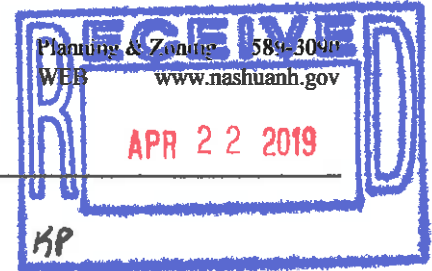




City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019



VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED TO APPLICANT.

This application must be completed and submitted to the Planning Department no later than the dates listed on the Zoning Board of Adjustment (ZBA) schedule sheet. Please print clearly or type.

1. VARIANCE INFORMATION

a. ADDRESS OF REQUEST 11 Penobscot Road Nashua NH 03062
 Zoning District R9 Sheet C Lot 961 ✓

b. VARIANCE(S) REQUESTED:
Adding a two car garage within front setback 20' FYSB REQD - 3' proposed
Adding a second driveway over 24' 36' proposed

c. LAND USE CODE SECTION(S) REQUESTING VARIANCE(S) FROM 11 Penobscot Rd Nashua 03062
190-16, Table 16-3
190-192 C

2. GENERAL INFORMATION

a. **APPLICANT / OPTIONEE** (List both individual name and corporate name if applicable)
 (Print Name): Benjamin and MaryJane Lugo
 Applicant's signature [Signature] Date 4-21-19
 Applicant's address 11 Penobscot Road Nashua NH 03062
 Telephone number H: 6032334820 C: 9783978998 E-mail: bnjlu7@comcast.net

b. **PROPERTY OWNER (Print Name):** Benjamin and MaryJane Lugo
 *Owner's signature [Signature] Date 4-21-19
 Owner's address 11 Penobscot Road Nashua NH 03062
 Telephone number H: 6032334820 C: 9783978998 E-mail: bnjlu7@comcast.net

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY Date Received 4/22/19 Date of hearing 5/28/19 Application checked for completeness: CP
 PLR# 2019-00082 Board Action _____
 \$ _____ application fee Date Paid _____ Receipt # _____
 \$ _____ signage fee Date Paid _____ Receipt # _____
 \$ _____ certified mailing fee Date Paid _____ Receipt # _____

3. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attach additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

- 1. **Granting of the requested variance will not be contrary to the public interest, because:** (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Granting our request for a variance to add an attached garage to our home will keep with the character of the neighborhood as each home in our immediate area has an attached garage.

Granting our request for a variance to add the second driveway will not alter the character or safety of the neighborhood as it will allow us to keep vehicles off the street as our family continues to grow.
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- 2. **The proposed use will observe the spirit of the ordinance, because:** (The Proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

The proposed use of an attached garage will not conflict with the character of the neighborhood as we plan to use the garage in the similar manner as our neighbors use theirs.

The proposed use of a second driveway will not threaten the safety of the public. Having vehicles off the quiet cul de sac will benefit the young children riding their bicycles on the street.

- 3. **Substantial justice would be done to the property-owner by granting the variance, because:** (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

The benefits of granting the variance for the garage will allow us the extra space for vehicles as our family continues to grow. My parents are facing a financial hardship and hope to move in with us.
--

The benefits of granting the use of a second driveway will allow our children and my parents to keep their vehicles off the street.

- 4. **The proposed use will not diminish the values of surrounding properties, because:** (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The proposed use will not diminish the value of the surrounding properties but will keep within the theme of the neighborhood as three homes in our immediate view have attached two car garages. While seven other homes on our street have attached garages as well. This will also increase our tax liability which will benefit the city.

5. Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship, because: (The applicant must establish that because, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

We thought we had the available space to build the structure. But as we learned from your correspondence, because of the way our property sits on the cul de sac, the city's land goes more into our property than we were aware of. Two of the four homes on the cul de sac have an attached two car garage. Our addition will blend in with the character of the neighborhood and allow us the space to move my parents in with us.

4. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees [] Number of employees per shift []
b. Hours and days of operation []
c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors []
d. Number of daily and weekly commercial deliveries to the premises []
e. Number of parking spaces available []
f. Describe your general business operations:

[Empty box for general business operations]

g. Describe any proposed site renovations, including, but not limited to - landscaping, lighting, pavement, structural changes, signage, access and circulation:

[Empty box for site renovations]

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction. I understand that only those point specifically mentioned are affected by action taken on this appeal.

