

ABUTTER NOTICE
ZONING BOARD OF ADJUSTMENT
WOLFEBORO, NEW HAMPSHIRE

Notice is hereby given that the Zoning Board of Adjustment will meet on **Monday, 4 April 2016** at **7:00 PM** in the Wolfeboro Public Library Meeting Room to conduct the following business:

TM# 117-14

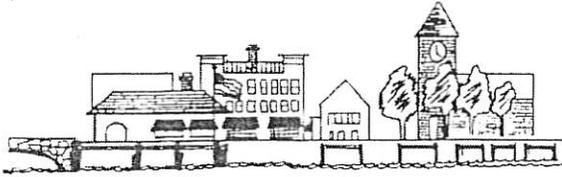
Case #06-V-16

Applicant: Craig Boronow

Public Hearing for a Variance from Article 175-124 of the Wolfeboro Planning & Zoning Ordinance for the construction of a single story garage attached to the existing dwelling. This property is located at 35 Westwood Drive. A site visit will be held at approximately 5:50 pm prior to the hearing.

Copies to:

- Town Manager
 - Codes Officer
 - Police Chief
 - Fire Chief
 - Conservation Commission
 - Assessor
 - Public Works Department
 - Municipal Electric
 - Department of Water & Sewer
 - Planning Department
 - File
- Boronow
Gauffin/Lysykth
Jewell
Bennett
Buonopane
Allar



ZONING BOARD OF ADJUSTMENT

*Town of
Wolfeboro*

Dear Applicant;

The Wolfeboro Zoning Board of Adjustment has scheduled a meeting on Monday, April 4, 2016, 2016 at 7 pm in the Wolfeboro Public Library Meeting Room relative to your submitted application(s). A site visit has been scheduled at approximately 5:50 pm the day of the meeting. It is advisable that either you or a representative be present at the time of the site visit to answer questions the Board may have. As a site visit is not a public hearing and no additional comments will be accepted,

If you have any questions, please feel free to contact me at 603-569-5970.

Sincerely,

Robin Kingston
Administrative Assistant

V. PUBLIC HEARING

The conduct of the public hearing shall be governed by the following rules:

- A. The Chair shall call the hearing in session.
- B. The Clerk shall read the notice and report on how public notice and personal notice was given and if a site visit was held the clerk will report such.
- C. Members of the Board may ask questions at any time during testimony.
- D. Each person who appears shall be required to state her/his name and address, and indicate whether he/she is a party to the case or an agent or counsel of a party to the case.
- E. Any member of the Board, through the Chair, may request any party to the case to speak a second time.
- F. Any party to the case, who wants to ask a question of another party of the case, must do so through the Chair, but only at the discretion of the Chair.
- G. The applicant shall be called to present her or his appeal and those appearing in favor of the appeal shall be allowed to speak.
- H. Those in opposition to the appeal shall be allowed to speak.
- I. The applicant and those in favor of the appeal shall be allowed to speak in rebuttal.
- J. Those in opposition to the appeal shall be allowed to speak in rebuttal.
- K. When the public portion of the hearing is declared closed, no further testimony will normally be received from the applicant or any other party or interested person. However, to avoid the appearance of injustice, the Chair shall have the authority on a majority vote of the board to reopen the hearing to allow such limited additional testimony as may in the Chair's judgment be thought necessary to clarify one or more questions that may have arisen during the board's deliberations, provided that the applicant(s) and all interested parties are still present and in attendance. The board may continue the public hearing to a subsequent meeting if all interested parties are not still present and in attendance Notice shall be given of the continuance.

The Board has the authority to reopen the hearing at the next board meeting if the board feels that reopening the hearing is necessary because the applicant and/or any interested party has departed. Notice shall be required and the cost of said notice shall be the responsibility of the applicant.

VI. DECISIONS

The Board will endeavor to decide all cases immediately after the public hearing. The Board may approve with conditions, deny the application, or defer its final decision. The Board's Notice of Decision will be made available within 5 business days as required by RSA 676:3, and will be sent in a timely manner to the applicant and other appropriate parties in interest. If the application is denied, the notice shall include the reasons for the denial.

