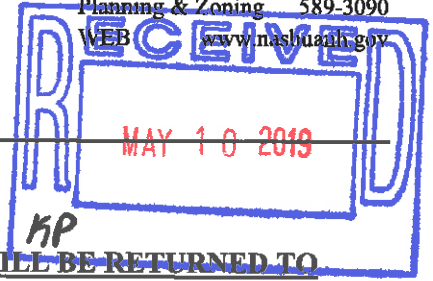




**City of Nashua**  
**Planning Department**  
 229 Main Street  
 Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090  
 WEB www.nashua.nh.gov



**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 5 FRESHWATER CT.  
 Zoning District R9 Sheet B Lot 3036

b. VARIANCE(S) REQUESTED:  
WIDENING OF TO THE END OF DRIVEWAY,  
FROM 123' TO 32'

c. LAND USE CODE SECTION(S) REQUESTING VARIANCE(S) FROM 190-192(C)

**2. GENERAL INFORMATION**

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

(Print Name): MICHAEL HENRY ARMAND.

Applicant's signature [Signature] Date 5/7/19

Applicant's address 5 FRESHWATER CT. NASHUA. NH 03060

Telephone number H: 8867392 C: 930 1936 E-mail: SMARMAND@COMCAST.NET

b. PROPERTY OWNER (Print Name): SAA.

\*Owner's signature \_\_\_\_\_ Date \_\_\_\_\_

Owner's address \_\_\_\_\_

Telephone number H: \_\_\_\_\_ C: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

<b>OFFICE USE ONLY</b>	Date Received <u>5/10/19</u>	Date of hearing <u>6/11/19</u>	Application checked for completeness: <u>CF</u>
PLR# <u>2019-00091</u>	Board Action _____		
\$ <u>330</u> application fee <input checked="" type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ <u>15</u> signage fee <input checked="" 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.")

THERE IS NO NEGATIVE IMPACT IN WIDENING THE DRIVEWAY. IT WILL IMPROVE THE FUNCTIONALITY AS WELL AS THE AESTHETICS.

- 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 INTENT IS TO IMPROVE THE DRIVEWAY. THE SIDEWALK IS DETEIORATING, AND THE GROUND ERODING AROUND IT.

- 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.)

I WOULD LIKE TO DO THIS TO NOT ONLY REPAIR THE EXISTING DRIVEWAY BUT TO FIX IT TO MAKE IT MORE VISUALLY APPEALING AS WELL AS FUNCTIONAL. I DONT BELIEVE THERE IS A NEGATIVE IMPACT. THE SIDEWALK IS COMING APART THE WAY IT IS NOW.

- 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.)

THIS FIX SHOULD NOT IMPACT SURROUNDING PROPERTIES. I AM JUST PROPOSING TO FIX AND STRAIGHTEN OUT THE DRIVEWAY.

VARIANCE APPLICATION

Address 5 FRESHWATER CT

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.

THE SIDEWALK IS FALLING APART AS WELL AS MY DRIVEWAY THE WAY IT IS NOW. I WOULD LIKE TO REPAIR IT AND MAKE IT MORE FUNCTIONAL.