[Signature] Mary Jane Logo

Signature of Applicant

4-21-19

Date

Benjamin Logo Mary Jane Logo
Mary Jane Logo

Print Name

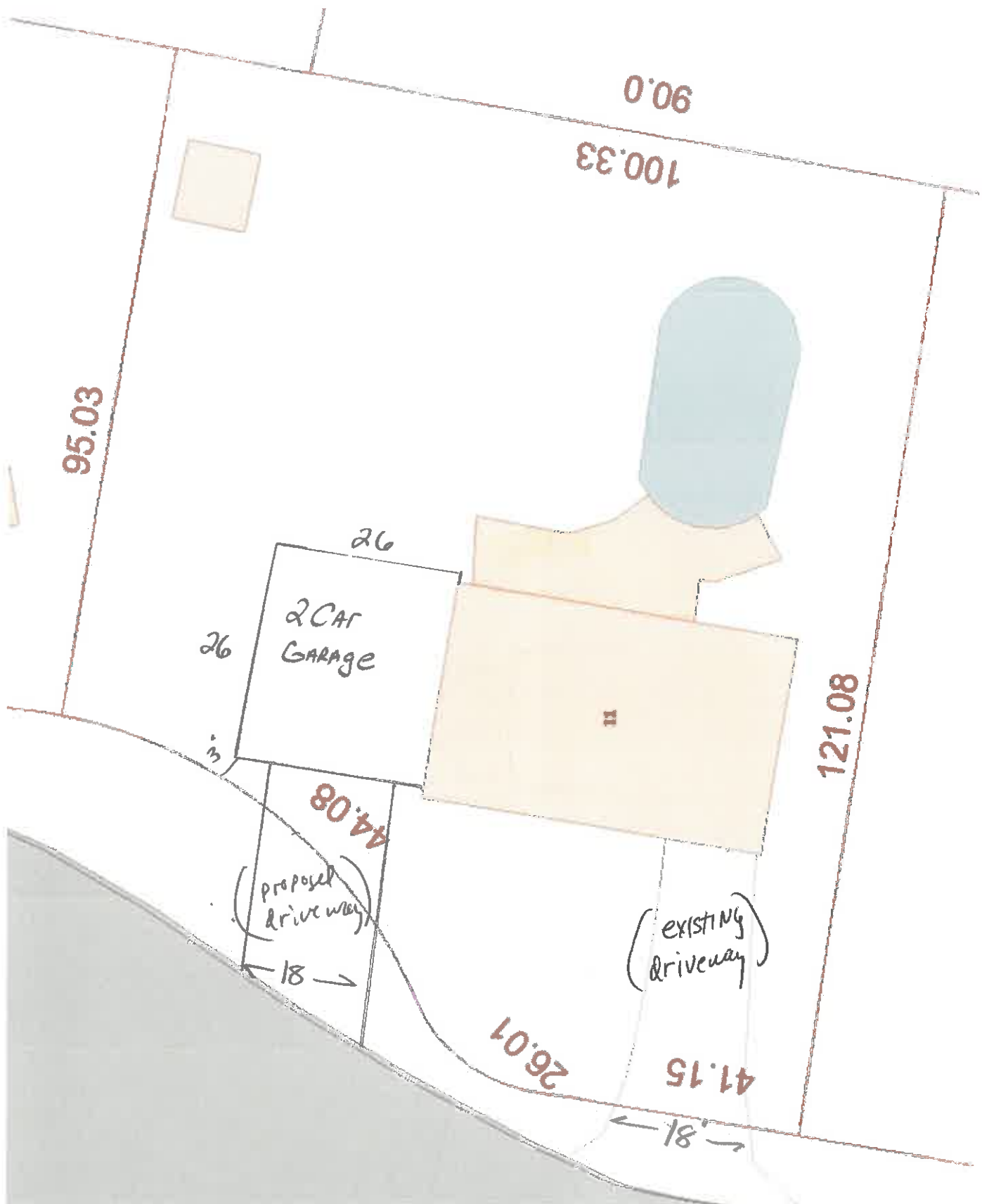
4-21-19

Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

- [] I will pick it up at City Hall
[] Please email it to me at []
[] Please mail it to me at []

11 Penobscott



CITY OF NASHUA PLANNING DEPARTMENT

I, the undersigned, certify that to the best of my knowledge, this plan accurately depicts existing and proposed site conditions as it pertains to my application before the Zoning Board of Adjustment.