TOWN OF WOLFEBORO
ZONING BOARD OF ADJUSTMENT

RECEIVED

VARIANCE

FEB 22 2016

Section II -- (To be prepared by Applicant)

ZONING
BOARD OF ADJUSTMENT

Date: Feb. 22, 2016

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

TO: Zoning Board of Adjustment
Town of Wolfeboro
P.O. 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: Variance ✓

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

c. Location of property in question: 35 Westwood Dr. Wolfeboro, NH

d. Tax Map number: 117 Lot Number: 14 Sub Lot: _____

e. Zoning District: GR

f. Name of Applicant: Craig Boronow

g. Mailing Address of Applicant: 35 Westwood Dr. Wolfeboro, NH 03894

TOWN OF WOLFEBORO
ZONING BOARD OF ADJUSTMENT

- h. Phone Number of Applicant: 603-732-2386
- i. E-mail Address: craig@christiancamps.net
- j. Name of Company (if applicable): _____
- k. Legal Owner of the Property: Craig and Michelle Boronow
- l. Mailing Address of Property Owner: 35 Westwood Dr. Wolfeboro, NH
03894
- m. Proposed use of property or modification of existing use: We wish to
add a small garage, single story, with no room above to the
house.
- n. Directions to the property from the Wolfeboro Town Hall: N. Main Street,
then left on Rt. 107. Continue until College Rd. Right onto College Rd.,
then right again on Westwood Dr. House is #35.
- o. Are there any current Zoning Violations on the property other than those
that may be listed on this Application? (If Yes, please fully describe below).
No.
-
-

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

Feb 22, 2016
Date

TOWN OF WOLFEBORO
ZONING BOARD OF ADJUSTMENT

VARIANCE REQUEST:

The undersigned hereby requests a Variance from Article _____ Section _____; and asks that said terms of the Zoning Ordinance be waived to permit construction of a single-story attached garage beside our home.

The undersigned alleges that the following circumstances exist to support this variance request.

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

The construction will improve the value of our property + surrounding properties. It will not invade the space or privacy of abutters because dense tree growth will remain on our side of the property line between the new construction + the abutters. See included photos for evidence of this.

2. The spirit of the ordinance is observed because:

The tree growth between properties will maintain privacy + keep our construction from negatively affecting abutters. See photos for evidence.

3. Substantial justice is done because:

Because of the tree growth mentioned above and the fact that improvements to our home could improve what is otherwise one of the lowest-value homes in the area this construction should not cause any hardships or devaluation to other homeowners in the area and may improve the value of their homes.

4. The values of surrounding properties will not be diminished because:

By restoring our home, a process which includes replacing a worn out covered porch (demolished, with permit, in 2015) with a garage we will make the property look better + be more valuable, thus improving property values, not diminishing them.

TOWN OF WOLFEBORO
ZONING BOARD OF ADJUSTMENT

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

The "Special Conditions" of this property that distinguish it from other properties in the area are as follows:

Septic field in front of house prevents construction there. Sharply dropping off land behind the house and on the side of the house opposite the proposed construction prohibit construction there. The proposed site is the only reasonable location for a garage on this property. The well head for this property also is located immediately behind the house, preventing construction there. (See "w" on Norway Plains Proposed Foundation Location document)

USE (A) or (B):

(A) Owing to the special conditions of the property, set forth above, that distinguishes it from other properties in the area:

(i) No fair and substantial relationship exists between the purposes of the ordinance applicable to the application and the specific application of that provision to the property because:

(ii) The proposed use is a reasonable one because:

OR, if the criteria in subparagraph (A) are NOT established, an unnecessary hardship will be deemed to exist, if and only if:

(B) Owing to the special conditions, set forth above, 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 because:

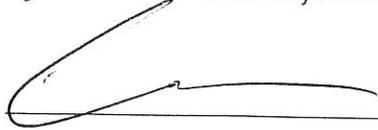
The septic field, well head, and gradation of the land prevent construction in any other location.

TOWN OF WOLFEBORO

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The undersigned acknowledge that to the best of their knowledge all the above information is true and correct. 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 the information required to the Secretary of the Board of Adjustment before a hearing can be scheduled.

