
5.0 ***RESIDENTIAL DISTRICT***

5.5 **Accessory Dwelling Units.** (Adopted March 2017)

This section implements the requirements of RSA 674:72, “Accessory Dwelling Units.”

5.5.1 **Existing Dwellings.** A second dwelling unit may be added to any legally existing single family dwelling located in a zoning district where residential uses are permitted, subject to the requirements set forth below. The second dwelling unit may be created in existing space in the dwelling or in a newly constructed addition to the dwelling.

5.5.2 **New Construction.** A two-family dwelling may be constructed on any lot where a single family dwelling may legally be constructed, subject to the requirements set forth below.

5.5.3 **Requirements.** The following requirements apply only to development which would not be permitted other than by this section.

- a. The two dwelling units must have independent means of ingress and egress, or have ingress and egress through a common space such as a shared hallway to an exterior door.
- b. The two dwelling units must share a common interior wall, and there must be an interior door between the two dwelling units.
- c. At least one of the two dwelling units must be the principal residence of at least one owner of the dwelling. The two dwelling units must remain in common ownership. Transfer of either dwelling unit to condominium ownership is not permitted. Violation of the requirements of this paragraph will result in the revocation of the Certificate of Occupancy for the two-family use of the dwelling.
- d. At least one of the two dwelling units must have no more than two bedrooms, and a living area of no more than 800 square feet.
- e. Requirements for water supply and sewage disposal are the same as for any two-family dwelling. Addition of a second dwelling unit to an existing single family dwelling under section 5.5.1 shall be subject to RSA 485-A:38, “Approval to Increase Load on a Sewage Disposal System.”
- f. Off-street parking shall be provided for one car for each one-bedroom dwelling unit in the dwelling, and for two cars for each dwelling unit having two or more bedrooms, and shall satisfy any setback requirements pertaining to parking in that Zoning District.
- g. A newly constructed addition under section 5.5.1 shall satisfy the setback requirements of the zoning district.

5.5.4. **Special Exceptions**

The following will only be allowed as special exceptions by the Zoning Board of Adjustment.
(See also Section 4.4)

- 5.5.4.1 Living area. When creating a second dwelling unit under section 5.5.1, the maximum living area specified by paragraph 5.5.3(d) may be increased by no more than an additional 100 square feet in order to avoid unreasonable distortions to the floor plan of the dwelling.
- 5.5.4.2 Parking. When creating a second dwelling unit under section 5.5.1, the parking space requirements of paragraph 5.5.3(f) may be relaxed or waived if the dimensions of the lot and the placement of existing structures on the lot are such that there is no reasonable way to provide the required parking spaces.