



Town of Wilton, NH Zoning Board of Adjustment

Notice of Decision

The request by Duane A. Curtis for a variance to section 6.2.4 of the Wilton Zoning Ordinance has been granted. It will allow the construction of a carport which will be closer to the side lot line than is allowed by the Ordinance on Lot B-48-1, 157 Curtis Farm Road.

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 1.3 acres.
- The lot is at the corner of Curtis Farm Road and Dale Street, but the house and garage face Curtis Farm Road.
- The existing house and garage are in the northeast corner of the lot, barely satisfying the 35' front and side setbacks.
- The lot falls away from the house and garage to the south and west at a moderate grade.
- The applicant proposes to add a 12' x 20' carport on the east end of the garage, which at its closest would be approximately 30' from the side lot line.

Reasons for the Decision

- Public interest and Spirit of the Ordinance: The proposed addition does not threaten the public health, safety, or welfare, or change the character of the neighborhood.
- Property values: The proposed carport is minimal in size, would not be change the character of the neighborhood, and is acceptable to the abutter.
- Hardship, Substantial Justice: The lot topography made the existing house, garage, and septic system location the obvious locations; and the consequence is that there is no practical place for the proposed carport other than the location proposed by the applicant. Enforcing the setback requirement would impose a burden on the applicant, without advancing the purposes of the Ordinance.

Sincerely,

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

Neil Faiman, Chairperson
Wilton ZBA
June 15, 2023

Case #6/13/2023-3, decided Tuesday, June 13, 2023