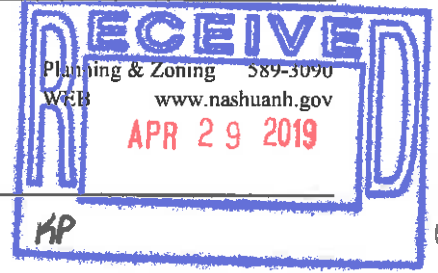




City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019



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 13 Fulton Street

Zoning District rc Sheet 100 Lot 13

b. VARIANCE(S) REQUESTED:

front yard, side yard, and rear yard footage Encroachment

c. LAND USE CODE SECTION(S) REQUESTING VARIANCE(S) FROM Sections 190-16

2. GENERAL INFORMATION

a. APPLICANT / OPTIONEE (List both individual name and corporate name if applicable)

(Print Name): Jacob Mathew Diamond

Applicant's signature [Signature] Date 4/29/19

Applicant's address 13 Fulton Street, Nashua, Nh, 03060

Telephone number H: 603-204-8254 C: 781-227-4713 E-mail: jdiamond@TomCurrenCompanies.com

b. PROPERTY OWNER (Print Name): Jacob Mathew Diamond

*Owner's signature [Signature] Date 4/29/19

Owner's address 13 Fulton Street, Nashua, Nh, 03060

Telephone number H: 603-204-8254 C: 781-227-4713 E-mail: jdiamond@TomCurrenCompanies.com

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

OFFICE USE ONLY	Date Received <u>4/29/19</u>	Date of hearing <u>5/28/19</u>	Application checked for completeness: <u>[initials]</u>
PLR# <u>2019-00084</u>	Board Action _____		
\$ _____ application fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ signage fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	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.")

The Proposed Structure will not alter the existing structure in Length, or Width. The proposed structure will only be increased in overall Height.

- 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 safety of the neighborhood will not be at threatened. The structure is further than 10 feet from any dwelling. the framing techniques and materials used are similar to those in the neighborhood. Thus the proposed will not be a menace.

- 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 proposed alterations to the structure will increase the overall value and appearance to the structure. Also the proposed project Shall Not go any further to the property lines than it already does.

- 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.)

When a property is decreasing in value it can make selling a home more difficult to sell. And selling a property can make you lose money. For properties in despair like the one located at 13 Fulton street, it can have more severe of an impact on the value of the homes in the area. Ultimately unsightly structures affect the resale value of the homes because it brings down the average home value in the neighborhood. Once this project is completed the entire neighborhood will benefit from the value.

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.

The existing structure already encroaches the dimensional setbacks. Other properties such as the one located at 8 Fulton street encroach the front setback regulations, there will not be a change in the structural footprint, upon granting the variance there will only be modifications within the structural layout to what already exists. In a way that will be more enjoyable. And will be used in the same manner as other properties in the surrounding area.

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 0 Number of employees per shift 0
b. Hours and days of operation 0
c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors 0
d. Number of daily and weekly commercial deliveries to the premises 0
e. Number of parking spaces available 3
f. Describe your general business operations:

n/a

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

new siding, New Roof, replacing existing deck and adding 2 balconies, repainting of the home, new bathroom, and a game room, and LandScaping.

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 of Applicant [Handwritten Signature]

Date 4/29/19

Print Name Jacob Diamond

Date 4/29/19

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 Jdiamond@TomCurrenCompanies.com
Please mail it to me at

54.4'

