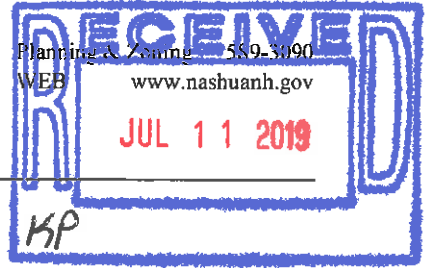




City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019



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 12 Watersedge Drive
 Zoning District R18 Sheet H Lot 189

b. VARIANCE(S) REQUESTED:
Variance to 20-foot setback from property line of 14 Watersedge Drive (Lot 190; north side).

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): JANET ANN MATTIE

Applicant's signature Janet Ann Mattie Date 7/11/19

Applicant's address 12 Watersedge Drive

Telephone number H: N/A C: 603-566-3221 E-mail: jmattie@sprise.com

b. **PROPERTY OWNER (Print Name):** JANET ANN MATTIE

*Owner's signature Janet Ann Mattie Date 7/11/19

Owner's address 12 Watersedge Drive

Telephone number H: N/A C: 603-566-3221 E-mail: jmattie@sprise.com

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

OFFICE USE ONLY	Date Received <u>7/11/19</u>	Date of hearing <u>8/13/19</u>	Application checked for completeness: <u>CF</u>
PLR# <u>2019-00120</u>	Board Action _____		
\$ <u>330</u> application fee <input checked="" type="checkbox"/> # <u>6315</u>	Date Paid _____	Receipt # _____	
\$ <u>15</u> signage fee <input checked="" type="checkbox"/>	Date Paid _____	Receipt # _____	
\$ _____ certified mailing fee <input type="checkbox"/>	Date Paid _____	Receipt # _____	

[Empty rectangular box for address]

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 garage is of no risk to public health, safety, or welfare. Public views of tree tops will remain visible from the street, and the proposed garage will be tasteful in its design (alike to neighboring homes).

- 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 garage on Lot 188 is 17 feet from our southern property line, and the garage on Lot 190 is 9 feet from that lot's northern property line. After discussing our proposal with our contractors, we expect to maintain approximately 14 feet of distance between the proposed garage structure and the southern property line of Lot 190. The owner of the home (Lot 190) closest to the proposed garage structure (on Lot 189), Gerald Picard of 14 Watersedge Drive, emphasized he thought it was a great idea and that he had no problems with our proposal.

- 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.)

During winter, this variance would minimize the risk of slipping and falling on ice while walking to and from the car in the morning and at night. As prior victims of vandalism to our vehicles (BB pellet shot through back window and theft of items), the proposed garage would improve our feeling of safety and security for ourselves and our vehicles. We would no longer have to park on the grass to the side of our existing driveway - killing the grass underneath.

- 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 garage is not expected to cast as much as a shadow on the contiguous properties. If anything, we expect the surrounding home values to increase as a result of our property revitalization.

[Redacted Address Box]

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.

It is dimensionally impossible to build a 24' x 24' two-car garage without breaching the 20' side setback ordinance. We greatly wish to abide by the spirit of the ordinance and have planned our project accordingly (i.e., that it satisfies our needs while maximizing the remaining setback distance).

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.

