

Town of Winchester
Zoning Board of Adjustment
Notice of Public Hearing
8-19-21

The Winchester Zoning Board of Adjustment will be meeting on 8-19-21 at 7:00pm on the Main Floor of the Town Hall, 1 Richmond Road for the following:

The board will review for acceptance an application for a variance to Article III, B&J of the Zoning Ordinance for property at 18 Manning Hill Road, map 20 lot 15. The owner wishes to convert a small office building to a one bedroom rental unit. If the board finds the application complete, they will move into a public hearing.

If a decision is not reached the hearing will continue at the following meeting without further notice. The application is available for review in the Land Use Office during regular business hours and on the town website winchester-nh.gov.

Respectfully,
Margaret Sharra, Land Use

Rec'd
7/26/21
MS

General Information

Application for: Variance Date: 7/21/2021

Map# 20 Lot# 15

Name & address of applicant: GARY W ROKES
15 WARWICK Rd WINCHESTER N.H. 03470
Email: GARYSPOWER & COMCAST.NET Phone: 603 239-4953

Name & address of owner: GARY W ROKES
60 FORESLAKE Rd. WINCHESTER N.H. 03470
Email: GARYSPOWER & COMCAST.NET Phone: 603-239-4539

Location of property: 18 MANNING Hill Zoning District: COMM

Description of property (include a plot plan, frontage, side & rear lines, water, structures, etc.) WOODEN TOWN WATER & SEWER ON SITE
Will BE Built ON CONCRETE SLAB

Proposed use/existing use: 1 BRD ROOM APARMENT

Fill out the attached abutters list and submit the non refundable fee of \$150 with the completed application and other necessary forms at least 21 days prior to the review by the ZBA. The ZBA generally meets on the second Thursday of each month if there is business. A complete application will be reviewed for acceptance before a public hearing is held within 30 days. You or your representative must be present at the hearing. All owners NOT representing themselves must submit a letter of representation for the applicant with the application.

Please complete and submit the following appropriate page(s) for the request of a variance, a special exception, an equitable waiver of dimensional requirements, an appeal from an administrative decision or a rehearing. Attach all other supporting documentation to the application.

After the public hearing, the board will typically render a decision within 30 days. You will be sent notice of this decision. If you believe the board's decision is wrong, you have the right to appeal. The Selectboard or any party with standing has similar rights of appeal. With an appeal, you must first ask the board for a rehearing. All requests shall be submitted on the appropriate ZBA forms and include the required fee. The motion must be made within 30 days of the decision and must set forth the grounds on which the claimed the decision is unlawful or unreasonable. The board may grant a rehearing if it is determined there were errors of law or new information is stated in the motion. Notice to the public and abutters are required for a rehearing. Refer to RSA 677:2 and RSA 676:7 for details.

Variance:

The undersigned hereby requests a variance to the terms of Article III, section B, J subparagraph _____, of the Winchester zoning ordinance.

[Signature]
Signature of applicant and date

Signature of owner and date

Facts supporting the variance request:

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

a multi-family building already exists on this property. The requested single family unit would utilize an existing building and only add one bedroom. This unit would help address the increasing housing shortage.

2. The **spirit of the ordinance is observed** because:

mixed use is allowed in this district as evidenced by the property across the street.

3. By granting the variance substantial justice would be done because: the existing building has limited use since more people are working from home, whereas housing is desperately needed. This property is within walking distance to numerous services, making it an ideal home, especially for seniors.

4. The **value of surrounding properties are not diminished** because:

again, mixed use is allowed. The completed building would blend into the existing landscape, having minimal impact.

5. **Literal enforcement of the provisions of the ordinance** would result in unnecessary hardship; owing to special conditions of the property that distinguish it from other properties in the area, because:

a) 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:

limited use of this building is a hardship created by lost revenue. It has been used for commercial offices but that need no longer exists. There is, however, a very prominent demand for housing. This conversion would help

and b) the proposed use is a reasonable one because: resolve both issues.

Or: explain how if the criteria of (a)&(b) 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.