Applicant:



Date:

Feb 22, 2016

TOWN OF WOLFEBORO
ZONING BOARD OF ADJUSTMENT

NOTICE OF ZONING DECISION OF CODES OFFICER

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

To: Name: Craig Bronow

Address: 35 Westwood Drive Wolfeboro, NH

Your request for a permit to (specify use): Build a garage attached to house.

on property located at: 35 Westwood Drive

is DENIED for the following reason: The Garage falls inside the side yard setback of 25 feet.
175-124 Setback requirements. (2) Side Yard: 25 feet

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.

Corey Ryl
Building Official

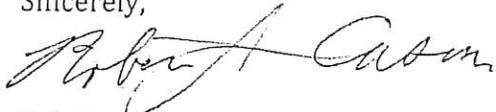
2/5/16
Date

February 5, 2016

To Whom it May Concern:

This letter is to confirm that the construction of an attached garage at the home at 35 Westwood Drive in Wolfeboro, NH (Tax Map 117, Lot 14) will improve home values for nearby homes. A garage at this location would allow for indoor storage of yard equipment, and for a general increase in the value of the home itself, both of which would positively impact nearby home values. I am qualified to make this statement based on my status as a longtime area resident and realtor. I am particularly familiar with this situation based on my experience as selling realtor of this particular home when it last transferred ownership in November of 2014.

Sincerely,



Bob Casoni
Realtor, Keller Williams



Bob Casoni

Realtor®, Waterfront & Residential Homes

136 South Main St | PO Box 385
Wolfeboro, NH 03894

cell: 603-454-8074
office: 603-569-HOME
fax: 603-427-9521

casoni33@gmail.com
www.BobCasoni.com

KW LAKES &
MOUNTAINS
KELLERWILLIAMS REALTY



100 foot Abutters List Report

Wolfeboro, NH
February 05, 2016

Subject Property:

Parcel Number: 117-014-000	Mailing Address: BORONOW CRAIG W BORONOW
CAMA Number: 117-014-000	MICHELLE E
Property Address: 35 WESTWOOD DRIVE	35 WESTWOOD DRIVE
	WOLFEBORO, NH 03894

T A
✓ ✓

Abutters:

Parcel Number: 117-012-000	Mailing Address: GAUFFIN PAUL A LYSYKTH NADEZHDA
CAMA Number: 117-012-000	I
Property Address: WESTWOOD DRIVE	561 EAST OLD COUNTRY ROAD
	NEW IPSWICH, NH 03071

✓ ✓

Parcel Number: 117-013-000	Mailing Address: JEWELL, BRAD G JEWELL, GINA R
CAMA Number: 117-013-000	40 WESTWOOD DR
Property Address: 40 WESTWOOD DRIVE	WOLFEBORO, NH 03894

✓ ✓

Parcel Number: 117-015-000	Mailing Address: BENNETT GYME LYNN
CAMA Number: 117-015-000	25 WESTWOOD DRIVE
Property Address: 25 WESTWOOD DRIVE	WOLFEBORO, NH 03894

✓ ✓

Parcel Number: 117-018-000	Mailing Address: BUONOPANE PAUL
CAMA Number: 117-018-000	149 COLLEGE ROAD
Property Address: 149 COLLEGE ROAD	WOLFEBORO, NH 03894

✓ ✓

Parcel Number: 134-020-000	Mailing Address: ALLAR ANDREW S ALLAR CATHARINA A
CAMA Number: 134-020-000	45 WESTWOOD DRIVE
Property Address: 45 WESTWOOD DRIVE	WOLFEBORO, NH 03894

✓ ✓

Parcel Number: 134-020-000	Mailing Address: ALLAR ANDREW S ALLAR CATHARINA A
CAMA Number: 134-020-000	45 WESTWOOD DRIVE
Property Address: 45 WESTWOOD DRIVE	WOLFEBORO, NH 03894

