

ZONING BOARD OF ADJUSTMENT APPLICATION



Office Use Only	Case #: <u>119-8-GR-24Var</u>	Date Received: <u>2/12/2024</u>
	Amount Paid: \$ <u>510.00</u>	Time Received: _____

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: Brendon and Debra Meattey Phone # 603-767-7505

Address of Applicant: 41 Woodhaven Drive, Barrington NH 03825

E-Mail Address: brendonmeatley@gmail.com

PROPERTY OWNER (if different from applicant): _____

Address: _____ Phone # _____

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 41 Woodhaven Drive Barrington NH

Brief Directions: Route 125 to Beautyhill Road to Woodhaven Drive

Zoning District: General Res. Assessor's Map # 119 Lot(s) # 8

TYPE OF APPEAL: (Please check one)

- Variance from Section 4.1.1 of the Zoning Ordinance
- Special Exception per Section _____ of the Zoning Ordinance
- Appeal of Administrative Decision regarding Section _____ of the Zoning Ordinance
- Equitable Waiver per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY (NARRATIVE): (If needed, please submit on additional paper attached to the application.)

Demolition of old garage for construction of ADU. Proposed construction of new attached Garage. 24' x 24' garage

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APPLICATION CHECKLIST (Please check off)

- A. **Application signed** by Applicant and Property Owner (if different from Applicant) X
Note: In order for the application to be accepted by Land Use Department staff and placed on the ZBA agenda YOU MUST COMPLETE (1) ALL SECTIONS ON PAGE 1 as well as (2) ALL QUESTIONS FOR THE SPECIFIC APPEAL YOU ARE SEEKING.

- B. **Seven (7) Copies of Completed Zoning Board of Adjustment Application** X
Note: Only include those pages of the application that are relevant to your request. Please do not include the abutters list with the 9 copies (include only as part of original signed application (Part A above)).

- C. **Context or Locus Map** (Show Surrounding Zoning Districts) X

- D. **Tax Map** (Copy can be attained by the Assessing Office) X

- E. **Existing Conditions** Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds). X

- F. **Seven (7) Copies of a plot plan** drawn in accordance with a boundary line to scale not less than 1" = 40'. They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. X
Site Plan - *Drawn and Stamped by Registered Land Surveyor*
 - a. 24" X 36" – 2 Copies
 - b. 11' X 17" – 6 Copies
 - c. 8 1/2 " X 11" – 1 Copy
 - d. PDF copy emailed to Town Planner @ planning@barrington.nh.gov

- G. **Seven (7) copies of colored photos:** Existing Conditions Photo Exhibit X
Up to four photos may be shown per 8 1/2" X 11" page size.
 - a. Photos are to be taken looking toward the site and adjacent to the site.
 - b. Photos should show adjacent improvements and existing on-site conditions.
 - c. Number the photographs according to view.

- H. **List of abutters** 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.) Including addresses and map and lot number of parcels that adjoin or is directly across the street or stream from the land under consideration by the local land use board of the subject property. X

- I. **Mailing Labels** in triplicate with abutters names and addresses for notices. X

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J. **TOTAL FEE** paid by cash or check made payable to "Town of Barrington"

1.	Application fee of:		
	\$150.00 VARIANCE		\$ 150.00
	\$150.00 SPECIAL EXCEPTION		\$ _____
	\$150.00 APPEAL FROM ADMINISTRATIVE DECISION		\$ _____
	\$150.00 EQUITABLE WAIVER		\$ _____
2.	Certified letters fee: # of abutters <u>9</u> X \$10.00 =		\$ <u>90.00</u>
3.	Applicant & Owner mailing fee: <u>1</u> X \$10.00 =		\$ <u>10.00</u>
4.	Foster's newspaper public notice		\$ <u>250.00</u>

TOTAL FEE \$ 500.00

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SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

[Handwritten Signature] / *Debra Matley*

Signature of Applicant*

*Both Signatures Required

[Handwritten Signature] / *Debra Matley*

Signature of Owner*

**Please note: if the applicant is representing the owner, a notarized authorization letter must be submitted at the time of the application. **

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Barrington Zoning Board, Land Use Department and other pertinent Town Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post- approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: *Debra Matley* / *[Handwritten Signature]* Date: *2/2/24*

Signature of Land Use Staff: *Barbara Arvine* Date: *2/12/2024*

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VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

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.

