



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 16, 2019** in Conference Room 1, at the Town Municipal Office to hear the following application:

Case 19-001-VA

Application from Peter Loeser and Joy V. Riddell, requesting a Variance from Article II Section C(1)(a) of the Nottingham Zoning Ordinance, to permit an attached ADU (690 sq. ft.) on a private road. The property is located at 53 White's Grove Road in Nottingham, NH and is identified as Tax Map 63 Lot 81.

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



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

Code Administration

Building Permit Application Denial

Date: 3/25/19
Owner: Peter Loeser
Address: 53 Whites Grove
Map/Lot 63/81

Article II(C)(1)(a) Road Frontage

Applicant has filed for a permit to add an attached ADU (690 sq. ft.) on a private road.

Article II(C)(1)(a): Each lot shall have a minimum contiguous frontage of two hundred (200') feet including curb cut.

Frontage: The length of the lot bordering on a Class V road or better.

Note: The applicant exceed the two hundred feet however the frontage is not on a Class V road or better.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dale Sylvia".

Dale Sylvia
Code Enforcement



**BUILDING PERMIT
APPLICATION**
 Town of Nottingham, New Hampshire
 Building Department
 P.O. Box 114/ 139 Stage Road
 Nottingham, NH 03290
 Office 603-679-9597 X1
 Fax 603-679-1013
 rbookholz@nottingham-nh.gov

Issue Date: _____
 Permit #: _____
 (This area for office use only)
 Map # _____
 Lot # _____
 Sub Lot # _____

BUILDING LOCATION(Please Print)

Address 53 WHITES GROVE ROAD

Between _____ and _____
 (Cross Street) (Cross Street)

Lot Size 1.55 Map _____ Lot _____ Sub Lot _____ Zone _____

APPLICANT (Please Print)

Business Name: (if applicable) _____

Applicant name: PETER C. LOESER Contact _____

Daytime phone 603-455-9122 Mailing/home address: SAME

Email address: _____

RESIDENTIAL	COMMERCIAL
<input checked="" type="checkbox"/> Single Family detached <input type="checkbox"/> Accessory (ADU) <input type="checkbox"/> Duplex <input type="checkbox"/> Condo <input type="checkbox"/> Townhouse (#of units _____) <input type="checkbox"/> Mfg/Mobile home <input type="checkbox"/> Conversion <input type="checkbox"/> Relocation <input type="checkbox"/> Other _____	<input type="checkbox"/> Office/Bank/Professional <input type="checkbox"/> Garage <input type="checkbox"/> Industrial/Warehouse <input type="checkbox"/> School <input type="checkbox"/> Restaurant <input type="checkbox"/> Store/Retail <input type="checkbox"/> Multi- family (#of units _____) <input type="checkbox"/> Public/Government <input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> New dwelling <input type="checkbox"/> Deck <input type="checkbox"/> Addition <input type="checkbox"/> Shed <input type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Garage <input type="checkbox"/> Foundation only <input type="checkbox"/> Carport <input type="checkbox"/> Other _____ <input type="checkbox"/> Porch <input type="checkbox"/> Conversion of +/- dwelling units (#of units _____)	<input type="checkbox"/> New Building <input type="checkbox"/> Deck <input type="checkbox"/> Addition <input type="checkbox"/> Shed <input type="checkbox"/> Alteration <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Interior Demo <input type="checkbox"/> Foundation only <input type="checkbox"/> Tenant change <input type="checkbox"/> Other _____ <input type="checkbox"/> Tenant fit-up <input type="checkbox"/> Renovation (no structural changes) <input type="checkbox"/> Conversion from residential to commercial

General description of work & proposed use: Include location and specify size and dimension of building, room, shed, pool, etc. or addition. If use of existing building is being change, enter proposed use.

REBUILD EXISTING HOME. 4 BEDROOM TO 4 BEDROOM
 WITH ADU AND GARAGE. ADU (690 sqft), GARAGE
 (750 sqft), ADDITION (1340 sqft), TOTAL 2780 sqft.

Cost of project: \$

Estimated completion date:



TOWN OF NOTTINGHAM

139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email plan.zoning@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: 53 White's Grove Road

Tax Map 63

Lot 81

Sub-Lot

Applicant's information:

Name(s): Peter Loeser and Joy V. Riddell	
Address: 3 Godbout Drive Concord, NH 03301	Phone #: 603-455-9122
E-mail: peterloeser@comcast.net	

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

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

Representative's information (if applicable):

Name(s): Mark H. Puffer, Esquire, Preti Flaherty Beliveau & Pachios	
Address: P.O. 1318 Concord, NH 03302-1318	603-410-1500
E-mail: mpuffer@preti.com	

Property information:

Lot Dimensions: Front 356.2 ft. Rear 361.8 ft. Side 151.8 ft. Side 197.7 ft.

Lot Area: Acres 1.55 Square Feet _____

Present Use of Property single family dwelling

Proposed Use of Property single family dwelling

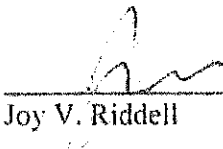
Please provide a copy of the recent deed and tax card for this property.

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)  Date: 3/25/19

Peter Loeser


Joy V. Riddell

Date: 3/25/19

ADU will represent an improvement to the neighborhood.

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

No fair and substantial relationship exists between the general public purpose of the frontage requirement and its specific application to the property because the proposed change will not increase the number of properties without frontage on a public street, and because the property will remain a single family dwelling though with an ADU-allowed by statute and the zoning ordinance.

ii) The proposed use is a reasonable one.

Single family dwellings with an ADU is an allowed use in the Residential-Agricultural District, and the proposed use will be similar in size and utility to other dwellings in the immediate area.

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.

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 II Section C.1.a of the zoning ordinance to permit:
an attached ADU (690sq. ft.) on a private road.

Previous Zoning Board action on this property: None, per Land Use Clerk

SUPPORTING INFORMATION

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

Area is neighborhood of single-family dwellings; proposal would continue single-family dwelling use; proposed changes would increase value of property; and the requested variance is to the road frontage requirement, but residents with private road access already exist

2. The spirit of the ordinance is observed:

Because a single family dwelling with an ADU is an allowed use in the residential agricultural district

3. Substantial justice is done:

See answers to items 1 & 2 above; and proposal will allow year round use by owners and their family. Going to the general public would be minimal if variance is denied, because a residence with access via a private road already exists.

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

use of the property will still be a single family residence; proposed

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 Mark H. Puffer, Esquire
Preti Flaherty Beliveau & Pachios
P.O. Box 1318
Concord, NH 03302-1318

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

Property Owner(s)  3/25/19  3/25/19
Signature Date Signature Date

Property Owner(s) _____