App. 150.00

Barrington Zoning Board of Adjustment

Zoning Ordinance Variance and Special Exception

Application Checklist

Please schedule a meeting with staff before submitting your application.

This checklist has been prepared to assist you in submitting a complete application to the Town of Barrington. At the Pre-Application meeting, staff will check off the items on this list that are required with your submission.

This document constitutes a public disclosure under RSA Chapter 91 – A, Access to Governmental Records and Meetings.

Date 7/29/2013 Case No. 102-93,94-GR-13-ZBA
Owner Wilma Smith Mailing Address 710 Washington Street Barrington NH 03825
Phone 603-978-7235 Email

PART I – GENERAL REQUIREMENTS

All Graphics shall be to Scale and Dimensioned

Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.

Req'd	Rec'd	
☐	☑	1. Zoning Board of Adjustment Application Checklist *(this form)*
☐	☑	2. ZBA General Information (Article(s) and Section(s) of Ordinance)
☐	☐	3. Appeal and Decision
☐	☑	4. Fees - $150.00 Application ☐ $ 75.00 Legal Notice ☐ $ 7.00 per US Post Office Certified Letter ☐ Paid 8/5/13
☐	☑	5. Completed Project Application Form ☒ Variance ☐ Special Exception ☐ Appeal
☐	☐	6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
☐	☑	7. Project Narrative

☐ ☐ 8. HOA Approval *(if applicable)*

☐ ☐ 9. Context or Locus Map (Show Surrounding Zoning Districts)

☐ ☑ 10. Existing Conditions Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds).

☐ ☐ 11. Existing Conditions Photo Exhibit *(See instruction page for submitting photos)*
Up to four photos may be shown per 8 ½" X 11" page size
a. Show all existing structures on site

☐ ☐ 12. List of Certified Abutters (Include Applicant and all licensed professionals, i.e., engineer, architect, land surveyor, or soil scientist, whose seals are affixed to the plan, as well as any holder of a conservation or agricultural easement)

☐ ☐ 13. Mailing Labels (4 sets)

PART II – REQUIRED PLANS AND RELATED DATA

All Graphics and Plans Shall be to Scale and Dimensioned

☐ ☐ 1. Site Plan - ***Drawn and Stamped by Registered Land Surveyor***
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy

☐ ☐ 2. Elevations: Show all sides of building and indicate building heights
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy

☐ ☐ 3. Floor Plans
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy

☐ ☐ 4. All drawings and any revised drawings must be submitted in PDF format

☐ ☐ 5. OTHER: _____

☐ ☐ 6. Your Appointment Date and Time for Submitting the Complete Application is:

_____

Barbara Irvine — 8/5/2013
Staff Signature — Date

Land Use Department
Town of Barrington; 137 Ramsdell Lane; Barrington, NH 03825
barrplan@metrocast.net **Phone: 603.664.5798**

PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. _____

Project Name Proposed Addition, Wilma Smith

Location Address 240 Longshores Drive Barrington, NH

Phone# _____

Map and Lot 102 Lot 93&94 603-978-1279

Zoning District (Include Overlay District if Applicable) _____

Property Details:

☒ Single Family Residential ☐ Multifamily Residential ☐ Manufactured Housing
☐ Commercial ☐ Mixed Use ☐ Agricultural ☐ Other

Use: Residential

Number of Buildings: 1 Trailer Height: 15' more or less

Setbacks: Front 51' Back 135' Side 17.3' Side 15.7'

Description of Request

Cite the Section of the Zoning Ordinance you are requesting a Variance or Special Exception for. If this is an Appeal from an Administrative Enforcement Order, Planning Board Decision, or Zoning Board of Adjustment Decision, please attach pertinent documentation:

Article 4 - Dimensional Req Section 4.1.1 Minimum Standards
Sections 4.2, 4.2.1 Standards for the GR and NR Districts
Article 5 - nonconforming lots
Section 5.1

Project Narrative: *(Please type and attach a separate sheet of paper)*

See attached

Barrington Zoning Ordinance Requirements:

30' side setback

Request: *(You may type and attach a separate sheet of paper)*

See attached

PART IV – If this is a JUSTIFICATION FOR VARIANCE

The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.

☐ 1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

See attached

☐ 2. Granting the variance would be consistent with the spirit of the Ordinance.

See attached

☐ 3. Granting the variance will not result in diminution of surrounding property values.

See attached

☐ 4. Granting of the variance would do substantial justice.

See attached

☐ 5. Granting of the variance would not be contrary to the public interest.

