Ownership Classifications

901.01 Where a lot in separate ownership, the deed to which is duly recorded on or before 12 March 1968 and which is recorded and taxed according to the 1972 tax records of the Town of Brookline, NH, does not conform to the area and frontage requirements of the zone in which it is located, such lot may be used for any purpose permitted in that zone on said date provided that such use conforms with the requirements of RSA 485-A and Env-Wq 1000 and has a septic plan approved for construction by the NH DES Subsurface Systems Bureau.

901.02 Any lot in separate ownership the deed to which is duly recorded between 13 March 1968 and 29 October 1971 and which is recorded and taxed according to the 1972 tax records of the Town of Brookline, NH, may be used for any purpose permitted between said dates in the zone in which it is located provided that it contains an area of 44,000 square feet, has a frontage of not less than 150 feet, and complies with RSA 485-A and Env-Wq 1000 and has a septic plan approved for construction by the NH DES Subsurface Systems Bureau.

2. 902.00 Requirements

902.01 Any person having a lot size of 44,000 square feet for a single dwelling unit dwelling or 88,000 square feet for a two-family dwelling, 150 feet of frontage, and who can meet the set back and side line requirements as set forth in the Zoning and Land Use Ordinance shall not require a variance in order to obtain a building permit.

902.02 Any person having a lot size of less than 44,000 square feet for a single dwelling unit dwelling or 88,000 square feet for a two-family dwelling, and/or less than 150 feet of frontage or who cannot meet the Zoning Ordinance requirements shall require a variance prior to the issuance of a building permit if the changes will either:

- a. increase the exterior dimensions of the structure so that is not in compliance with the Building Code* (See Appendix A: Table of Amendments, 2010) and Zoning Ordinance; or
- b. increase the sewage flow as determined by New Hampshire DES Subsurface Systems Bureau and the Brookline Health Codes.

902.03 An application requesting a permit to occupy a lot not conforming in size and/or frontage as otherwise required under this Ordinance shall be accompanied by the original or a certified copy of the recorded deed in question.

902.04 A lot shall not be used as a building site unless it has frontage in the amount specified in the Ordinance on a Class V or better road and access is obtained directly from a Class V or better road.