

# TOWN of NOTTINGHAM

## REQUEST for VARIANCE

TAX MAP 23 LOT 13  
George & Cheryl Robinson  
16 King Fisher Road

May 27, 2019

## ***LIST OF ENCLOSURES***

- Town of Nottingham, Application for a Variance
- Town of Nottingham Zoning Article II, Section C, 1A
- Town of Nottingham Property "Tax" Map 23
- Copy of Property Deed
- Original Subdivision Plan (RCRD BK. 4960 Pg.2941
- Placement of Proposed Addition on Original Subdivision Plan

## ***PROJECT NARRATIVE***

This project seeks relief of the minimum frontage required for building an addition on a private road. The existing parcel is 24.73 acres and has 20' frontage along King Fisher Road. We are seeking relief of the Town's Zoning Ordinance in order to build an attached ADU to the existing single-family home. We will live in the ADU and our daughter and her family will live in the current home.



View of side coming in from driveway



Front of house ~ ADU would be on left side of existing home. It will be accessed from behind the home.



**TOWN OF NOTTINGHAM**

139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email: [plan.zone@nottingham-nh.gov](mailto: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 16 King Fisher Rd  
Tax Map 23 Lot 13 Sub-Lot \_\_\_\_\_

**Applicant's information:**

Name(s): The Robinson Family Revocable Trust of 1998  
Address: George & Cheryl Robinson, TTEE Phone #: 603-834-0677  
16 King Fisher Rd Nottingham, NH E-mail: carob95@hotmail.com

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

Name(s): same  
Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Representative's information (if applicable):**

Name(s): Matthew Curry  
Address: 14 King Fisher Rd Phone #: 603-608-8089  
Nottingham NH 03290 E-mail: \_\_\_\_\_

**Property information:**

Lot Dimensions: Front \_\_\_\_\_ Rear \_\_\_\_\_ Side \_\_\_\_\_ Side \_\_\_\_\_

Lot Area: Acres 24.723 ac Square Feet \_\_\_\_\_

Present Use of Property Single Family Home

Proposed Use of Property Single family Home w/ attached ADU

**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) George G. Robinson [Signature] 5-20-19  
Printed name Signature Date

Cheryl A. Robinson [Signature] 5-20-19  
Printed name Signature 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 2C Section 1A of the zoning ordinance to permit:

The addition of an attached ADU to the current single family home on a private road,

Previous Zoning Board action on this property: Approval June 11, 2014

Subdivision for map 23 Lot 13 . 36.769 ac. divided into 2 lots

12.045 Ac & 24.723 Ac.

### SUPPORTING INFORMATION

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

There is no adverse effect on the public interest. The character of the neighborhood will be unaltered and there will be no threat to the health, safety or general welfare of the public.

2. The spirit of the ordinance is observed:

The frontage intends to prevent overcrowding, but with the ample lot size of 24.723 Acres the addition of an attached ADU is following the spirit of the ordinance seeking relief for frontage.

3. Substantial justice is done:

As a gain by the general public cannot outweigh the loss to an individual landowner without first being compensated for such loss or taking.

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

As there is already a single family home on the site

We would be following the town building requirements for an attached ADU.

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

All other provisions can be met for -frontage relief.

The lot has 20' frontage which is the minimum and there is an existing home on the lot.

- ii) The proposed use is a reasonable one.

as it conforms to all other regs.

- 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.

The hardship lies in the fact that the roadway is private & therefore "frontage" does not exist



# Abutters List Report

Nottingham, NH  
May 23, 2019

## Subject Properties:

Parcel Number: 023-0013-000  
CAMA Number: 023-0013-000  
Property Address: 16 KING FISHER ROAD

Mailing Address: ROBINSON, GEORGE G ROBINSON,  
CHERYL A  
16 KING FISHER ROAD TRUSTEES  
ROBINSON FAMILY REV  
NOTTINGHAM, NH 03290

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## Abutters:

Parcel Number: 009-0007-012  
CAMA Number: 009-0007-012  
Property Address: 22 OAK RIDGE ROAD

