



## TOWN OF WARNER

P.O. Box 269, 5 East Main Street  
Warner, New Hampshire 03278-0059  
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### NOTICE OF DECISION

**Date of Decision:** July 12, 2023

#### Application for a Variance

**Case:** 2023-02

**Applicant:** Mark Michie

**Agent:** Mark Michie

**Address:** 48 Farrell Loop

**Map/Lot:** Map 07, Lot 026-1

**District:** R-2

**Details of Request:** Requesting a Variance to replace the existing uninhabitable manufactured house with a new manufactured house with an altered footprint. (reference Article XIII.D.)


You are hereby notified that on July 12, 2023 the Warner Zoning Board of Adjustment voted to **DISMISS** this application for a Variance to the terms of Article XIII.D., in a R-2 district for property located on Map 07, Lot 026-1. Replacing the existing manufactured house with a new manufactured house with an altered footprint is in compliance with the ordinance and does not require a variance.

#### The Board's decision was based on the following findings/criteria:

1. The terms of Article XIII Manufactured Housing, D. LIMITATIONS applies to Map 07, Lot -26-1. The ordinance reads: *"After the effective date of this section, no manufactured housing shall be located other than in a manufactured housing park or manufactured housing subdivision approved pursuant to this section. A manufactured house lawfully existing as of the effective date of this Section on land outside of a manufactured housing park or subdivision, or a replacement thereof if such housing unit is destroyed by fire or casualty or is in a state of disrepair and its replacement is located on the land within 180 days after such fire or casualty, may be maintained as a non-conforming use, provided that when such use shall be discontinued by the removal of such housing unit for a period in excess of 180 days, the use of such land shall thereafter conform to the provisions of this ordinance."*
2. The referral to the Board from the Building Department noted the increased footprint must meet the setback requirements. The board suggested a plot plan be submitted to the Building Department to confirm compliance with the front setback of 40 feet as required in the R-2 district in conformance with Article VI.C.b.
3. The Board asks the Building Department to ensure the 180-day time limit for replacement of the structure is observed in conformance with Article XIII.D, referenced above.

Following a public hearing the variance was **dismissed** by a vote of 5-to-0.

  
Barbara Marty, Chair, Zoning Board of Adjustment

  
Date

Warner Zoning Board of Adjustment Note: The New Hampshire RSA 677:2: provides that the Board of Selectmen, any party to the action, or any person directly affected has a right to appeal this decision within 30 days after the date of the decision. This notice has been placed on file and made available for the public inspection in the records of the ZBA.

Copy: Applicant, Applicant's File, Planning Board, Select Board, Building Department, Town Clerk, and Assessing Clerk.