



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 12/11/20 Case No. 211-3-GR-21-ZBAVar
 Owner STACY & KRISTOPHER LIBBY Mailing Address 193 BROOKS ROAD
 Phone 603-724-1976 Email KRISTOPHERJLIBBY@GMAIL.COM

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	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Zoning Board of Adjustment Application Checklist (<i>this form</i>)
<input type="checkbox"/>	<input type="checkbox"/>	2. ZBA General Information (Article(s) and Section(s) of Ordinance)
<input type="checkbox"/>	<input type="checkbox"/>	3. Appeal and Decision
<input type="checkbox"/>	<input type="checkbox"/>	4. Fees - \$150.00 Application <input type="checkbox"/> \$ 75.00 Legal Notice <input type="checkbox"/> \$ 7.00 per US Post Office Certified Letter <input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Completed Project Application Form <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Appeal
<input type="checkbox"/>	<input type="checkbox"/>	6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Project Narrative

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- 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 1/2" 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:

Staff Signature _____

Date _____

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

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PART III - PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 211-3-GR-21-2BAVar

Project Name ZBA PLAN FOR PROPOSED NEW GARAGE CONSTRUCTION

Location Address 193 BROOKS ROAD

Map and Lot TM 211 LOTS

Zoning District (Include Overlay District if Applicable) RESIDENTIAL

Property Details:

- Single Family Residential
- Multifamily Residential
- Manufactured Housing
- Commercial
- Mixed Use
- Agricultural
- Other

Use: RESIDENTIAL

Number of Buildings: 1 Height: 26' ±

Setbacks: Front 40' Back 23.1' Side 100' + Side 100' +
Front (2 fronts)

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, SECTION 4.1.1, TABLE 2 DIMENSIONAL REQUIREMENTS

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

ATTACHED

Barrington Zoning Ordinance Requirements:

BUILDING SETBACKS, FRONT 40', REAR & SIDE 30'

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

CONSTRUCT A NEW GARAGE

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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.

The existing non-conforming residential lot has room for the proposed garage. This proposed garage would be located consistent with the already development on this small parcel and not cause any harm or depreciation to the neighborhood. See Attached Plan

2. Granting the variance would be consistent with the spirit of the Ordinance.
This proposed new garage would allow the structure to keep the property owner's, property maintenance equipment and vehicles out of the weather and maintain a clean looking property.

3. Granting the variance will not result in diminution of surrounding property values.
The proposed new garage would fit nicely on the lot, increase the value of the property and enhance the visual appeal of the property.

4. Granting of the variance would do substantial justice.
Would enhance the visual look of the lot, be consistent with the original build out of the lot and increase the tax base of the property.

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

The proposed new garage would make the property a more valuable and desirable lot.

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.

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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.

Kim Kelly Nancy Selby 1/3/21
Signature of Applicant Date

Kim Kelly Nancy Selby 1/3/21
Signature of Owner Date

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12/11/20

ZONING BOARD OF ADJUSTMENT NARRATIVE

Request by the applicant for a variance from Article 4, Section 4.1.1, Table 2. to allow a proposed new garage to be constructed within the ~~rear~~^{Front (2 Fronts)} setback of and old ROW roadway at 193 Brooks Road and as shown on the provided plan titled ZBA PLAN FOR PROPOSED NEW GARAGE CONSTRUCTION prepared by Pohopek Land Surveyors and dated Dec. 2020, revised 12/9/20.

This garage layout is consistent with the existing build out of this pre existing / non conforming lot of record.

It is our intentions to improve the visual appeal, value of the property, inside storage on the lot for lot maintenance equipment and vehicles.

Thank You for your consideration in this matter.

