



Town of Nottingham

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

•Office 603-679-9597 x1 •Fax 603-679-1013 •E-Mail plan.zone@nottingham-nh.gov

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING NOTICE

Notice is hereby given that the Nottingham Zoning Board of Adjustment will hold a public hearing at **7:00 PM on Tuesday April 21, 2020** in Conference Room 1, at the Town Municipal Office to hear the following application:

Case 20-006-VA

Application from Anniello and Karen Collins for Variance requests from Article II (c)2 of the Nottingham Zoning Ordinance to permit the construction of a garage 10 feet from the rear property line whereas 20 feet is required. The property is located at 3 Tuckaway Shores Road in Nottingham, NH and is identified as Tax Map 70 Lot 28.

Questions? Contact the Land Use Clerk, JoAnna Arendarczyk

Ph.: (603) 679-9597 ext. 1 **E-mail:** plan.zone@nottingham-NH.gov

Mail written comments to the Nottingham Planning Board: PO Box 114, Nottingham, NH 03290

For materials pertaining to the hearing go to: <https://www.nottingham-nh.gov/zoning-board-adjustment>

THE PUBLIC IS WELCOME TO ATTEND

Town of Nottingham
P.O. Box 114
Nottingham NH 03290



Code Administration

Office (603) 679-9597 x2
Fax (603) 679-1013
E-mail: dsylvia@nottingham-nh.gov
www.nottingham-nh.gov

Building Permit Application Denial

Date: 12/18/19
Owner: Annielo and Karen Collins
Address: 320 Tuckaway
Map/Lot 70/28

Applicant has filed for a detached garage.

Denials:

Article II(C) (2): There shall be between the property line, water's edge ("reference line" as described in RSA 483-B:4 XVII), and any dwelling, and septic system(s), a minimum distance of fifty (50') feet, twenty (20') feet for grandfathered non-conforming lots of less than two (2) acres, as of the date of passage (03/08/94), in all directions. Setbacks for accessory buildings shall be fifty (50') feet minimum distance from the lot frontage property line (20') feet for grandfathered non-conforming lots of less than two (2) acres and twenty (20') feet minimum distance from the side and rear property lines.

The proposed garage is 10 feet from the rear property line whereas 20 feet is required.

Respectfully submitted,

Dale Sylvia
Code Enforcement



TOWN OF NOTTINGHAM

139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email: plan.zone@nottingham-nh.gov Tel (603) 679-9597 Fax (603) 679-1013

Zoning Board of Adjustment Application for Appeal- VARIANCE

PLEASE READ THE APPLICATION RULES AND GUIDELINES BEFORE COMPLETING THE APPLICATION

LOCATION OF PROPERTY: Street Address _____

70

28

Tax Map

Lot

Sub-Lot

Applicant's information:

Name(s): <u>Anniello Collins</u>	
Address: <u>3 Tuckaway Shore Rd</u> <u>PO Box 784 Raymond</u>	Phone #: <u>508 816 5361</u> E-mail: <u>NCollins2@hotmail.com</u>

Owner(s) information (if same as applicant write same):

Name(s): <u>Anniello Collins</u>	
Address: <u>3 Tuckaway Shore Rd</u> <u>Nottingham NH 03290</u>	Phone #: <u>508 816 5361</u> E-mail: <u>NCollins2@hotmail.com</u>

Representative's information (if applicable):

Name(s): _____	
Address: _____	Phone #: _____
E-mail: _____	

Property information:

Lot Dimensions: Front 100 Rear 100 Side 150 Side 150

Lot Area: Acres .04 Square Feet _____

Present Use of Property Home

Proposed Use of Property Add Garage

Please provide a copy of the recent deed and tax card for this property.

The signer shall be the owner; or the signer shall provide a letter signed by all the property owners giving the signer permission to represent the owner in presentation of this application.

I certify that the information provided is to the best of my knowledge, complete and correct.