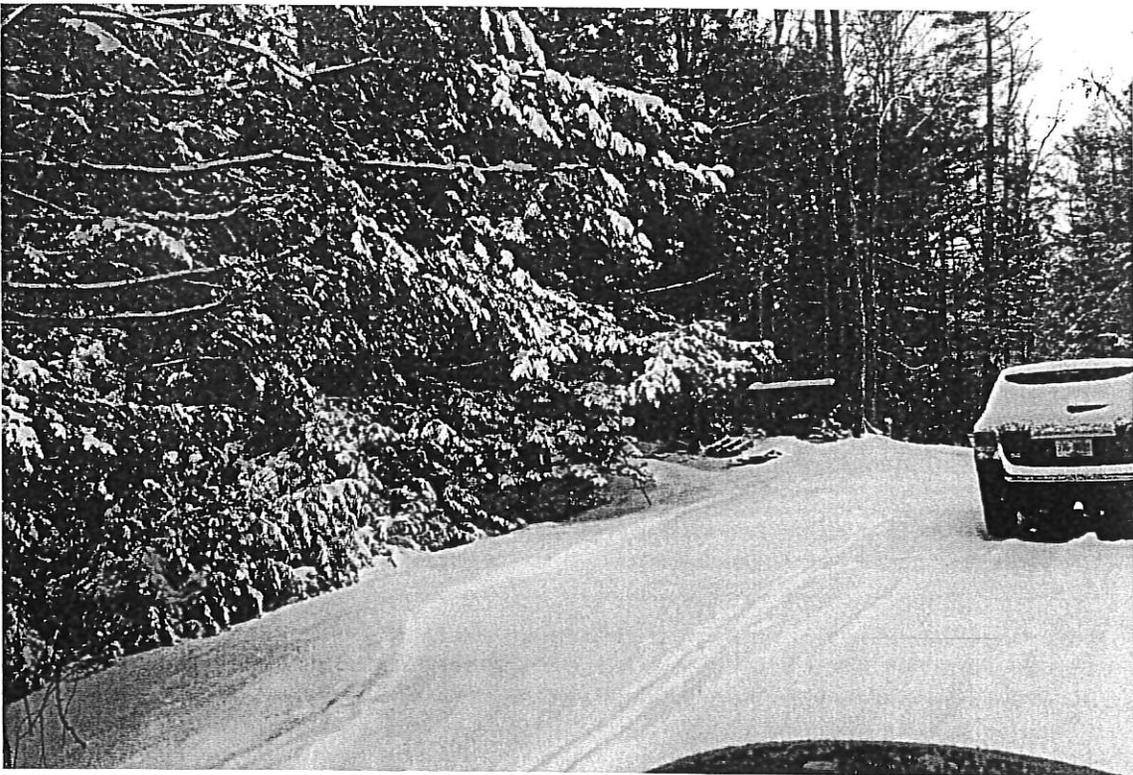
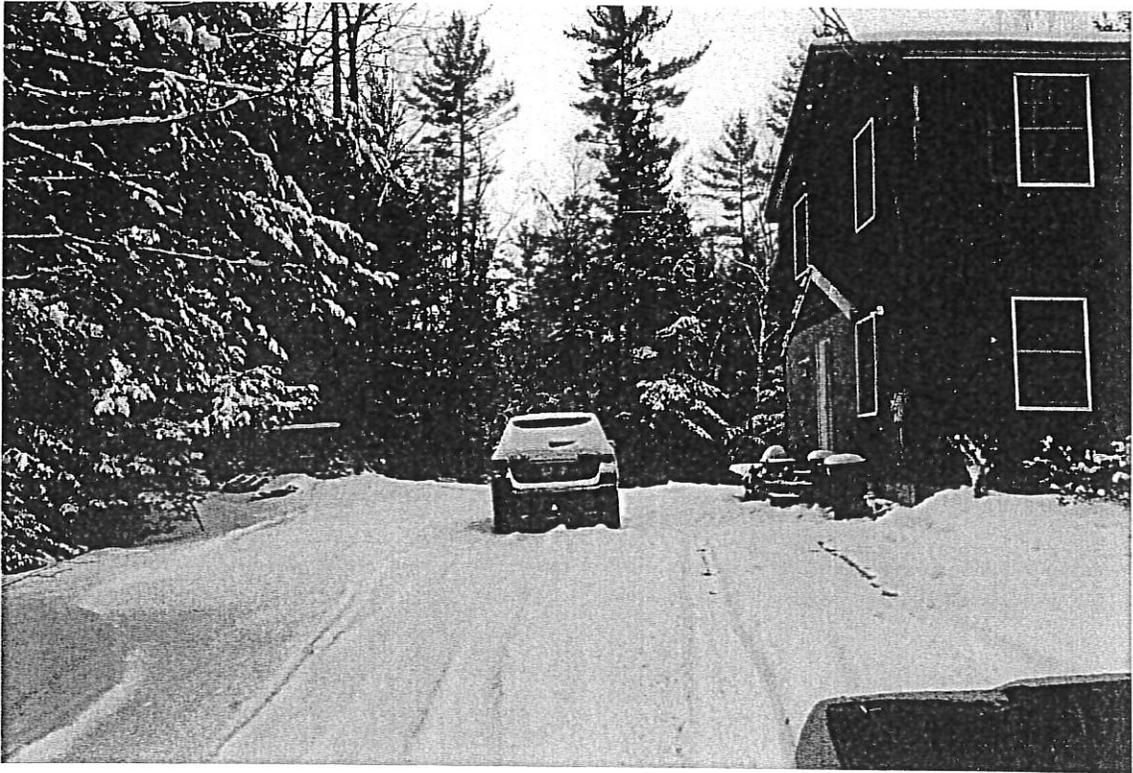
✓ ✓