See attached

PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION

Please provide evidence that the requested Special Exception complies by addressing the issues below.

☐ 1. No detriment to property values in the vicinity of the proposed development will result on account of: the location or scale of buildings, structures, parking areas, or other access ways; the emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly outdoor storage of equipment, vehicles, or other materials.

☐ 2. No hazard will be caused to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.

☐ 3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development.

☐ 4. No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.

☐ 5. The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.

In addition to the guiding principles specified above, the ZBA may condition the granting of a special exception upon more stringent standards if the Board determines that such conditions are necessary to protect the health and welfare of the town and its residents. Such conditions may include the following and should be addressed in the Narrative:

☐ 1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance.

☐ 2. Screening of the premises from the street or adjacent property by walls, fences, or other devices.

☐ 3. Limitations on the size of buildings and other structures more stringent than minimum or maximum requirements of this Ordinance.

☐ 4. Limitations on the number of occupants and methods and times of operation.

☐ 5. Regulation of the design and location of access drives, sidewalks, and other traffic features.

☐ 6. Location and amount of parking and loading spaces in excess of existing standards.

☐ 7. Regulation of the number, size, and lighting of signs in excess of existing standards.

Wilma L Smith 7-31-13

Signature of Applicant Date

Wilma L Smith 7-31-13

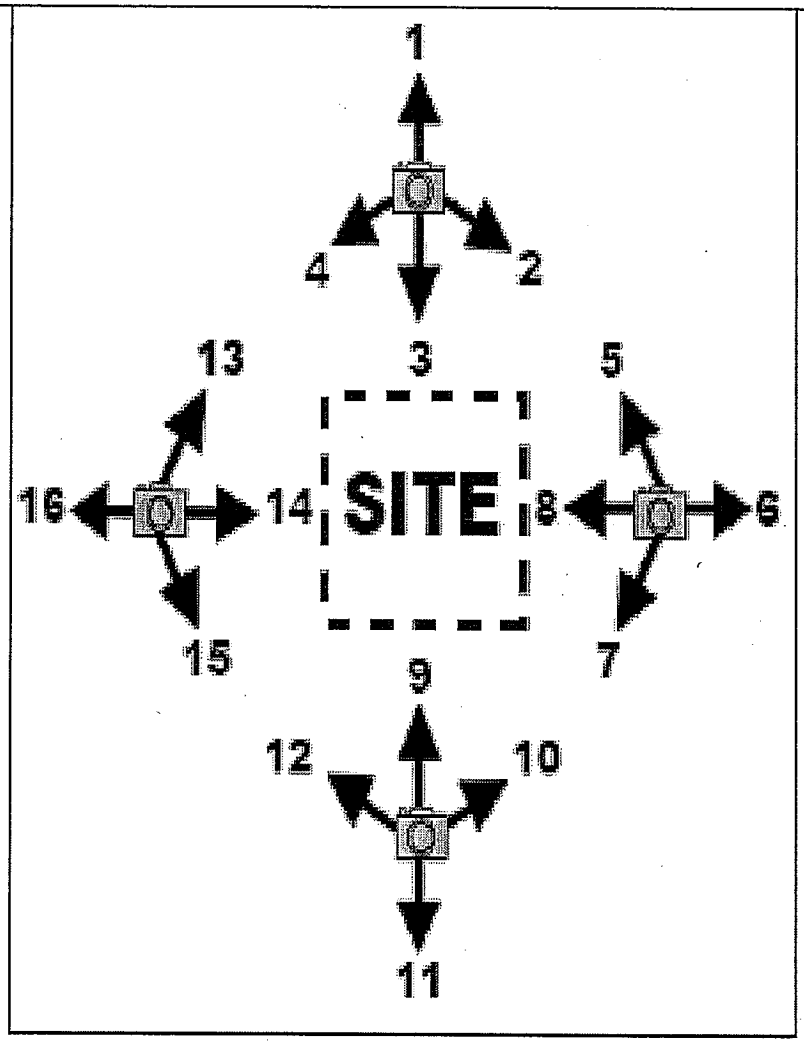
Signature of Owner Date

SITE / CONTEXT PHOTOS

Using Guidelines Below

Provide color photographs showing the site and surrounding buildings/properties in order to provide staff, boards and commissions with a visual impression of the current site conditions.

1. Photos are to be taken looking toward the site and adjacent to the site.
2. Photos should show adjacent improvements and existing on-site conditions.
3. Number the photographs according to view.



