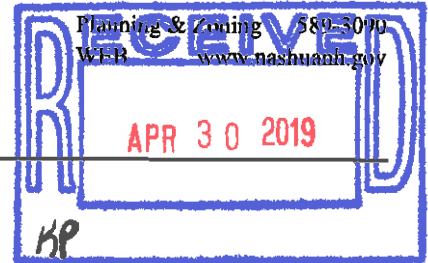




**City of Nashua**  
**Planning Department**  
 229 Main Street  
 Nashua, New Hampshire 03061-2019



**VARIANCE APPLICATION (ZBA)**

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

3

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 12 GETTYSBURG DRIVE

Zoning District RA Sheet 48 Lot 239

b. VARIANCE(S) REQUESTED:

BASIC PETITION FOR SET BACK - 5'-0"

c. LAND USE CODE SECTION(S) REQUESTING VARIANCE(S) FROM 190-16, Table 16-3

**2. GENERAL INFORMATION**

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

(Print Name): CHARLES OKORIE

Applicant's signature [Signature] Date APRIL 30, 2019

Applicant's address 46 COX STREET

Telephone number H: 803-2209 C: 430-3566 E-mail: charles@cbd-designs.com

b. **PROPERTY OWNER (Print Name):** PAULA SMITH & KIM KLEINER

\*Owner's signature [Signature] Date APRIL 30, 2019

Owner's address 12 GETTYSBURG DRIVE

Telephone number H: 882-9091 C: 600-1860 E-mail: Kimkleiner@comcast.net

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

<b>OFFICE USE ONLY</b>	Date Received <u>4/30/19</u>	Date of hearing <u>5/28/19</u>	Application checked for completeness: <u>CF</u>
PLR# <u>2019-00087</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.")

GRANTING OF THE REQUESTED VARIANCE WILL NOT BE CONTRARY TO THE PUBLIC INTEREST BECAUSE THE PROPOSED GARAGE ADDITION FALLS WITHIN THE EXISTING SET BACK OF THE CURRENT SHED ON THE PROPERTY.

- 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 WILL OBSERVE THE SPIRIT OF THE ORDINANCE BECAUSE THE PROPOSED ADDITION IS TO PROTECT THE CARS FROM THE ELEMENTS; UNITE THE FAMILY BY ALLOWING THE KIDS & GRAND ~~PARADE~~ CHILDREN TO ~~CONVEY~~ LIVE TOGETHER THEREBY PROVIDING A LEVEL OF STABILITY FOR THE ENTIRE GENERATION.

- 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.)

SUBSTANTIAL JUSTICE WOULD BE DONE TO THE PROPERTY-OWNER BY GRANTING THE VARIANCE, BECAUSE RATHER THAN MOVING OUT OF A FAMILIAR ENVIRONMENT TO A HOME, SHE WILL THE OPPORTUNITY OF SPENDING THE REST OF HER IN HER HOME.

- 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 BECAUSE BASED ON THE PROPOSED ARCHITECTURAL DRAWINGS & AESTHETICS, THE VALUE WILL OBVIOUSLY APPRECIATE WHICH WILL AFFECT THE VALUE OF OTHER PROPERTIES POSITIVELY

VARIANCE APPLICATION

Address \_\_\_\_\_

Page 3

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.

SPECIAL CONDITIONS EXIST SUCH THAT LITERAL ENFORCEMENT OF THE ORDINANCE RESULTS IN UNNECESSARY HARDSHIP BECAUSE:

- HOME OWNER WILL BE LONELY.
- FAMILY REUNION WILL BE DENIED
- GRAND CHILDREN WILL NOT BE ABLE TO TAKE CARE OF THEIR GRAND PARENT.
- HOME OWNER WILL BE DENIED THE PRIVILEGE OF A FAMILIAR ENVIRONMENT

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:

\_\_\_\_\_

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

\_\_\_\_\_

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 \_\_\_\_\_

Date APRIL 30, 2019

Print Name CHARLES OKORIE

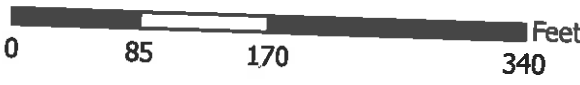
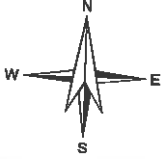
Date APRIL 30, 2019

