

Town of Nottingham
P.O. Box 114
139 Stage Road
Nottingham NH 03290



Office 603-734-4881
Fax 603-679-1013
plan.zone@nottingham-nh.gov
www.nottingham-nh.gov

ZONING BOARD OF ADJUSTMENTS FEE SCHEDULE

Fee's collected at time of application:

	TOTAL CHARGE	DATE PAID
APPLICATION FEE \$100.00	<u>100⁰⁰</u>	_____
ABUTTER NOTIFICATION <u>3</u> X \$10.00/PER ABUTTER	<u>30⁻</u>	_____
PUBLIC NOTICE FEE \$75.00	<u>75</u>	_____
TOTAL	<u>\$205⁰⁰</u>	_____

Town of Nottingham
P.O. Box 114
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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: 8/2/2022
Owner: Edward Chaput
Address: 22 Cove
Map/Lot 68/68
Applicant: Edward Chaput

Applicant has filed for a permit for a deck.

Denials:

Article II(C) (3) (a): Setbacks between property lines or the water's edge and primary use buildings is 20 feet (non-conforming lot).

The deck is approximately five feet from the side property line.

Note:

- Applicant was required to have this as part of a means of egress and has a prior approved variance for the deck as with the building permit for the home, however applicant expanded on the deck when going from temporary to permanent structure.

Respectfully submitted,

Dale Sylvia
Code Enforcement



TOWN OF NOTTINGHAM

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Planning & Zoning plan.zone@nottingham-nh.gov

Tel (603) 734-4881 Fax (603) 679-1013

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment
Town of Nottingham

FOR OFFICE USE ONLY

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

Name of Applicant Edward Chaput

Mailing Address 22 Cove Rd Nottingham NH 03290

Home Phone _____ Work Phone _____

Cell 508-509-9606

Name of Owner(s) Toni & Edward Chaput
(if same as applicant, write "same")

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

PROPERTY INFORMATION

Location of property 22 Cove Rd Tax Map 68 Lot 68

Lot Dimensions: Front 98.3 Rear 100 Side 178.77 Side 134.33

Lot Area: Acres .349 Square Feet 15,185

Present Use of Property Residential

Proposed Use of Property Same

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 C3A of the zoning ordinance to permit:

SUPPORTING INFORMATION

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

Does not affect Public Interest
It's on the side of the house not visible from street or lake

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

It provides a safer egress from house
& safer access to existing hot tub & access to basement

3. Granting the variance would do substantial justice because:

Same as above

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

It adds value - nice clean deck instead of dirt ground

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 specific application of that provision to the property because:

It was an area which froze in the winter
& mud in the spring making access unsafe.
From run off from higher elevation

-AND-

ii. The proposed use is a reasonable one because:

Eliminate the unsafe area.

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 of the lot & the shape of the lot make it hard to make any improvements without violated an ordinance. Thus reason for variance

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 information provided by me is true under penalty of law.

Edward Chaput
Signature of Owner or Authorized Agent

8/23/2022
Date

Please Print Name *EDWARD CHAPUT*

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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) Edward Chaput 8/23/2022 Traci Chaput 8/23/2022
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

The Nottingham Zoning Board strongly recommends that, before making any appeal, you become familiar with the zoning ordinance, and also with the New Hampshire Statutes TITLE LXIV, RSA Chapters 672- 677, covering planning and zoning.

New Hampshire Law

New Hampshire law no longer distinguishes between a "use" or "area" variance. New Hampshire law requires the existence of unnecessary hardship for the granting of any variance, whether that is for a use not allowed in a particular zone or a deviation from a dimensional requirement.

APPLICATION PROCEDURE FOR ZONING BOARD OF ADJUSTMENT HEARING

Clarification of the Zoning Ordinance and assistance in completing the application process can be obtained from the Secretary of the Zoning Board. Legal assistance should be obtained from the Applicant's personal attorney.

Correctness of information submitted is the responsibility of the Applicant.

