

Accepted by ZBA _____

Date: _____

Case # _____

Amt Pd / Chk # \$551.00 / #1095

Date: 6-1-23

Rec'd By: (MI)

RECEIVED

EPSOM ZONING BOARD OF ADJUSTMENT
TOWN OF EPSOM, NEW HAMPSHIRE 03234

JUN 01 2023

APPLICATION FOR APPEAL TO THE EPSOM ZONING BOARD OF ADJUSTMENT
(PLEASE PRINT OR TYPE ALL INFORMATION CLEARLY)

SELECTMEN'S OFFICE
EPSOM, NH

This appeal is for property recorded at the Merrimack County Registry of Deeds in Book(s) # 3795

Page(s) # 2086 and is identified on Epsom Tax Map #: U5 Lot #: 83 Sub-lot #: _____

1. Name of present property owner: Ricky Thomas Harrison
(and principal officer if business): _____

2. Name of applicant (N/A if the same as owner; if different; both applicant and property owner must be present at public hearing or a signed statement from the owner must be provided authorizing the applicant's appeal): _____

3. Telephone #: 603-572-8601 Email: Rickyharrison77@yahoo

4. On separate sheet list all abutters to this property. An abutter is any person whose property is located in N.H. and is within 200 feet of your property's boundary lines. The applicant is also considered an abutter and should be included (see ZBA Fee Schedule). How to Find Abutters.

5. PLAN: Explain exactly what you plan to build and/or do. Use additional sheets for sketches (include project location on lot with dimensions including all lot dimensions where applicable)

I plan to use the back lower part of my gravel Driveway to park my Commercial Trucks and Trailer.

6. USE: What is the proposed use for your PLAN, or how is the existing use of your property affected:

The back part of my gravel Driveway will not be affected. I will park and Store my paving Trucks and Trailer In the back unused part only.

7. This application is for a (check all that apply):

ADMIN. APPEAL (Complete Sect. 1)

SPECIAL EXCEPTION (Complete Sect. 2)

VARIANCE (Complete Sect. 3)

EQUITABLE WAIVER (Complete Sect. 4)

SPECIAL USE PERMIT (JUNK YARD) (Complete Sect. 5)

SECTION 1 – APPEAL FROM AN ADMINISTRATIVE DECISION

(Relating to the interpretation and enforcement of the provisions of the zoning ordinance.)

Decision of the enforcement officer related to zoning ordinance article(s) _____ section(s) _____ and Applicant’s opposing interpretation of this ordinance (incl. applicable correspondence, use additional sheets as necessary):

SECTION 2 – SPECIAL EXCEPTION APPEAL

A Special Exception is requested per article(s) _____ section(s) _____ of the zoning ordinance to permit the proposed use detailed in paragraphs 5 (PLAN) and 6 (USE) of this application. Complete Section 2 questions related to the Zoning Board’s Special Exception checklist on page 3.

SECTION 3 – VARIANCE APPEAL

A Variance is requested to deviate from article(s) _____ section(s) _____ of the zoning ordinance to permit the proposed use detailed in paragraphs 5 (PLAN) and 6 (USE) of this application. Complete Section 3 questions related to the Zoning Board’s Variance checklist on page 4.

SECTION 4 – EQUITABLE WAIVER APPEAL

An Equitable Waiver of Dimensional Requirements is requested to deviate from article(s) _____ section(s) _____ of the zoning ordinance to permit the proposed use detailed in 5 (PLAN) and 6 (USE) of this application. Complete Section 4 questions related to the requirements of an Equitable Waiver on page 5.

SECTION 5 – SPECIAL USE PERMIT APPEAL

A Special Use Permit, as specified in article III, section D.5 of the zoning ordinance is requested to permit the proposed junk yard detailed in paragraphs 5 (PLAN) and 6 (USE) of this application. Complete Section 5 questions related to the requirements for a junk yard on page 6.

Information on page 7 is provided to assist you with understanding the zoning process and completing this application. It is not necessary to submit application pages which do not apply to your case. Sign and date below following completion of the application.

This application is not acceptable unless it is complete, accurate and all information necessary to fully understand and advertise your request has been submitted. Use additional sheets as necessary

The undersigned alleges that the information provided on this application is true and accurate to the best of their knowledge.

APPLICANT: M-H DATE: 5-30-23

Note: The Board will address all of these questions and must be satisfied with both written and verbal responses heard at the Public Hearing prior to approving all Special Exceptions.

Section 3 Variance Questions:

1. Granting the variance would not be contrary to the public interest because: My business is a low foot traffic business, will have minimal noise and entering and exiting.

2. If the variance were granted, the spirit of the ordinance would be observed because:

~~My business~~ I will be in the requiring setback of the property and will keep plenty access drive and parking space.

3. Granting the variance would do substantial justice because: We would be bringing a new small family owned company to the community

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

My business will not diminish the surrounding properties because I will be utilizing a portion of my light commercial property for my trucks and trailer

5. Unnecessary Hardship

a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:

i. 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 because:

It would take away the reason why we purchased our Residential/Light Commercial property

-and-

ii. The proposed use is a reasonable one because: We our considered

Light Commercial. our business is similar to a few neighbors in epsom on a smaller scale.

b. Explain how, if the criteria in subparagraph 5(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:

It would take away the reason why we purchased the property. My business will not harm or diminish my neighbors or surrounding properties.