Owner/applicant signature: *John F. [Signature]*

Date: 5-3-19

REVISION TABLE	NO.	DATE	BY	DESCRIPTION

First Floor Plan

Rousseau Enterprises
11 Penobscot Road project
Nashua NH

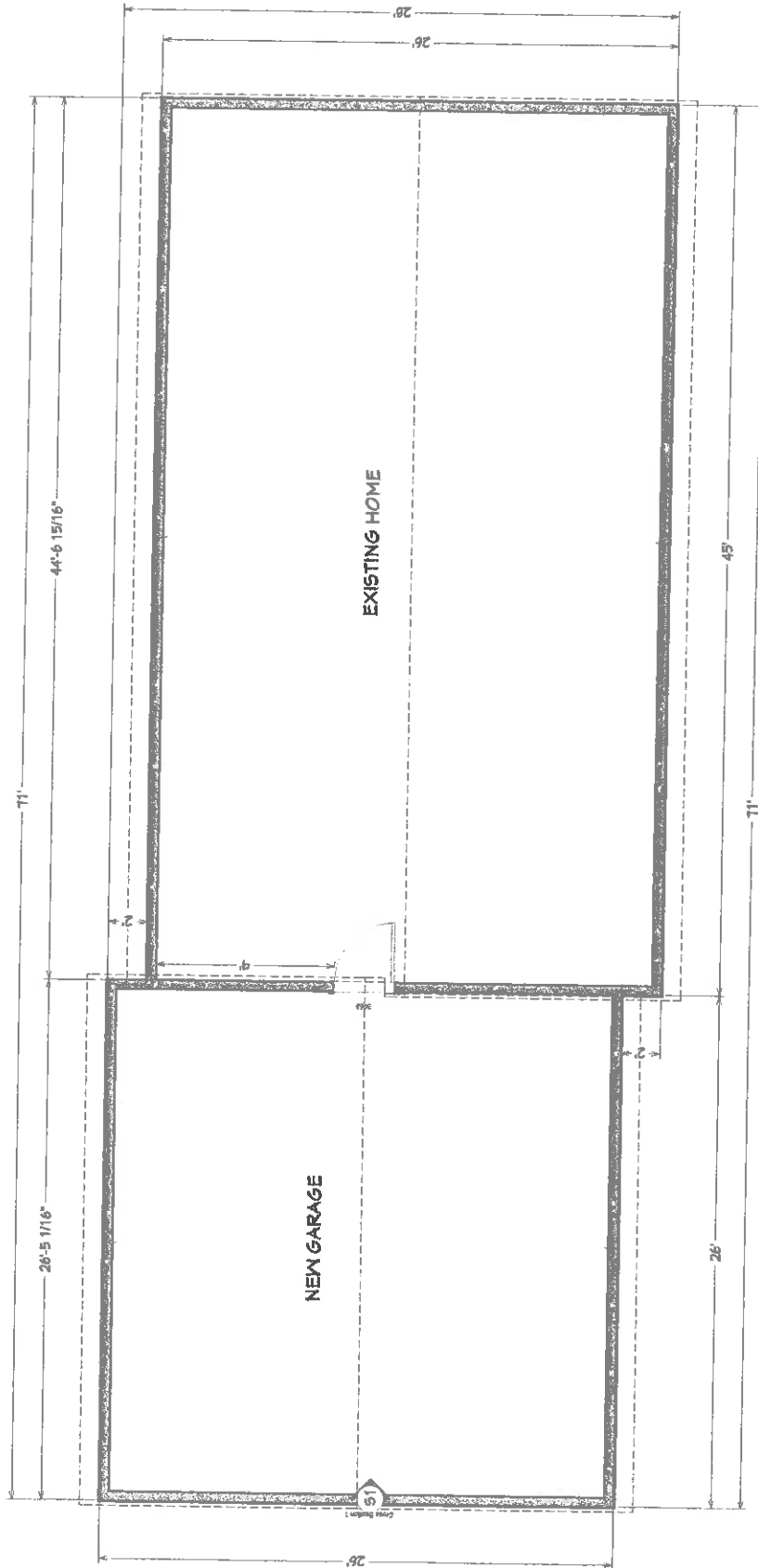
DRAWINGS PROVIDED BY:



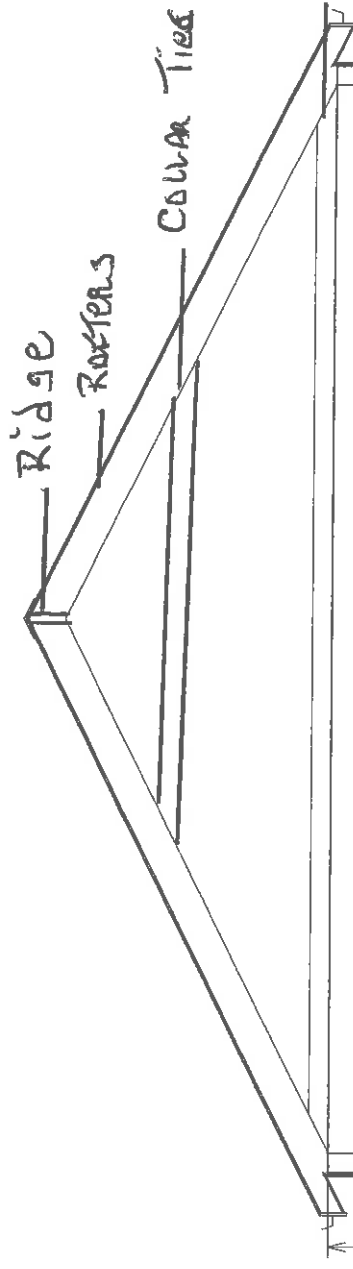
DATE: 4/14/2019

SCALE: 3/8" = 1' @ 24" x 36"

APPROVAL



REVISIONS	DATE	BY



LEGEND	
2x6 Construction	
2x10 Rafters with 5/8 THD plywood	
2x6 Collar ties on rafters	
2x12 Ridge Beam	
2x8 Ceiling Joist with 1x3 strapping	
All Headers 3-2x8	
R19 Kraft Faced Insulation in walls	
R30 Kraft Faced Insulation in ceiling	
1/2" sheetrock on walls and ceiling	
5/8 Fiberglass sheetrock on fireplace wall	
8" Concrete Foundation Wall	
4" Slab Floor	
Roofing 30 Year Architectural Shingles	
Siding, Trim & Roofing to Closely Match Existing	
Windows - 2' 6" x 4' Harvey Classic Double Hung	
Exterior Door - 3' x 6' 8" Triematra 6 Panel Insulated	
Interior Door - 3' x 6' 8" Six Panel Insulated to Match Existing	
Garage Door - 9' x 7' with 9' x 1' Transom Windows	

P.I. sill Plate w/sill seal
 TYPICAL threaded Anchors in TOP
 OF FOUNDATION

Fastening
 16" X 8"

Cross Section 51

Exterior 3D View

Rousseau Enterprises
11 Penobscot Road project
Kashua NH

DESIGNED BY



DATE:

4/14/2019

SCALE:

APPROVAL



Exterior 3D View

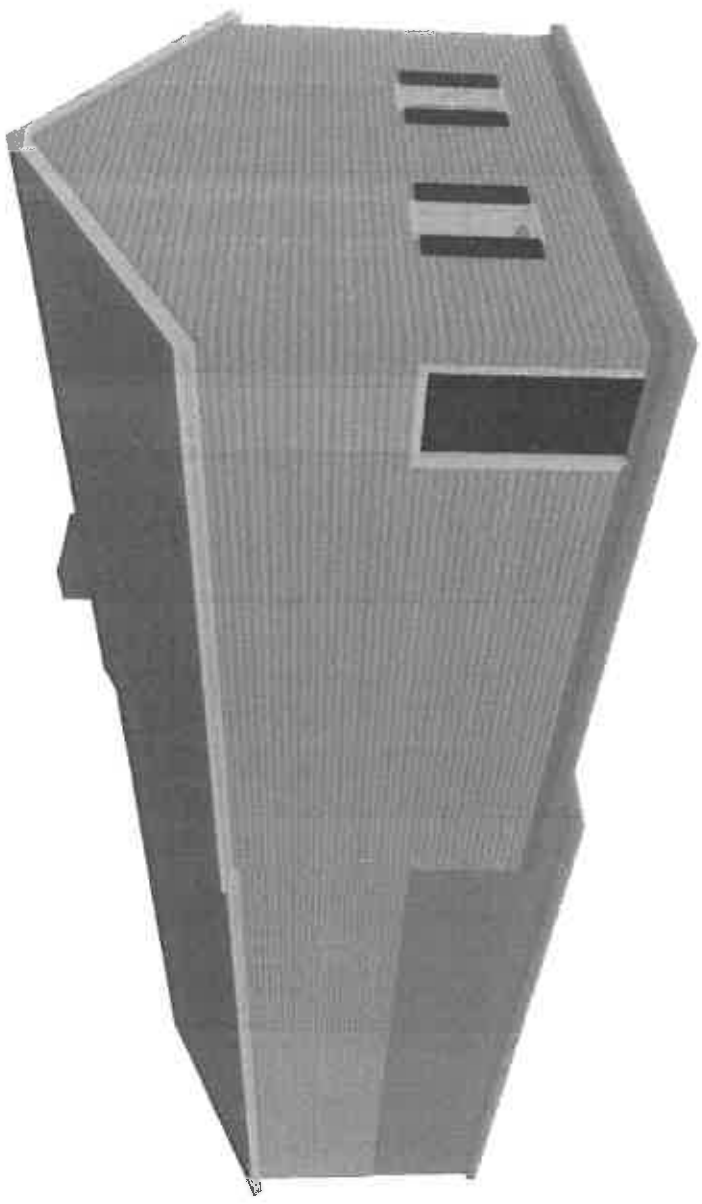
Rousseau Enterprises
11 Fenobscot Road project
Nashua NH



