



## TOWN OF WARNER

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### Zoning Board of Adjustment NOTICE OF DECISION

**Date of Decision:** November 8, 2023

#### Variance Application

**Case:** 2023-05  
**Applicant:** Pier D'Aprile  
**Address:** 115 Bible Hill Road  
**Map/Lot:** Map 12, Lot 5  
**District:** Frontage in R-3. Back of lot is in OC-1.

**Details of Request:** In preparation for a minor subdivision the applicant is requesting a variance to the road frontage requirement. The minor subdivision would create one conforming lot with the existing house on 3.5 acres +/- with 250-feet of frontage and a second lot containing 44 acres +/- with 80-feet of frontage. The R-3 district frontage requirement is 250 feet.

You are hereby notified that on November 8, 2023 the Zoning Board of Adjustment voted to **APPROVE** a Variance to the terms of Article VII.C.1.a, to create a lot with 80-feet of frontage in an R-3 district by a vote of 3 to 2.

#### The following conditions will apply:

1. A natural evergreen screening will be maintained to mitigate headlights shining on the neighbor's house while exiting the new driveway.

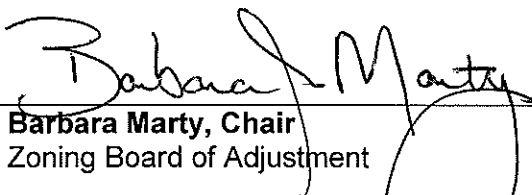
#### The Board's decision was based on the following findings/criteria:

A majority of the board found that the request would not be contrary to the public interest or to the spirit of the ordinance because the new residential building will be located out of view from Bible Hill Road so create no additional feeling of density.

A majority of the board found that substantial justice is served in allowing the property owner to create a new lot in order to build on the uphill section to enjoy the views and that creating this additional lot would not cause a diminution to the value of surrounding properties.

A majority of the board found that there is no substantial relationship between the general public purposes of the ordinance and this specific application because the frontage variance will not change the character of the neighborhood yet will allow the owner to create a new single-family residential lot and use the property as desired.

**Summary:** Following a public hearing on September 13, 2023 the board twice continued the application and voted to grant a Variance by a vote of 3-to-2 at the meeting on November 8, 2023.

  
**Barbara Marty, Chair**  
Zoning Board of Adjustment

11.14.2023  
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.