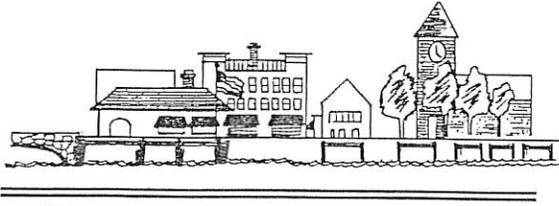


www.cai-tech.com

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Continued 3.94





*Town of
Wolfeboro*

Planning and Development

MEMORANDUM

Date: March 24, 2016

To: Zoning Board of Adjustment

From: Robert T. Houseman, Director of Planning and Development

Subject: Variance, request for relief from ARTICLE X, § 175-124 of the Wolfeboro Planning and Zoning Ordinance

Initiated by: Craig Boronow

Tax Map: 117-14

Case #: 06-V-16

Agent: None

Planner's Remarks: The applicant is seeking a Variance to Section 175-124 in order to construct a garage and breezeway to the southeast side of the house. The proposed encroachment into the setback is approximately 14 feet at its closest point. The applicant has submitted a survey with the proposed footprint.

Please note that Staff has met with the applicant and provided an overview of the criteria for a Variance, including provided examples of similar applications presented to the ZBA. In addition, Staff emphasised the need to demonstrate hardship inherent in the lot that precludes locating the garage in a different location. The request for the Variance is based on the following provision of the Wolfeboro Zoning Ordinance:

Article XX. Residential/Agricultural District
[Amended 3-14-2006 ATM by Art. 2; 3-11-2008 ATM by Art. 3; 3-9-2010 ATM by Art. 2; 3-9-2010 ATM by Art. 5]

§ 175-122. Purpose and intent.

The Agricultural District represents the portion of the Town furthest from the core services and due to its remoteness, steep slopes and similar limiting factors, should have a very low intensity of use in order not to permanently damage the land, not to cause undue burdens on the Town for providing municipal services and to prevent scattered and premature development. In these areas, the primary land use will be low-density residential, agricultural and farming.

§ 175-123. Dimensional controls.

Dimensional controls shall be as follows:

A. Minimum lot area: 217,800 square feet.

B. Minimum lot frontage: 400 feet.

§ 175-124. Setback requirements; height requirements.

A. Setback requirements.

(1) Front yard (street): 30 feet.

(2) Side yard: 25 feet.

(3) Rear yard: 25 feet.

B. Maximum height permitted: 30 feet, for structures with roofs with a pitch of less than 10/12, and 35 feet if 10/12 or greater. However, the height restrictions shall not apply to appurtenant structures, such as church spires, belfries, cupolas, domes, chimneys, flagpoles, antennas or similar structures; provided, however, that no such structure shall exceed a maximum footprint of 144 square feet.

C. No building shall be closer than 20 feet to any other building on the same lot, except for private garages.

Proposed encroachment

Side yard - approximately 14 ft. (11 feet from the property line).

The proposed footprint within the setback area triggers the Variance.