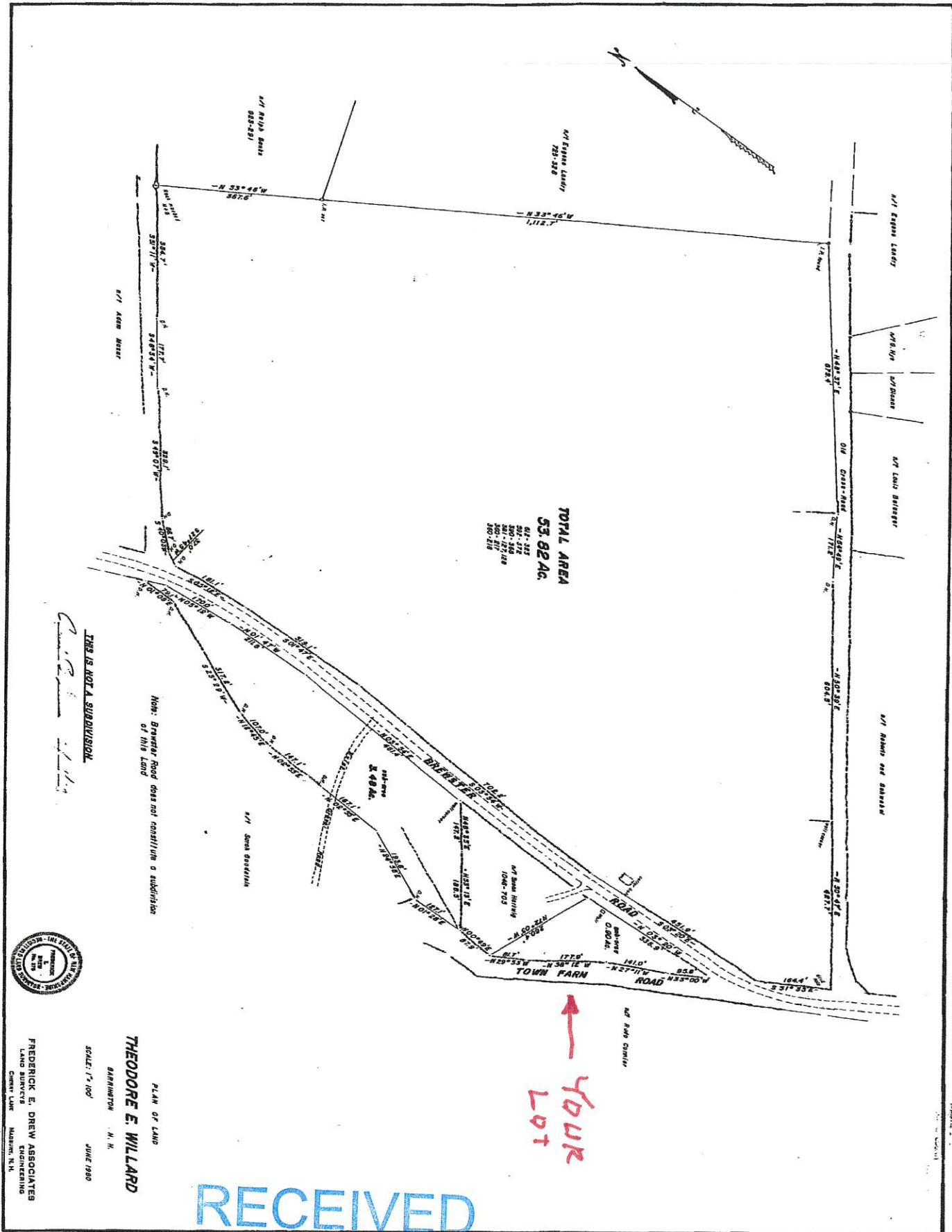
Stacy and Kristopher Libby

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COPY OF RECORDED PLAN 1980



THIS IS NOT A SUBDIVISION

Note: Boundary flood does not constitute a subdivision of this land



PLAN OF LAND
THEODORE E. WILLARD
BARRINGTON N.H.

SCALE: 1" = 100'
JUNE 1980

FREDERICK E. DREW ASSOCIATES
LAND SURVEYS
ENGINEERING
CHERRY LAKE MADISON N.H.

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1980 AUG 15 AM 9:28 SCDD
K... ..



PUT IN LIKE THIS ->

Return to:
Kristopher J. Libby and Stacy A. Libby
193 Brooks Road
Barrington, NH 03825

STATE OF NEW HAMPSHIRE	
DEPARTMENT OF REVENUE ADMINISTRATION	REAL ESTATE TRANSFER TAX
****3 Thousand 4 Hundred 52 Dollars	
DATE	AMOUNT
07/12/2013	ST827327 \$ ****3452.00
VOID IF ALTERED	

YOUR DEED

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that I, Paul H. Muhlhauser, single, of 70 Poplin Road, Fremont NH 03044, for consideration paid grant(s) to Kristopher J. Libby and Stacy A. Libby, husband and wife, of 720 Franklin Pierce Highway, Barrington NH 03825, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:



A certain tract or parcel of land with any buildings thereon, situate in Barrington, County of Strafford, State of New Hampshire, being shown as a lot of .90 acres on a plan of land entitled 'Plan of Land, Theodore E. Willard, Barrington, NH, June 1980' and recorded as Plan Number 21-44 in the Strafford County Registry of Deeds, to which plan reference may be made for a more particular description.