A. Variance Requested

A variance is requested from Section(s) 4.1.1 of the Zoning Ordinance to permit:

Construction of attached garage to existing house, New Construction will require a variance of front setback from 40 feet to 33 feet.

B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))

Please demonstrate compliance with the following:

1. Granting the variance will not be contrary to the public interest.

Would allow for construction that is consistent with other structure setbacks in the neighborhood.

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

Would allow for uniform construction consistent with neighboring property structure setbacks.

3. Granting of the variance would do substantial justice.

Increase property value for taxation without an increase in required town services.

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

New construction will increase property values of subject lot which has a net benefit to surrounding property values.

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NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.

5A. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

(i) The following special conditions of the property distinguish it from other properties in the area:

Property has frontage on two roads resulting in a substantial impact to buildable area due to 40 foot frontage setbacks. No other area suitable for garage location due to septic and well location and steep slope between house and Edgewater Drive.

and

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

No other area suitable for garage location due to septic and well location and steep slope between house and Edgewater Drive.

and

(iii) The proposed use is a reasonable one because:

Allows for the construction of a garage providing a reasonable use of the property.

OR

5B. If the criteria in subparagraph 5A above are not established, explain how, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:

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ABUTTER LIST

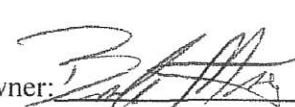
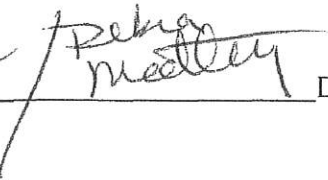
THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

Pursuant to RSA 676:7 as amended, the State Law of New Hampshire, the Town of Barrington is required to notify the applicant and every abutter of the public hearing by certified mail. The cost of required publication or posting of notice, and the cost of mailing said notices, shall be paid by the applicant.

Refer to RSA 672:3 as amended, for the definition of an Abutter.