50

FULL-TON STORAGE

BRICK STORAGE

75.0

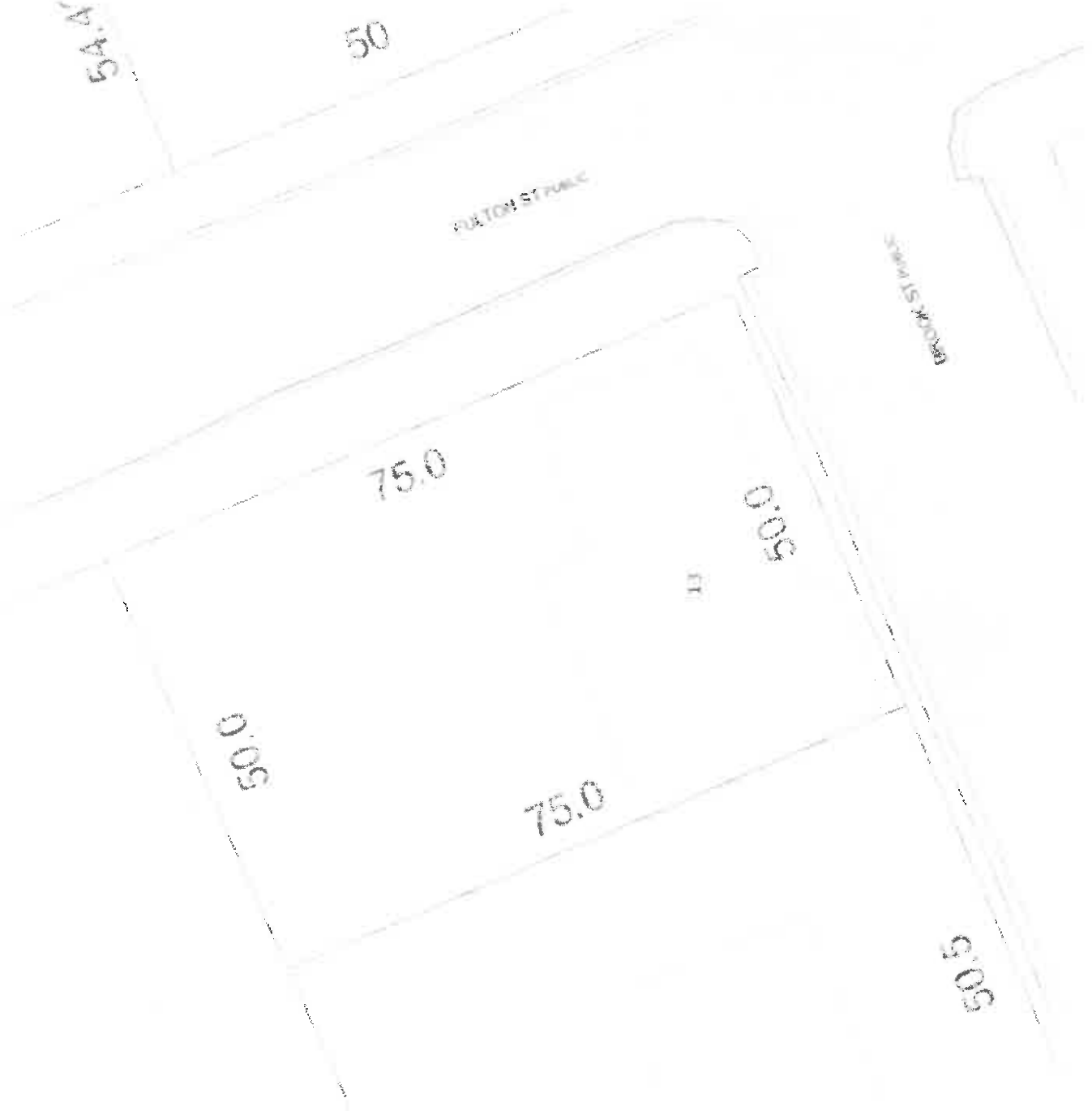
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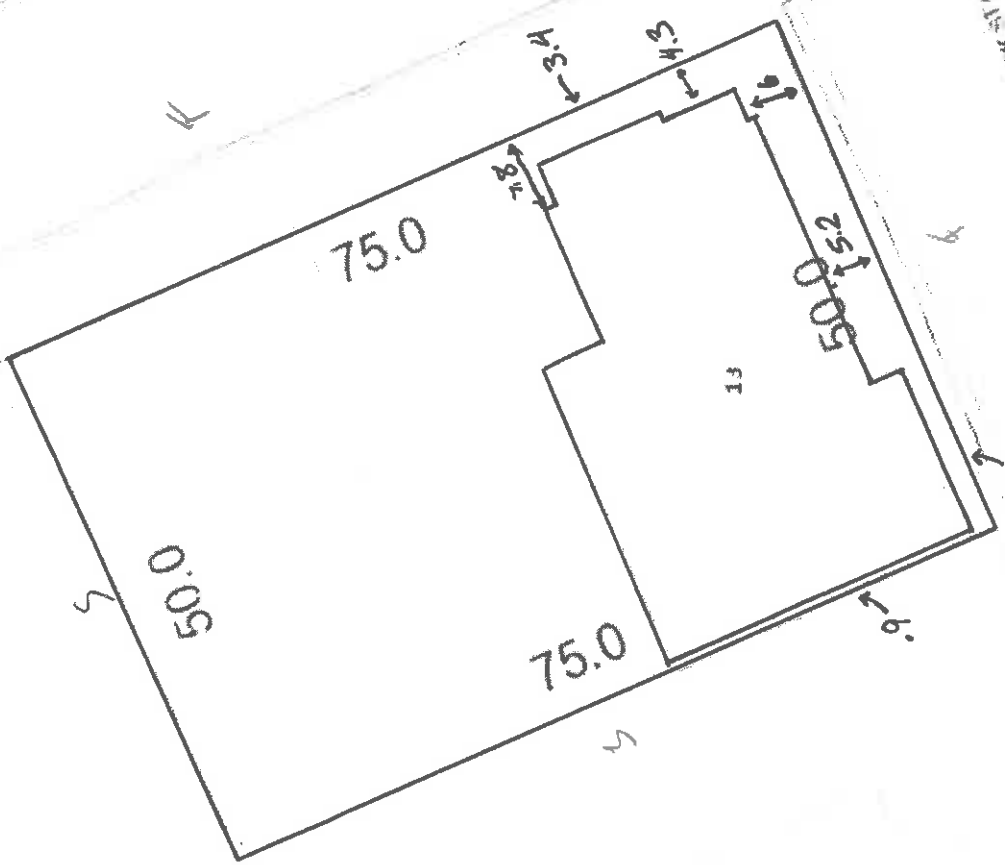
10 F 7 S

