



TOWN OF WARNER

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

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: Christopher M. Roy		Date: 6/13/22	
Applicant Mailing Address: 61 W Roby District Rd			
Town: Warner	State: NH	Zip: 03278	
Telephone	Primary: 603 748 8620	Alternate:	
Owner of Property Information			
Name of Owner: Christopher M. Roy		Date: 6/13/22	
Owner Mailing Address: 61 W. Roby District Rd			
Town: Warner	State: NH	Zip: 03278	
Telephone	Primary: 603 748 8620	Alternate:	
Location and Description of Property			
Map #: 16	Lot #: 19	Zoning District: R2	
Address: 61 W. Roby District Rd			
Will a Site Plan Review approval be required by the Planning Board?		Yes	No
Proposed Use:			
Wanted to build 26 x 8 covered porch to extend front of home.			
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 _____)			
Setback condition exists preventing building permit approval. House front to road is 22'			

ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED

The undersigned hereby requests a VARIANCE to the terms of:

Article: 6, Section: C-6 of the Warner Zoning Ordinance

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

(For more information reference the Warner Zoning Ordinance Article XVII and RSA 674:33.)

Please explain in writing how your project meets each of the five (5) conditions, in the space provided on the following pages. If you do not use the space provided refer to attached pages.

The applicant seeking a variance **must** be prepared to prove these conditions at the Public Hearing. In order for the public hearing to proceed there needs to be responses to all five conditions.

The five conditions are:

1. Granting the variance will not be contrary to the public interest because:
2. By granting the variance, the spirit of the ordinance is observed because:
3. By granting the variance substantial justice is done because:
4. Granting the variance will not diminish the values of surrounding properties because:
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]
 - 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]

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

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

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

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

Answer - 5.A.i. and 5.A.ii. - or 5.B.

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]

Or, if the criteria in 'A' are not established

- B. 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]

Variance Conditions 61 W Roby District Rd Chris Roy

1

A building permit has been submitted for 61 W Roby District Rd in which a setback issue is present. Currently the house front sits 22' from the road edge and building a covered porch would lessen this distance. This 8' addition will not impact road traffic as it has minimal travel volume being a dead end non-lined road with finite properties. Also the town has never cut back snow banks on the non river side other than general plowing in which I see no space issues.

2

I apply for this variance to adjust a single condition based on the age of the building. All other conditions for building are met. If it were new construction, this application would not be needed.

3

I agree with and want to preserve standards that keep our town decent. I also want to make my home better than I found it and a more enjoyable space to live in.

4

The proposed addition will add curb appeal and a more inviting and finished modern look to the front of the home. Adding three season living space with an easier entrance will increase the assessed home value and subsequent tax revenue.

5

This home, being built in 1840-1850 on what was then, the main road from Warner to Bradford, can not be held to today's building standards. There are many things this home can never have because of its construction.

The front face of the home looks due south with the eave end of the roof meeting that face. In winter all snow from the south roof will melt and end up on the front steps. With a sometimes dangerous entrance if not managed daily, we avoid the front entrance and use the rear most of the winter. A small landing and roof was considered, but dismissed for the same issue occurring. A covered porch which would continue the existing roof line to the porch edge, would be beneficial two fold; ice and snow buildup would no longer impact the front door and steps, and the porch entrance would be on the side closer to the driveway and not in the roof drip line.

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 16	Name: Marc W Peterson
Lot 16	Address: 80 W. Roby District RD
Map 16	Name: Denise M Stanisewski
Lot 17	Address: 77 W Roby District RD
Map 16	Name: Alicia Thomas
Lot 18	Address: 73 W. Roby District RD.
Map 16	Name: Paul F McAuliffe
Lot 20	Address: 765 103 West PO Box 95
Map 16	Name: Seth M. Porter
Lot 20-1	Address: 53 W. Roby District RD
Map 16	Name: Peter Cadd Trust
Lot 22	Address: OFF of W. Roby District RD 89 Howe Lane
Map	Name:
Lot	Address:
Map	Name:
Lot	Address:
Map	Name:
Lot	Address:
Map	Name:
Lot	Address:



TOWN OF WARNER

P.O. Box 59, 5 East Main Street
Warner, New Hampshire 03278-0059
Land Use Office: (603)456-2298 ex. 7
Fax: (603) 456-2297

ABUTTER'S NOTICE OF PUBLIC HEARING *Zoning Board of Adjustment Meeting*

July 13, 2022
Meeting in the Town Hall
7:00 PM

The Town of Warner Zoning Board of Adjustment has received an application for a Variance application. As of State Law (RSA 675:7), the Zoning Board will hold a Public Hearing on the request. Notification of this hearing is being made to all abutters. The hearing will give you the opportunity to look at the proposal, ask questions and make comments. The application will be available the Monday before the meeting, online at <https://warnernh.gov> on the Zoning Board web page, accessible under the Cases icon.