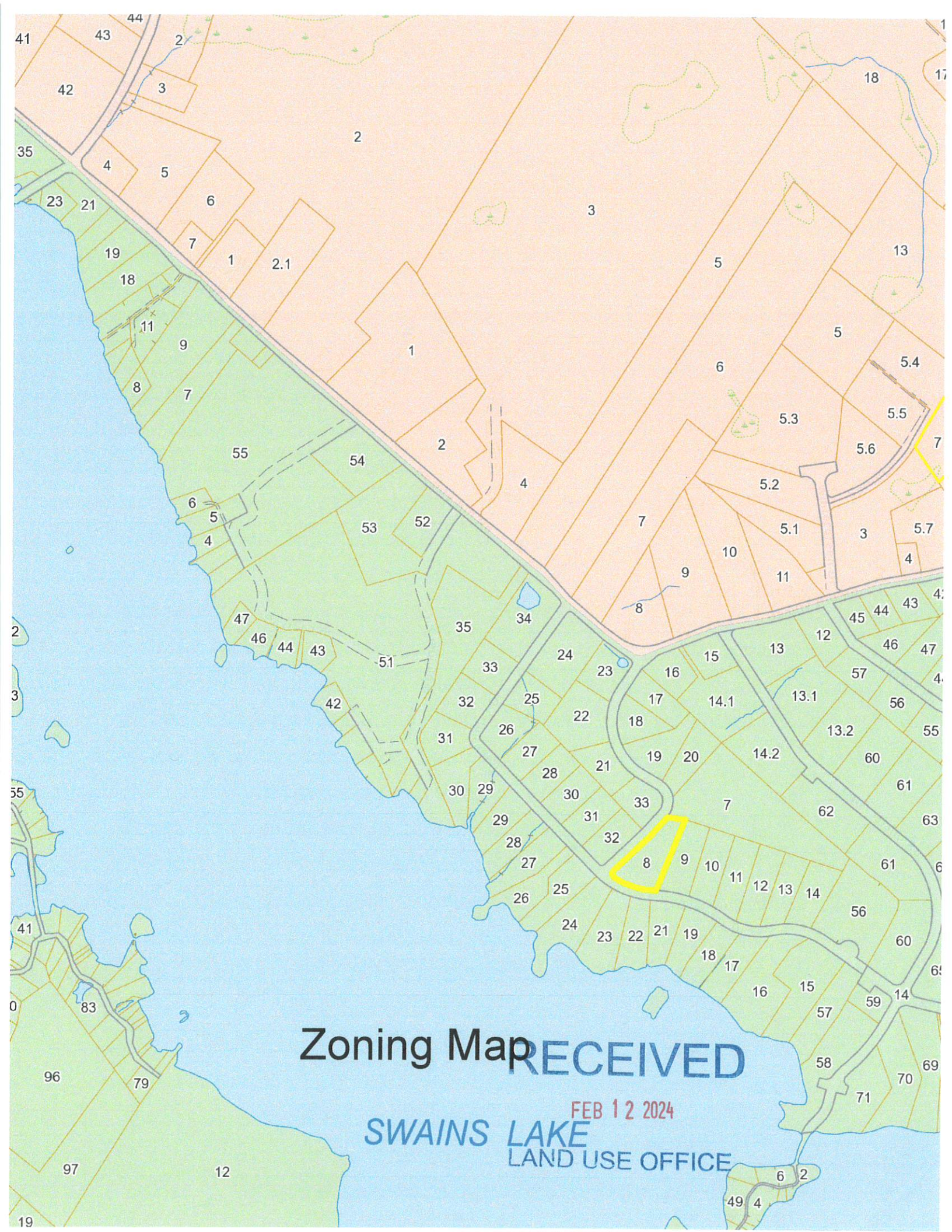
PLEASE NOTE: Abutter ownership information for lots located in Barrington, shall be obtained through the Town's Assessment Office.

Tax Map	Lot No.	Owner(s) of Record	Mailing Address
119	7	Stephen & Debra Bergstrom	35 woodhaven Drive Barrington NH 03825
119	9	Bynt Property Management LLC	85 Edgewater Drive Barrington NH 03825
119	21	Philip & Karen Avallon	82 Edgewater Drive, Barrington NH 03825
119	22	Julie & Jay Paul Cleary	76 Edgewater Drive Barrington NH 03825
119	23	Kathleen & Settele Do Ammann	74 Edgewater Drive Barrington NH 03825
119	24	Speedwell Pines Association	115 Edgewell Drive Barrington NH 03825
119	25	Sands & Gerald Kamitian	68 Edgewater Drive Barrington NH 03825
119	32	John & Darby Leicht	63 Edgewater Drive Barrington NH
119	33	Christopher Boardman	28 Woodhaven Drive Barrington NH 03825
		Robert Talon, LLS	69 Durgin Road Chichester NH 03258

Signature of Property Owner:  /  Date: 2/2/24

Signature of Land Use Staff: _____ Date: _____

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ARTICLE 4 DIMENSIONAL REQUIREMENTS

4.1 General Provisions

4.1.1.....Minimum Standards

No building or structure shall be erected, enlarged, altered or moved, nor shall any existing lot size be changed, or new lot created, except in accordance with the standards prescribed in Table 2, Table of Dimensional Standards or as otherwise specified herein.