54.4'

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MILTON ST

BRICK ST



50.0

75.0

75.0

13

50.0

6'

7.1'

50.5



Poirier, Kate

From: Jake Diamond <jdiamond@tomcurrencompanies.com>
Sent: Monday, April 29, 2019 5:15 PM
To: Poirier, Kate
Subject: 13 Fulton st setback estimation
Attachments: IMG_2732.jpg; ATT00001.txt; IMG_2733.jpg; ATT00002.txt; IMG_2735.jpg; ATT00003.txt; IMG_2736.jpg; ATT00004.txt

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Looks like I'm about a foot from the line in the back.

And about 7ft back on the front and left side. Depending on where exactly the "line" is drawn



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EXISTING CONDITIONS



Builder's Plan depicts a cutting and shoring system. These plans are prepared for information and are not to be used for construction. For compliance to local building codes, consult with your local building department for any applicable codes and regulations.

DRAWN BY: *AB*
 DATE: 4/29/2019
 REVISIONS:

RESIDENCE FOR:
 Jacob Diamond
 13 Fulton St.
 Nashua, NH 03060

BUILDER'S PLAN
 A DIVISION OF LOVELL BLUEPRINT, INC.
 83 PARKHURST ROAD
 CHELMSFORD, MA 01824
 (978) 937-5023 | (888) 937-5111