Mailing Address: VOLTAIRE, ROLFE  
20 OAK RIDGE ROAD  
NOTTINGHAM, NH 03290

Parcel Number: 009-0007-013  
CAMA Number: 009-0007-013  
Property Address: 20 OAK RIDGE ROAD

Mailing Address: VOLTAIRE, ROLFE  
20 OAK RIDGE ROAD  
NOTTINGHAM, NH 03290

Parcel Number: 010-0007-010  
CAMA Number: 010-0007-010  
Property Address: 26 OAK RIDGE ROAD

Mailing Address: BOYCE, EARL W BOYCE, KATHLEEN  
26 OAK RIDGE ROAD  
NOTTINGHAM, NH 03290

Parcel Number: 010-0007-011  
CAMA Number: 010-0007-011  
Property Address: 24 OAK RIDGE ROAD

Mailing Address: KASENENKO, THOMAS M KASENENKO,  
LAURA L  
24 OAK RIDGE ROAD  
NOTTINGHAM, NH 03290

Parcel Number: 023-0011-000  
CAMA Number: 023-0011-000  
Property Address: SMOKE STREET

Mailing Address: FERNALD, FREDERICK  
P.O. BOX 1805  
WOLFEBORO, NH 03894

Parcel Number: 023-0013-002  
CAMA Number: 023-0013-002  
Property Address: 14 KING FISHER ROAD

Mailing Address: CURRY, MATTHEW R CURRY,  
SHANNON C  
14 KING FISHER ROAD  
NOTTINGHAM, NH 03290

Parcel Number: 024-0020-000  
CAMA Number: 024-0020-000  
Property Address: 11 KING FISHER ROAD

Mailing Address: ROY, RUTH E & RONALD R, TRUST ROY  
FAMILY REVOC TRUST OF 2003  
11 KING FISHER RD  
NOTTINGHAM, NH 03290



www.cai-tech.com

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5/23/2019

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TOWN OF NOTTINGHAM  
**ZONING BOARD OF ADJUSTMENT**

139 Stage Road, P.O. Box 114, Nottingham, NH 03290 - email: [plan\\_zone@nottingham-nh.gov](mailto:plan_zone@nottingham-nh.gov) Tel (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 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>[Signature]</i></u> | <u>5/20/15</u> | <u><i>[Signature]</i></u> | <u>5/20/15</u> |
|                   | 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  |

MAIL TO

Return to:  
Kathryn S. Williams  
57 Main Street  
PO Box 836  
Epping, NH 03042

035600

# CORRECTIVE DEED

KNOW ALL PERSONS BY THESE PRESENTS, that We, **GEORGE G. ROBINSON AND CHERYL A. ROBINSON, TRUSTEES OF THE ROBINSON FAMILY REVOCABLE TRUST OF 1998**, u/t/d April 18, 1998, with mailing address of 14 King Fisher Road, Town of Nottingham, County of Rockingham, State of New Hampshire 03290,

for consideration paid, grant to **GEORGE G. ROBINSON AND CHERYL A. ROBINSON, TRUSTEES OF THE ROBINSON FAMILY REVOCABLE TRUST OF 1998**, u/t/d April 18, 1998, with mailing address of 14 King Fisher Road, Town of Nottingham, County of Rockingham, State of New Hampshire 03290,

with **WARRANTY** covenants

A certain tract or parcel of land with the buildings thereon, if any, situated in Nottingham, New Hampshire, as shown as Tax Map 23, Lot 13, 1,076,965 Square Feet ±, 24.723 Acres ±, on plan of land entitled "Subdivision" Plat of Land for The Robinson Family Revocable Trust of 1998, George G. and Cheryl A. Robinson, Trustees, prepared by Landry Surveying, LLC, and recorded on July 25, 2014, in the Rockingham County Registry of Deeds on Map No. D-38352. Further bounded and described as follows:

Beginning at the southerly side of Grantor's land on King Fisher Road at rebar set with plastic ID Cap #893 at the corner of King Fisher Road and Common Driveway Easement, N 67° 03' 18" W, a distance of 208.21 feet along Common Driveway Easement;

- Thence, N 56° 07' 08" W, a distance of 100.00 feet along Common Driveway Easement;
- Thence, N 85° 00' 00" W, a distance of 300.00 feet to rebar set with plastic ID Cap #893;
- Thence, N 39° 18' 49" W, a distance of 856.58 feet to drill hole set with aluminum ID Cap #893;
- Thence, N 43° 05' 00" E, a distance of 375.26 feet along scant remains of barbed wire fence found and along land now or formerly of Fernald to drill hole set;

2014 SEP 19 AM 10:06

ROCKINGHAM COUNTY  
REGISTRY OF DEEDS



- Thence, N 49° 55' 40" E, a distance of 148.90 feet along barbed wire to drill hole set;  
 Thence, N 46° 07' 20" E, a distance of 226.15 feet along scant remains of barbed wire fence found;  
 Thence, N 44° 04' 37" E, a distance of 387.78 feet to granite 4" square bound set;  
 Thence, S 50° 38' 04" E, a distance of 409.02 feet along Shoreline of Little River to a wood hub set;  
 Thence, S 21° 30' 58" W, a distance of 464.02 feet along Shoreline of Little River and Nottingham Lake to a wood hub set;  
 Thence, S 18° 48' 45" E, a distance of 478.77 feet along Shoreline of Nottingham Lake to a wood hub set;  
 Thence, S 25° 44' 25" E, a distance of 256.30 feet along Shoreline of Nottingham Lake to an iron pipe found at the easterly corner of Grantor's land at corner of land now or formerly of Roy Family Revocable Trust of 2003 and shore of Nottingham Lake;  
 Thence, S 62° 46' 55" W a distance of 70.40 feet to a point;  
 Thence, S 72° 17' 37" W, a distance of 63.29 feet to an iron pin found;  
 Thence, S 61° 32' 06" W, a distance of 20.17 feet to rebar with plastic ID Cap #893;  
 Thence, S 34° 49' 36" E, a distance of 29.83 feet along King Fisher Road, to rebar with plastic ID Cap #893 and the point of beginning.

Total Lot Area = 1,076,965 sq. ft. ±, 24.723 acres ±

Subject to an easement to New England Telephone and Telegraph Co., dated October 22, 1980, and recorded at Book 2419, Page 1988.

Trustee's Certificate

The undersigned trustees are the Trustees under the Trust created by George G. Robinson and Cheryl A. Robinson, as grantors under trust agreement dated April 18, 1998, and thereto has full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said trust, and no purchaser or third party shall be bound to inquire whether the trustees have said power or is properly exercising said power or to see to the application of any trust asset paid to the trustees for a conveyance thereof.

  
 George G. Robinson, Trustee

  
 Cheryl A. Robinson, Trustee


No title search was performed.


MEANING AND INTENDING to describe and convey a portion of the same premises conveyed by Dennis R. Theriault to George G. Robinson and Cheryl A. Robinson, Trustees of The Robinson Family Revocable Trust of 1998, by deed dated November 3, 2008, and recorded in the Rockingham County Registry of Deeds at Book 4960, Page 2941.

This Corrective Deed is to correct the Total Land Area in square feet and acres inadvertently incorrectly described in Warranty Deed dated August 21, 2014, and recorded in the Rockingham County Registry of Deeds at Book 5555, Page 1733.

This is a conveyance to a revocable trust created for estate planning purposes. The consideration paid was less than fair market value. This conveyance is subject to the minimum transfer stamps of \$40.00 as required under the New Hampshire Code of Administrative Rules, Department of Revenue Administration, Part Rev. 802.02.

