

Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised August 2022)

General Information, Page 1 of 3

Property Information

Describe the lot involved in the application (the lot that you want to build a building on, subdivide, conduct a business or other activity on, etc.). If more than one lot is involved, then describe them all in this space if it is convenient, or attach additional copies of this page.

Tax Map and Lot Number K-96-1 Lot Size 0.178 acres

Street Address 23 Russell St. Wilton, NH 03086

Zoning District (check one):

- Residential
General Residence and Agricultural
Commercial
Industrial
Office Park

Relevant Overlay Districts (check any that apply):

- Research and Office Park
Floodplain Conservation
Watershed
Wetlands Conservation
Aquifer Protection
Elderly Housing

Owner

If the application involves multiple lots with different owners, attach additional copies of this page.

Name Caroline Petroules

Mailing address PO Box 375

Mailing address Wilton, NH 03086

Town, State, ZIP

This application must be signed by the owners of all lots involved in the application.

I approve the submission of this application. If an applicant or representative is named on the next page, the person named there has my permission to represent me before the Wilton Zoning Board.

Signature Caroline Petroules Date 4-10-2024

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clerk use only
Date and time received:
Received by:
Case #:
Amount paid:
Abutter list and labels included

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Applicant

The applicant is the person who actually wants to build the building, conduct the business, etc. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

Same as owner

Name _____

Mailing address _____

Mailing address _____

Town, State, ZIP _____

Signature of Applicant or Owner

I certify that to the best of my knowledge and belief, all information provided in this application is accurate.

Signature Caroline Petroules Date 4-10-24

Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____

Mailing address _____

Mailing address _____

Town, State, ZIP _____

I authorize the above-named representative to submit this application and to speak before the Zoning Board on my behalf.

Signature of applicant or owner (only if a representative is named)

Signature _____ Date _____

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Contact Information

How can we get in touch with the applicant or the applicant's representative, if there are questions about or problems with the application? Provide at least one of the following. If you provide more than one, please check your preferred form of contact.

This information is for: the applicant the representative.

Daytime phone 603-769-1355 Evening phone 603-769-1355

Work E-mail caroline.petroules@snhhs.org Personal e-mail carolinepartridge@tds.net

Proposed Use

Explain what you want to do with the property. (Do you want to build a building, subdivide a lot, have a business, ...).

Explain why you need the Zoning Board to let you do it. (The building will be too close to the lot line; the Planning Board wouldn't approve your subdivision; your lot is in a zoning district where businesses aren't allowed; ...).

Be specific. Identify the section or sections of the Zoning Ordinance that apply. If lot sizes or configurations or building placements are relevant, provide a scale drawing or plan showing all relevant information, such as lot lines, setbacks, present and proposed structures on your lot and neighboring lots, etc.

Description of proposed use and need for ZBA approval (attach additional pages as necessary):

We want to put up an above-ground pool, but we are too close to my neighbor on 71 Maple St and too close at one point to Maple St than the town laws will allow. We are only too close by a few^{3.5} feet and refer you to exhibit A.

Pools usually bring up the value of houses in the neighborhood, and our neighbors are welcome to use the pool when we are present. I love the water in the summertime + this has been a dream of mine for a long time.

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Application for a Variance, Page 1 of 2

When, because of the specific characteristics of your property, the Zoning Ordinance unreasonably restricts your use of your property without a corresponding public benefit, the Zoning Board may grant a Variance, which modifies or sets aside particular requirements of the Ordinance.

The specific section of the Zoning Ordinance to be varied: _____

*wilton Land Use Laws and regulations
Zoning ordinances 5.2 5.2.3 setbacks*

The requirement in that section that you want to change, and how you want it changed:

~~Allow the pool to be slightly less than 15 feet from neighbor~~
Allow the pool to be slightly less than 35 feet from road.
(3.5 ft)

To grant a variance, the Zoning Board must find that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true (attach additional pages as necessary).

These five conditions come from the New Hampshire statutes and decisions of the state Supreme Court. Unless you are familiar with Zoning law, the language of these conditions probably does not mean what you think it means. If you have not applied for a variance before, we recommend that you consult with the Wilton Land Use Administrator or obtain professional advice.

1. Granting the variance would not be contrary to the public interest: pools are NOT bothersome but can increase home values.

2. Granting the variance would be consistent with the spirit of the Ordinance: We can have a pool like so many others.

3. Granting the variance would do substantial justice: It's only a matter of a few feet. (3.5 feet)

4. The proposed use will not diminish surrounding property values: pools usually increase property values

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5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship.
Complete section 5(a), 5(b), OR 5(c):

5(a) i. Owing to special conditions of the property that distinguish it from other properties in the area:

My yard is a bit smaller than most other yards in Wilton.

ii. no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property:

No - I don't understand the question.

iii. and the proposed use is a reasonable one:

A pool is reasonable. There is only a few feet of intrusion. (3.5 feet)
The pool will only be up 3 months of the year and taken down + stored.

5(b) 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

My yard is smaller than most other yards, and a pool is a permitted accessory use.

5(c) **Hardship resulting from a physical disability.**

i. The variance is necessary to make reasonable accommodations to allow a person with a recognized physical disability to reside in or regularly use the premises:

No

ii. The variance is in harmony with the general purpose and intent of the zoning ordinance:

yes. The pool is planned on a spot that is the least ~~intrusive~~ intrusive to my neighbors.