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 \_\_\_\_\_

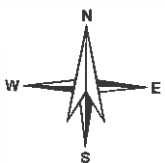


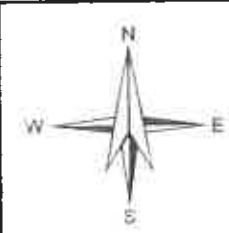
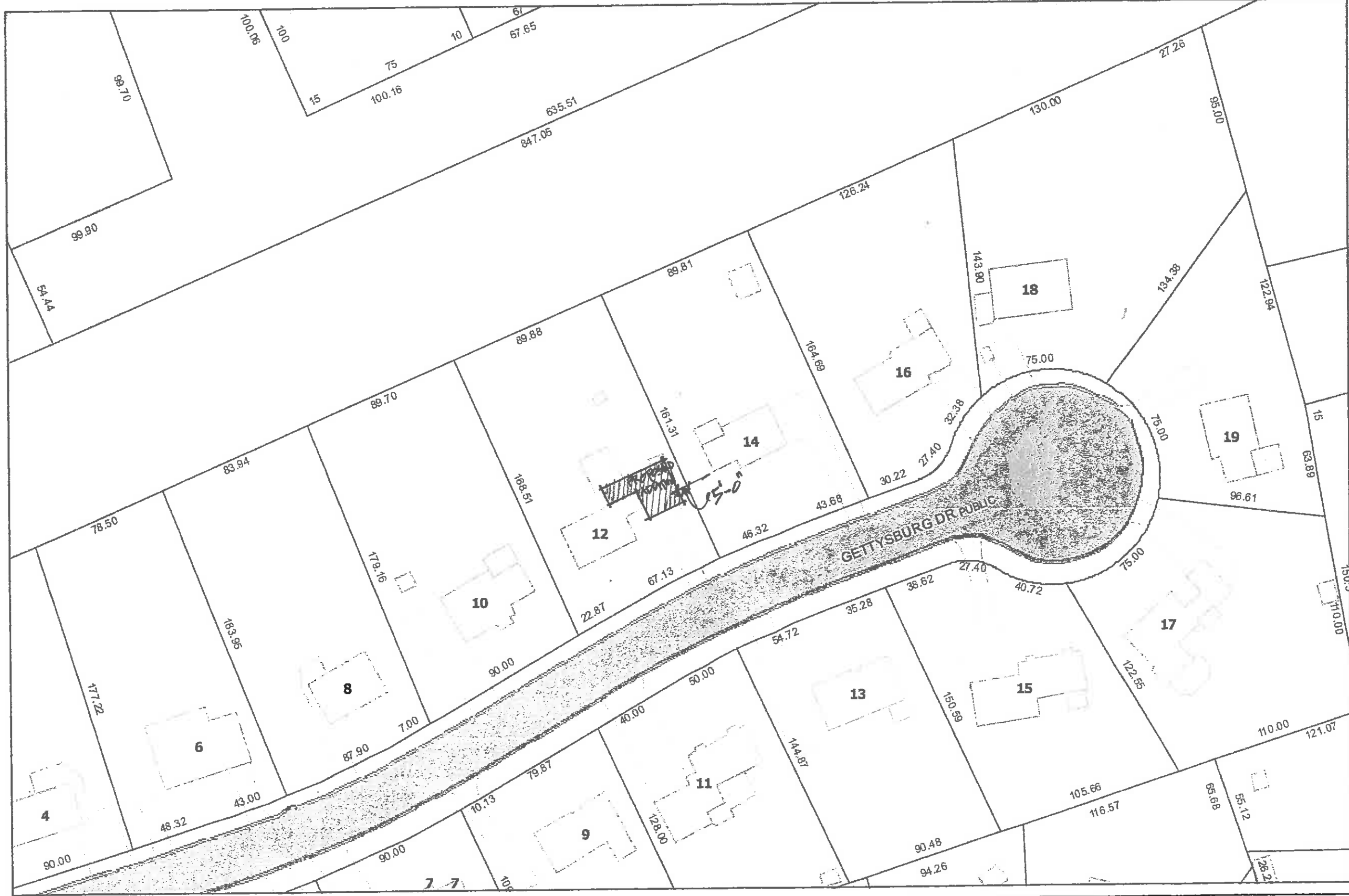
**12 Gettysburg Drive**





### 12 Gettysburg Drive





**Plot Plan - Paula Smith**



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**PLOT PLAN**

PROJECT:  
GARAGE ADDITION  
FOR  
PAULA SMITH  
12 GETTYSBURG DRIVE  
NASHUA, NH 03064

DRAWINGS PROVIDED BY:  
**CBD DESIGNS**  
46 COX STREET  
NASHUA, NH 03064  
603-438-3566

DATE:

04/30/2019

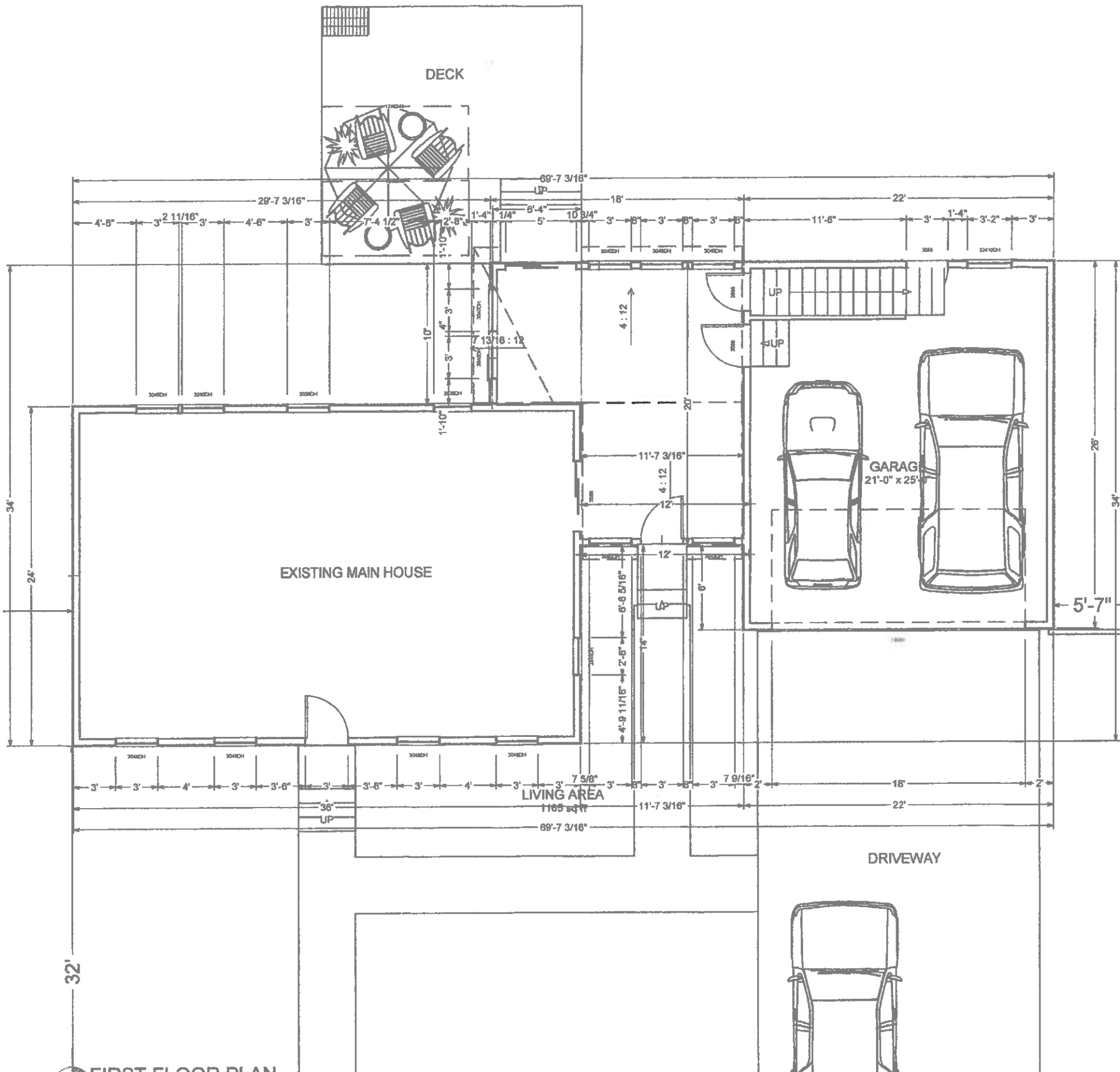
SCALE:

SHEET:

**A-1**

PROPERTY LINE

14'-11"



PROPERTY LINE

FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

PROJECT:  
GARAGE ADDITION  
PALLA SMITH  
12 GETTYSBURG DRIVE  
NASHUA, NH, 03064

DRAWINGS PROVIDED BY:  
**CBD DESIGNS**  
46 COX STREET  
NASHUA, NH 03064  
603-438-3566

DATE:  
04/30/2019

SCALE:  
1/8" = 1'-0"