Written comments will be made a part of the record of the meeting and must be received by 12:00 PM **noon on the day of the meeting Wednesday July 13, 2022**. Mail to: Town of Warner, Zoning Board, P.O. Box 265, Warner, NH 03278, or, E-mail: landuse@warner.nh.us

1. Application for a Variance. Case: 2022-02

Applicant: Christopher M. Roy
Agent: Christopher M. Roy
Address: 61 West Roby District Road
Map/Lot: Map 16, Lot 19
District: R2
Description: Wants to build a 26 x 8-foot covered porch to extend the front of the home. Setback condition exists preventing building permit approval. House front setback to road is 22-feet. (Applicant is requesting a Variance to the terms of Article VI, Section C.1.b.)

This meeting will be held in person at the Town Hall and remotely through Zoom conferencing. All meetings are audio and video recorded on Zoom. **Zoom Protocol:** **Please mute your audio, until recognized to speak. Use the raise-the-hand feature or the chat feature to get the Land Use Assistant's attention in order to be recognized to speak. All conversation is inclusive and documented as part of the public record.*

Join Zoom Meeting: <https://us02web.zoom.us/j/84738223627>
Meeting ID: 847 3822 3627
Passcode: 1234

Note: Zoning Board meetings will end no later than 10:00 P.M. Items remaining on the agenda will be heard at the next scheduled monthly meeting.

PHYSICAL CHARACTERISTICS

Style: Cape
 Occupancy: Single family
 Story Height: 1.0
 Finished Area: 1709
 Attic: None
 Basement: 1/2

ROOFING
 Material: Asphalt shingles
 Type: Gable
 Framing: Std for class
 Pitch: Not available

FLOORING
 Slab B
 Sub and joists 1.0, 1.5, 1.75
 Carpet 1.75
 Softwood 1.0, 1.5

EXTERIOR COVER
 Wood Shingle 1.0, 1.5
 Wood 1.75
 Wood Clapboards 1.0, 1.5

INTERIOR FINISH
 Drywall 1.0, 1.5

ACCOMMODATIONS
 Finished Rooms 6
 Bedrooms 3

HEATING AND AIR CONDITIONING

Primary Heat: Forced hot air
 Lower Full Part
 /bsmt 1 Upper Upper

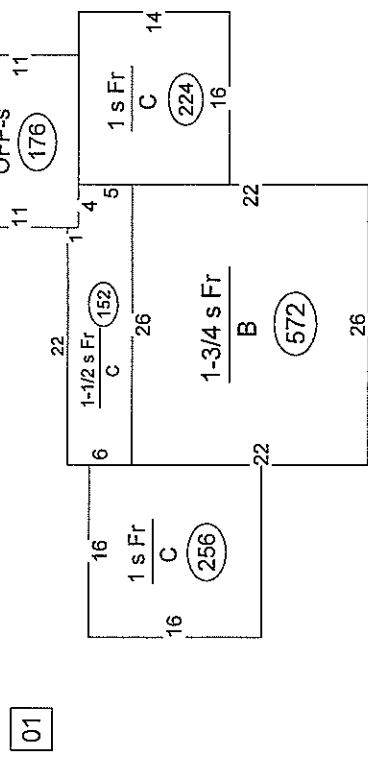
PLUMBING

 3 Fixt. Baths 1 3
 Kit Sink 1 1
 Water Heat 1 1
 TOTAL 5

REMODELING AND MODERNIZATION

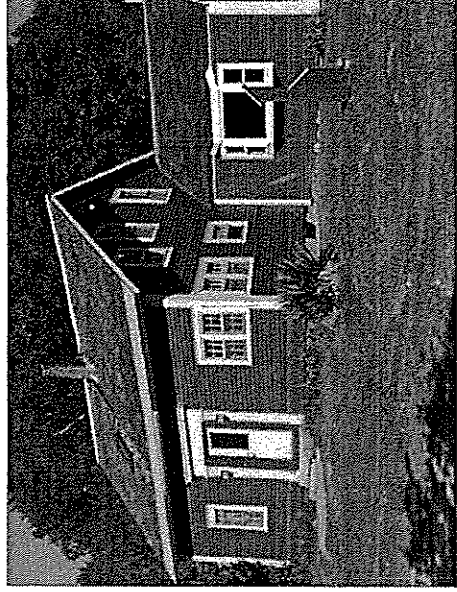
Amount Date

IMPROVEMENT DATA



COLOR-RED

02



(LCM: 102.00)