DATE: 4/14/2019

SCALE:

APPROVAL:



7

Interior 3D View

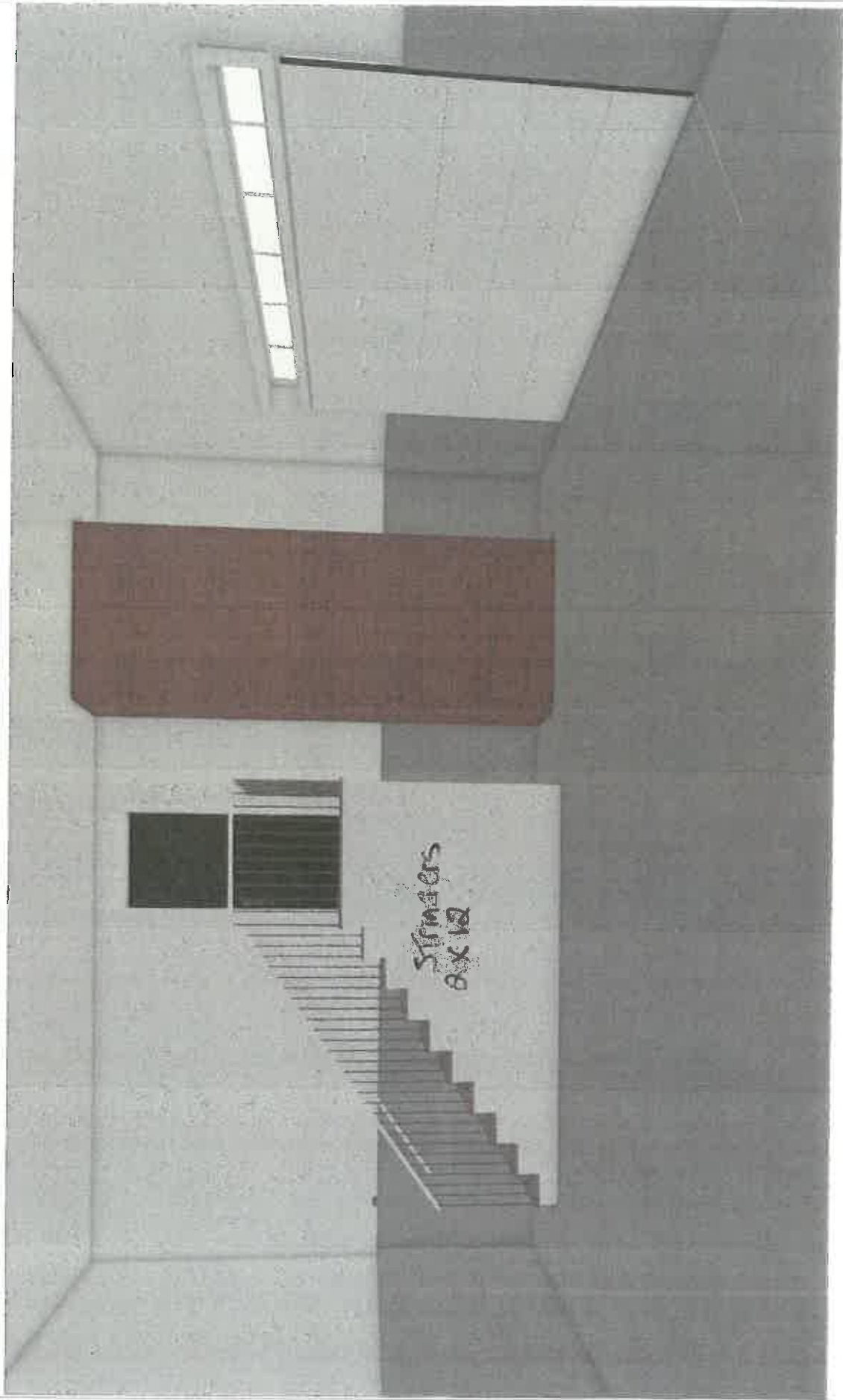
Rousseau Enterprises