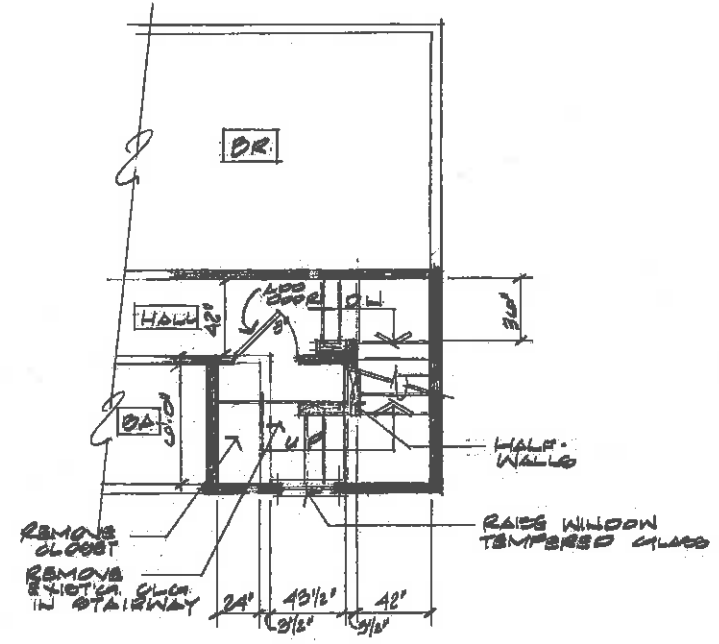
STAMP

SHEET

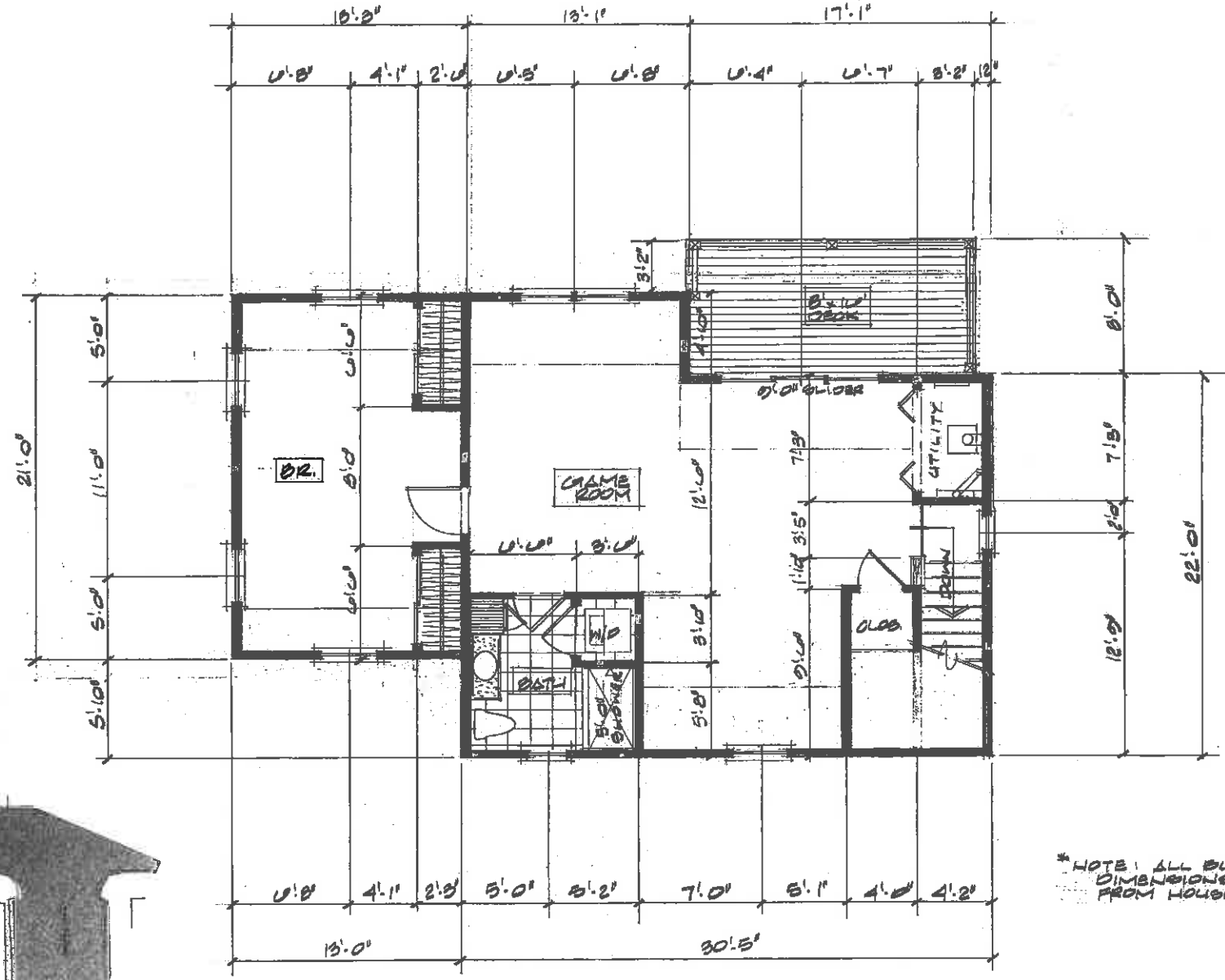
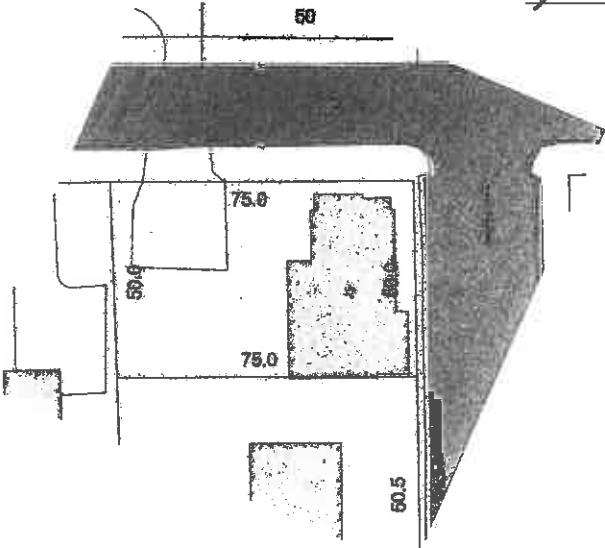
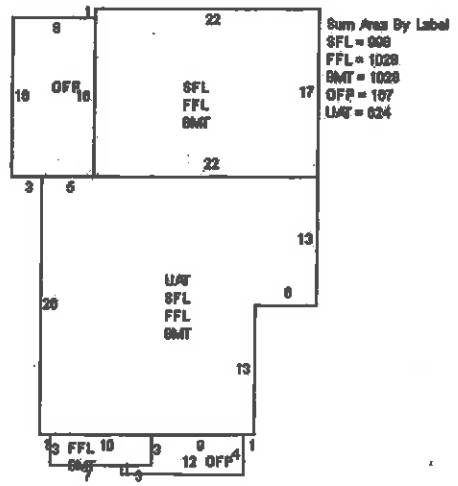
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OF

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EXISTING SECOND FLOOR PLAN AT STAIRS
1/4" = 1'-0"



THIRD FLOOR ADDITION PLAN
1/4" = 1'-0" 802 sq. ft.

* NOTE: ALL BUILDING DIMENSIONS MEASURED FROM HOUSE IN FIELD

Builder's Plan Service is a service...
We are not responsible for...
any particular site and may...
require modifications.

