



# Town of Wilton, NH Zoning Board of Adjustment

## Notice of Decision

The request by Benjamin and Caitlin Maki for a variance to section 6.2.4 of the Wilton Zoning Ordinance has been granted. It will allow the construction of an addition to the existing dwelling on Lot D-64, 25 Holt Road which will be closer to a side lot line than is allowed by the Ordinance.

This decision shall expire if the construction or use permitted by it has not begun by Sunday, June 22, 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 Saturday, July 22, 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 approximately 3½ acres.
- The lot has 216 feet of frontage on Holt Road.
- The lot is located in the General Residence and Agricultural District, where section 6.2.4 requires 35' setbacks from all lot lines.
- The house on the lot was built in 1958, and has 1042 square feet of floor space.
- The north corner of house is approximately 30' from the lot line with adjacent lot D-56.
- The construction of the existing house would not allow the addition of a second story.
- The applicants propose adding a 780 square foot addition on the back of the house.
- The north corner of the proposed addition would be 21' from the D-56 lot line.
- There is an existing above-ground pool behind the garage.
- The 50' structure setback from wetlands in the south portion of the lot significantly limits the area in which new construction is possible.

## 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 house and its placement are consistent with other properties in the Holt Road neighborhood. The owner of Lot D-56 has no objections to the proposal.
- Hardship, Substantial Justice: The existing (pre-zoning) house location and construction and the wetland structure setback make the proposed location of the addition the only reasonable location. The size of the existing house is barely adequate; enforcing the setback requirement would impose a serious burden on the applicant, without advancing the purposes of the Ordinance.

## Note

The Board notes that the construction in the setback which is permitted by this variance would also, in the absence of this variance, be prohibited by section 17.1(e) of the Ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Faiman", with a stylized, flowing script.

Neil Faiman, Chairperson  
Wilton ZBA  
June 23, 2023

Case #6/13/2023-6, decided Thursday, June 22, 2023