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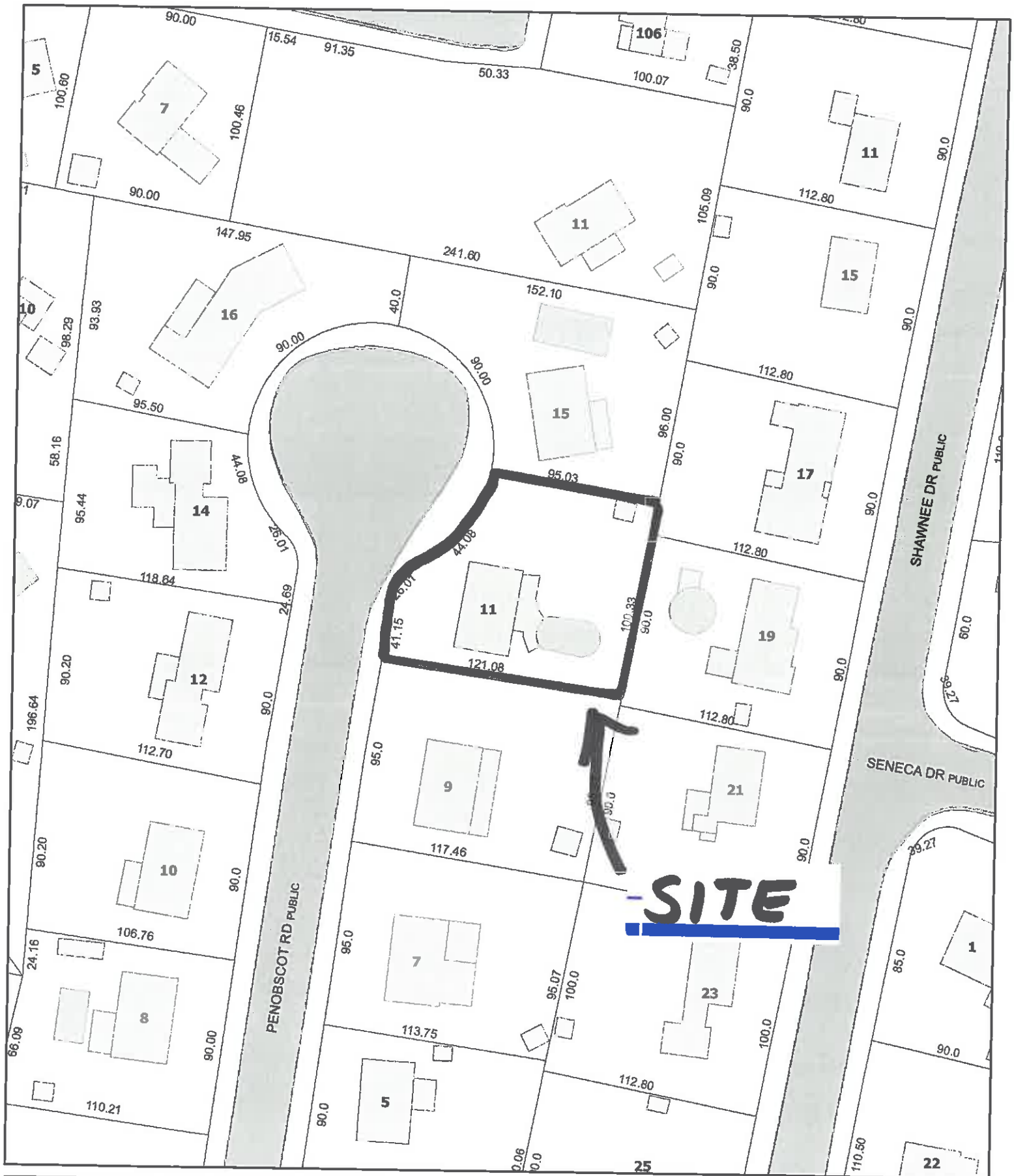
DATE:
4/14/2019

SCALE:

APPROVAL:



5ft miter
8 x 12



11 Penobscot Road