The following must be filed with the application:

- ✓ Application fee, public notice fee, and abutter notification fee.
- ✓ An abutters list and three (3) sets of abutter mailing labels. Abutter mailing labels must include the names and legal addresses of applicant, property owner, all property owners abutting the subject parcel, including those directly across the street or stream, and anyone whose professional seal appears on the plan. Tax Map No. and Lot No. must also appear on the list for the abutting properties. **Important:** Applicant shall certify that the abutters are as indicated in the Town of Nottingham's Selectmen's Office not more than 5 days prior to day of filing the application with the Zoning Board. (SEE FORM A).
- ✓ Six (6) sets of 11"X17" plans drawn to scale which show lot location, lot size, setbacks, locations and dimensions of all structures and open spaces on the lot in question and on the adjacent lots, and ownership of adjoining lots of land. Plans do not have to be professionally drawn.
- ✓ A written description of work proposed and any dimensions pertinent to construction.
- ✓ A signed Authorization To Enter Upon Said Property form. (SEE FORM B)
- ✓ If the applicant is not the owner, a notarized Owner's Authorization for Representation form must be submitted. (SEE FORM C).

No application shall be accepted for processing until **all** of the required information is received.

HEARING NOTIFICATION & PROCESS

Your hearing will be held within 30 days after submission of a complete application. You will be notified by certified mail as to time, place, and date of the public hearing. At the time of the hearing, you must present your case to the Board or must authorize a representative to appear for you. (FORM C).

RULES OF PROCEDURE FOR CONDUCT OF MEETINGS

Each applicant is entitled to a hearing by a five-member Board. If, for any reason, five members are not available, the applicant(s) may elect to postpone the hearing and decision until the next meeting of the Board at which five members are present. For the benefit of those in attendance at public hearings, the Chairman will briefly explain the procedure before the hearings begin and introduce the members of the Board. The public hearing will begin with the applicant(s) and/or his/her representative presenting the petition. Then those wishing to speak in favor of the petition may do so, followed by those wishing to speak in opposition to the petition. After this, the applicant(s) and those in favor may speak in rebuttal, followed by the rebuttal of those in opposition. The debate may be closed when the Chairman deems it appropriate. All comments must be addressed to the Chair. Anyone rising to address the Chair should identify him/herself, giving his/her name and address. No one will be allowed to speak twice until all who wish to speak have been heard. Reasons will be given for all decisions of the Board and references made to the appropriate sections of the Zoning Ordinance. In the event the Board wishes to postpone making a decision, the applicant(s) will be so advised. All decisions will be announced by the Chair at the time they are made, and formal written notification will be mailed to the applicant(s) within 5 business days after the decision is rendered. In the event no one is available to present a petition to the Board at the public hearing, the petition will be automatically dismissed on the grounds that no public hearing has been held. A petition may be withdrawn by the applicant(s) by notifying the Clerk of the Board of this intention. All public hearings and Board deliberations are transcribed.

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ABUTTER(S) LIST

****PLEASE PRINT THREE (3) ADDRESS LABELS PER ABUTTER- INCLUDING THE APPLICANT, OWNER AND PROFESSIONAL(S)****

1. APPLICANT INFORMATION:

Printed Name: EDWARD Chaput Contact Telephone: 508 509-9600
Address: 22 Cove Rd.

2. OWNER INFORMATION:

Printed Name: _____
Address: _____

3. PROFESSIONAL(S) INFORMATION:

Printed Name: _____
Address: _____

Abutter(s) Information				
No.	Map:	Lot:	Name:	Address:
4.	68	70	Thomas & Anne O'Keefe	24 Cove Rd
5.	68	66	Walter & Katherine Lewis	P.O Box 422 20 Cove Rd.
6.	68	80	Richard Morrissey	41 LAKEVIEW DRIVE Nottingham 03290
7.	Map:	Lot:	Name:	Address:
8.	Map:	Lot:	Name:	Address:
9.	Map:	Lot:	Name:	Address:
10.	Map:	Lot:	Name:	Address:
11.	Map:	Lot:	Name:	Address:
12.	Map:	Lot:	Name:	Address:
13.	Map:	Lot:	Name:	Address:

I, ED Chaput, the undersigned, certify that to the best of my knowledge, the above is an accurate and complete abutter(s) list and that the information was obtained from the Nottingham Assessing Office no more than five (5) days prior to the date of this application..

Edward Chaput
Applicant's Signature

8/23/2022
Date

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TOTAL	_____	_____

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WALTER Lewis
P.O. Box 422
20 Cove Rd
Nottingham NH 03290

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P.O. Box 422
20 Cove Rd
Nottingham NH 03290

WALTER Lewis
P.O. Box 422
20 Cove Rd
Nottingham NH 03290

Richard Morrissey
41 Lakeview Dr.
Nottingham NH 03290

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