ABUTTERS LIST

For use with all Land Use Applications

Applicant: Gary Rokes

Address: _____

Map# 20 Lot# 15

MAP# LOT# NAME & ADDRESS Sent/Rec'd

20 12 Gary Rokes

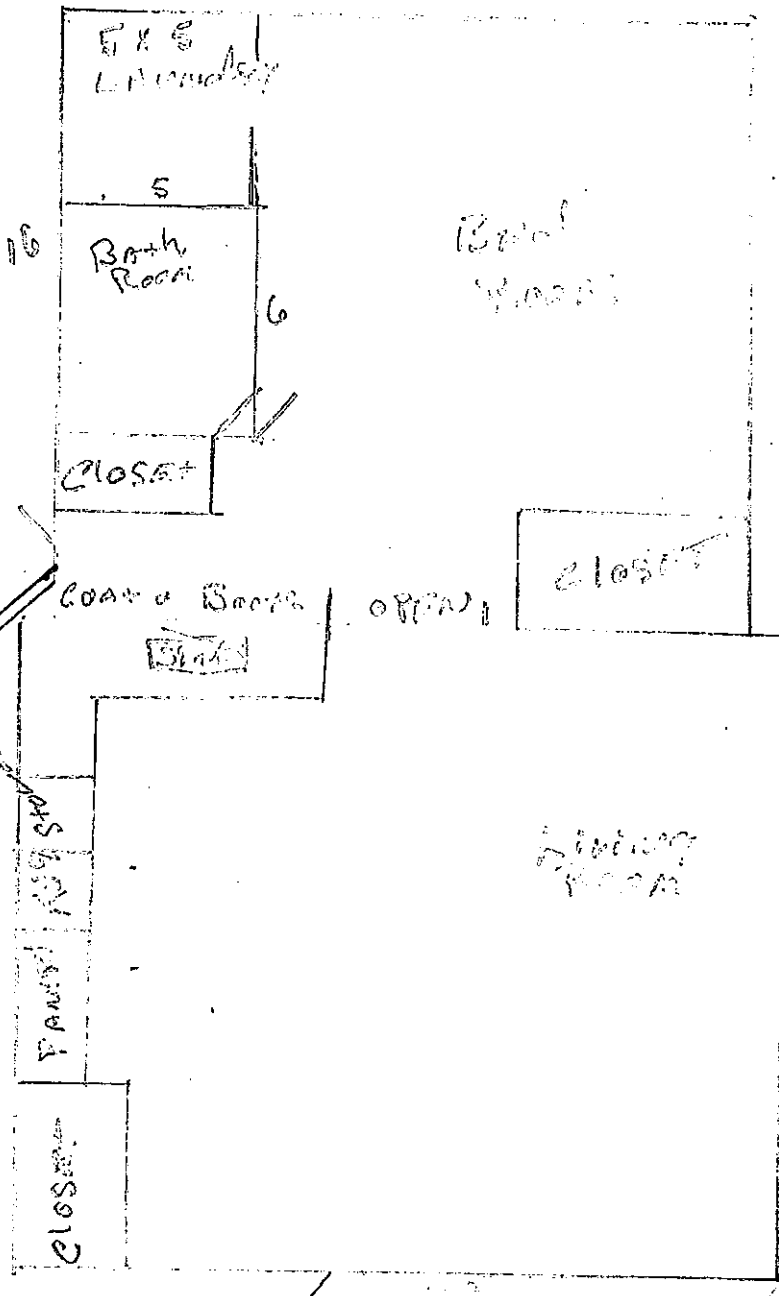
20 16 John & Ann Hansen 26 Manning Hill Win

5 21 Rick & Jacqui Rounds 27 Manning Hill Win

5- 111 Bob's fuel 21 Warwick Rd Win.

L Area

18



16 X 18
 Will BE Added.
 TO 20 X 20
 TO COMPLETE

L Area

THIS 20 X 20
 Living Room
 & KITCHEN
 IS ALL HERE

Parking

6-24-14

18 MANNING Hill

TO BE
CONVERTED
TO A 1 BEDROOM
UNIT

18

Office
Kevin's
Auto

20

20

Parking
18A

Parking
18B

Parking
18C

48'

40' - Pin
58' - Edge of road
70' - Center line

30'

Manning Hill center line

