



SPECIAL EXCEPTION

Date Received: _____

Case #: _____

Rehearing #: _____

(W)

**TOWN OF MILFORD
ZONING BOARD OF ADJUSTMENT
APPLICATION FOR SPECIAL EXCEPTION**

Name of applicant: _____ Phone #: _____

Email Address: _____

Address: _____

Owner: _____

(If same as applicant, write "same")

Address: _____

Location of property: _____ Map _____ Lot _____
(Number and street)

Description of property: _____

(Lot dimension, total area, present use)

This application is not considered acceptable unless all required statements have been made and all sections completed. Additional information may be supplied on separate sheets if necessary.

Fees: \$75.00 per case plus \$5.60 per abutter, including owner and representative (if applicable)

Town of Milford New Hampshire
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www.milford.nh.gov

Section 1 - APPLICATION FOR A SPECIAL EXCEPTION

The undersigned hereby requests a special exception as specified in the Milford Zoning Ordinance. Article _____ Section _____

Description of proposed use: _____

Facts supporting this request:

1. The proposed use shall be similar to those permitted in the district:

2. The specific site is an appropriate location for the proposed use because:

3. The use as developed will not adversely affect the adjacent area because:

4. There will be no nuisance or serious hazard to vehicles or pedestrians:

5. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

Section 2 - ABUTTERS

See attached sheet.

Section 3 - ATTACHMENTS

- A. Plan of property and all buildings, drawn to scale, is required.
- B. Building permit application as needed (to be determined by building official.)
- C. Additional explanations, justification, abutter’s statements, letters, etc.

Section 4 - REPRESENTATION

Owner(s) authorization for applicant or other agent to represent the owner at the proceedings

Print name of person or party representing the owner(s)

The applicant or agent, as stated hereon, has authorization from the property owner to submit this Zoning Board of Adjustment application and to represent the property owner on matters relative to said process.

Owner’s Signature

Date

Section 5 - SIGNATURES

Signature of Applicant _____ Date _____

Signature of Owner _____ Date _____

Signature of Zoning Official _____ Date _____

For office use only

CODE ENFORCEMENT OFFICER’S DECISION AND COMMENTS:

Revised 3/10

Milford, New Hampshire Zoning Board of Adjustment

INSTRUCTIONS TO APPLICANTS

The board strongly recommends that, before making any appeal, you become familiar with the Milford Zoning Ordinance, and also with the New Hampshire Statutes TITLE LXIV, RSA, chapters 672-677, covering planning and zoning.

ABUTTERS: List the map, lot and mailing information.

For purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his/her land will be directly affected by the proposal under consideration.

For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term “abutter” means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownerships defined in RSA 205-A:1, the term “abutter” includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street, stream, or active railroad from the land under consideration by the local land use board. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being an active railroad property, the owner of the railroad property shall be notified. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case where the applicant is different from the owner of the land under consideration by the local land use board, the term “abutter” includes the applicant.

SPECIAL EXCEPTION: Certain sections of the zoning ordinance provide that a particular use of property in a particular zone will be permitted **by special exception** if specified conditions are met. The necessary conditions for each special exception are given in the ordinance. The following items should be addressed:

1. The proposed use shall be similar to those permitted in the zone.
2. The specific site is an appropriate location for the proposed use.
3. The use as developed will not adversely affect the adjacent area.
4. There will be no nuisance or serious hazard to vehicles or pedestrians.
5. Adequate appropriate facilities will be provided for the proper operation of the proposed use.
6. For a home occupation, additional items should be addressed:
 - a. The person conducting the home occupation shall reside in the dwelling unit, and there shall be no more than one (1) non-resident person employed in connection with such occupation.
 - b. There shall be no evidence outside the dwelling, except permitted signs and required off-street parking, that the dwelling contains a home occupation.
 - c. The home occupation shall be confined to one (1) floor of the dwelling unit or accessory buildings and not more than 25% of such floor shall also be used.
 - d. Accessory finished goods may be provided for sale in conjunction with the home occupation, sold and stored in allowed home occupation space only. (2008)
 - e. The home occupation and the conduct thereof shall not impair the reasonable use, enjoyment and value of other residential property in the neighborhood.

