



Town of Wilton, NH
Application to the Zoning Board of Adjustment
 (Revised January 2011)

General Information, Page 1 of 3

RECEIVED
 SEP 30 2014
 TOWN OF WILTON NH

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 L-39 Lot Size .6 Acre

Street Address 6 Chabot Way

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 Jonathan and Felicia Jones

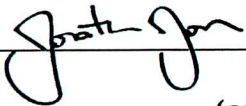
Mailing address 6 Chabot Way

Mailing address _____

Town, State, ZIP Wilton, NH, 03086

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  Date 09/25/2014

(continued on the next page)

clerk use only	
Date and time received: <u>10/7 9/30/14</u>	
Received by: <u>D McLo</u>	Amount paid: <u>136.00</u>
Case #: _____	<input checked="" type="checkbox"/> 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  Date 09/25/2014

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

Signature _____ Date _____

(continued on the next page)



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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 [REDACTED] Evening phone [REDACTED]

Work E-mail [REDACTED] Personal e-mail [REDACTED]

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 (use this page; attach additional pages as necessary):

MyfamilywouldliketobuildagarageonourResidentially-Zonedland
(5.0.1,c.).Wehavehadseveralincidentsoverthelast5yearswhere
vehicles have rolled down our steep driveway or we have been unable to
get our vehicle up the in driveways in the winter and have had to leave
them in the road. This difficulty has occasionally led to inconvenient (at
best) and unsafe (at worst) predicaments for our family, snow removal
crews, pedestrians and neighbors. These difficulties are a large factor in
us putting our home up for sale last spring. However, with no luck on the
sale of the home so far, we have given some thought into changes we could
make to this property to make it more livable. Given the steep hill that
our house sits on (17.3,a), we would like to place a garage on the far
(west) side of the house situated at an angle to the road in order to ease
access to the home. This would require the excavation of the steep hill to
the right of my westerly driveway, but would allow us to discontinue use
of the steeper driveway in the winter and provide a safe access point to
the house.

However, given the extreme topographics of my property, the proposed solution would require us to place the garage nearer to the road than the 35 feet allowed (5.2.3). To my case, this portion of Chabot Way is only used by our family and the occasional fisherman as we are the last home on the dead end road and own the property all the way back to Gibbons Hwy. with no houses on the other side of the road. Our hope would be to excavate the hill to the right of our westerly driveway and build a ^{28x28}~~20x20~~, 2-story garage with a side exit for easy access to the house (please see sample garage from our neighbors at L-41). In my opinion, the construction of a garage on our property would:

- Provide a solution to an existing difficulty (17.3, a.)
- Improve the property value (17.3, c.; 4.4, d; 4.4, h;)
- Reduce the liability carried by the owners of this property, as well as neighbors, road crews, and the occasional fisherman (4.4, g; 4.4, i)
- Maintain the spirit of the neighborhood (17.3, c., e.; 4.4, b; 4.4 h)
- Retain or improve current the convenience and access of all transit routes involved. (4.4, e)



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Application for a Special Exception

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board. Most special exceptions have a list of requirements; the Zoning Board can only approve the special exception if it finds that all the requirements are satisfied.

Note that in addition to the specific requirements that may be listed for a particular special exception, all special exceptions are subject to the general requirements in Section 4.4 of the Zoning Ordinance.

What section of the Zoning Ordinance defines the Special Exception that you are applying for? 17.3

Explain why your proposed use satisfies the requirements of the Zoning Ordinance: _____

(17.3, a.) Our home was built in 1880 with and the lot lines and existing driveways were complicated with the addition of Gibbons Hwy and the discontinuation of Chabot Way (formerly Island Street).

(17.3, b.) The requested setback adjustment is only a lot line adjustment

(17.3, c.) The proposed structure would be designed to enhance the main street community of Wilton. Would also keep the spirit of the ordinance by making this and the surrounding properties more suitable for residential use without negatively impacting others

(17.3, d.) See attached maps and drawings

(17.3, e.) The garage would not be overly large or garish and would fit the spirit and character of the neighborhood



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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: 5.2.3

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

Requires a 35 ft. setback. Would like to change to a 15 foot setback.

To grant a variance, the Zoning Board must decide that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true. (Use additional sheets of paper if necessary.)

1. Granting the variance would not be contrary to the public interest: _____

The variance would reduce liabilities and risks in the neighborhood, would increase property values, would ease service of the existing road, and would improve the aesthetics of the property.

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

Would improve property value, improve public safety, would not infringe on the values, property or access of others.

3. Granting the variance would do substantial justice: _____

The variance would improve the safety of the property without inconveniencing others in any way.

4. The proposed use will not diminish surrounding property values: _____

Removing the liability of a nearby hazardous driveway in winter would improve the value of the neighboring properties. The proposed structure would be attractive and an addition to the neighborhood.

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5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship.
Complete just one of sections 5(a), 5(b), or 5(c):

5(a) i. 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:

ii. The proposed use is a reasonable one:

iii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

5(b) i. The property cannot be reasonably used in strict conformance with the ordinance:

The extreme topography of the property and unique placement on the discontinued road, make the placement of the garage the only reasonable place to build.

ii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

The positioning between the discontinued/dead-end road and Gibbons Hwy combined with the extreme topography presents a unique difficulty for safely accessing the property.

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:

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

FIGURE 1.



For reference only. Not exact boundaries.

FIGURE 2.



View from Chabot Way. Lot L39 shown.



FIGURE 4



Similar design as proposed garage on neighboring lot.