

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 F-1405 Lot Size ~~0.21~~ ACRES 0.50 AC; 510' frontage

Street Address 9 GREENVILLE RD, WILTON

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 CHRISTOPHER & BETHENY ROBERTS

Mailing address 9 GREENVILLE RD

Mailing address SAME

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 Christopher Roberts Date 7/19/24

(continued on the next page)

clerk use only	
Date and time received: <u>7/19/2024</u>	
Received by: <u>[Signature]</u>	Amount paid: <u>\$215</u>
Case #: <u>08/13/2024-02</u>	<input checked="" type="checkbox"/> Abutter list and labels included

Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised August 2022)

General Information, Page 2 of 3

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 BETHENY + CHRISTOPHER ROBERTS

Mailing address 9 GREENVILLE RD

Mailing address _____

Town, State, ZIP WILTON, NH 03086

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 Christopher Roberts Date July 16, 2024

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 _____

(continued on the next page)

Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised August 2022)
General Information, Page 3 of 3

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 413-345-0498 Evening phone SAME

Work E-mail roberts.chris9133@gmail.com Personal e-mail SAME

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):

INSTALL A DECK/PLATFORM TO FACILITATE SAFE, 4 SEASON USE OF MUDROOM DOOR PROVIDING REAR ACCESS TO HOUSE FROM ACTIVE DRIVEWAY/PARKING AREA. AREA COVERED BY PLATFORM IS IRREGULAR. IT HAS A 2x2.5'x3" CONCRETE WELHEAD COVER, EMBEDDED GRANITE SLABS PARTLY COVERED BY OLD ASPHALT WHICH IMPEDE 50% OF EXISTING GRANITE STEP TO THE DOOR AND WHICH MAKE EXISTING SAND (FORMERLY BRICK) WALK OFF-SET THE BUILDING ENTRANCE CENTER. AREA IS DIFFICULT TO SNOW-BLOW OR SHOVEL DURING WINTER. AREA HAS SETTLED & THAT THE RISE FROM THE 5' LONG GRANITE STEP THROUGH DOORWAY IS +10". A DECK/PLATFORM WILL MAKE THE RISE 6". PLATFORM/DECK DIMENSIONS: 7.5' x 16.0' (APPROX 125 SQFT). IT WILL BE ATTACHED TO HOUSE ON TWO SIDES WITHOUT PENETRATING SHINGLE SIDING. AS THE TERRAIN HAS ABOUT 5-6" SLOPE AWAY FROM THE DOOR, THE LEVEL DECK/PLATFORM WILL RELOCATE EXISTING GRANITE STEP BY THE DOOR TO THE SW CORNER OF THE DECK WHERE A PICKET FENCE BORDERS TO S AND AN OPENING IN EXISTING FENCING WILL SERVE AS ~~LANDSCAPE BARRIER~~ NEWWAY ACCESS. A ROW OF SHRUBS + HAS BEEN PLANTED TO IMPROVE SOUTHACING APPEARANCE — WITH A LARGE MULCHED, PLANTING AREA AND ROADSIDE PICKET FENCE COMPLETING ENCLOSURE.

Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised August 2022)

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. Every special exception is allowed by some section or subsection of the Ordinance. 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 4.12 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 (attach additional pages as necessary):

PROPOSING AN 8'x16' (APPROX) DECK IN FRONT OF MUDROOM DOOR TO
COVER DANGEROUS TERRAIN FEATURES: WELL HEAD COVER, ORIGINAL WALL
GRANITE FOUNDATION COLLAR, OLD ASPHALT, ETC. TERRAIN SLOPE ALSO
CAUSED SETTLING OF GRANITE ENTRY STEP CREATING EXCESSIVE RISE
BELOW DOOR (10+"). DECK WILL COVER IRREGULAR FEATURES AND
FACILITATE SNOW REMOVAL AND ACCESS.

Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised August 2022)

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: 8.2.4

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

HOUSE BUILT IN 1852. IT ABUTS GREENVILLE RD TO SOUTHEAST SET BACK ABOUT 35' FROM ROAD EDGE. FOR THIS APPLICATION THE RELEVANT SETBACK IS ABOUT 50' FROM HOUSE

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: THE ENTRY TO AN EXISTING MUDROOM DOOR FROM DRIVE/PARKING AREA WILL BE MADE SAFER AND MORE CONVENIENT. IT WILL ALSO ALLOW AN IRREGULAR AND UNIMPROVEABLE AREA TO BE IMPROVED AND MADE ATTRACTIVE

2. Granting the variance would be consistent with the spirit of the Ordinance: THERE IS AN EXISTING IRREGULARITY TO AREA TO BE DECKED OVER. IT IS HARD TO CLEAR IN THE WINTER. SETTLING HAS INCREASED THE RISE INTO MUDROOM ACCESS DOOR TO 10+ INCHES

3. Granting the variance would do substantial justice: PRIOR USES AND OUTDOOR FIXTURES (WELL HEAD) CANNOT BE REMOVED. DOOR INTO ACTIVE MUDROOM IS NOT SQUARED TO ENTRY STEP AND PATH FROM DRIVEWAY

4. The proposed use will not diminish surrounding property values: PLANTING, PAINTED PICKET FENCING (4'), MULCH BEDDING, AND DECORATIVE GRAVEL ENHANCE THIS AND NEIGHBORING PROPERTIES

CODE

8.25 a - COMPLIANT
8.25 b - COMPLIANT

(continued on the next page)

Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised August 2022)

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:

THE HOUSE IS OLD AND OUT OF VARIANCE IN ROAD SETBACK.
IT IS ALSO AN INFORMAL LANDMARK FOR LONG HISTORY OR
COMMERCIAL USE AND ITS PROMINENT LOCATION

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:

NO PURPOSES OF ORDINANCE ARE VIOLATED

iii. and the proposed use is a reasonable one:

YES

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

YES. BUILT IN 1850'S. SET BACKS
NON COMPLIANT BUT ORIGINAL. HOUSE
SET BACK TO GREENVILLE RD EDGE APPROX .

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:

A CURRENT RESIDENT HAS FULL DISABILITY AND
ANOTHER IS A SENIOR. EXISTING ENTRANCE CAN
BE AVOIDED BUT IMPROVEMENT FACILITATES
AND MAKES SAFER FULL USE OF THE HOUSE

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

YES.