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Sty Hgt	Const Type	Grade	Year Eff	Const Year	Cond	Rate	Base	Feat-Adj	Size or Area	Computed Value	Phys Obsol	Market %	Depr	Adj	Comp	Value	
																					Rate
D : WHPOOL	5190	D	DWELL	0.00	1	AVG	1850	1984	AV	0.00	0.00	Y	0.00	2500	188760	29	20	100	100	107220	
		01	DGAR1.5S	1.50	1	AVG	1980	1980	FR	34.19	N	N	34.87	26x 25	22670	60	0	100	100	9070	
		02	PAV	0.00		AVG	999	999	FR	0.00	N	N	0.00	0	0	0	0	SV	0	100	500

SPECIAL FEATURES

Description	Value
D : WHPOOL	5190

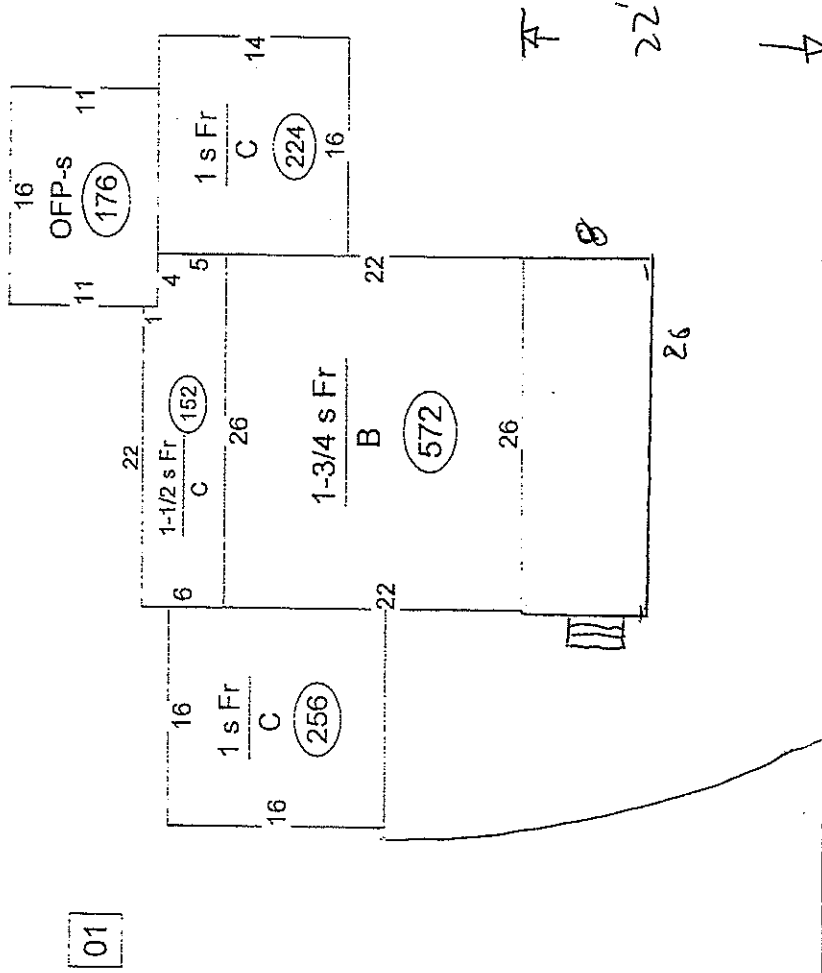
Data Collector/Date: DM 04/01/2020
 Appraiser/Date: DM 04/01/2020
 Neighborhood: Neigh 18 AV
 Supplemental Cards: 116790
 TOTAL IMPROVEMENT VALUE: 116790

16-019

Property Class: 10:
WEST ROBY DISTRICT ROAD 06:



IMPROVEMENT DATA



W. Roby District Rd

1.

Doc# 723148
Book: 3098 Pages: 0677 - 0678
12/01/2008 3:12PM

MCRD Book 3098 Page 677

1442 Return to:
0 - Kim Roy
25 - 61 West Roby District Road
Warner, NH 03278

STATE OF NEW HAMPSHIRE

DEPARTMENT OF REVENUE ADMINISTRATION REAL ESTATE TRANSFER TAX

1 THOUSAND 3 HUNDRED AND 50 DOLLARS

12/01/2008 860057 \$ 1,350

VOID IF ALTERED



QUITCLAIM DEED

1350.00

Deutsche Bank National Trust Company, as Trustee for HSI Asset Securitization Corporation 2006-OPT3 Mortgage Pass-Through Certificates, Series 2006-OPT3, a National Trust Company duly established under the laws of the United States of America and having its usual place of business at c/o Option One Mortgage Corporation, 6561 Irvine Center Drive, Irvine, CA 92618

For consideration paid, and in full consideration of NINETY THOUSAND AND 00/100 (\$90,000.00) DOLLARS

grants to Christopher M. Roy and Kim M. Roy
Husband and Wife, As joint tenants with rights of survivorship
of 8 Meetinghouse Hill Road, South Sutton, NH 03273

with QUITCLAIM COVENANTS the following described premises:

A certain tract of land with the buildings thereon situated in Warner, county of Merrimack and State of New Hampshire and located on the northerly side of the old highway leading from Bradford to Warner and the southerly side of the new State Highway, and bounded and described as follows, to wit:

Beginning on the northerly side of the said old highway leading from Warner to Bradford at the southeast corner of land now or formerly of heirs of Clinton Rogers, which point of beginning is the westerly side of a right of way from said highway to land formerly of Jennie Sibley; thence across said right of way and along the northerly line of said highway North 88° 48' East, 111.15 feet to a point on the northerly side of said old highway; thence continuing along the northerly side of said old highway South 85° 26' East, 76 feet; thence South 79° 25' East along said highway 65.95 feet to the southwest corner of land now or formerly of Harry Cantrill; thence north in a direction slightly to the east of north along the line of said Harry Cantrill land 204 feet to an iron pin; thence east 90 feet to an iron pin at the northeast corner of land of said Cantrill; thence continuing east in the same direction 124 feet to an iron pin at land now or formerly of Alta A. and Margaret E. Kelley, said iron pin at land now or formerly of said Kelley's, being located 239.55 feet north from the southwesterly corner of land formerly of Edwin W. Bartlett, later of said Kelley, and northerly side of said old land formerly of Edwin W. Bartlett, later of said Kelley, and northerly side of said old main highway leading from Warner to Bradford; thence northerly to the so-called new State Highway; thence westerly along the southerly side of the said new State Highway to land now or formerly of one Rogers; thence South 11° 9' East along the line of land now



or formerly of Clifford A. Rogers, said Rogers' heirs, and the westerly side of the right of way above-mentioned, to the point of beginning, on the northerly side of said old highway.

Reserving all water rights and rights of flowage included in deeds of Charles W. Reddington to the Reddington Hub Company.

This conveyance is made subject to the rights, if any, which the New England Telephone Company has to maintain poles and wires across the above-described premises.

Subject to Department of Environmental Services Release re: nonconforming well placement recorded in Merrimack County Registry of Deeds in Volume 2555, Page 625.

For title reference, see Foreclosure Deed dated February 28, 2008 and recorded with the Merrimack County Registry of Deeds in Book 3051, Page 113.

This conveyance is in the ordinary course of business and does not constitute a transfer of all or substantially all of corporate assets of Deutsche Bank National Trust Company, as Trustee for HSI Asset Securitization Corporation 2006-OPT3 Mortgage Pass-Through Certificates, Series 2006-OPT3, in New Hampshire.

Witness the execution and the corporate seal of said corporation this 5 day of NOV., 2008

Deutsche Bank National Trust Company, as Trustee for HSI Asset Securitization Corporation 2006-OPT3 Mortgage Pass-Through Certificates, Series 2006-OPT3

By: American Home Mortgage Servicing, Inc., Attorney in Fact



Laura Morgan
By:

Laura Morgan
Assistant Secretary

State of CA }
County of ORANGE } ss.