If the Board, after its deliberations on the case, considers approving this application, Staff would recommend that the ZBA consider the following conditions of approval:

1. The approval is for the construction of a garage and breezeway, as shown on the survey plan.
2. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
3. The application, as submitted to the ZBA, may not satisfy the submittal requirements for a building permit.

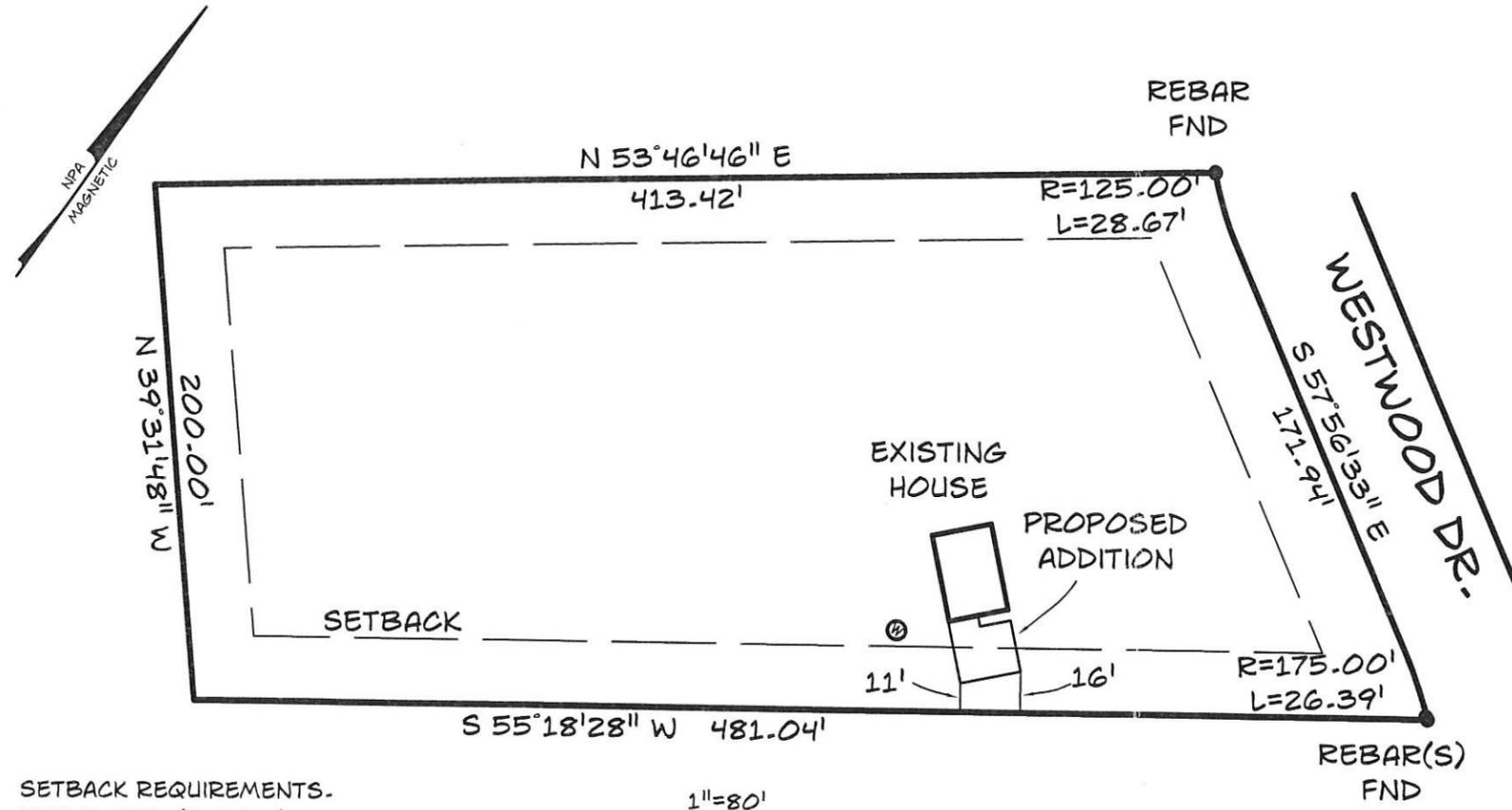
4. The Notice of Decision shall be recorded at the Carroll County Registry of Deeds and the applicant shall pay all recording fees.
5. This Variance shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the Zoning Board of Adjustment for good cause.

