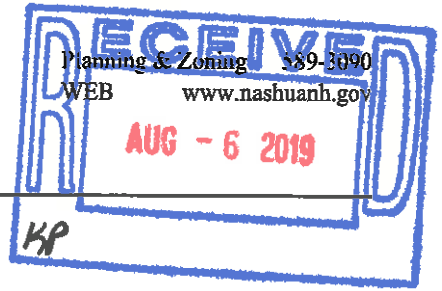




City of Nashua
Planning Department
 229 Main Street
 Nashua, New Hampshire 03061-2019



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 30 CARON AVE
 Zoning District RA Sheet 49 Lot 79

b. VARIANCE(S) REQUESTED:
8' INTO FRONT SET BACK
for 8' x 12' Farmers porch

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): William Poutev / KEN GRANT - 603-765-9281
 Applicant's signature William Poutev Date 8/15/2019
 Applicant's address 30 Caron Ave.
 Telephone number H: 603-318-9122 E-mail: _____

b. **PROPERTY OWNER (Print Name):** William Poutev
 *Owner's signature William Poutev Date 8/15/2019
 Owner's address 30 Caron Ave.
 Telephone number H: 603-318-9122 E-mail: _____

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

OFFICE USE ONLY	Date Received <u>8/6/19</u>	Date of hearing <u>9/18/19</u>	Application checked for completeness: <u>CF</u>
PLR# <u>2019-00148</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.")

TO PUT A FRONT 8'X12' PORCH WOULD BEAUTIFY
 MY HOUSE

- 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.")

PERSONAL USE AND NO THREATS OF PUBLIC HEALTH
 SAFETY, OR OTHER TO OTHERS

- 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.)

NO HARM TO ANYONE.

- 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.)

MAYBE THE NEIGHBOR'S MIGHT WANT ONE.

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.

TO HAVE THIS FRONT PORCH WOULD MAKE MY HOUSE COMPLETE WITH ITS APPEARANCE AND USE

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 (Handwritten: Ken Grant)

Date (Handwritten: 7/5/19)

Print Name (Handwritten: KEN GRANT)

Date (Handwritten: 7/5/19)

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:

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

2X12
PLATE
LEDGER LOC AT
16" O.C.

