



Town of Allenstown  
Zoning Board of Adjustment

Application for Appeal

Applicant Name Nathan Tilton Phone 340-6867  
Address 8 Hamel Avenue Home Work  
Owner of Property Concerned Nathan Tilton Map # \_\_\_\_\_ Lot # 40  
Address of Property Concerned 8 Hamel Avenue Zoning District \_\_\_\_\_  
Description of Property - Frontage 35 ' Side 2 ' Side 50 ' Rear 35 ' Acres/SF .23 A SF  
Proposed Use 2 Car Garage build for personal property storage and use.

COMPLETE SECTION 1, 2, OR 3. DO NOT COMPLETE MORE THAN ONE SECTION

Section 1 - APPEAL FROM AN ADMINISTRATIVE DECISION

The undersigned alleges that an error has been made in the decision, determination or requirement by the Building

Inspector/Code Enforcement Officer on \_\_\_\_\_, relative to Article \_\_\_\_\_, Section \_\_\_\_\_ of the zoning  
date ordinance.

Section 2 - APPEAL FOR A SPECIAL EXCEPTION

The undersigned hereby requests a special exception as provided in Article \_\_\_\_\_, Section \_\_\_\_\_ of the zoning ordinance.

Section 3 - APPEAL FOR A VARIANCE

The undersigned hereby requests a variance to the terms of Article ~~7~~ 7, Section 703 and asks that said terms be waived to permit Construction of new 2 car garage in place of 1 car garage currently in use.

Applicant Signature [Signature] Date 12 Apr 2019

PLEASE LIST ABUTTERS TO BE NOTIFIED ON REVERSE SIDE OF THIS APPLICATION

Received Stamp



# Zoning Board of Adjustment

Town of Allenstown

16 School Street  
Allenstown, NH 03275  
Tel: (603)-485-4276  
Fax: (603) 485-8669

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## APPLICATION FOR VARIANCE OF USE OR AREA

Before you undertake completing this application we strongly encourage you to read the entire application first. Upon reading the entire application go back and answer the questions 1 through 5 with as much specific factual detail as required. The obligation of demonstrating facts sufficient to support your appeal is your responsibility.

The undersigned hereby requests a variance to the terms of Article 7 Section 703 and asks that said terms be waived to permit:

The tear-down and construction of a new 2 car detached garage.

You are required by law to demonstrate:

1. That there will not be a diminution of value of the surrounding properties as a result of the granting of this variance because: \_\_\_\_\_

The layout of the neighborhood would not be affected by a garage and would not cause any unwanted negative effects from the construction or use of a 2 car garage for personal use.

2. That the granting of the variance will not be contrary to the public interest because: \_\_\_\_\_

The use of a garage will not be contrary because this property change will not infringe the neighborhood or change the fundamentals of the area.

3. That the literal enforcement of the zoning ordinance will create an unnecessary hardship because:

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 because::

a. 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 for the following reasons:

The current garage structure is already non-conforming which is in current use. However, it is too small which I would like to build a larger structure in its current place. There is not enough side yard setback to allow a 24x36 garage to meet these requirements set forth by the current building codes.

b. And, the proposed use is a reasonable one for the following reasons:

The only way to build a 24x26 garage (detached) is to build in the current garage location. To build an attached garage would cost extensively more and require far more and unreasonably amounts of requirements.

If the criteria in subparagraph (A) above 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. The definition of "unnecessary hardship" set forth in subparagraph (3) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

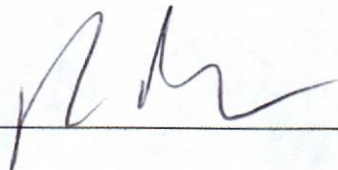
4. That through the granting of relief by a variance substantial justice will be done because:

The overall costs to build a detached 2 car garage is the only reasonably affordable structure allowable in the proposed area. Anything else would be too much of a hardship.

5. The use, for which the variance is requested, t the spirit of the ordinance will be observed because:

Many other properties in the area have similar structures non-conforming as well. The current lot size is typical for the area and would not change the spirit or influence the neighborhood negatively as stated.

Signature:



Date:

12 Apr 2019

10 Hanel  
41  
0.21 AcC  
90'

100'  
Current  
ent proposed  
garage.

8 Hanel  
40  
0.23 AcC  
94'

100'  
101.5'

6 Hanel  
39  
0.18 AcC  
85.2'

HAMEL

AVENUE

100'  
34  
0.23 AcC

100'

39'  
35  
0.09 AcC  
100'

40'S

90'  
36  
0.31 AcC