OWNER(S)	<u>Anniello Collins</u> Printed name	<u>Anniello Collins</u> Signature	<u>3-4-20</u> Date
	<u>KAREN Collins</u> Printed name	<u>Karen Collins</u> Signature	<u>3-4-20</u> Date
	_____ Printed name	_____ Signature	_____ Date

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 11 Section C2 of the zoning ordinance to permit:

Garage to be 10 Feet From Rear Property where
20 Feet is Required

Previous Zoning Board action on this property: yes special exception granted
to Allow 24 FT x 36 FT house set back no less than
25 FT From boundary and 30 FT From East boundary
Also AVA Approval For Non Conforming Laws

SUPPORTING INFORMATION

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

There is no other location except behind the house
not in view of Tuckaway shore Rd, and further away
from Lake. No disturbance of the Property due a
mono floor construction

2. The spirit of the ordinance is observed:

not Altering the Landscape of surrounding Area,
Requesting Variance for Garage that will not be
seen from the street, Requesting setback wanting
A 2 CAR and Constructing A 1 CAR Garage.

3. Substantial justice is done:

Request A single CAR GARAGE away from the Public
view within Property Restriction, CAN'T meet 20 FT
setback Requirements

4. The values of the surrounding properties are not diminished:

only have 2 house near my Property, only 1

with a GARAGE, The Land Around the Dwelling will not be disturbed.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

A. For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and

~~could~~ Could not build a single CAR Garage

ii) The proposed use is a reasonable one.

10 FT VARIANCE would Allow the Building

B. 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.

Will not ~~disturb~~ disturb surrounding Land or Abutters

☒ I understand that I **MUST** appear in person at the public hearing

OR

☐ If I cannot appear in person,

I will designate the representative or agent, in writing below, to act on my behalf:

I hereby designate _____

to represent me as a representative/agent in the pursuance of this appeal.

Property Owner(s) Annella Calo 3-4-20 _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date

Property Owner(s) _____
Signature Date Signature Date



TOWN OF NOTTINGHAM
ZONING BOARD OF ADJUSTMENT

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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 Planning Board and such agents or employees of the Town as the Nottingham Planning Board 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.

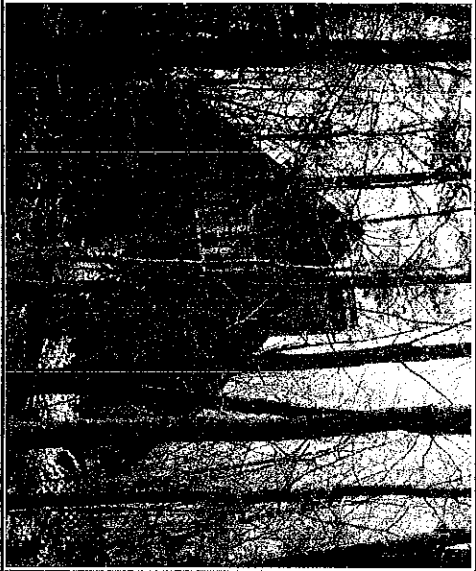
I/We hereby waive and release any claim or right I/we may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on my/our property in connection with this application. This authorization expires in one year from date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

Property Owner(s) <u> <i>Harold Cole</i> </u> <div style="display: flex; justify-content: space-between; width: 100%;"> Signature Date <u>3-4-20</u> </div>	Property Owner(s) <u> <i>Kevin Collins</i> </u> <div style="display: flex; justify-content: space-between; width: 100%;"> Signature Date <u>3-4-20</u> </div>
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Property Owner(s) _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Signature Date </div>	Property Owner(s) _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Signature Date </div>
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PICTURE