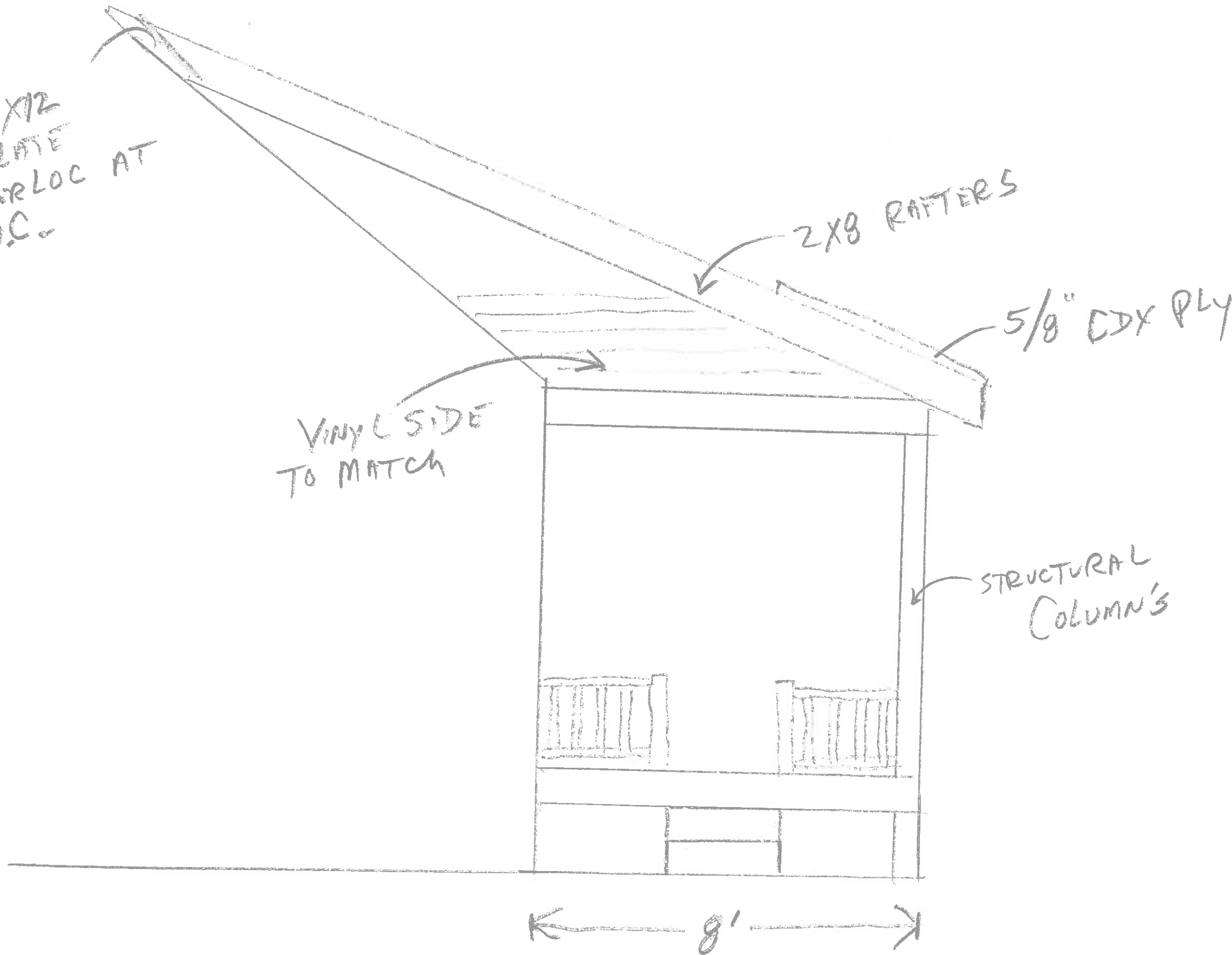
2X8 RAFTERS

5/8" CDX PLY

VINYL SIDE
TO MATCH

STRUCTURAL
COLUMN'S

8'