I hope this information provides you with some assistance. Please call me if you have any questions or need additional information.

PROPOSED FOUNDATION LOCATION PLAN

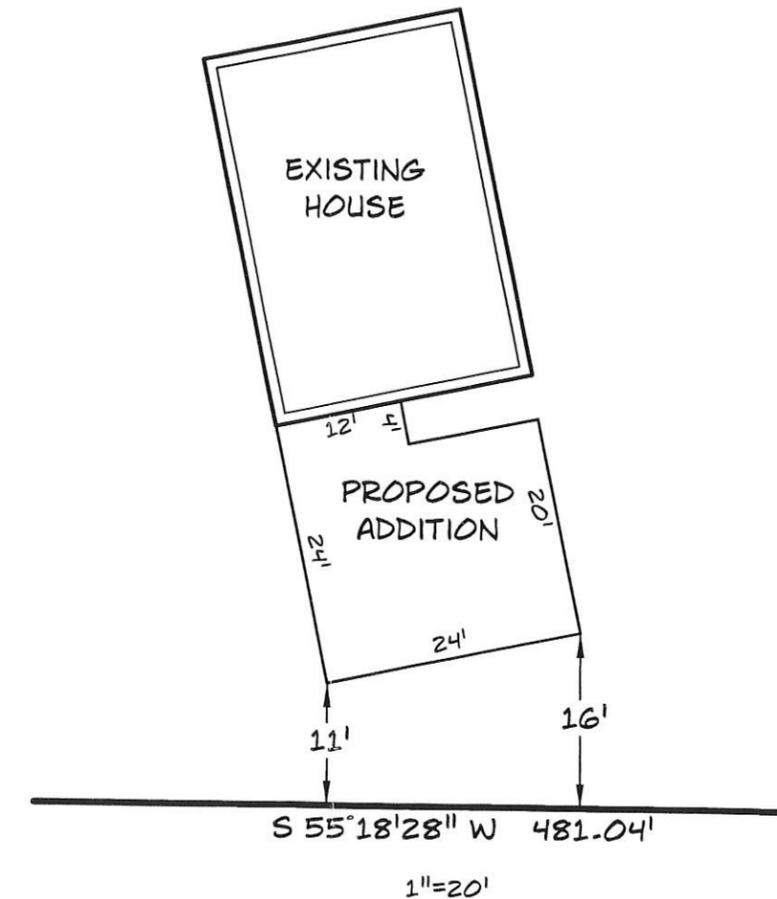
NOT FOR MORTGAGE LOAN PURPOSES

LOCATION: 35 WESTWOOD DR., WOLFEBORO, NH OWNERS OF RECORD: CRAIG W. & MICHELLE E. BORONOW REF. DEED: 3174-854 MAP & LOT NO.: 117-14 ZONE: RA



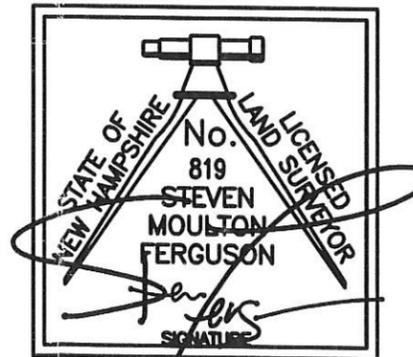
SETBACK REQUIREMENTS.
 FRONT YARD (STREET): 30 FEET.
 SIDE YARD: 25 FEET.
 REAR YARD: 25 FEET.

1"=80'



1"=20'

REFERENCE PLAN:
 "THE SUBDIVISION OF LAND OF MERRILL PERCELAY &
 DONALD WERNER IN WOLFEBORO, NH"
 DATED: DEC. 1976 BY GREAT EAST LAND SURVEY CO.
 RECORDED: CCRD 36-68



NORWAY PLAINS ASSOCIATES, INC.
 SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS
 P.O. Box 249, Rochester, N.H. 03867
 TELEPHONE (603) 335-3948

FN: FN:484
 JN: 15086/P-FL-1

DATE: 10/27/2015
 SCALE: AS NOTED