ABUTTER LIST

Town of Barrington, NH
Please Print or Type

102-93,94-GR-13-ZBA

Applicant: Wilma Smith **Phone** 603-978-7235

Project Address: 240 Long Shores Drive Barrington, NH 03825

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

	Map	Lot	Zone	Owner Name	Mailing Address
✓	102	93/94		Wilma Smith	710 Washington Street Barrington, NH

ABUTTING LOT OWNERS

	Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
✓	102	63	Kris & Bethany Bouchard	PO Box 32 Barrington NH 03825
✓	102	64	David Pelliter Constr Co. Inc	40 Trent Street Manchester NH 03104
✓	102	92	Barry & Martha White	47 Opal Ave Portsmouth NH 03801
✓	102	95	Bonnie Kollie	299 Cedar Street Apt #2 Manchester, NH 03103
✓			Berry Surveying / Surveyer plot plan	335 2nd Crown Pt. Rd Barrington NH
✓			Donna Sprague / LSLOA President Secretary	LSLOA PO Box 466 Barrington, NH

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the Town of Barrington *Assessing Office*

on this date: _____, **This is page** _____ **of** _____ **pages.**

Applicant or Agent: _____

Planning Staff Verification: Barbara Irwin **Date:** 8/5/2013

BERRY SURVEYING & ENGINEERING
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com
Crberry@metrocast.net

Pete Frechette & Wilma Smith
240 Long Shores Drive
Barrington, NH 03825

Re: Structure Placement and Effluent Disposal Design

Peter & Wilma,

As we have discussed we have viewed the site in question and would note the following items:

- To the West and North of the property there exists poorly drained soils which are off site. Any Effluent disposal system would need to be designed 50' from these areas making its placement close to the center of the lot.
- There is a steep slope which contains ledge to the Eastern side of the lot. This would preclude placement of a system in that area, whereas you cannot blast for the placement of the effluent disposal field.
- The structure and the effluent disposal field need a separation of at least 10' to meet the rules of the subsurface bureau.

Due to these three factors, we do not believe you could place the 67' structure lengthwise on the property as the setbacks suggest. We have provided the effluent disposal location as well as the topography of the lot to demonstrate this to you and the Barrington Zoning Board.

Please feel free to call or write with any questions.

Berry Surveying & Engineering

David A. Berry

David A. Berry LLS, PE, Designer #124

Town of Barrington

Zoning Board of Adjustment

PO Box 660

333 Calef Highway

Barrington, NH 03825

5 August 2013

RE: Zoning Variance Request

Wilma Smith, 240 Long Shores Drive

Dear Chairman & Board Members:

Please see the attached application form for a variance for Wilma Smith to allow the placement of a mobile home that is partially within the side setbacks.

The existing lots will be merged together to best meet the land use. Wilma Smith proposes to put a mobile home sideways on the property that is 67 feet long and 14 feet wide. The addition on the back of the mobile home 20 feet by 20 feet will be use for office space and for non-living storage space. The one back corner of the mobile home is 17.3 feet from property line and the opposite corner is 15.7 feet from the property line.

The following answers are provided for the required criteria;

1. Special conditions exist such that the literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law: Putting the mobile home lengthways on the property would be unnecessary hardship because that would be in the space of the septic system, see attached septic design. There is no way to put the mobile lengthways within the current ordinance becoming a hardship that is inherent in this particular piece of property.

2. Granting the variance would be consistent with the spirit of the Ordinance: Given that the property is inherently small and odd shaped. Putting the mobile home lengthways is not justifiable with the septic and leech field in the middle of the property. Placement of the mobile home, as proposed, would esthetically be pleasing to the surrounding community as the addition would look better in the back of the property as to the side and visible.

3. Granting the variance will not result in diminution of surrounding property values: The mobile home and the addition, on the back of the mobile home, which will most likely not be visible from any of the abutting structure, will be adding value to the property as a whole.

4. Granting of the variance would do substantial justice: Wilma Smith is in need of the mobile home to be place, as proposed, because of the septic design and the overall appearance of the placement because the front of the mobile home will be facing front and the back of the mobile to be facing towards the back. Also, the addition will be in the back of the mobile home and not visible from the road.

5. Granting of the variance would not be contrary to the public interest: The value of the property will be increased, the construction is being completed a compliant as possible and with the addition as well and providing much needed office space and storage. This will have no adverse impact on the public interest.

We will be at attendance at the Zoning Board of Adjustment hearing and look forward to presenting this to the Board and answering your questions. Please feel free to contact us in the interim.

Very truly yours,

Wilma Smith

603-978-1279