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JUN 22 2023

APPLICATION FOR A VARIANCE

BY: .....

Do not write in this space.	
Case No.	<u>2023-13</u>
Date Filed	<u>6/22/23</u>
_____ (signed - ZBA)	

To: Zoning Board of Adjustment,

Town of Gilmanton

Name of Applicant James Virgin Melanie Mahawk

Address PO Box 500 Tilton NH 03276

Phone# [REDACTED] Email [REDACTED]

Owner SAME  
(if same as applicant, write "same")

Location of Property Canaan Rd 411-10115  
(property address) (map & lot number)

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.

Application for a Variance

A variance is requested from article IV Table 2 section 2 of the zoning ordinance to permit Building of a Single family home

Facts in support of granting the variance:

1. Granting the variance would not be contrary to the public interest because:

Seeking a Variance to allow building of a single family home on a class 6 road not far from existing approx 150 FT. owners agree to maintain the share of Canaan Rd which is a class 6 Rd to access our property

2. If the variance were granted, the spirit of the ordinance would be observed because:

Home would be consistent with other homes in the area

3. Granting the variance would do substantial **justice** because:

It would add Tax Revenue to the town and would allow our family to join the community

4. If the variance were granted, the **values** of the surrounding properties would not be diminished because:

The design of the home would fit within the other homes in the area, also the surrounding properties would not be able to view our property located on the class 6 rd. This would be a New structure

5. Unnecessary Hardship

a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in **unnecessary hardship** because:

i. 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 because:

We would like to add a home to enhance the appearance of the property and our Neighbors and it would also add value to the town

- and -

ii. The proposed use is a reasonable one because:

It would be a single family home, and granting permission respectfully would not be considered unreasonable

b. Explain how, 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.

If the variance is Not Granted this would be a hardship for us.

Please provide the following information regarding the subject property:

1. Is the land, building or structure in question located on a Class V road? NO
2. What is the frontage of the lot? N/A
3. What is the height of the structure? No more than 35FT.
4. Does the proposed construction involve the addition of any bedrooms to an existing home? NO
5. Is a septic system design approval from the NH Department of Environmental services necessary for the proposed construction? yes  
If so, what is the State approval number? \_\_\_\_\_
6. If property is vacant, please provide a description of the location, a neighboring house address, and/or the utility pole number on the subject property: the property is located at the end of Canaan Rd. See attached Driveway Permit.

**If the previous questions are not answered completely, the applicant may be notified that this appeal could be rejected for lack of information.**

I understand that I must appear in person or be represented by my agent at the public hearing. The agent who represents me at this hearing must be familiar with the case and I agree to be bound by his or her testimony.

By signing this application, you as owner or applicant representing the owner, hereby give permission for any member of the Zoning Board of Adjustment or Conservation Commission, to enter onto the property in order to make a decision based on attributes of the property.

Applicant James Virgin (Signature) Date 6-22-2023

Applicant Melanie Mahew (Signature) Date 6-22-2023

**If your variance is granted, the building permit will be issued no sooner than 30 days following the decision in order for the appeal process to expire.**

# TOWN OF GILMANTON

DRIVEWAY TOWN

## DRIVEWAY PERMIT TOWN ROAD

**Permit Number:** 2022000220 **Date:** 07/26/2022  
**Map:** 000411 **Lot:** 015000 **Sub Lot:** 000000

**Permit issued to:** VIRGIN, JAMES M &  
**at:** CANAAN RD

**Permission to:** AS PER PAUL PERKINS INSTRUCTIONS

**Owner Address:** PO BOX 500 TILTON, NH 03237 | Phone:

**Permit Fee:** \$25.00 | Estimated Cost: \$0

**DRIVEWAY ENTRANCE TO BE INSTALLED IN STRICT ACCORDANCE WITH ALL GUIDANCE PROVIDED BY  
HIGHWAY DEPARTMENT / ROAD AGENT PAUL PERKINS**

**Signed:** \_\_\_\_\_ **Telephone:** 603-364-7711

**ROAD AGENT**

**NOTE: THIS PERMIT EXPIRES JULY 26, 2023.**