**X 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.*

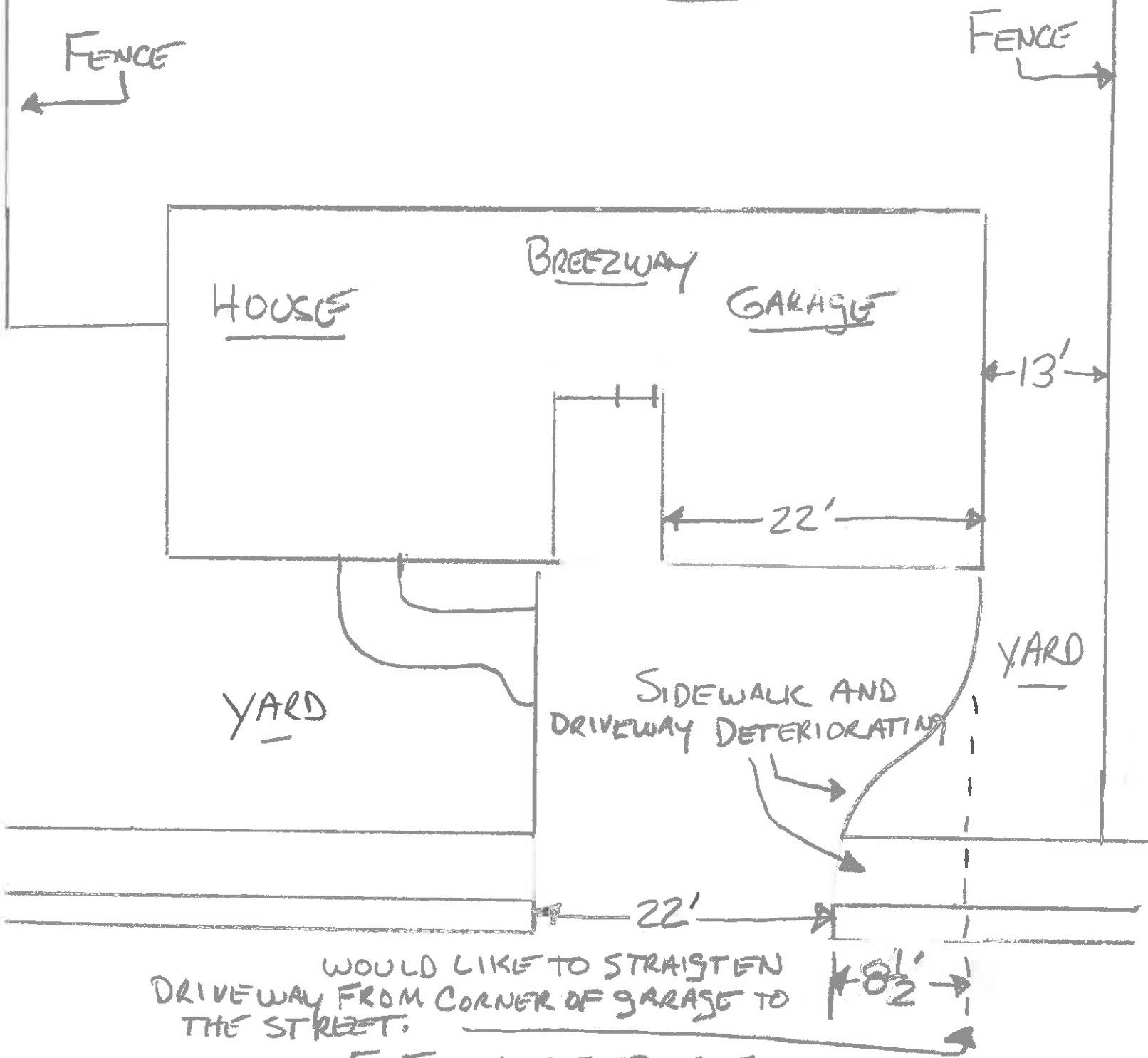
[Signature] \_\_\_\_\_ 5/7/19  
Signature of Applicant Date

MIKE ARMAND \_\_\_\_\_ 5/7/19  
Print Name 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 \_\_\_\_\_

MIKE ARMAND OWNER



WOULD LIKE TO STRAIGHTEN DRIVEWAY FROM CORNER OF GARAGE TO THE STREET.

