



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

Planning & Zoning 589-3090
 WEB www.nashuanh.gov

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL NOT BE ACCEPTED

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 8 Bailey Street
 Zoning District R9 Sheet 138 Lot 47

2. VARIANCE(S) REQUESTED:
8' Privacy fence 100' bordering
Greelay Street installed by SULLIVAN Fence
Co. Act SULLIVAN owner

II. GENERAL INFORMATION

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

(Print Name): _____
 Applicant's signature _____ Date _____
 Applicant's address _____
 Telephone number H: _____ C: _____ E-mail: _____

2. **PROPERTY OWNER (Print Name):** _____

*Owner's signature John Strickland Date 3/16/2023
 Owner's address 8 Bailey Street
 Telephone number H: _____ C: 6032759104 E-mail: JG.Strickland@comcast.net

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

OFFICE USE ONLY Date Received _____ Date of hearing 4/25/23 Application checked for completeness: CF ✓

A# 23-0048 Board Action _____

\$ _____ application fee Date Paid _____ Receipt # _____
 \$ _____ signage fee Date Paid _____ Receipt # _____
 \$ _____ certified mailing fee Date Paid _____ Receipt # _____

Land Use Code Section(s) Requesting Variances From: 190-44

III. 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 it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

It is a 8' fence that both neighbors agree on

- 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.")

Both myself and my neighbor who abuts me on gravelly agree a 5' fence will make both properties look better and increase value

- 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 removal of the old fence and installation of a beautiful white vinyl fence is beneficial to myself and my neighbor. We both have slightly raised porches and this will afford us privacy.

- 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 fence increases property value as it is beautiful

- 5. Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship, because: (The applicant must establish that 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.

Both myself and my neighbor have slightly elevated patios so the 8' privacy fence will give us both the privacy we are looking for our families

IV. 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 points specifically mentioned are affected by action taken on this appeal.

John Strickland

 Signature of Applicant

John Strickland

 Print Name

3/27/2023

 Date

3/27/2023

 Date

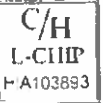
The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

I will pick it up at City Hall

Please email it to me at JG11Strickland@comcast.net

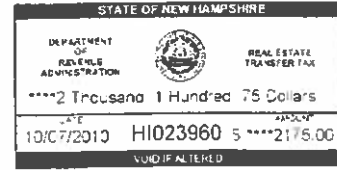
Please mail it to me at _____

Camela Coughlin



Return to: 163

Sweeney



FIDUCIARY DEED

Ingeborg Lamb, Executrix of the Estate of **Frieda Lussier**, for consideration paid grants to **John G. Strickland**, unmarried, of 82 Brick Kiln Road, Chelmsford, Massachusetts:

A certain parcel of land located in Nashua, Hillsborough county, New Hampshire, together with the buildings thereon, on the east side of Bailey Street, bounded and described as follows:

Beginning at the northwesterly corner of Lot #45 on Bailey Street on a plan hereinafter referred to and running

- (1) In a northerly direction by Bailey Street a distance of one hundred (100) feet more or less to a point; thence turning and running
- (2) In an easterly direction by Lot #49 a distance of one hundred (100) feet more or less to a point; thence turning and running
- (3) In a southerly direction by Lot #48 a distance of one hundred (100) feet more or less to a point; thence turning and running
- (4) In a westerly direction by Lot #45 a distance of one hundred (100) feet more or less to the point of beginning.

Containing ten thousand (10,000) square feet more or less.

Meaning and intending to convey Lot #47 as shown on a plan entitled "Section of Lincoln Park, North Hollis Road, Nashua, N.H." and dated September 6, 1946 and revised November 15, 1946 recorded in Hillsborough County Registry of Deeds on April 28, 1948 being Plan #172.

Being the same premises conveyed to Earl L. Lussier and Frieda M. Lussier, husband and wife, as joint tenants by Deed dated June 20, 1973, and recorded in the Hillsborough County Registry of Deeds, Book 2307, Page 290, and the title of Frieda M. Lussier is further derived by right of survivorship, said Earl L. Lussier deceased on August 3, 1984.

03/21/2023

Jeffrey & Melissa Locke
7 Greenlay Street
Nashua, NH 03063

To Whom It May Concern:

John Strickland, owner of 8 Bailey Steet, Nashua NH 03063 has proposed taking down his current fence which abuts our property and replacing it with an 8-foot-high fence.

We concur that his property abuts our property and we have no objections to him replacing his existing fence with an 8-foot-high fence.

Thank you,

Jeffrey Locke II



3/21/23

Melissa Locke



3/21/23

3 Bailey Street

100'

7 qceelay Street



SULLIVAN & SONS FENCE



Fully Insured
Family Owned and Operated
One Year Guarantee

Arthur Sullivan
603-557-4682
sullivansonfence@gmail.com

Check us out on Facebook



From: jg11strickland@comcast.net <jg11strickland@comcast.net>
Sent: Tuesday, March 14, 2023 11:09 AM
To: Falk, Carter <CarterF@nashuanh.gov>; CD- Planning Dept <PlanningDepartment@nashuanh.gov>
Subject: 8' Privacy Fence

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

Hi Carter,

Thank you for the quick response it is appreciated. I would like to move forward. What do need? Something from my neighbor in writing? How long would this take? weeks? Months? I am not sure how the process works appreciate the guidance.

Cheers,

John Strickland

603-275-9104

From: Falk, Carter <CarterF@nashuanh.gov>
Sent: Tuesday, March 14, 2023 11:02 AM
To: JOHN STRICKLAND <jg11strickland@comcast.net>; CD- Planning Dept <PlanningDepartment@nashuanh.gov>
Subject: RE: 8' Privacy Fence

Hi John,

The maximum height of a fence is 6 feet. If you want an 8 foot tall fence, it would require a variance, subject to Zoning Board of Adjustment review/approval. Let me know if you want to move forward with the variance...

Thanks,

Carter

Cheers,
John Strickland
8 Bailey Street
Nashua NH
603-275-9104
03063

On 03/14/2023 11:19 AM Falk, Carter <carterf@nashuanh.gov> wrote:

Hi John,

Attached, please find a variance application. It's about a one-month time frame when we get the application in. We notify all the property abutters and do all the legal notifications. It is a \$330 fee, plus the \$15 site sign, for a total of \$345. Let me know if you have any other questions!

Thanks,

Carter

Carter W. Falk, AICP

Deputy Planning Manager/Zoning

Community Development Dept.

229 Main Street

P.O. Box 2019

Nashua, NH 03061-2019

falkc@nashuanh.gov

603 589-3116 p

603 589-3119 f

Falk, Carter

From: JOHN STRICKLAND <jg11strickland@comcast.net>
Sent: Sunday, March 26, 2023 9:01 AM
To: Falk, Carter
Subject: RE: 8' Privacy Fence
Attachments: IMG_20230325_0002_NEW.pdf; 8 Bailey Street Plot.pdf; IMG_20230320_0001_NEW.pdf; IMG_20230325_0001_NEW.pdf; IMG_20230320_0002_NEW.pdf; IMG_20230325_0003_NEW.pdf

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

Hi Carter,
Please let me know if I have everything to get started. Where should I send the check for the process? If you need to call me feel free number is in signature line.

8 Bailey Street

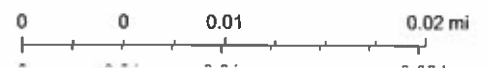


4/5/2023

Address Points

Road Names

1:560



8 Bailey Street



4/5/2023

Address Points

Road Names

1:1,121

