



# Town of Wilton, NH Zoning Board of Adjustment

## Notice of Decision

The request by Robert and Sara Spittel for a special exception under section 17.3 of the Wilton Zoning Ordinance has been granted. It will allow the removal and replacement of an existing nonconforming garage with a new one which will still be closer to the road than allowed by the Ordinance on Lot C-47, 748 Isaac Frye Highway.

The request for a variance to section 6.2.4 of the Wilton Zoning Ordinance has been denied without prejudice, because the the requested use is permitted by the Special Exception granted under section 17.3.

This decision shall expire if the construction or use permitted by it has not begun by Friday, June 13, 2025. (Wilton Zoning Ordinance section 17.4)

The selectmen, any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing of this decision. A request for a rehearing must be filed in writing with the Zoning Board of Adjustment on or before Thursday, July 13, 2023, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

### Findings of Fact

- The lot size is 1.5 acres.
- The house was built circa 1800.
- The existing garage is 15' from the front lot line, which is less than the required 35' setback.
- The applicants propose to completely remove the existing garage and construct a new garage, which would be 25' from the lot line.

### Reasons for the decision

- (a) The lot shape and topography, location of the existing house, and buried utility lines make it impractical to place the garage any more than 25' from the lot line.
- (b) The setback in question is a lot line setback.
- (c) The house and proposed garage locations are consistent with an area of town in which many historic houses have nonconforming front setbacks.
- (d) The proposed garage is to be constructed in the location indicated by the rectangle labeled "New Potential Garage" on the hand-drawn plan submitted with the application.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Faiman". The signature is written in a cursive, flowing style with a long horizontal flourish at the end.

Neil Faiman, Chairperson  
Wilton ZBA  
June 15, 2023

Case #6/13/2023-2, decided Tuesday, June 13, 2023