

**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-104 Lot Size 0.23 AC  
Street Address 6 Pine Valley St, Wilton

Zoning District (check one):

- Residential    General Residence and Agricultural  
 Commercial    Industrial    Office Park

Relevant Overlay Districts (check any that apply): ✓ souhegan

- 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 ~~###~~ Wendy Cheney (The Wendy L. Cheney Revocable Trust of 2023)  
Mailing address PO Box 428  
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 Wendy Cheney Date 11/10/23

(continued on the next page)

**clerk use only**

Date and time received: \_\_\_\_\_

Received by: \_\_\_\_\_ Amount paid: \_\_\_\_\_

Case #: \_\_\_\_\_  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 Wendy Cheney Date 11/10/23

**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 603-654-2002  Evening phone 603-582-7796  
 Work E-mail wendy@shp-seals.com  Personal e-mail wendylee@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):

- Add small deck w/back entrance on back of home (approx 8'x8')
- Existing structure (house) sits w/in setback from road (front)
- Zoning ordinance 17.3 - Front of house sits w/in setback from rd (front corners approx 12 to 13 ft back). House has existed 100+ yrs. Lot #K-104

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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: 17.1e

The requirement in that section that you want to change, and how you want it changed:  
Allow small deck to be added to non-conforming structure.

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: No. modest in size & style and not fully visible to surrounding properties (a little more so in winter)

2. Granting the variance would be consistent with the spirit of the Ordinance: Yes, home in which deck is to be added has been in place for 100+ years

3. Granting the variance would do substantial justice: Will permit me to construct small deck consistent with what others have done.

4. The proposed use will not diminish surrounding property values: No. Deck will be modest in size & style and mostly not visible to surrounding properties (more so in winter w/ foliage gone)

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**Application for a Variance, Page 2 of 2**

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:

Homes in neighborhood constructed prior to the ordinance, and therefore can not meet requirements (setbacks).

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:

see above.

iii. and the proposed use is a reasonable one:

rear access & private sitting area.

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

100+ yr old property built w/in the setback now called out by the ordinance.

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: