



TOWN OF WARNER

P.O. Box 59
 Warner, New Hampshire 03278-0059
 Land Use Office: (603)456-2298 ex. 7
 Fax: (603) 456-2297

RECEIVED
 JAN 28 2019
 WARNER LAND USE

Zoning Board of Adjustment

APPLICATION FOR VARIANCE

This application is subject to NH RSA 91-A which affords the public access to government records and meetings.

| Application Fee | | Notification Fee | |
|-----------------|----------|------------------------|--------|
| Residential | \$50.00 | Abutter Notification | \$7.00 |
| Commercial | \$100.00 | Applicant Notification | \$7.00 |

- * Fees for publication of the Legal Notice will be invoiced and must be paid prior to starting the hearing
- ** Please use attached form to list all abutters within 200 feet of the boundaries of the property.

| Applicant/Contact Person Information | | | |
|--|-----------------------|------------|--------------------|
| Name of Applicant: | Amy Corbett | | Date: 1/23/2019 |
| Applicant Mailing Address: | 99 Fisherville Rd. | | |
| Town: | Concord | State: | NH Zip: 03303 |
| Telephone | Primary: 603-228-3311 | Alternate: | |
| Owner of Property Information | | | |
| Name of Owner: | Eaton W. Tarbell | | Date: 1/23/2019 |
| Owner Mailing Address: | 99 Fisherville Rd. | | |
| Town: | Concord 1 | State: | NH Zip: 03303 |
| Telephone | Primary: 228-3311 | Alternate: | |
| Location and Description of Property | | | |
| Map #: | 7 | Lot #: | 6 Zoning District: |
| Address: | 201 RTE 103 E. | | |
| Will a Site Plan Review approval be required by the Planning Board? | | Yes | No |
| Proposed Use: | | | |
| Details of Request: Please feel free to include additional information on separate attached pages. Be sure to put the name of applicant and date on each sheet. (indicate number of sheets attached _____) | | | |

ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED

ALL COSTS OF MAILING BY CERTIFIED MAIL, FEES, AND LEGAL ADVERTISEMENT IN A NEWSPAPER MUST BE PAID BY APPLICANT BEFORE THE HEARING MAY BEGIN.

Town of Warner Zoning Board of Adjustment Abutter(s) List

Please list all abutters **within 200 feet** of the boundaries of the property.
Applicant must reference and follow stipulations in the Abutter(s) List Instructions
on page 3, item numbers 10.a. through 10.d. of the Application Instructions.

| | |
|--------|---|
| Map 7 | Name: TOWN of WARNER |
| Lot 2 | Address: |
| Map 7 | Name: FRANK DAVIS |
| Lot 3 | Address: 1926 CLEMENT HILL RD. CONTOOCOOK, NH 03229 |
| Map 7 | Name: FRANK DAVIS |
| Lot 4 | Address: 1926 CLEMENT HILL RD. CONTOOCOOK, NH 03229 |
| Map 7 | Name: Molly and John Pierly Piercy |
| Lot 5 | Address: 196 Rte 103 E Warner, NH 03278 |
| Map 7 | Name: Dantel and Karen Lavioie |
| Lot 8 | Address: 7 Kirtland Street, UNIT 2 WARNER, 03278 |
| Map 10 | Name: AITEN GREENLAW |
| Lot 7b | Address: PO BOX 40, WARNER, NH 03278 |
| Map | Name: |
| Lot | Address: |
| Map | Name: |
| Lot | Address: |
| Map | Name: |
| Lot | Address: |
| Map | Name: |
| Lot | Address: |

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The undersigned hereby requests a VARIANCE to the terms of:

Article: XII, Section: B of the Warner Zoning Ordinance

For a Variance to be granted, the following five conditions must be met:

Explain in writing how your project meets each of the following conditions (on separate paper if needed). The applicant seeking a variance must be prepared to prove these conditions at the Public Hearing. (For more information reference the Warner Zoning Ordinance Article XVII and RSA 674:33.)

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

The enhanced size of the new sign will increase the ability for passers-by to see the property. In return, increasing the safety of all local residents.

2. By granting the variance, the spirit of the ordinance is observed because:

It is our intention to make the property more visually appealing. The new sign is just one property improvement.

3. By granting the variance substantial justice is done because:

Granting this variance will not negatively effect any neighbors. The character of the neighborhood remains intact.

4. Granting the variance will not diminish the values of surrounding properties because:

The sign in question is more attractive, easier to read and an improvement in comparison to the sign used prior.

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

A. Meaning that owing to special conditions of the property that distinguish it from other properties in the area:

- i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision on the property; **and**
- ii. The proposed use is a reasonable one.

[Explain what is unique about the property that makes the specific zoning restriction unfair and unrelated to the purpose of the provision, and that it is a reasonable use]

Braeside Apartments is the only residential apartment building in the direct area. Granting this exception will not effect any neighbors. Therefore, these conditions only apply to Braeside Apartments.

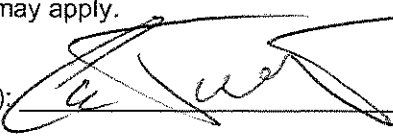
- B. Or, if the criteria in 'A' are not established, then owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of the property.

[Explain what is unique about the property that makes the specific zoning restriction unreasonable]

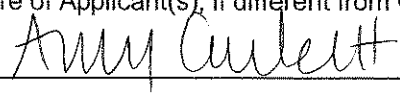
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Authorization from Owner(s):

1. I (We) hereby designate Chris McMahon to serve as my (our) agent and to appear and present said application before the Warner Zoning Board of Adjustment [Zoning Board].
2. By submitting this application I (We) hereby authorize and understand that agents of the Town may visit the site without further notice. I (We) further understand the Zoning Board may at some point during the review process schedule a Site Visit, which will be duly posted.
3. I (We) understand that the Zoning Board will review the application/plan and/or may send the application/plan out for review. The applicant shall pay for such a review.
4. To the best of my (our) knowledge, the information provided herein is accurate and is in accordance with the Town of Warner Zoning Ordinance and other land use regulations of the Town and other applicable state and federal regulations which may apply.

Signature of Owner(s): 

Date: 1-24-19
Date: _____

Signature of Applicant(s), if different from Owner: 

Date: 1/23/2019
Date: _____

Printed name of person(s) who signed above:
Amy Corbett

| For Zoning Board of Adjustment Use Only | | |
|---|------------------|-----------------|
| Assigned Case #: | | |
| Date Received at Land Use Office: | | |
| Received by: | | |
| Fees Submitted: | | |
| Amount: | Cash: | Check #: Other: |
| Abutters' List Received: | Yes | No |
| Date of Review: | Date of Hearing: | Date Approved: |