Subject to an agreement by Richard W. Tate and Joan Tate with the Town of Barrington (Lot 42-A, Map 9) Lot is on a Class VI Road, Keliher Road - Tates, their successors, cannot expect plowing, maintenance, school bus service, etc. - but building permit will be granted - February 25, 2002 and recorded in the Strafford County Registry of Deeds at Book 2467, Page 487.

Subject to a Right of Way for benefit of David Y. Cater and Flora B. Cater from Crown Point Road by the Schoolhouse to the Blake Road - as in a warranty deed recorded in the Strafford County Registry of Deeds at Book 1238, Page 374.

Subject to a Cemetery and Right of Way to it - but none shows on the Plan.

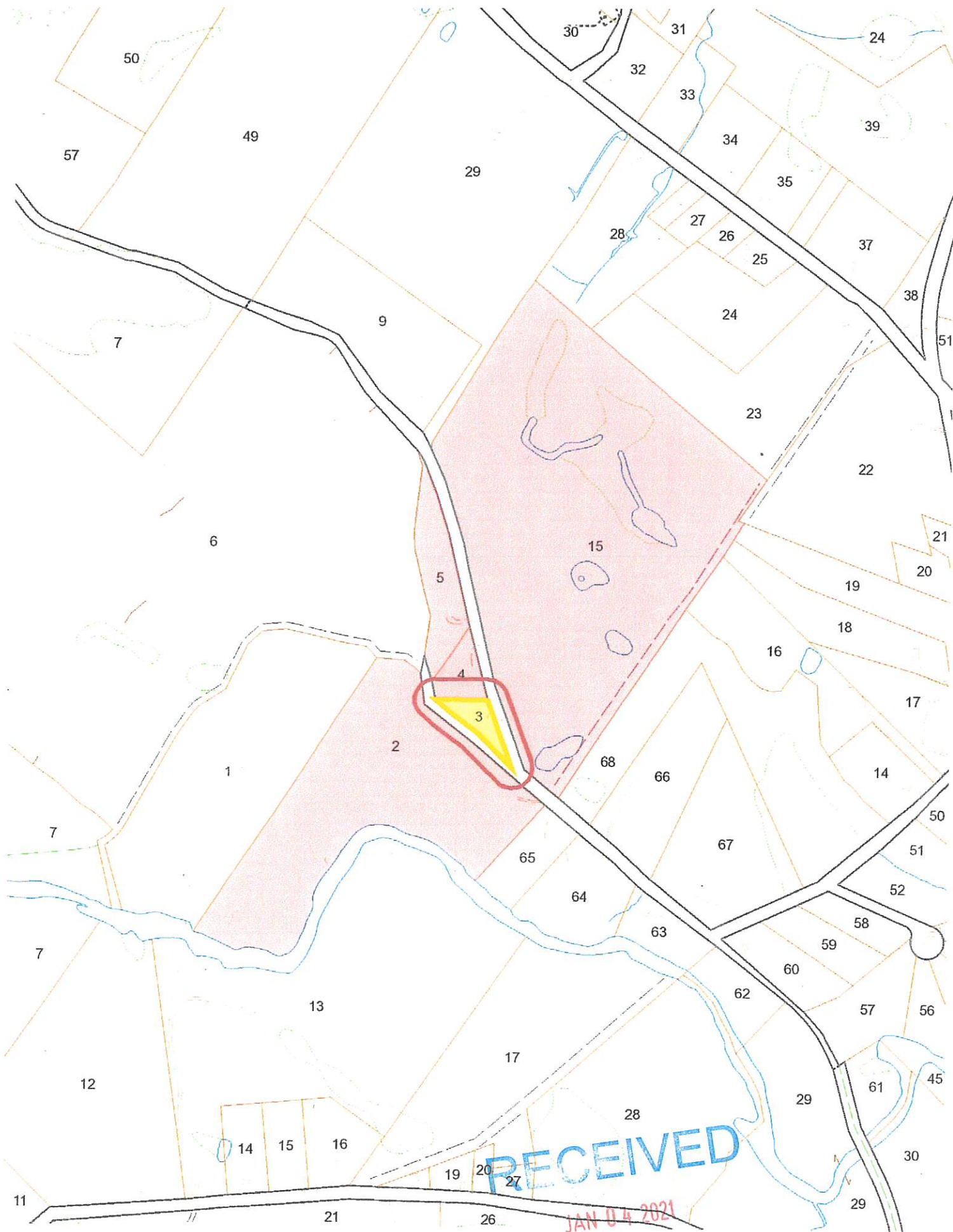
Meaning and intending to describe and convey the same premises conveyed to Paul H. Muhlhauser by deed dated October 31, 2002 and recorded in the Strafford County Registry of Deeds in Book 2617, Page 439.