DRAWN BY: JBB
DATE: 4-20-10
REVISIONS:

RESIDENCE FOR:
Jacob Diamond
13 Fulton St.
Nashua, NH 03060

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SHEET
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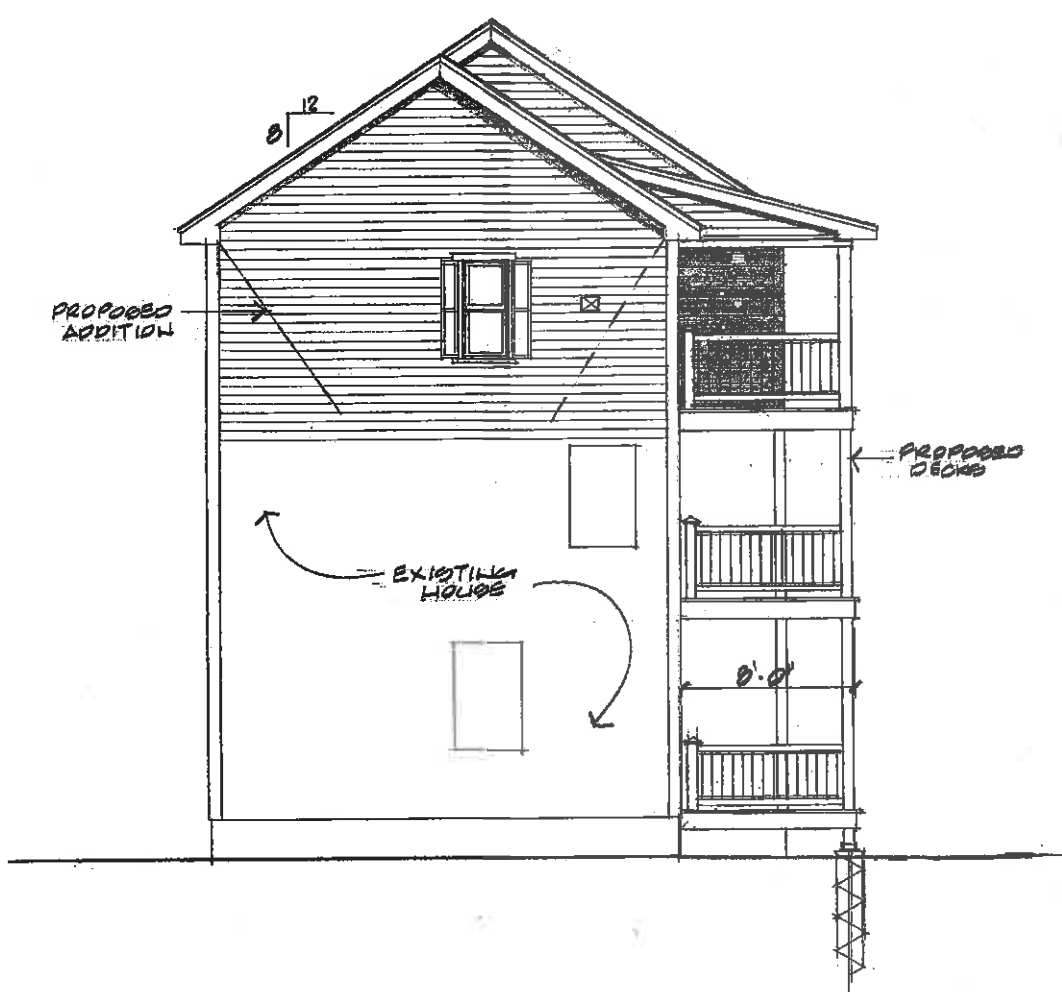
DRAWN BY: *LB*
 DATE: 4-20-17
 REVISIONS:

RESIDENCE FOR:
 Jacob Diamond
 13 Fulton St.
 Nashua, NH 03060

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3
 OF 5



REAR ELEVATION
 1/4" = 1'-0"



FRONT ELEVATION - FULTON ST
 3/4" = 1'-0"



LEFT SIDE ELEVATION - BROOKS ST.
1/4" = 1'-0"

Builder's Plan Service is a leading
architectural firm. These plans are
designed in accordance with the
Massachusetts State Building Code
and should be reviewed by a licensed
professional engineer or architect
before construction. These plans are not
guaranteed to be suitable for any
particular site and may
require modifications.