OWNER

COLLINS, ANIELLO A
PO BOX 784
RAYMOND, NH 03077-0784

TAXABLE DISTRICTS

District	Percentage
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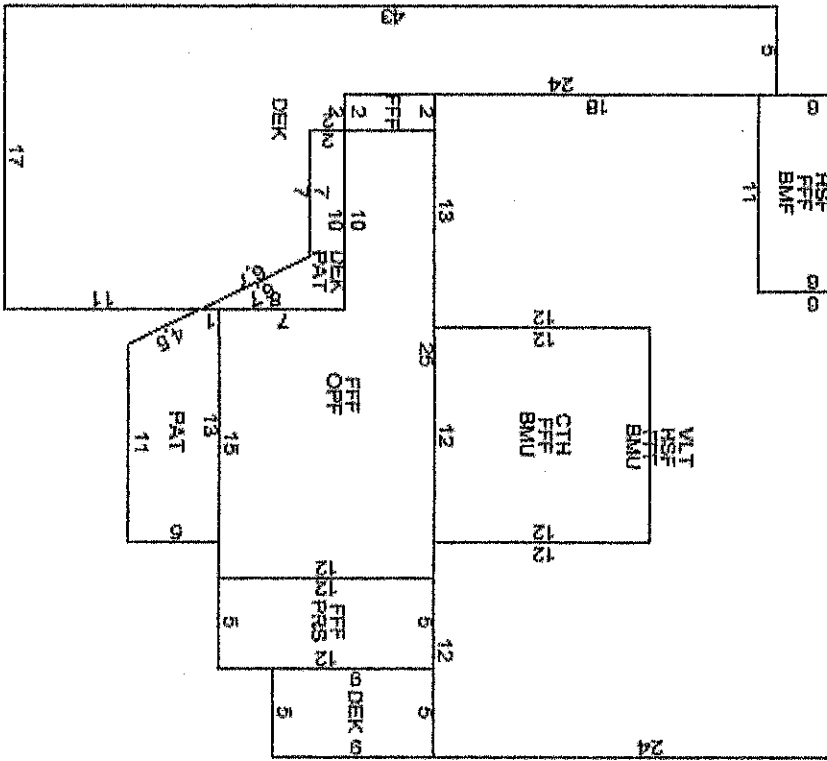
BUILDING DETAILS

Model: 1.5 STORY CAPE
Roof: GABLE OR HIP/ASPHALT
Ext: VINYL SIDING
Int: DRYWALL
Floor: PINE/SOFT WD/CARPET
Heat: OIL/HOT WATER
Bedrooms: 2 Baths: 1.5 Fireplaces: 5
Extra Kitchens: Generators:
A/C: No
Quality: A1 AVG+10
Com. Wall:
Size Adj: 1.0294 Base Rate: RSA 80.00
Bidg. Rate: 1.0762
Sq. Foot Cost: \$ 86.09

