



ORDINANCE

INCREASING THE PERIOD OF VIABILITY FOR SPECIAL EXCEPTIONS AND VARIANCES

CITY OF NASHUA

In the Year Two Thousand and Fourteen

The City of Nashua ordains that Part II “General Legislation”, Chapter 190 “Land Use”, Article XV “Zoning Procedure” of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

1. In Section 190-134 “Special exceptions”, subsection H:

“190-134. Special exceptions.

...

- H. Scope of approval. A special exception shall authorize the applicant to apply for approval of a site plan or subdivision plan, if required, and a building permit and certificate of use and occupancy. ~~A special exception shall be null and void 12 months from the date of approval unless the applicant files a complete application for a building permit, site plan or subdivision plan within that time period.~~ Special exceptions shall be valid if exercised within two (2) years from the date of final approval, or as further extended by local ordinance, or by the Zoning Board of Adjustment for good cause, provided that no such special exception shall expire within six (6) months after the resolution of a planning application filed in reliance upon the special exception. Any time to appeal a determination as to completeness of an application does not count toward the ~~twelve month~~ two (2) year period.”

2. In Section 190-137 “Variances from zoning”, subsection H:

“190-137. Variances in zoning.

...

- H. Scope of approval. The granting of an appeal by the Board shall not exempt the applicant from any provision of this chapter not specifically ruled upon by the Board or specifically set forth as accepted in this particular case by a provision of this chapter. ~~An authorized variance shall be null and void 12 months from the date of approval unless the applicant files a complete application for a building permit, site plan, or subdivision plan concerning that parcel within that time period.~~ Variances shall be valid if exercised within two (2) years from the date of final approval, or as further extended by local ordinance, or by the Zoning Board of Adjustment for good cause, provided that no such variance shall expire within six (6) months after the resolution of a planning application filed in reliance upon the variance. Any time required to appeal a determination as to completeness of that application does not count toward the ~~twelve month~~ two (2) year period.”

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective at the time of passage.