DRAWN BY: *LLB*
DATE: 4.20.19
REVISIONS:

RESIDENCE FOR:
Jacob Diamond
13 Fulton St.
Nashua, NH 03060

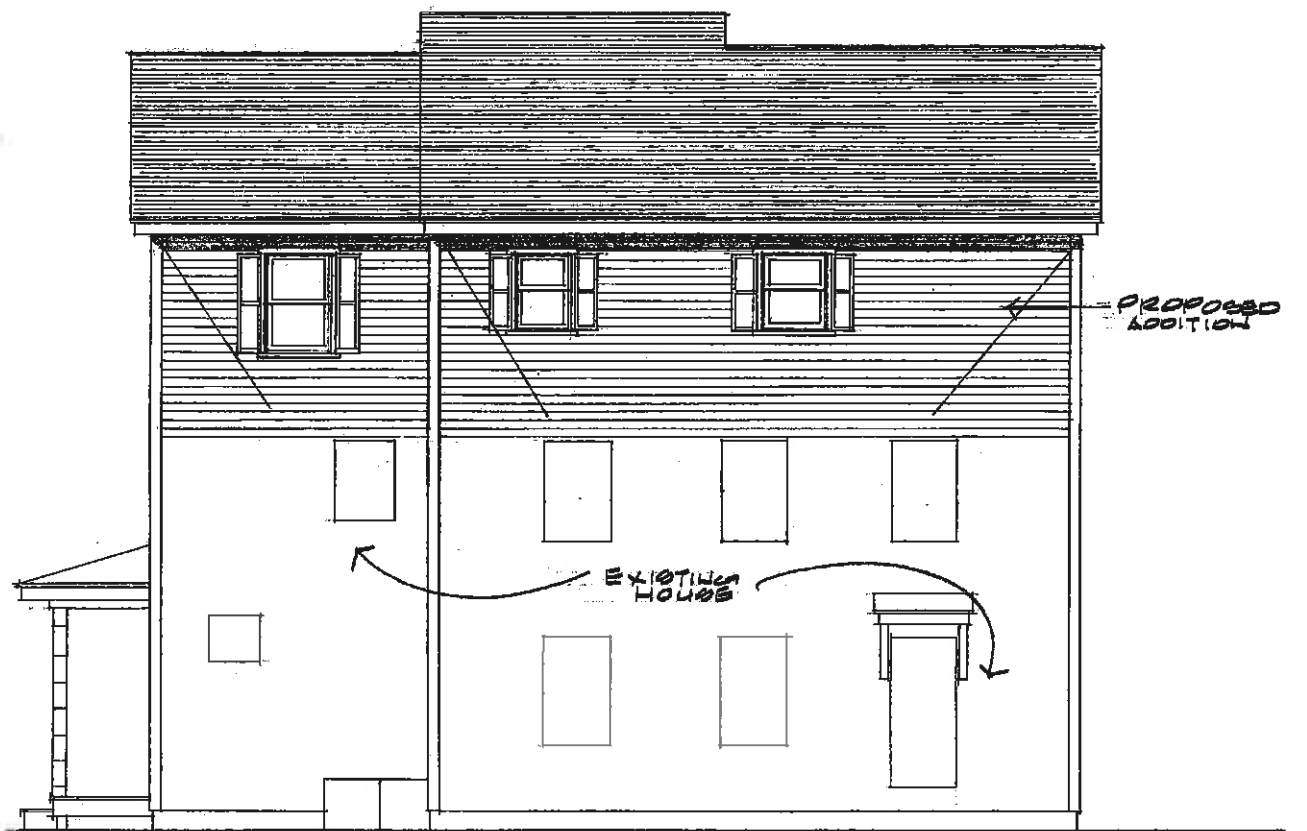
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REJECT

4

OF 5



RIGHT SIDE ELEVATION
4/20/15

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DRAWN BY: *LB*
DATE: 4-20-15
REVISIONS:

RESIDENCE FOR:
Jacob Diamond
13 Fulton St.
Nashua, NH 03060

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