Janet A. Mattie
Signature of Applicant

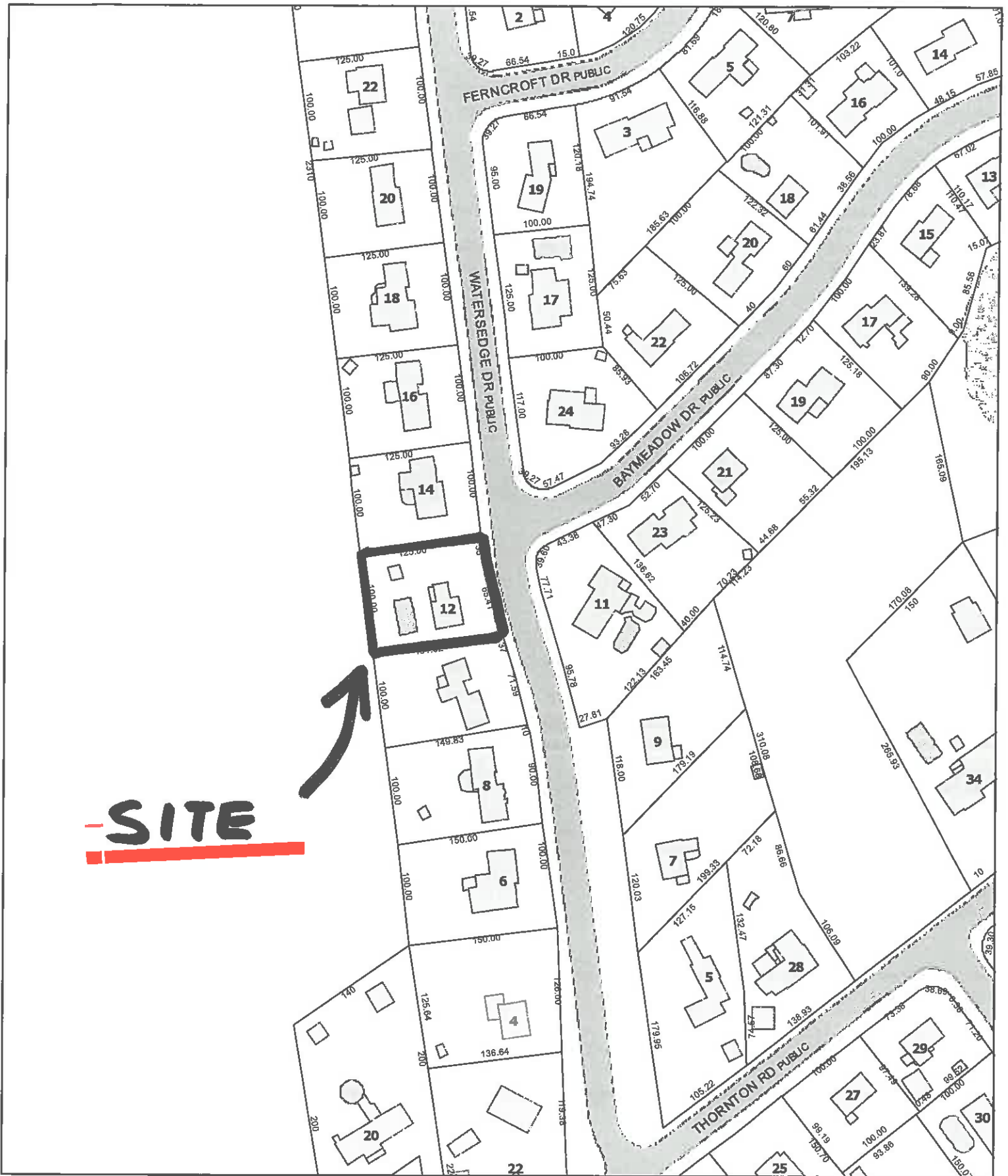
7/11/19
Date

Janet A. Mattie
Print Name

7/11/19
Date

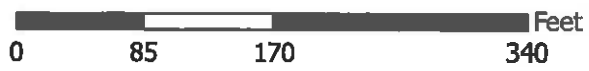
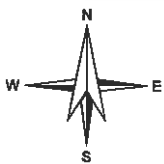
The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