SHEET:  
**A-2**



AXONOMETRIC VIEW  
FRONT

NO. DESCRIPTION BY DATE

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

PROJECT:  
GARAGE ADDITION  
PAULA SMITH  
12 GETTYSBURG DRIVE  
WASHUA, NH 03084

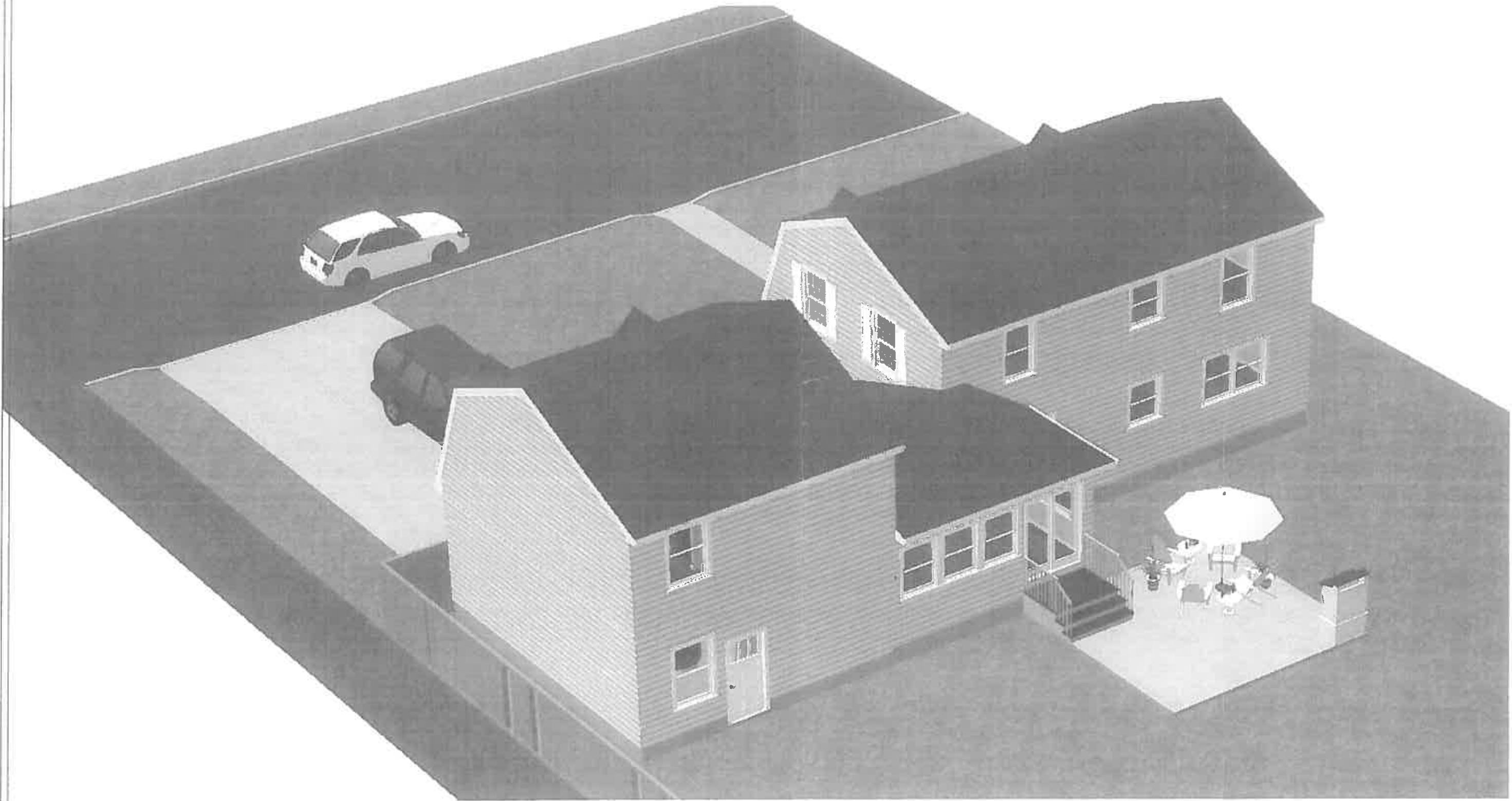
DRAWINGS PROVIDED BY:  
**CBD DESIGNS**  
46 COX STREET  
WASHUA, NH 03064  
603-438-5566

DATE:  
04/30/2019

SCALE:  
1/8" = 1'-0"

SHEET:  
**A-3**






**AXONOMETRIC VIEW**  
**REAR**

--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**ELEVATIONS**

PROJECT:  
 GARAGE ADDITION  
 FOR JULIA SMITH  
 12 CHESTNUT HILL DRIVE  
 MASHUA, NH 03064

DRAWINGS PROVIDED BY:  
**CBD DESIGNS**  
 46 CDX STREET  
 MASHUA, NH 03064  
 603-438-3566

DATE:

04/30/2019

SCALE:

1/8" = 1'-0"

SHEET:

**A-4**