I/We, the grantor(s) hereby release all rights of homestead in the above described premises.

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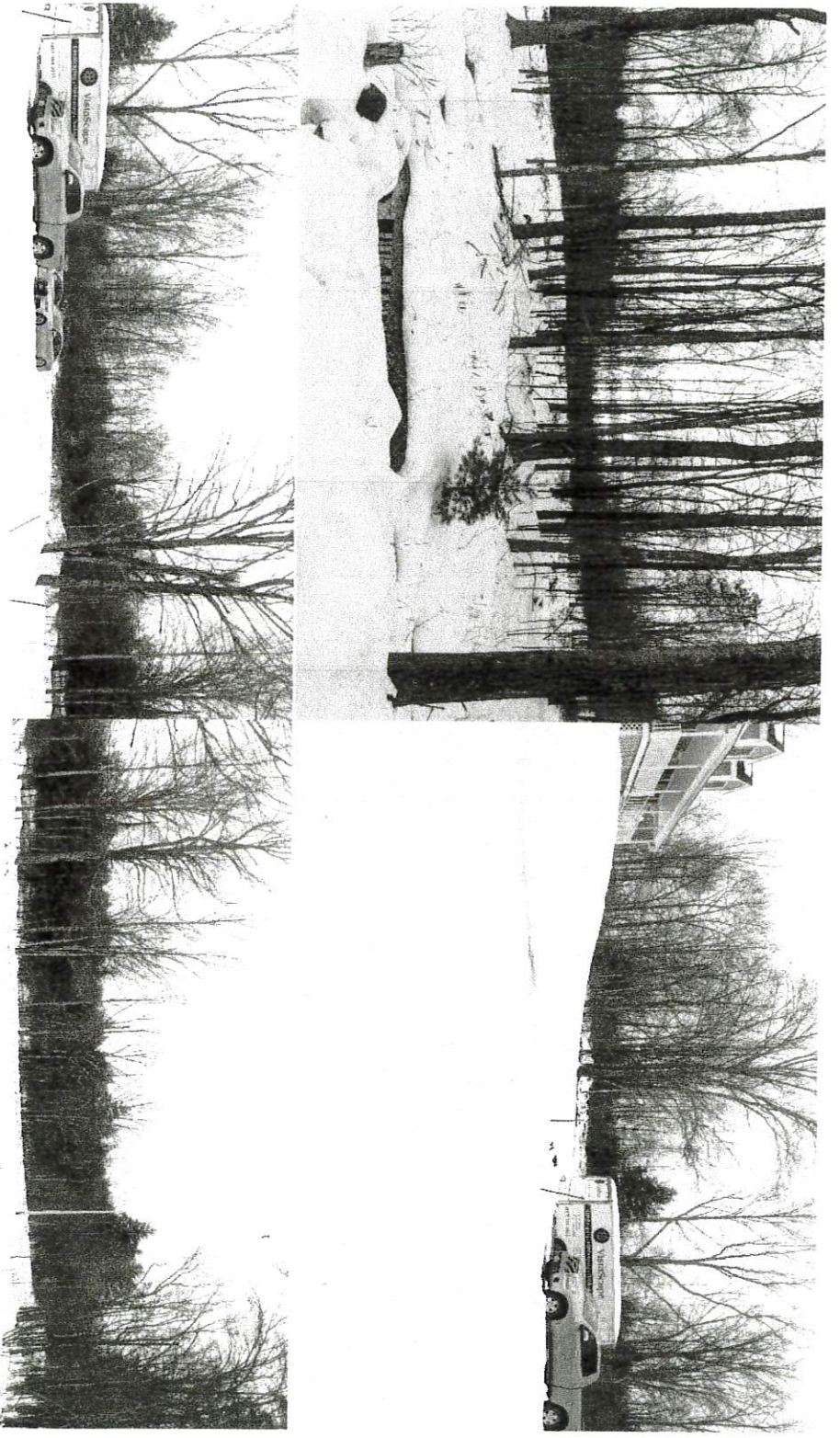
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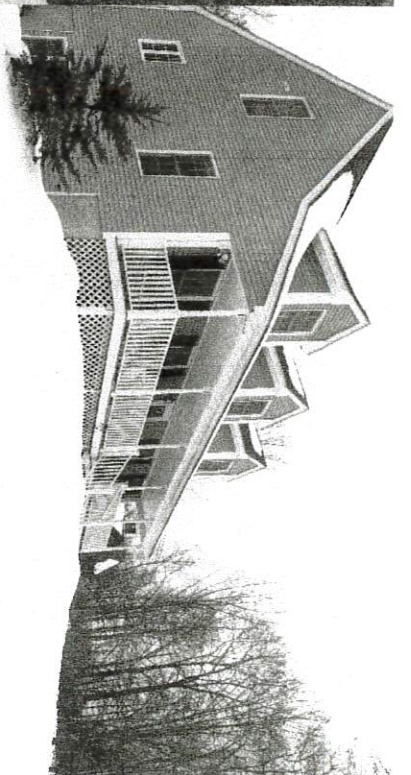
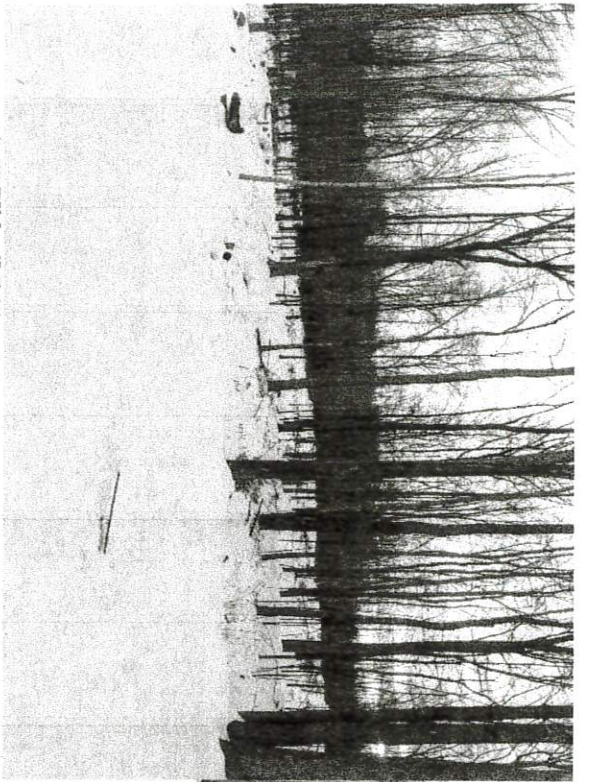