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



SITE

12 Watersedge Drive

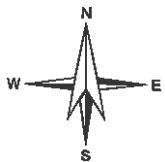


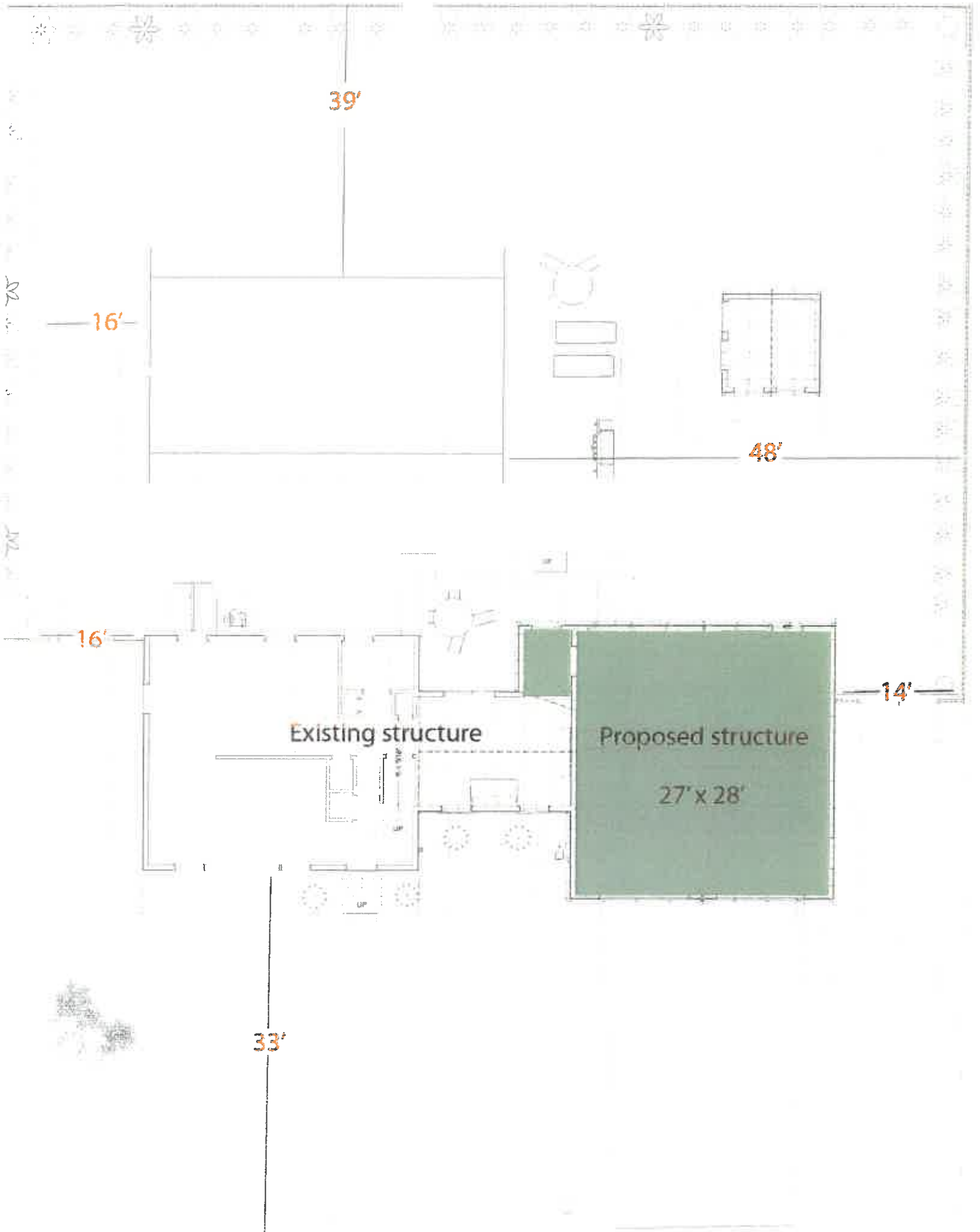


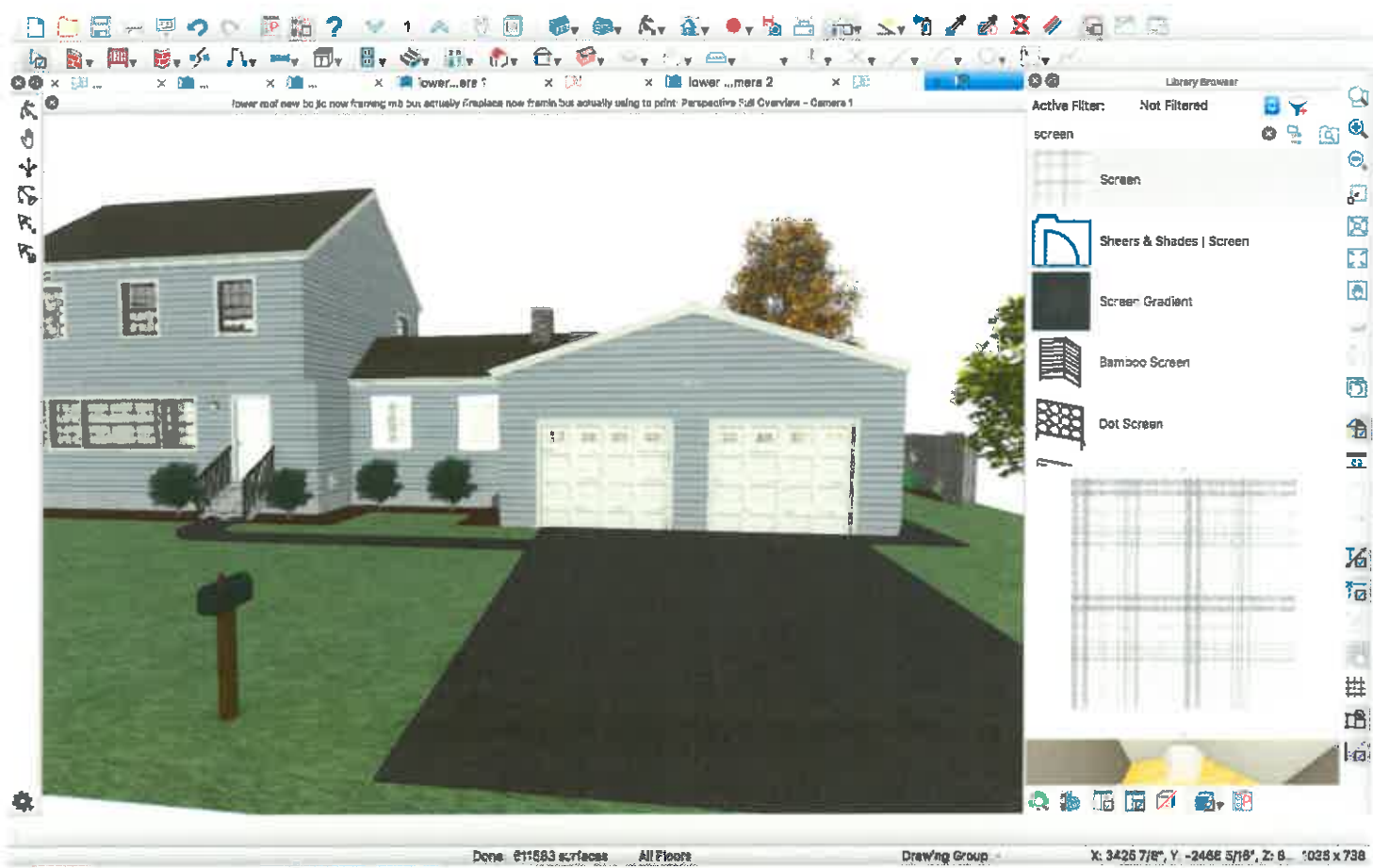
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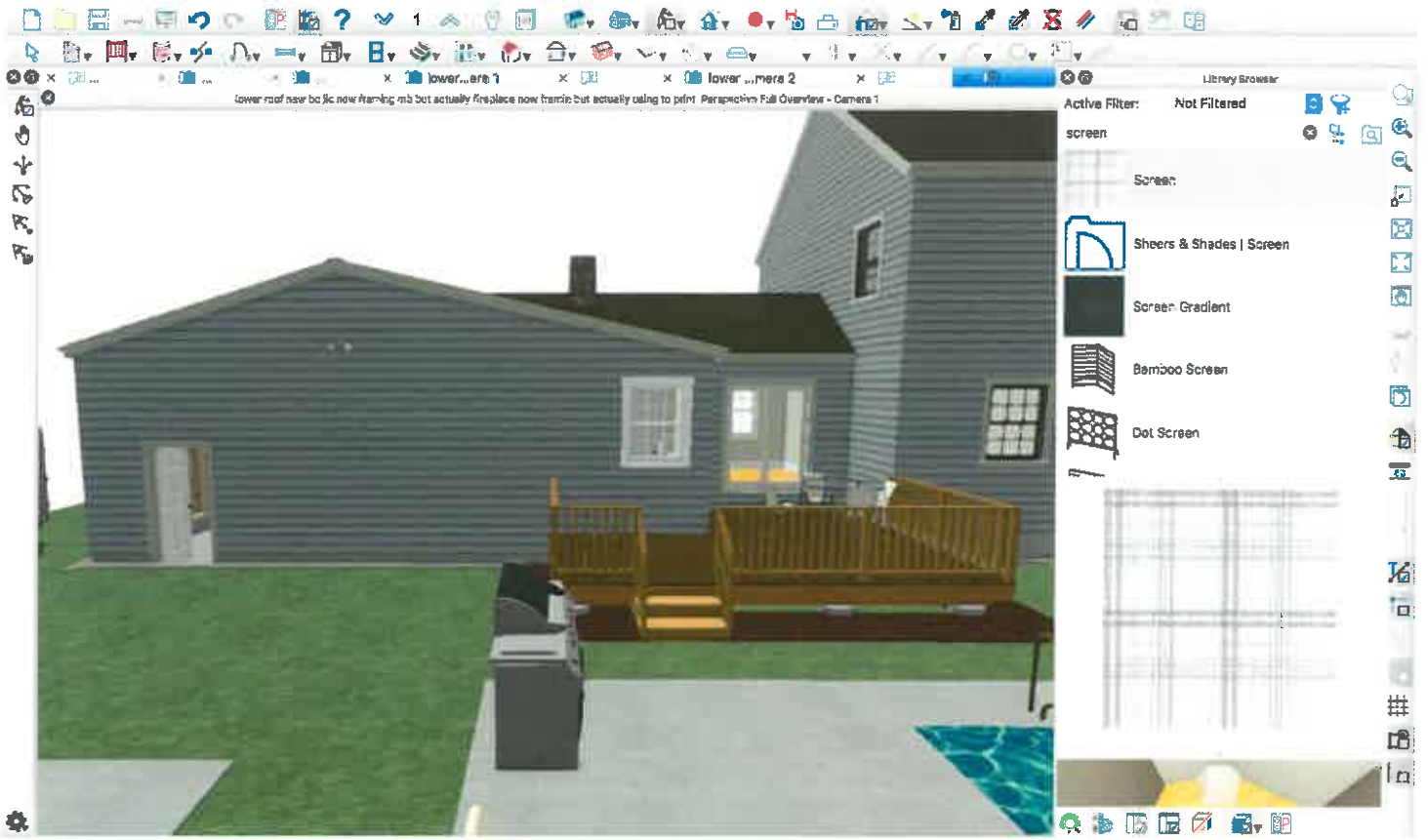


12 Watersedge Drive









Done 911593 surfaces

All Floors

Drawing Group...

K: 3304 13/15', Y: -1181 5/8', Z: 8... '035 x 738

July 10, 2019

Planning Board
Nashua City Hall
229 Main Street
Nashua, NH 03060

Dear Planning Board,

This letter is in support of the variance requested by Janet Mattie, 12 Watersedge Drive, Nashua, NH. She is requesting a variance to build an attached garage on her property.

My family and I live at 14 Watersedge Drive, abutting the property at 12 Watersedge Drive. Although the zone in our neighborhood (R18) requires a 20-foot side setback, we fully support the variance requested by Janet.

Janet has shared the construction plans with us, and we wholeheartedly approve of the placement and aesthetics of the garage. My wife and I owned the house prior to the Mattie family moving in. We moved next door to number 14 with our four daughters because we needed a house with more bedrooms.

Thank you for your time and consideration of this request.

Respectfully,

A handwritten signature in cursive script that reads "Gerard Picard". The signature is written in black ink and is positioned to the right of the word "Respectfully,".

Gerard Picard
14 Watersedge Drive
Nashua, NH 03063