Zoning District	Min. Lot Size (sq.ft.) (b)	Min. Lot Frontage (ft.) (b)	Min. Yard Setbacks (ft.)(i)			Max. Bldg. Height		Max. Lot Coverage (f)
			Front	Side	Rear	Feet	Stories	
General Residential	80,000(c)	200	40	30	30	35	2.5	40%
Neighborhood Residential	80,000(c)	200	40	30	30	35	2.5	40%
Village District (Residential)	80,000(c)	200	40	30	30	35	2.5	40%
Village District (Non-Residential)	30,000(g)	75	20	15	15	40(j)	3	60%
Town Center	20,000(h)	40	20(k)	15	15	40(j)	3	80%
Regional Commercial	40,000(d)	200	75(e)(l)	30	30	40(j)	3	50%

Footnotes:

(a) All development is subject to the additional and supplemental dimensional standards prescribed in Article 4 of this Ordinance.

(b) Refer to Article 4.2 for calculating the minimum lot size per dwelling unit within each district.

(c) Minimum lot sizes and frontage may be reduced as part of a Conservation Subdivision in accordance with Article 6 of this Ordinance.

(d) Minimum lot sizes for residential dwelling units in the RC district shall be in accordance with Section 4.2 of this Ordinance.

(e) A greenbelt shall be maintained along the frontage of parcels on Route 125 in accordance with Subsection 4.2.3, Paragraph 4), of this Ordinance.

(f) Maximum lot coverage means the area of the lot covered by an impervious surface. Calculation of maximum lot coverage in a Planned Unit Development (PUD) shall be in accordance with Subsection 16.3.3. All development is subject to the provisions of Article 12, Groundwater Protection, with regard to the creation of impermeable surfaces.

(g) The minimum lot size for single-family dwelling units must comply with the provisions of Subsection 4.2.1 of this Ordinance, which are the same requirements for constructing a single-family dwelling in the GR and NR districts, as well as all other applicable provisions. Refer to section 4.2.2 for further specifications regarding minimum lot size and building size requirements in the VD district.

(h) Refer to Section 4.2.4 for additional provisions regarding minimum lot size and building size in the TC district.

(i) "Setbacks apply to ground mounted Solar Collection Systems. Increases in the Minimum Yard Setbacks may be required as part of the Site Plan Review or building permit process in order to comply with Life Safety Code requirements. Additional buffers may also be required between residential and nonresidential uses in the VD, RC, and TC districts as specified in Article 4, as well as other sections of this Ordinance.

(j) No structure may contain occupied residential building space above 35 ft. unless said structure contains a sprinkler system.

(k) The setback for all new structures shall be fifty (50) feet from the edge of the right-of-way along Route 125 and Route 9. No new structures (except signs) may be placed within this setback area.

(l) Properties in the Regional Commercial District which do not front on State Highways (i.e., Routes 4 and 125), the minimum front setback is forty (40) feet.