Pics 1-4 (Top left clockwise)

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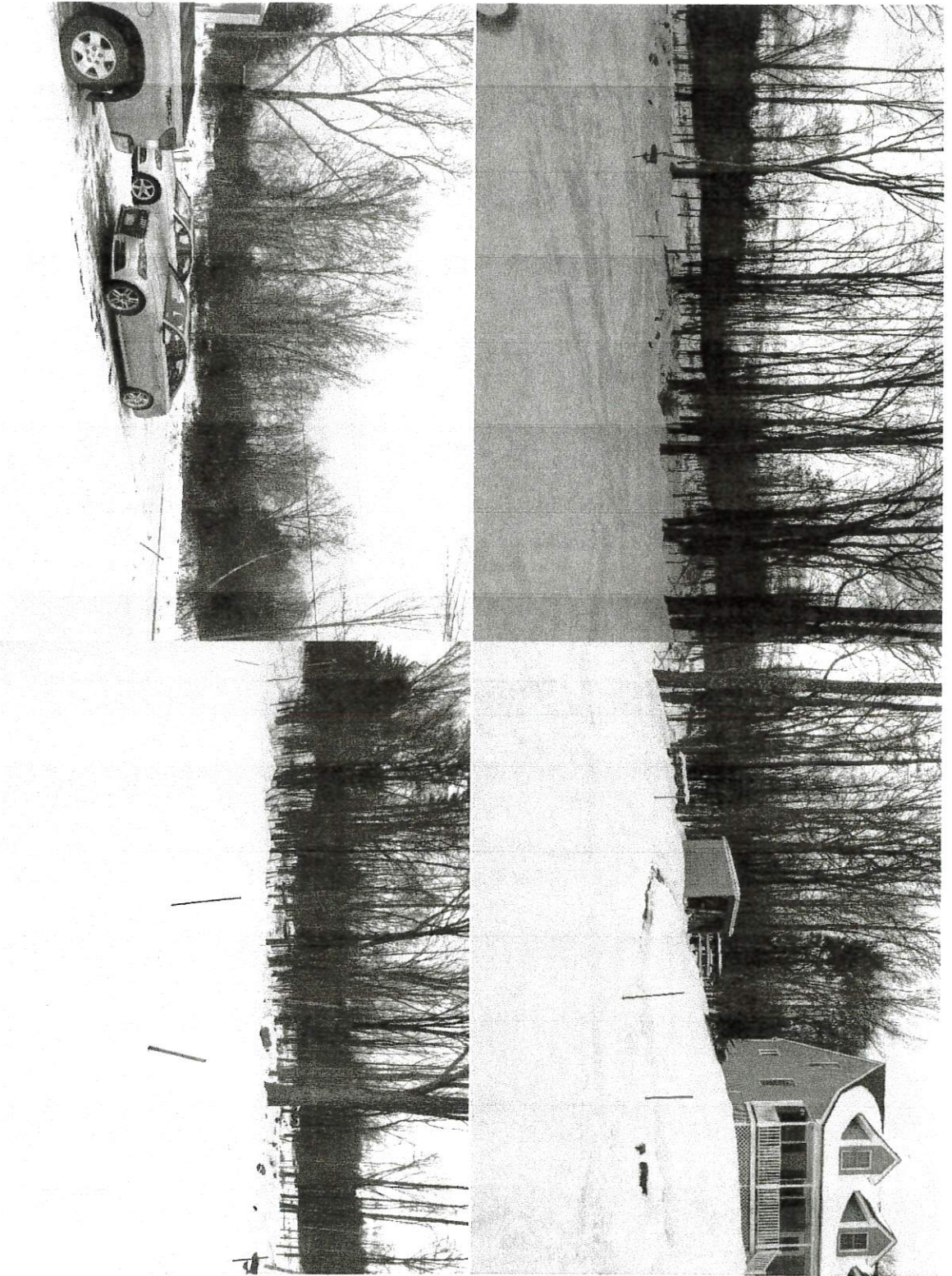


Pics 5-8 (Top left clockwise)

