

APPLICATION FOR A VARIANCE

OCT 24 2024

RECEIVED

To: Zoning Board of Adjustment, Town of New London, 375 Main Street

Name of owner/applicant: Richard and Nancy Cohn

Mailing Address: PO Box 86, New London, State: NH Zip: 03257

Home Telephone: NA Work Telephone: NA Cell: (856) 287-9326

Email address: rbcohn@earpcohn.com

Owner of property: Same

(if same as applicant, write "same")

Location of property 287 Forest Acres Road

Tax Map Number: 118018 Lot Number: 000000 Zone: R2

**A variance is requested from the provisions of Article: V Section: C, 1
of the Zoning Ordinance to permit the construction of a garage and mud room addition
encroaching on the required 25' front yard setback (closest point 14.0' from property line).**

Facts supporting this request:

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

Several properties on Forest Acres Road, including those on the pond side of the road,
already encroach into the front yard setback. Construction of the garage and mudroom
will facilitate use of the property year-round, and provide safe access in winter.

2. The spirit of the ordinance is observed: By allowing a garage and mudroom to be constructed,
the ordinance's spirit--allowing a reasonably livable single-family home in the R2 District;
normal winter living requires a garage and mudroom for reasonable and safe access.

3. Substantial justice is done: Due to the location of the existing home close to the road,
the ability to have a garage and mudroom--normal features for a year-round single-family
residence in New London--require encroachment into the front yard setback.

4. The values of surrounding properties are not diminished; and:

The proposed addition would not adversely affect neighboring properties--if anything, the
proposed improvement of the property would cause it to conform more closely to what is
typical for the neighborhood, and therefore would likely enhance values of all properties.

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

- 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:
- (1) 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; Nothing is gained by forcing strict compliance with the setback requirement, as the existing landscaping buffers will be maintained and the proposed encroachment is minimal.

and

- (2) The proposed use is a reasonable one; It is reasonable to allow a year-round home in New London to have a reasonable garage and mudroom in light of the harsh winters. Placing the addition where proposed would alleviate the need to construct closer to the pond.

- B. If the criteria in subparagraph (A) 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 size of the lot, the location of the existing structure, and the steep slope of the property on the pond side of the house all are special conditions that distinguish it from other properties in the area, and without the relief proposed, the property cannot be reasonably used in strict conformance with the ordinance.

Owner/applicant(s) Signature:  Date: 10/24/2024

NOTE:

This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

For questions or assistance in completing these forms, please contact:

Zoning Administrator

603-526-1246

Email: zoning@nl-nh.com

Or

Assessing Coordinator

603-526-1243

Email: landuse@nl-nh.com