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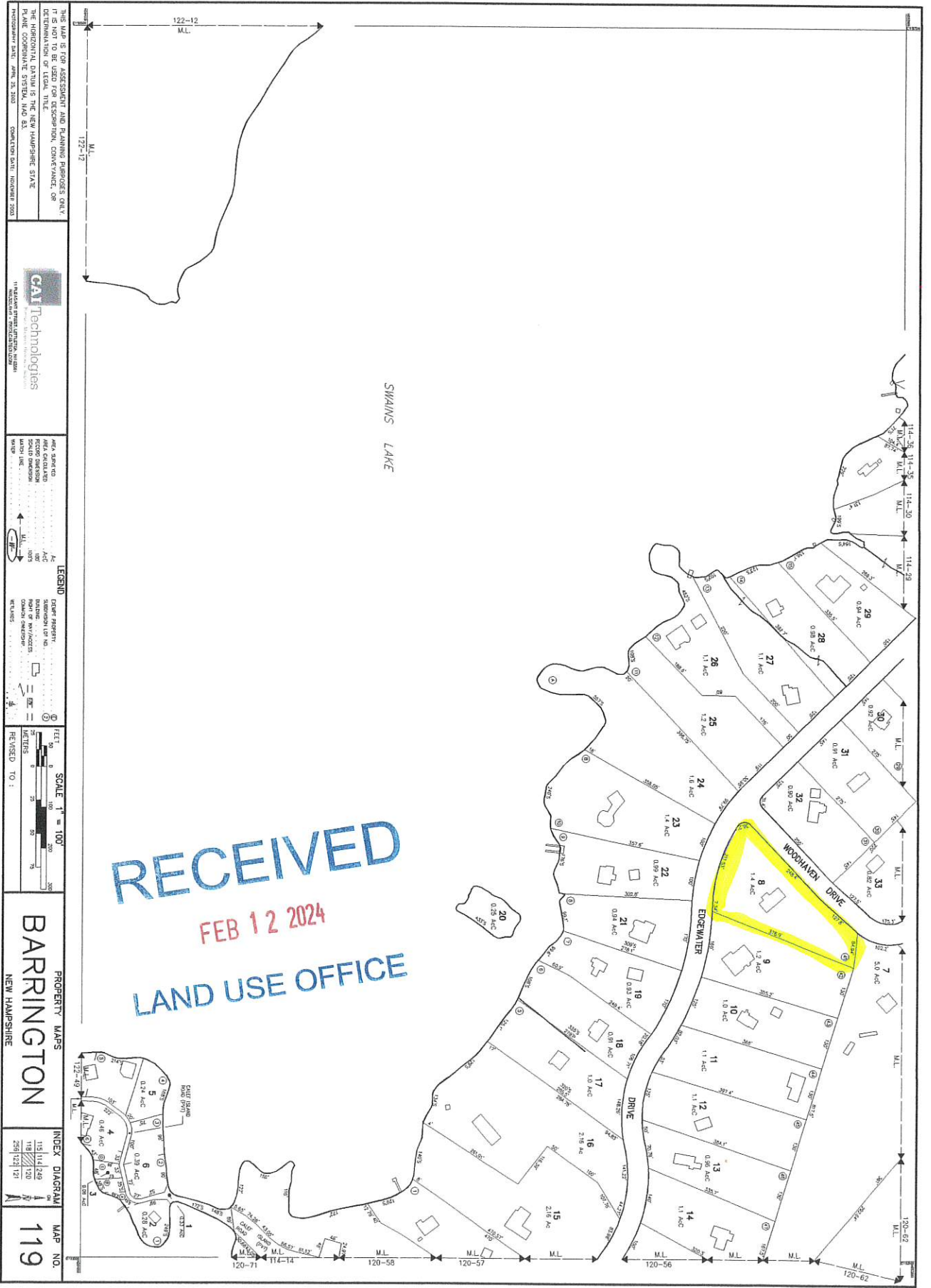
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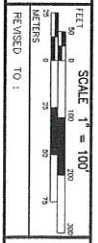
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THIS MAP IS FOR ASSESSMENT AND PLANNING PURPOSES ONLY. IT IS NOT TO BE USED FOR DESCRIPTION, CONVEYANCE, OR DETERMINATION OF LEGAL TITLE. THE HORIZONTAL DATA IS THE NEW HAMPSHIRE STATE PLANK COORDINATE SYSTEM, NAD 83. PHOTOGRAPHY DATE: APRIL 26, 2020. COMPLETION DATE: NOVEMBER 2020.



AREA SURVEYED AND CALCULATED BY: SOLID DIVISION, MATCH INC.

LEGEND
 CLEAR INTEREST, EASEMENT OR RIGHT OF WAY, COMMON OR OTHER INTEREST, ETC.



PROPERTY MAPS
 BARRINGTON
 NEW HAMPSHIRE

INDEX DIAGRAM
 MAP NO. 119



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