PERMITS

Date	Project Type	Notes
07/25/11	ADDITION	ADD SUNROOM TO EXISTING DECK (

BUILDING DEPARTMENT COPY

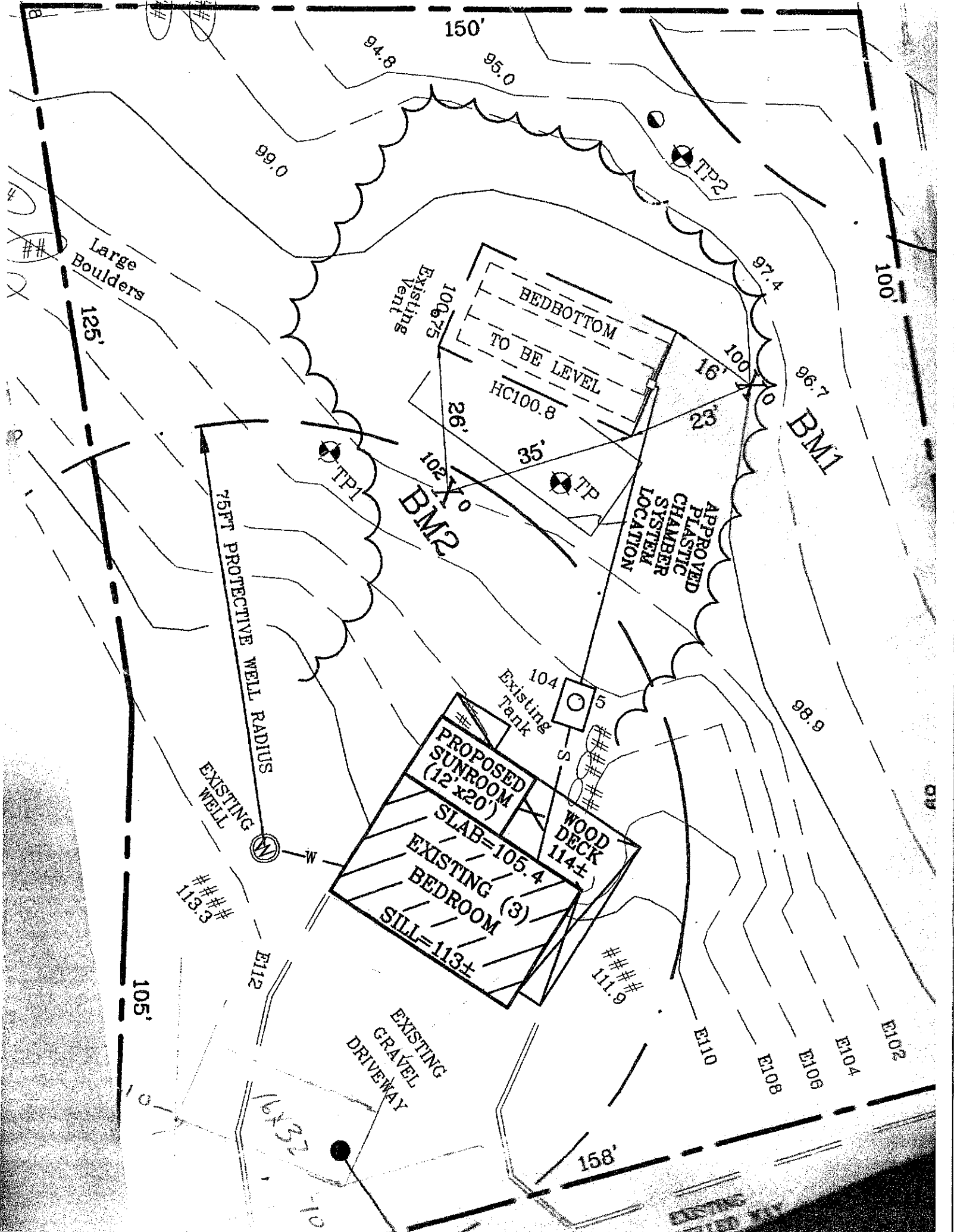


BUILDING SUB AREA DETAILS

ID	Description	Area	Adj.	Effect.
FFF	FST FLR FIN	1188	1.00	1188
OPF	OPEN PORCH	230	0.25	58
DEK	DECK/ENTRANCE	488	0.10	49
PRS	PIERS	60	-0.05	-3
VLT	VAULTED	744	0.05	37
HSF	1/2 STRY FIN	744	0.50	372
BMU	BSMNT	822	0.15	123
CTH	CATHEDRAL	144	0.10	14
BMF	BSMNT FINISHED	66	0.30	20
PAT	PATIO	90	0.10	9
GLA:	1,560	4,576		1,867

2015 BASE YEAR BUILDING VALUATION

Market Cost New:	\$ 160,730
Year Built:	1990
Condition For Age:	AVERAGE
Physical:	13 %
Functional:	
Economic:	
Temporary:	
Total Depreciation:	13 %
Building Value:	\$ 139,800



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BK2781 P1119

DEED OF WARRANTY

I, LETISIA E. COLLINS, surviving spouse of JOHN J. COLLINS of 245 Webster Street, Needham, Massachusetts, for consideration paid and amounting to under One Hundred and no/100 (\$100.00) Dollars, grant to ANNIELLO A. COLLINS and JUDITH A. COLLINS, husband and wife as tenants by the entirety and not as joint tenants nor as tenants in common, both of 1 Fleetwood Road, Bellingham, Norfolk County, Massachusetts, with WARRANTY covenants,