5 FRESHWATER CT.

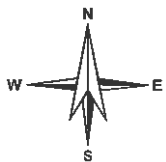


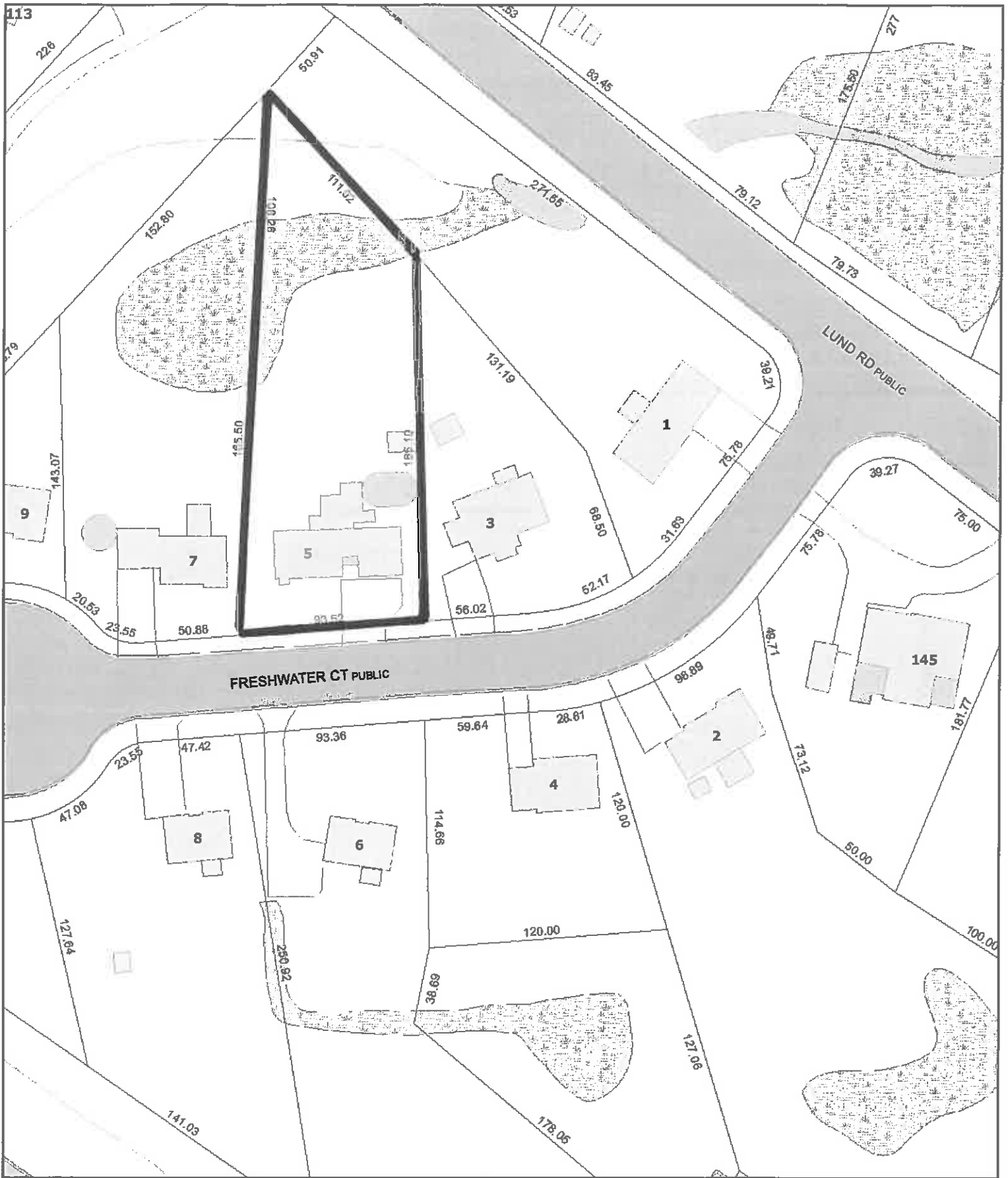
FRESHWATER CT PUBLIC

LUND RD PUBLIC

145

### 5 Freshwater Ct





### 5 Freshwater Ct

