



TOWN OF NOTTINGHAM

139 Stage Road, P.O. Box 114, Nottingham, NH 03290

www.nottingham-nh.gov

Planning & Zoning

Tel (603) 679-9597 Fax (603) 679-1013

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment
Town of Nottingham

RECEIVED
10/11/2016 JWA
PLANNING / ZONING OFFICE
TOWN OF NOTTINGHAM

FOR OFFICE USE ONLY

Case No. _____
Date Filed _____
Meeting Date _____
Fee Amount _____
Date Paid _____
Outcome _____

Name of Applicant Michael + Mary Collins

Mailing Address 15 Lakeview Dr. Nottingham, NH

Home Phone 603-244-1493 Work Phone —

Cell 603-244-9980

Name of Owner(s) Same
(if same as applicant, write "same")

Owner's Address Same
(if same as applicant, write "same")

PROPERTY INFORMATION

Location of property 15 Lakeview Dr Tax Map 071 Lot 0078

Lot Dimensions: Front 80' Rear 85' Side 180' Side 170'

Lot Area: Acres .33 Square Feet 14,329

Present Use of Property Residential

Proposed Use of Property Residential

NOTE: This application is not acceptable unless all statements following have been completed. Additional information may be supplied on a separate sheet if needed.

VARIANCE REQUEST

A variance is requested from Article 2 Section C:2 of the zoning ordinance to permit:

Construction of a 10' x 12' shed within the 20' setback
near the northeast corner of lot 8 requirement

SUPPORTING INFORMATION

1. Granting a variance would not be contrary to the public interest because:

The proposed location for a 10' x 12' shed would not have any negative impact on the abutters. There would be no impairment of sight from abutters' property, as the proposed location is in an opening with a tree-lined border. Abutters support my decision of the proposed shed location.

2. If the variance were granted, the spirit of the ordinance would be observed because:

Lot 8 is a nonconforming lot. The required setback of 20' is not available at the proposed location on the northeasterly area of the lot. The proposed location would place the shed's closest point to an abutter's property at 9 feet. Any maintenance on the proposed shed, (painting, general access, etc.), would not infringe on my abutter's property.

3. Granting the variance would do substantial justice because:

The proposed location is the furthest area from the lake, and would require minimal site preparation. Trees would not have to be cut down.

4. If the variance is granted, the values of the surrounding properties would not be diminished because:

With the addition of a shed, the property is being improved and the property would be the same or a higher value to similar properties in the area.

5. Unnecessary Hardship

a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

- i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the application of that provision to the property because:**

The size of the lot, boundaries, and location to the lake, are limiting factors as to the proposed location of a shed. Most lots around the lake have similar limitations. An alternative location would require cutting down several hardwood trees, as well as an expensive site preparation.

AND

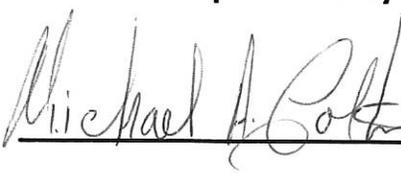
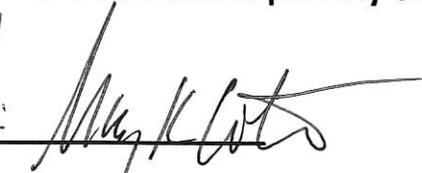
- ii. The proposed use is a reasonable one because:**

Although there is an existing shed on the property, additional storage is needed for tools, lawn furniture, and other items.

- b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.**

The size and physical characteristics of Lot 8 provide various limitations to locate the proposed shed. An alternate location, (that would not require a variance), would require cutting down trees and be more expensive, (as mentioned above). In addition, items not being used would not be in public view when not in use or needed.

I hereby certify that I am the owner in fee or the authorized agent of the owner in fee of the property upon which this variance is sought and that all the information provided by me is true under penalty of law.

Signature of Owner or Authorized Agent

10-11-16

Date

Please Print Name

Michael A. Collins Mary K. Collins

Exhibit A

A certain tract of land with the buildings thereon, situated in Nottingham, County of Rockingham, State of New Hampshire, on the southerly shore of a peninsular of land extending into Pawtuckaway Lake, so-called, and being shown as Lot #8 on a certain plan entitled, "Supplementary Plan of Land in Nottingham, N.H., owned and developed by Pawtuckaway Lake Shores, Inc., Scale: 1" = 100', March 1961, Alden S. Marble & Assoc., Reg. Engrs. & Surveyors, 24 Colombia Street, Leominster, Mass.," recorded with the Rockingham County Registry of Deeds as Plan #03091, bounded and described as follows:

Beginning at a point on the Southerly side of Lake View Drive, so-called, as shown on said Plan, at the Northeasterly corner of Lot #7 on said plan, and running generally Easterly along said Lake View Drive 80 feet to the Northwesterly corner of Lot #9 on said plan; thence turning and running

S 1° 1' East along said Lot #9, 180 feet, more or less, to the shore of Pawtuckaway Lake, in that section thereof known as Mountain Brook Cove; thence turning and running

Generally Westerly along said Pawtuckaway Lake 85 feet, more or less, to the Southeasterly corner of said Lot #7, thence turning and running

N 1° 20' East along said Lot #7, 170 feet, more or less to the point of beginning.

SUBJECT TO easements and restrictions referred to and contained in deed of Pawtuckaway Lake Shores, Inc., dated June 18, 1962, and recorded in the Rockingham County Registry of Deeds in Book 1631, Page 489.

A handwritten signature or set of initials, possibly "RFB", written in dark ink. The signature is stylized and somewhat cursive, with a large initial 'R' and a smaller 'F' and 'B' following.

TOWN OF NOTTINGHAM

PLANNING & ZONING
PO Box 114
139 Stage Road
Ph: (603) 679-9597 Fax: (603) 679-1013

AUTHORIZATION TO ENTER UPON SUBJECT PROPERTY

The property owner(s), by the filing of this application, hereby give permission for the members of the Nottingham Zoning Board of Adjustment and such agents or employees of the Town as the Zoning Board of Adjustment may authorize, to enter upon the property which is the subject of this application at any reasonable time for the purpose of such examinations, surveys, tests and/or inspections as may be appropriate to enable this application to be processed.

I/We hereby waive and release any claim or right I/we may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on my/our property in connection with this application.

Property Owner(s) Michael A. Edt 10/11/16 Mary K. Coe 10/11/16
Signature Date Signature Date