Two certain lots of land both situated in Nottingham, County of Rockingham, State of New Hampshire near Pawtuckaway Lake, so-called, and being Lots Nos. 1 and 2, Section C all as shown on "Tuckaway Shores (First Addition) Nottingham, N.H., April 1957" recorded in Rockingham County Registry of Deeds, Plat 113, Page 12, being bounded and described as follows:

Lot No. 1. Beginning on the Southwesterly side of the access road to said Tuckaway Shores Development at a point in the boundary line between lands now or formerly of Johan Brustle and Peter Miendl, and running S. 64° E along or near said access road 100 feet to the Northerly corner of Lot No. 2, Section C; thence running S 26° W along said Lot No. 2 150 feet; thence running N 64° W along other land now or formerly of Johan Brustle 125 feet; thence running N 35° E along land now or formerly of Peter Meindl 150 feet to the point of beginning.

Lot No. 2. Beginning at the Easterly corner of Lot No. 1, Section C on said plan at or ner the access road leading to said Tuckaway Shores and running S 65° E along or near said access road 89 feet; thence running S 18° W along or near a road or right-of-way 158 feet; thence running N 55° W along other land now or formerly of Johan Brustle 105 feet to the Southerly corner

FEB 15 10 20 AM '89

06994

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

of said Lot No. 1; thence running N 26° E along said Lot No. 1, 150 feet to the point of beginning.

Together with all right, title and interest in and to those strips of land lying between the above-described lots, and any roads serving the same.

For grantor's title see deed of Johan Brustle dated 19 September 1969 recorded in Rockingham County Registry of Deeds, Book 2100 Page 079 .

Said conveyance is subject to the restrictions described in the deed dated 19 September 1969 recorded as aforesaid, subject further to the condition, however, that restriction Nos. 7 and 8 referred to therein, shall be considered as modified as respects ownership of two adjoining parcels of land, for so long as such parcels be not conveyed individually to other parties, it being the intention to consider such adjoining parcels as but one lot.

WITNESS my hand and seal this 6th day of February one thousand nine hundred and eighty-nine.

Letisia E. Collins
Letisia E. Collins

Signed and delivered
in presence of

[Signature]
[Signature]



COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

February 6, 1989

Personally appeared LETISIA E. COLLINS known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that she executed the same for the purpose therein contained. Before me,



[Signature]
Notary Public

My Commission expires:

June 1, 1995



ZONING BOARD OF ADJUSTMENT
P.O. Box 114
Nottingham, N.H. 03290

May 31, 1989

Mr. & Mrs. Anniello Collins
1 Fleetwood Road
Bellingham, MA 02019

Dear Mr. and Mrs. Collins:

Your request for a Special Exception concerning Article VI, Section A-2 of the Zoning Ordinance to erect a 24'x 36' house on Lot 28, Tax Map 70, Tuckaway Shores, Pawtuckaway, with setbacks from all lot lines of no less than 25' from the east side and 30' from the south side has been approved by the Zoning Board of Adjustment on May 30, 1989..

Sincerely yours,

Earle B. Rourke

Earle B. Rourke
Chairman

1722

Herbert + Debra Calvito
2 TUCKAWAY Shore Rd
Nottingham, N.H 03290

Christopher EVANS
13 Ferry Rd
Bow N.H 03304

Edward J HARRISON JR
Patricia Porcell
PO BOX 185
Peabody MA 01960

Peter W + Janice Lyle
Lyle Family Revocable
PO BOX 322
RAYmond NH 03077

JAY + Sandy Shehan
20 Courtney Lane
Hampstead N.H 03841

Smyth + Green LLC
13 Ferry Rd
Bow N.H 03304

William + David Whitney
43 Church St
Highbridge, N.J 08829

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PO BOX 784
RAYmond NH 03077

Niel + Karen Collins
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