Close tool tray to resume operation

Measure Tools

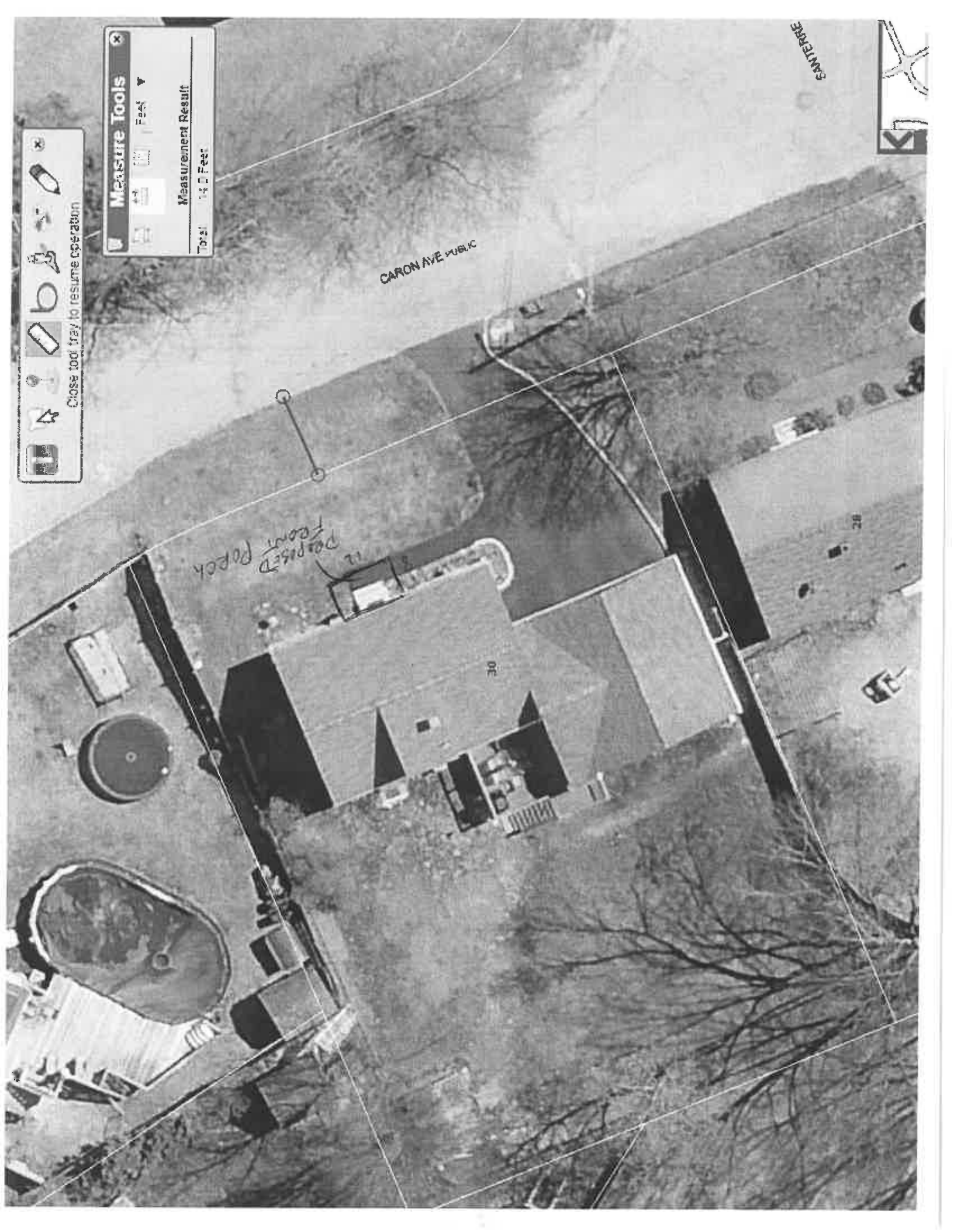
Measurement Result

Total: 14.0 Feet

12
DAPPOSED
FRONT
PORCH

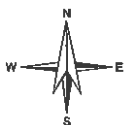
CARON AVE PUBLIC

SANTRE





30 Caron Avenue



MOTION CARRIED UNANIMOUSLY 5-0.

7. William & Linda Porter (Owners) 30 Caron Avenue (Sheet 49 Lot 79) requesting variance to encroach 6 feet into the 10 foot required left side yard setback to construct an attached 26'x28'-3" garage. RA Zone, Ward 3.

Voting on this case:

Gerry Reppucci
Jack Currier
J.P. Boucher
Kathy Vitale
Mariellen MacKay

William Porter, 30 Caron Avenue, Nashua, NH. Mr. Porter said that they're interested in constructing a functional sized garage, so that's why they went with a little extra width for the garage.

Mr. Currier asked if there are any neighbor concerns, especially on the side where the garage would be.

Mr. Porter said that all the neighbors are fine with the request.

Mr. Currier asked about the height of the garage.

Mr. Porter said it's not a big structure, and the way the gable is designed, it's about 15 feet away from the property line.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

MOTION by Ms. Vitale to approve the variance application as advertised on behalf of the owner. Ms. Vitale said that the variance is needed to enable the applicant's proposed use of the

property, given the special conditions of the property, the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance.

Ms. Vitale said that it's within the spirit and intent of the ordinance, the garage is a reasonable two-car size and scale to the lot.

Ms. Vitale said it is not contrary to the property values, it is not contrary to the public interest, and substantial justice is served.

SECONDED by Mrs. MacKay.

MOTION CARRIED UNANIMOUSLY 5-0.

8. William & Alicia Thomas & Anne Marie Siteman (Owners) 15-17 Hunt Street (Sheet 102 Lot 38) requesting variance to encroach 3 feet into the 6 foot required rear yard setback to maintain two sheds connected on either side of a nonconforming garage. RB Zone, Ward 6.

Voting on this case:

Gerry Reppucci
Jack Currier
J.P. Boucher
Kathy Vitale
Mariellen MacKay

Anne Siteman, 15-17 Hunt Street, and Alicia Thomas, 15-17 Hunt Street, Nashua, NH. Ms. Thomas said that her father actually built the two small additions onto the garage, they were built at least five years ago. She said that they're little storage areas off of the garage, one of them is just an overhang to store lawn chairs underneath it, it's like a summer use. She said she's getting a building permit for another shed on the lot, one that meets all the setbacks, and that's how she found out about needing a variance.

SPEAKING IN FAVOR: