

**BOARD OF ADJUSTMENT
TOWN OF WOLFEBORO
WOLFEBORO, NEW HAMPSHIRE 03894-0629**

SPECIAL EXCEPTION

Dear Applicant:

You have applied for a special exception to the town of Wolfeboro Planning and Zoning Ordinance. A use by special exception is a use specifically permitted by Article 6 of the Ordinance. When this application is completed and submitted with the necessary information and fees, the secretary of the Zoning Board of Adjustment will schedule a public hearing. You or your representative shall present the information that you feel supports your appeal.

The Board strongly recommends that you become familiar with the Zoning Ordinance.

The Board in acting on the application for a special exception shall take into consideration the following conditions:

1. **Site Suitability:** That the specific site is an appropriate location for the proposed use or structure.
2. **Immediate Neighborhood Impact:** That the proposal is not detrimental, injurious, obnoxious or offensive to abutting properties in particular and the neighborhood in general.
3. That there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking.
4. **Availability of public services and facilities.**
5. **Appropriateness of Site Plan.**
6. **Immediate neighborhood integrity.**
7. **Impact of property values.**
8. **The proposed use or structure is consistent with the spirit of the Ordinance and the Intent of the Master Plan.**

A majority of the Board must be convinced that ALL EIGHT conditions have been met. It is up to you, the applicant, to present evidence that ALL EIGHT conditions are valid.

Please find attached the following forms to assist you to you or your authorized representative prepare for your presentation and hearing with the Board of Adjustment:

- NOTICE OF ZONING DECISION -- to be filled out by the Wolfeboro Codes Officer.
- APPEAL OF ZONING OF CODES OFFICER: -- to be filled out by the applicant.
- EIGHT POINT SPECIAL EXCEPTION REQUEST -- to be filled out by the applicant.
- APPLICATION REQUIREMENTS & PLAN CHECKLIST

This information is provided to you so that your presentation to the Board will be complete and the hearing will proceed smoothly. Upon completion of this information, please provide a copy to the Board of Adjustment Secretary for a review of completeness and to schedule a hearing.

If you have questions regarding this process you are invited to call the Board Secretary at 569-5970

Sincerely,
Wolfeboro Board of Adjustment

FORM: ZBASE004/2006

NOTICE OF ZONING DECISION

Section I -- (To be prepared by the Wolfeboro Building Official)

To: Name: _____

Address: _____

Your request for a permit to (specify use): _____

on property located at: _____

is DENIED for the following reason: _____

You have the right to appeal this decision under Article 175.187 of the Wolfeboro Planning and Zoning Ordinance after completing the Section II of this form.

Building Official _____

Date: _____

APPEAL OF DECISION OF CODES OFFICER

Section II -- (To be prepared by Applicant)

Date: _____

NOTE: Additional information may be supplied on separate sheet if the space provided is not inadequate.

TO: Board of Adjustment
Town of Wolfeboro
PO Box 629
Wolfeboro, New Hampshire 03894-0629

1. Having been denied a permit by the Wolfeboro Building Official for the reason specified in Section I: NOTICE OF ZONING DECISION (Copy Attached). I hereby appeal the decision and request the Board of Adjustment to schedule a public hearing to consider this appeal.

2. I realize that providing the complete information requested below is the responsibility of the undersigned applicant and must be provided before a public hearing can be scheduled by the Board. I understand that it is my responsibility to present this appeal to the Board.

a. Type of Appeal: Administrative _____ Area Variance _____ Use Variance _____ or Special Exception NH RSA 674:41 _____ Equitable Waiver _____

b. Basis for Appeal is Article _____, Section _____ of the Wolfeboro Planning and Zoning Ordinance.

c. Location of property in question: _____

d. Tax map number: _____

e. Located in the Shore Front Residential _____, General Residential 1, _____, General Residential 1A _____, General Residential 2, _____ Commercial C1 _____, Commercial C2 _____, Commercial C3 _____, Agricultural District _____, or Other _____.

f. Name of Applicant: _____

g. Mailing Address of Applicant: _____

- h. Phone Number of Applicant: _____
- i. Legal owner of the Property: _____
Name of Company (if applicable): _____
- j. Mailing address of property owner: _____

- k. Proposed use of property or modification of existing use: _____

- l. Directions to the property from the Wolfeboro Town Hall: _____

I understand that I must appear in person at the public hearing scheduled by the Board of Adjustment to present this appeal. If I cannot appear in person, I will notify the Board in writing of the name of the individual I designate to represent me at the hearing. I also understand that it is my sole responsibility, as the applicant, to provide ALL of the information required to the Secretary of the Board of Adjustment before a hearing can be scheduled.

Applicant's Signature

Date

FOR OFFICE USE ONLY	
CASE #	_____
RED'D.	_____
ON	_____
PLANS	_____ FEE _____
PUBLIC HEARING	_____
DATE	_____
DECISION	_____
APPEAL DATE	_____
ACTION	_____
REHEARING	_____
DATE	_____
DECISION	_____

EIGHT POINT SPECIAL EXCEPTION REQUEST

A SPECIAL EXCEPTION is requested as provided in Article _____,
Section _____ of the Zoning Ordinance to permit:

FACTS SUPPORTING THIS REQUEST:

1. Site Suitability: That the specific site is an appropriate location for the proposed use or structure:

This includes:

- a). Adequate usable space.
- b). Adequate access.
- c). Absence of environmental constraints (floodplain, steep slopes, etc.)

2. Immediate Neighborhood Impact. That the proposal is not detrimental, injurious, obnoxious or offensive to the abutting properties in particular and to the neighborhood in general. Typical impacts, which extend beyond the proposed site include

- a. Excessive trip generation:
- b. Noise or vibration.
- c. Dust, glare of heat.
- d. Smoke, fumes gas or odors.
- e. Inappropriate hours of operation.

3. That there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking:

4. Availability of public services and facilities: That the following services and facilities are available and adequate to serve the needs of the use designed and proposed:

- a. Sewer
- b. Water
- c. Stormwater Drainage
- d. Fire Protection
- e. Police Protection
- f. Streets
- g. Parks
- h. Schools

5. Appropriateness of Site Plan. Consideration shall be given to the following:

- a. Parking Scheme
- b. Traffic Circulation
- c. Open Space
- d. Fencing/Screening
- e. Landscaping
- f. Signage
- g. Commercial Vehicles
- h. Lighting Impact

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6. Immediate neighborhood integrity: That the uses and established use patterns be weighed with recent change trends in the neighborhood.

7. Impact on property values: That the proposed use will not cause or contribute to a decline in property values of adjacent properties.

8. The proposed use or structure is consistent with the spirit of the ordinance and the intent of the Master Plan.

Applicant: _____ Date: _____

APPLICATION REQUIREMENT CHECKLIST:

To complete this application, I understand that the following material and information is required and is attached:

This form completed in full.

- This form completed in full.
- A letter of authorization from the owner of the property if the applicant is different and or will be in attendance at the meeting.
- A complete list of all abutters of the property involved in this appeal with their current mailing address and tax map numbers. Include the names and addresses of all abutters, including those to the rear, sides and front of the property, including those across the streets, roads and rights-of-way. (Failure to provide complete information on abutters will result in this application being returned for the necessary information and will delay the scheduling of a hearing.)

For each abutter, owner, applicant and agent you also need to provide:

1. A plain white #10 envelope with the name and address of the **abutters, applicant(s), and owners(s)** and *current certified postage affixed (no meter date)*.
 2. 1 set of 1" x 2 ½" labels with **abutter's, applicant(s) and owner's** names and addresses. These are to go on the certified mail slips, so they need to be this size.
- A scale drawing/sketch or plot plan (11" x 17") of the property will be required (see instructions attached). See or telephone the secretary, (569-5970) to determine which is needed.
 - A check for \$150.00 made out to the Town of Wolfeboro.
Funds to be disbursed as follows:

Newspaper ads: Notice and Notice of Decision	\$100
Board of Adjustment Filing Fee	<u>50</u>
	\$150

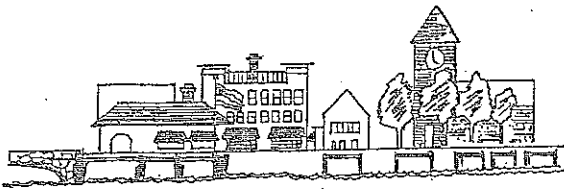
NOTE: All forms must be completely filled out and signed by the owner/applicant and his or her agent before they will be accepted by the Board of Adjustment. Completed forms must be returned to the Office of the Board of Adjustment no later than 21 calendar days prior to the Board's scheduled meeting. The applicant or his/her agent is requested to attend the public hearing on the above request. If you have any question, please call the Planning Office at 569-5970.

PLAN REQUIREMENTS:

A plot plan OR scale drawing will be required as part of your presentation to the Board of Adjustment. Since a similar plan is usually necessary for a building permit application and or for Planning Board Site Review, the plan can serve both purposes.

A plot plan or scale drawing (11" x 17") for the purposes of a zoning application should contain the following features:

- a. Be up to date and dated.
- b. Drawn to scale, with drawing number and north arrow.
- c. Signature and name of the plan preparer.
- d. The lot dimensions and bearings and any bounding streets and their right-of-way widths or half sections.
- e. Location and dimensions of existing or required service areas, buffer zones, landscaped areas, recreation areas, safety zones, signs, rights-of-way, streams, drainage, easements, and any other requirements.
- f. All existing buildings or other structures with their dimensions and encroachments.
- g. All proposed buildings, structures or additions with dimensions and encroachments indicating "proposed" on the plan.
- h. "Zoning envelope" made from setbacks required by zoning ordinance. Indicate zone classification, all setback dimensions. Indicate any zone change lines.
- i. Elevations, curb heights and contours.
- j. Location and numbering of parking spaces and lanes with their dimensions. Indicate how required parking spaces are computed.
- k. Dimensions and directions of traffic lanes and exits and entrances.
- l. Any required loading and unloading and trash and snow storage areas.



Application and Approval Process Zoning Board of Adjustment

Contact: Planning Director

Town of
Wolfeboro

Applications Include:

- Area and Use Variance
- Special Exception
- Appeal of an Administrative Decision
- Appeal of BOS Decision re: RSA 674:41 Class VI and Private Roads

Overview Only

