

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment, Town of New London

Name of owner/applicant: Christopher J. Alepa

Mailing Address: 325 Stillwell Pl., Ridgewood, State: NJ Zip 07450

Home Telephone: Work Telephone: Cell: 201-815-6704

Email address: cjakpa@live.com

Owner of property: Christopher J. Alepa (if same as applicant, write "same")

Location of property 178 Poor Rd

Tax Map Number: 91 Lot Number: 004 Zone: R2

A variance is requested from the provisions of Article: XX Section: B(4) of the Zoning Ordinance to permit a 2 ft. 2nd story cantilever addition

Section (B)

Facts supporting this request: See Attached sheet

1. The variance will not be contrary to the public interest: See Attached sheets

2. The spirit of the ordinance is observed:

3. Substantial justice is done:

4. The values of surrounding properties are not diminished; and:

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.



A. For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(1) 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;

_____ and

(2) The proposed use is a reasonable one;

B. If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, 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.

Owner/applicant(s) Signature: CJ Ayer Date: 5/22/17

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

For questions or assistance in completing these forms, please contact:
Lucy St. John, Zoning Administrator
603-526-4821, ext. 16
Email: zoning@nl-nh.com

Or

Amy Rankins, Assessing Coordinator
603-526-4821, ext. 20
Email: landuse@nl-nh.com



SUPPORTING INFORMATION FOR VARIANCE APPLICATION

Facts supporting this request:

1. The variance will not be contrary to the public interest:

Because the cantilever does not extend past the existing, established, non-conforming setback line of the house and is located on the wooded side of the lot. Therefore there is no visual impact.

2. The spirit of the ordinance is observed: The purpose of the ordinance is to protect the health, safety, and general welfare of the community. This has no negative impact on the health, safety and welfare of the community.

3. Substantial justice is done:

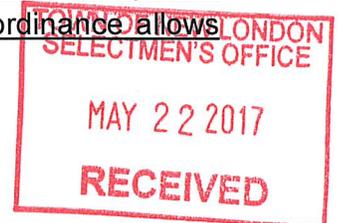
At this point the construction of the cantilever is completed and work has been unjustly stopped. All proper permitting authorities approved the drawings as built. Clear documentation has been provided of that fact. The documentation clearly indicates the 2nd floor cantilever as well as the setback lines. All authorities, it is assumed since permits issued, reviewed the submission and approved such. This stop work and re-visiting previous decisions by the governing authorities has created an injustice and undue hardship on the owner with no benefit to the general public.

4. The values of surrounding properties are not diminished; and: The values of surrounding properties are not affected by this cantilever because the existing setback is closer, and the cantilever does not affect foliage, soil disturbance, open space, views, or any other environmental conditions.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

A. For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- (1) 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;
The intent of this section of the ordinance is to allow for additions to existing non-conforming structures. Our hardship is that the house is not parallel to the property lines resulting in skewed setback lines. As the ordinance allows



structures “to expand upward or to the side along the existing non-conforming setback” and the fact that this cantilever does not result in a structure with less side yard setback than what exists, the general purpose has been met.

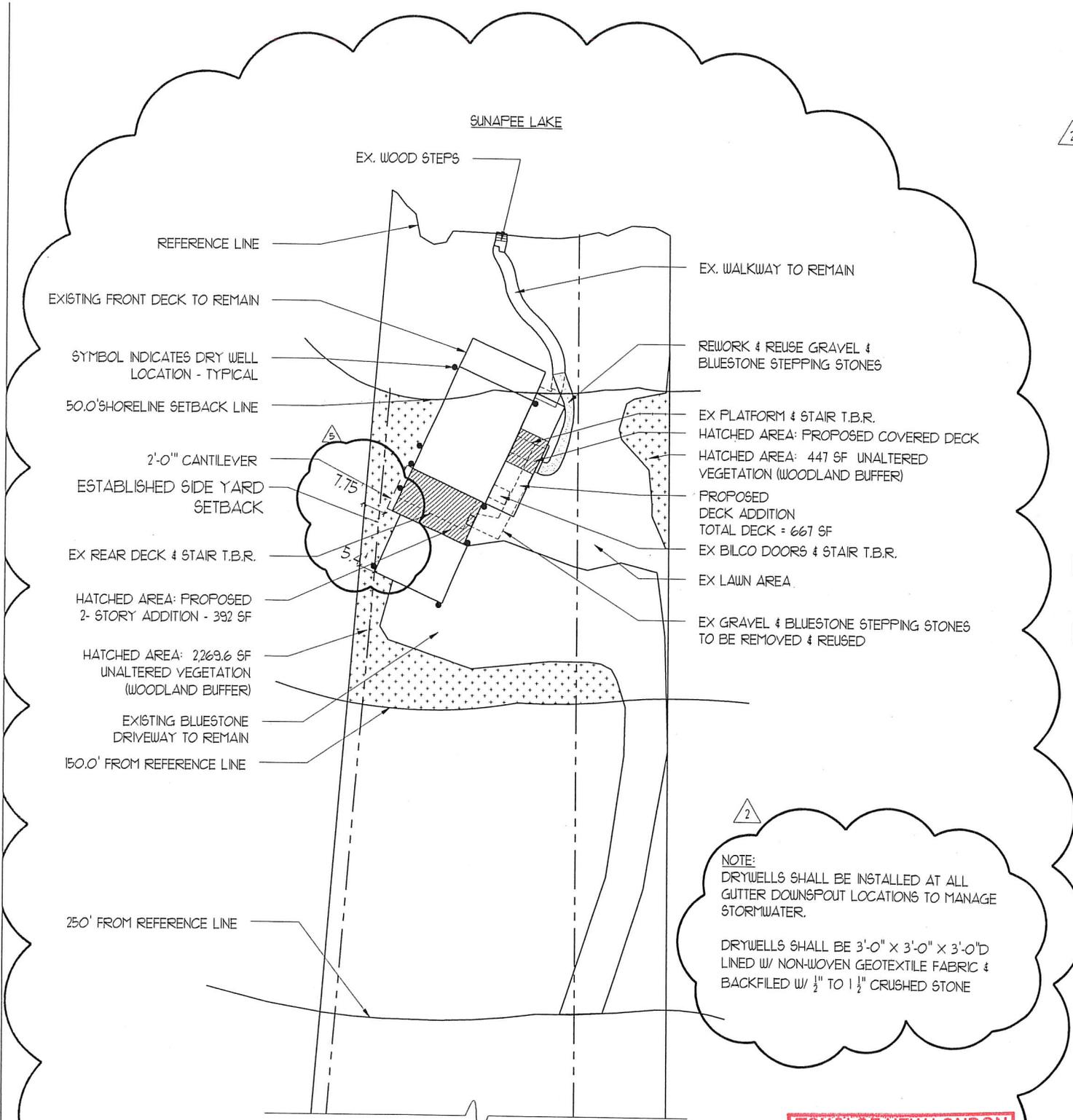
(2) The proposed use is a reasonable one:

The proposed use is reasonable and usual for residential structures in this area.

- B. If the criteria and subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, 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.

We believe we have met the criteria as outlined in A. above. Due to the unique orientation of the existing house on the property and resulting skewed setback lines to the home, the property cannot be reasonably used in strict conformance with the ordinance.





2

NOTE:
 DRYWELLS SHALL BE INSTALLED AT ALL GUTTER DOWNSPOUT LOCATIONS TO MANAGE STORMWATER.

DRYWELLS SHALL BE 3'-0" X 3'-0" X 3'-0" D LINED W/ NON-WOVEN GEOTEXTILE FABRIC & BACKFILLED W/ 1/2" TO 1 1/2" CRUSHED STONE

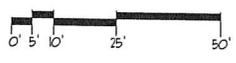
3

2

PARTIAL ARCHITECTURAL SITE PLAN

SCALE: 1" = 20'

Architectural Information overlaid on survey prepared by Clayton E. Platt, Lic. No. 833 of Pennycroft Hill Land Surveying & Forestry, LLC. 418 Pine Hill Rd. Croydon, NH dated 4.4.16.



TOWN OF NEW LONDON
 SELECTMEN'S OFFICE

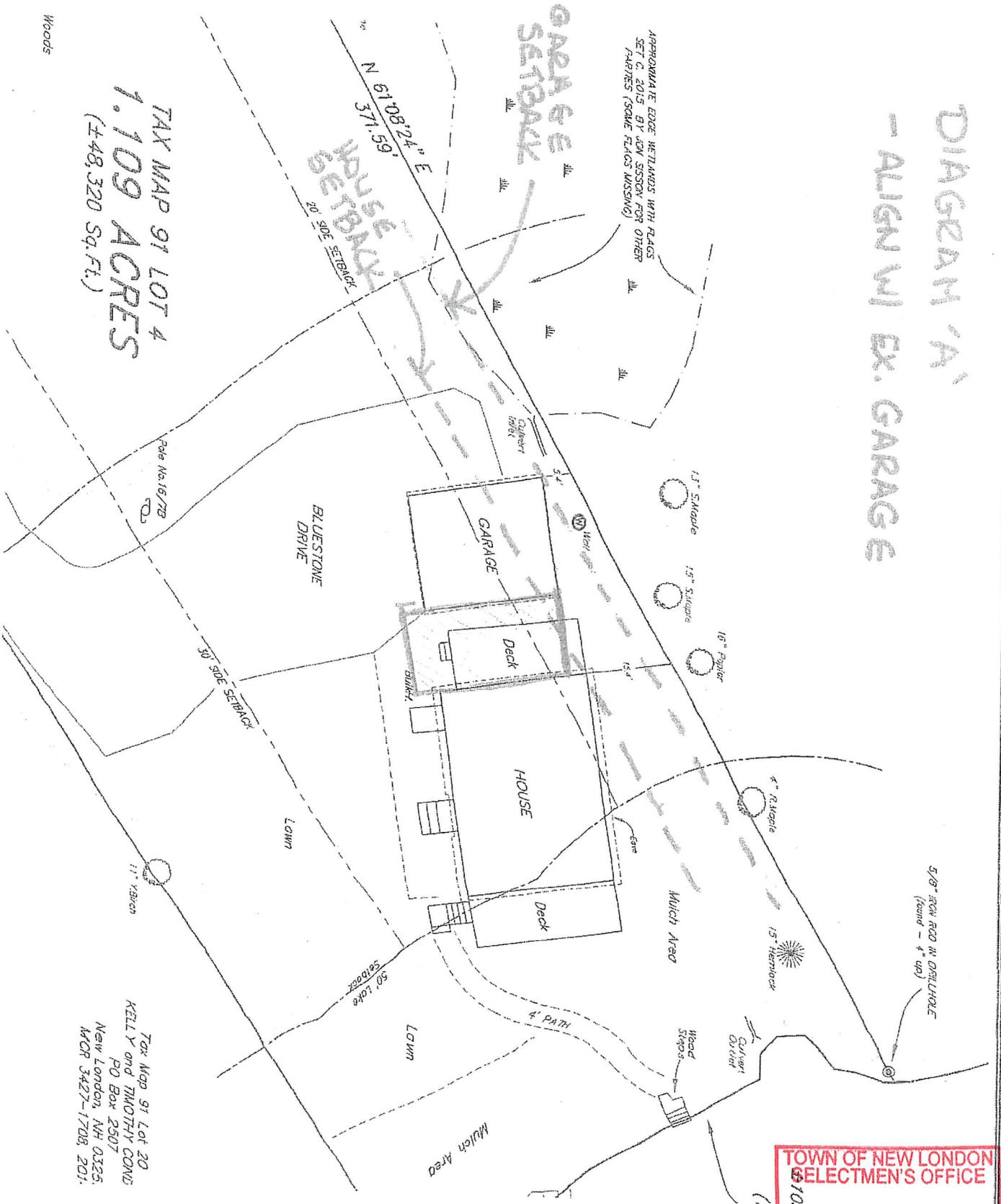
MAY 22 2017

RECEIVED

4

DIAGRAM 'A'

- ALIGN W/ EX. GARAGE



TAX MAP 91 LOT 4
1.109 ACRES
 (±48,320 Sq.Ft.)

Tax Map 91 Lot 20
 KELLY and TIMOTHY CONE
 PO Box 2507
 New London, NH 03255
 MCR 3427-1708 201.

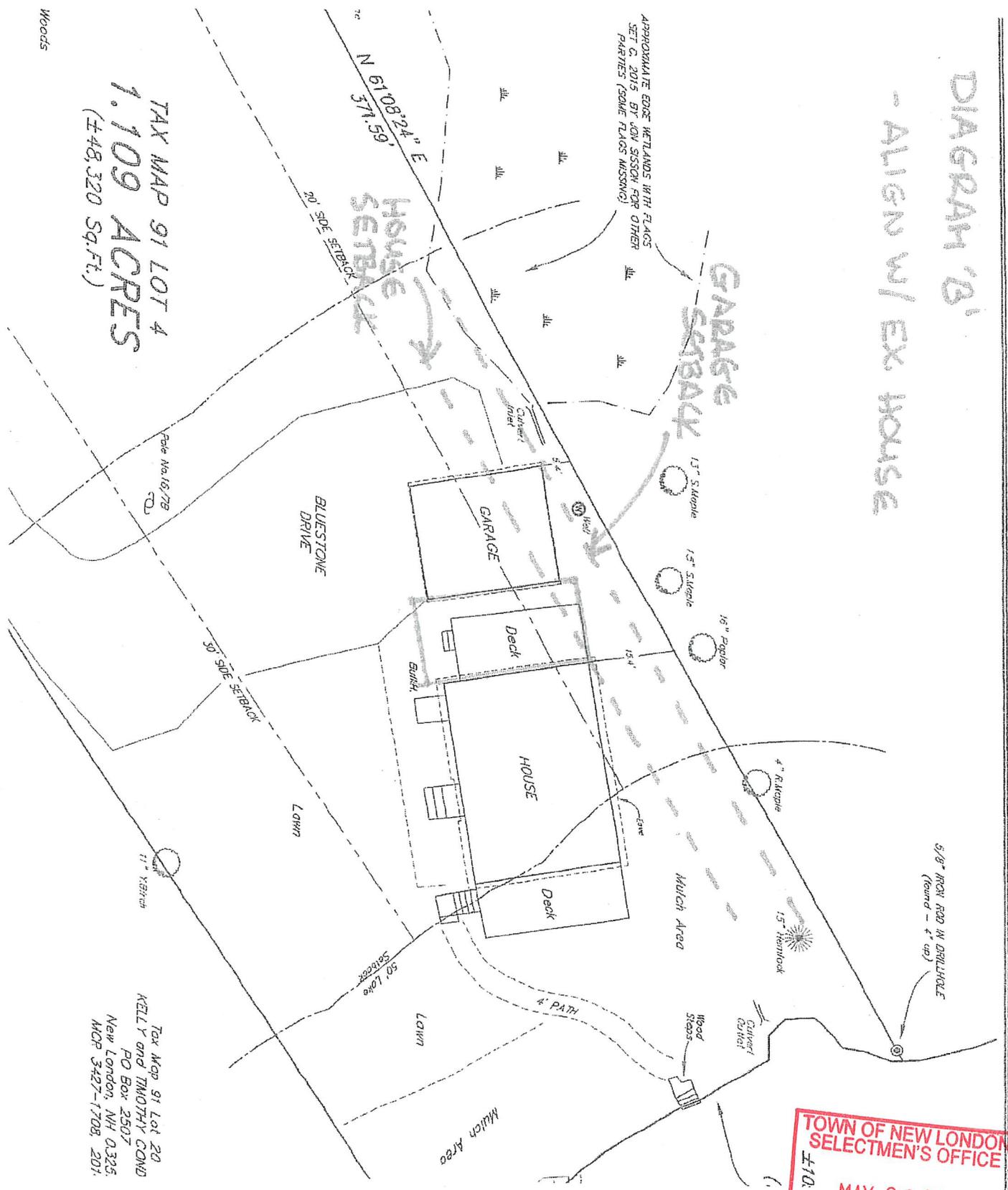
TOWN OF NEW LONDON
 SELECTMEN'S OFFICE
 510
 MAY 22 2017
 RECEIVED

DIAGRAM 'B'

- ALIEN w/ EX HOUSE

TAX MAP 91 LOT 4
1.109 ACRES
(±48,320 Sq.Ft.)

Woods



TOWN OF NEW LONDON
SELECTMEN'S OFFICE
±10.
MAY 22 2017
RECEIVED