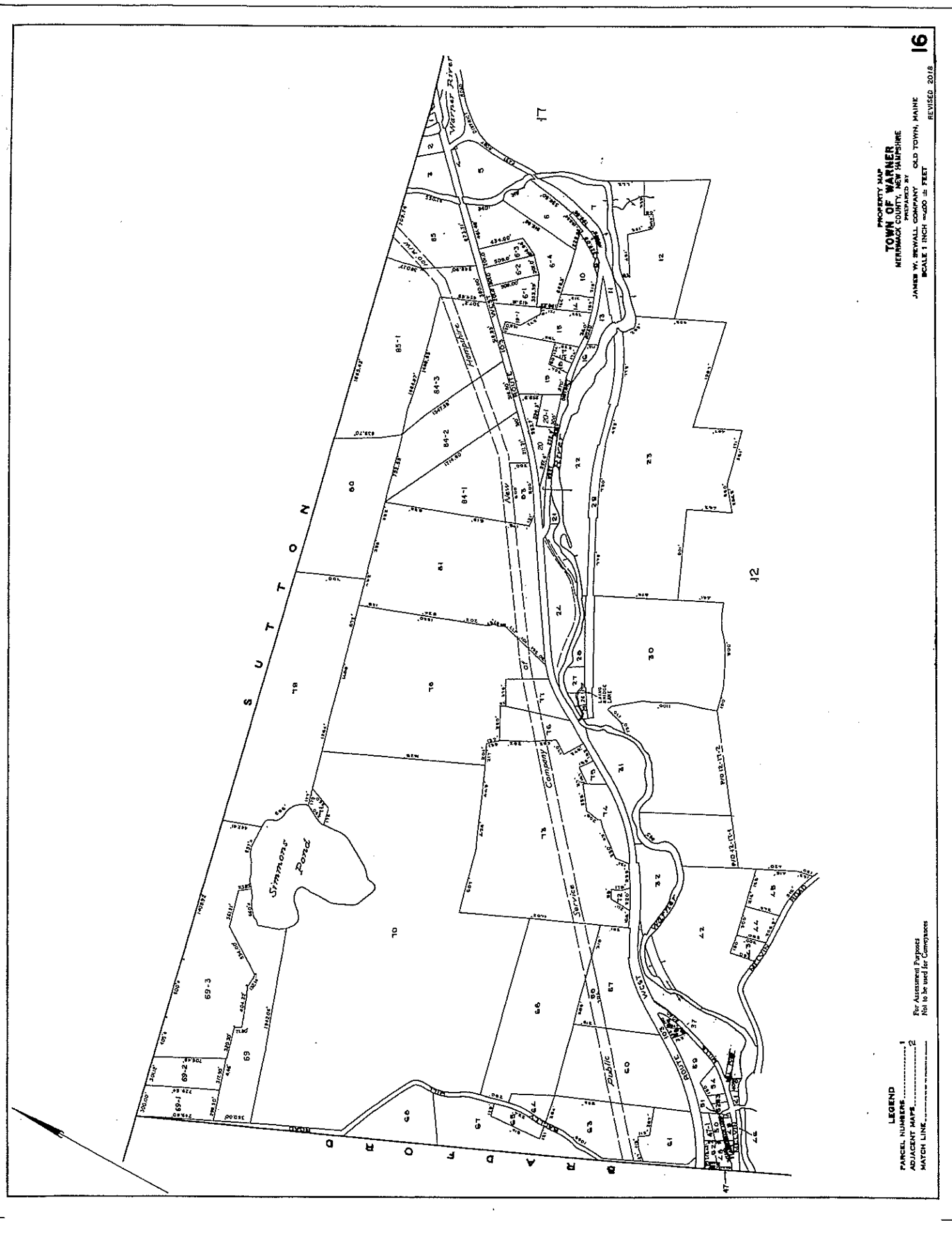
On this 5 day of NOV., 2008, before me, the undersigned Notary Public, personally appeared Laura Morgan, who acknowledged himself/herself as the Assistant Secretary of American Home Mortgage Servicing, Inc., as Attorney in Fact for Deutsche Bank National Trust Company, as Trustee for HSI Asset Securitization Corporation 2006-OPT3 Mortgage Pass-Through Certificates, Series 2006-OPT3 and that ~~he~~/she as such being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the names of the corporation.

WITNESS my hand and official seal.

Brenda Fuentes
Notary Public



My Commission Expires: _____



PROPERTY MAP
TOWN OF WARNER
 MERIMACK COUNTY, NEW HAMPSHIRE
 JAMES W. BRIDGEMAN COMPANY
 OLD TOWN, MAINE
 SCALE 1 INCH = 400 ± FEET

LEGEND
 PARCEL NUMBERS 1
 ADJACENT MAPS 2
 MATCH LINE 3
 For Assessment Purposes
 Not to be used for Conveyances