Dated: September 18, 2014


  
\_\_\_\_\_  
**GEORGE G. ROBINSON**  
**TRUSTEE OF THE ROBINSON FAMILY**  
**REVOCALBE TRUST OF 1998**

  
\_\_\_\_\_  
**CHERYL A. ROBINSON**  
**TRUSTEE OF THE ROBINSON FAMILY**  
**REVOCABLE TRUST OF 1998**

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM

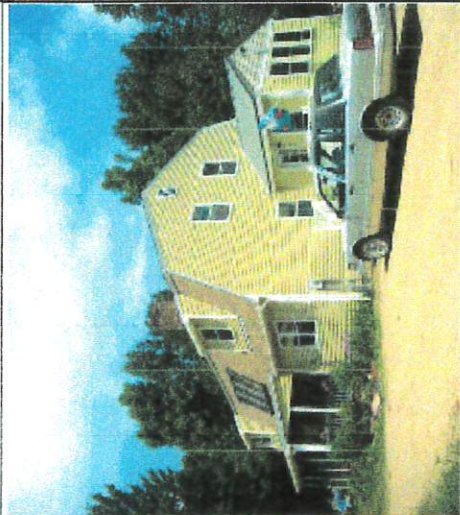
Personally appeared before me the above-named, **GEORGE G. ROBINSON AND CHERYL A. ROBINSON**, known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same on the 18<sup>th</sup> of September, 2014.



  
\_\_\_\_\_  
Name:  
NOTARY PUBLIC  
My commission expires:

**VALERIE BENNETT**  
Notary Public - New Hampshire  
My Commission Expires August 10, 2016

PICTURE



OWNER

**ROBINSON, GEORGE G**  
 ROBINSON, CHERYL A  
 16 KING FISHER ROAD  
 TRUSTEES ROBINSON FAMILY REV  
 NOTTINGHAM, NH 03290

TAXABLE DISTRICTS

| District | Percentage |
|----------|------------|
|          |            |

PERMITS

| Date     | Project Type   | Notes                                |
|----------|----------------|--------------------------------------|
| 06/21/13 | ALTERATION     | 2 METAL CHIMNEYS, BOILER & WOODSTOVE |
| 07/06/10 | FEATURES & OBS | 16 X 32 INGROUND POOL                |
| 12/05/08 | ADDITION       | 16 X 12 MUD ROOM                     |

BUILDING DETAILS

Model: 2.00 STORY GAMBREL  
 Roof: GAMBREL/ASPHALT  
 Ext: VINYL SIDING  
 Int: DRYWALL/WOOD  
 Floor: PERGO/LAMINATE/CARPET  
 Heat: OIL/HOT WATER  
 Bedrooms: 4    Baths: 2.0    Fixtures: 6  
 Extra Kitchens:    Fireplaces:     
 A/C: No    Generators: 1  
 Quality: AI AVG+10  
 Com. Wall:  
 Size Adj: 0.9177    Base Rate: RSA 80.00  
 Bldg. Rate: 1.0387  
 Sq. Foot Cost: \$ 83.10

BUILDING SUB AREA DETAILS

| ID          | Description   | Area         | Adj.  | Effect.      |
|-------------|---------------|--------------|-------|--------------|
| FFF         | FST FLR FIN   | 1620         | 1.00  | 1620         |
| CTH         | CATHEDRAL     | 252          | 0.10  | 25           |
| BMU         | BSMNT         | 1440         | 0.15  | 216          |
| TQF         | 3/4 STRY FIN  | 1188         | 0.75  | 891          |
| OPF         | OPEN PORCH    | 153          | 0.25  | 38           |
| PRS         | PIERS         | 180          | -0.05 | -9           |
| DEK         | DECK/ENTRANCE | 420          | 0.10  | 42           |
| ENT         | ENTRY WAY     | 16           | 0.10  | 2            |
| <b>GLA:</b> | <b>2,511</b>  | <b>5,269</b> |       | <b>2,825</b> |

2015 BASE YEAR BUILDING VALUATION

Market Cost New: \$ 234,758  
 Year Built: 1982  
 Condition For Age: GOOD    11 %  
 Physical:  
 Functional:  
 Economic:  
 Temporary:  
 Total Depreciation: 11 %  
 Building Value: \$ 208,900