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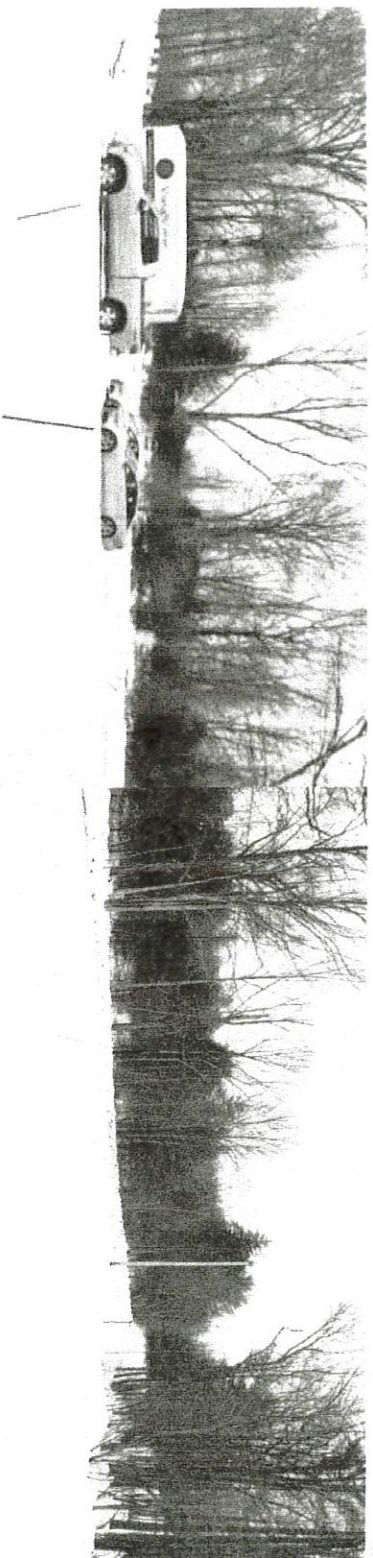
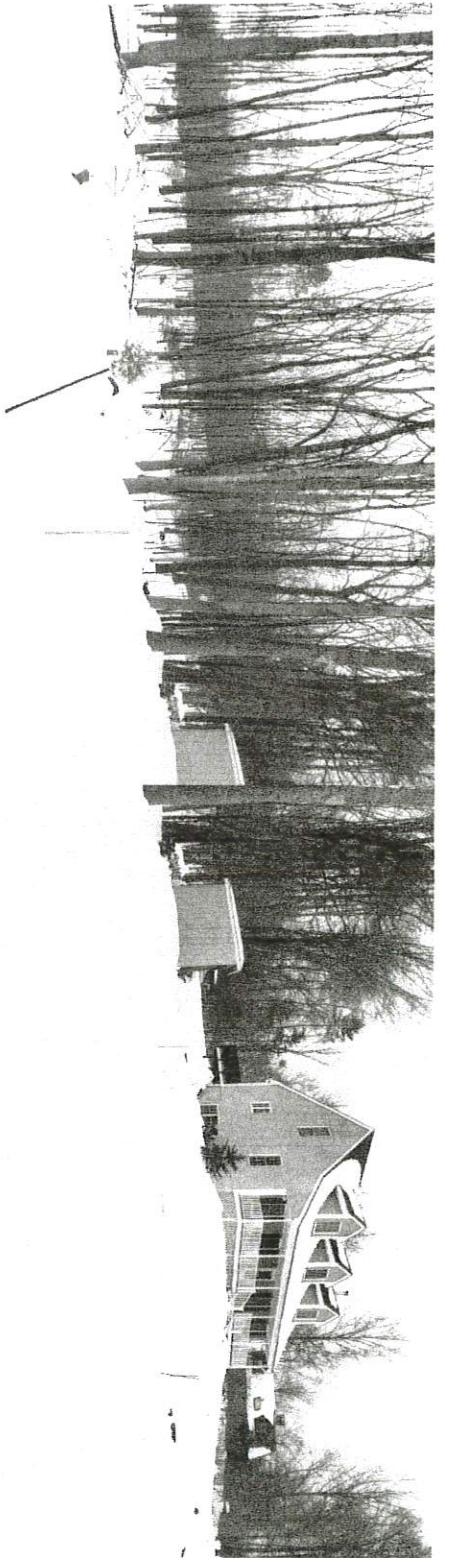


Pics 9-12 (Top left clockwise)

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Pics 13-16 (Top left clockwise)

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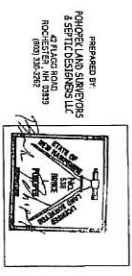
LAND USE DIVISION



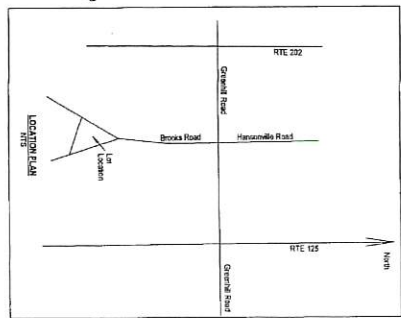
Tax Map 211 Lot 3
Book 4146 Page 803
S.C.R.D. Recorded Plan 21-44
Dated June 1980

Town of Barrington
Building setbacks:
Front 40 feet
Rear off ROW 40 feet
Side 30 feet

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ZBA PLAN FOR PROPOSED NEW GARAGE CONSTRUCTION
ON
TAX MAP 211 LOT 3
ADDRESS
193 BROOKS ROAD
FOR
STACY & KRISTOPHER LIBBY
BROOKS ROAD BARRINGTON NH



ABUTTER LIST

Town of Barrington, NH
Please Print or Type

Applicant: Stacy Kristopher Libby Phone _____

Project Address: 193 Brooks Road

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
211	3		Kristopher J and Stacy Libby	

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
211	2	Sean Manning	18 Common St, Rochester, NH
210	15	Richard + Joan Tate	104 Pelham Rd Hudson ⁰³⁸⁶⁷
211	4	Karen Frarie	209 Brooks Rd. Barrington ^{NH 03051}

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
Bruce L. Pohopek, LLS	#42 Flagg Road Rochester, NH 03867

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.

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Applicant or Agent: _____

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Planning Staff Verification: [Signature] Date: 12/31/2020

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