



ZBA Application

MILFORD ZONING BOARD OF ADJUSTMENT

GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

Date received: _____
 Case Number: _____
 Date Complete: TOWN OF MILFORD RECEIVED
 Hearing Date: JUN 16 2021
 Decision Date: _____
 Decision: PB _____ ZBA _____ Office _____

PROPERTY INFORMATION

Street Address: 53 Valhalla Drive

Tax Map / Parcel #: 36-74 Lot Size: 0.3 acres

PROPERTY CURRENTLY USED AS

If the application involves multiple lots with different owners, attach additional copies of this page.

PROPERTY OWNER

Name: Ryan & Abby Farnsworth

Address: 53 Valhalla Drive

City/State/Zip: Milford, NH, 03055

Phone: (603) 661-2507

Email: farnsworth.ryan@gmail.com

The applicant is the person who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

APPLICANT/REPRESENTATIVE

SAME AS OWNER

Name: _____

Address: _____

City/State/Zip: _____

Email: _____

Phone: () Cell: ()

The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.

Property Owner's signature _____ Date: _____

Zoning District (check one):

- Residence A
- Residence B Residence R
- Commercial
- Limited Commercial
- Industrial
- Integrated Commercial-Industrial
- Integrated Commercial-Industrial-2

Overlay District (check any that apply):

- West Elm Street Overlay
- Nashua/Elm Street Overlay
- Commerce & Community Overlay
- Open Space & Conservation
- Wetlands Conservation
- Groundwater Protection
- Floodplain Management

APPLICATION FEES

Application Fee:	\$75.00
Abutters Fee: \$4 x ¹¹ / ₉	36.99
Amount received:	111.99
Date Received:	
Check <input checked="" type="checkbox"/> Cash <input type="checkbox"/>	

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.



ZBA Application - Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

TOWN OF MILFORD
 RECEIVED
 JUN 16 2021
 PB ZBA Office

Received: _____
 Case Number: _____
 Application #: 2021178
 Date Complete: _____
 Hearing Date: _____
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: 53 Valhalla Drive

Tax Map / Parcel #: 36-74

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board of Adjustment. Most special exceptions have a list of additional criteria that must be met in order for the ZBA to approve the application.
 *Note that in addition to the specific criteria that may be listed for a particular special exception, all special exceptions are subject to the general criteria in Section 10.02.1 of the Zoning Ordinance.

What section of the Zoning Ordinance are you applying under?
 Article V Section 5.02.A.1
 Describe the use you are proposing under the above section of the Ordinance.
Construction of shed.

**Application for
 (check all that apply):**

- Change/Expansion of Non-conforming Use/Structure (2.03.1.C)
- Wetland Buffer Impact (6.02.6)
- Accessory Dwelling Unit (10.2.6)
- Office in Res-A & B (10.2.7)
- Home Business (7.12.6)
- Side/Rear Yard Setback Reduction (Zoning District Specific)
- Other

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for: Replacing two sheds with one.

Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

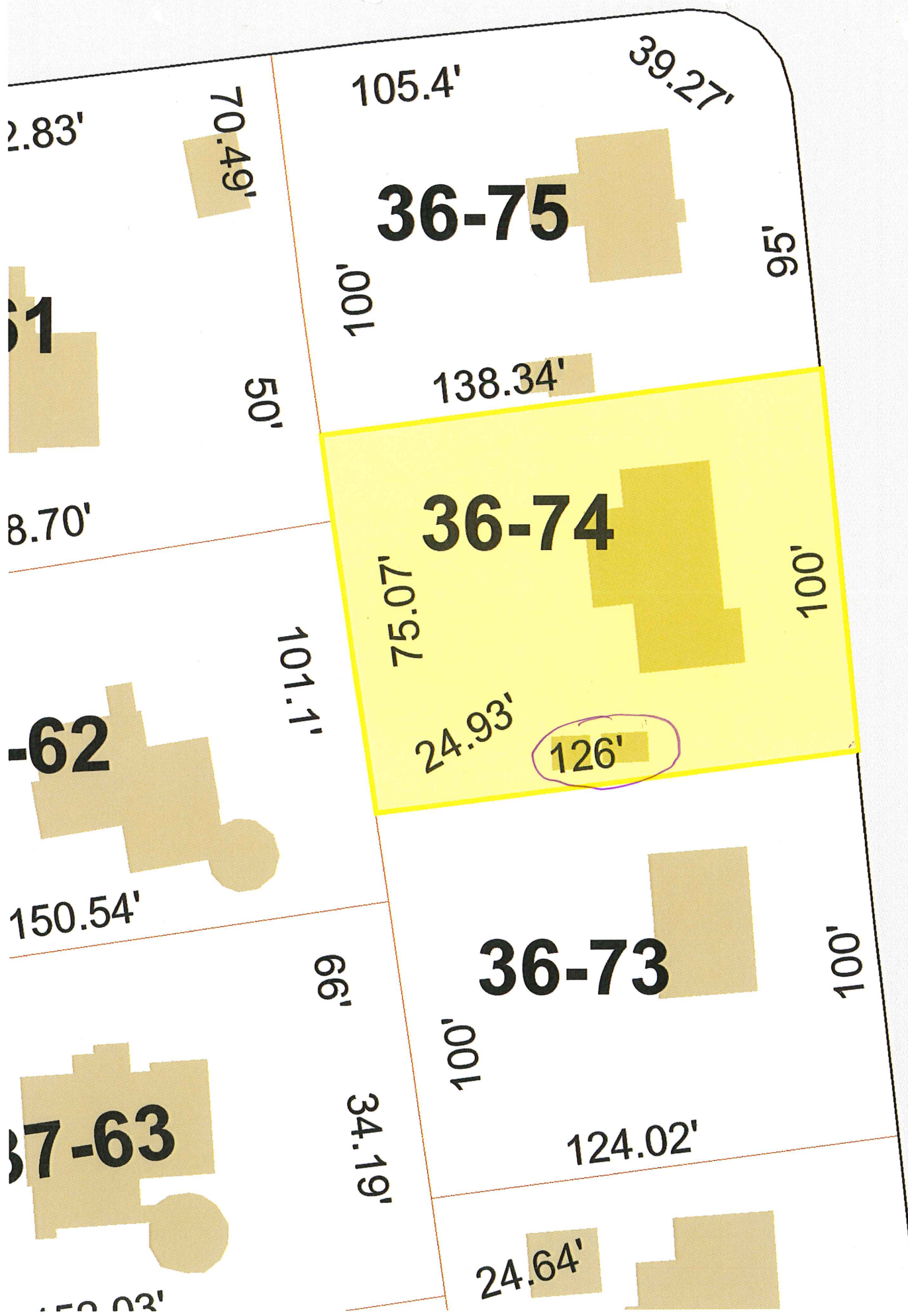
A. The proposed use is similar to those permitted in the district because: Many homes in the neighborhood and area have sheds on or near property lines already

B. The specific site is an appropriate location for the proposed use because: It is the current location of the current sheds.

C. The use as developed will not adversely affect the adjacent area because: Not much change is going to occur, only improvements. It will also take up less space

D. There will be no nuisance or serious hazard to vehicles or pedestrians because: It is away from the street.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because: It is a storage shed and will be a place where tools and equipment are stored.



Special Exception Notes for 53 Valhalla Drive

Issues with selection of location of new shed:

1. We are unable to find property markers.
 - a. Currently we are waiting to hear back from multiple Surveyors.
 - b. Land Surveying is very expensive for my family at the moment.
2. Shed might be located within 15 feet of property line.
 - a. If we were to estimate it would be 5-10 feet from the property line. Because this is not allowed, we would need to apply for a Special Exception.

Reasons the location of the shed was selected:

1. To have the same footprint as before (it is actually smaller than the space needed for the two previous sheds).
 - a. This would provide minimal alterations to the property and not change the aesthetic for neighbors.
2. Currently there are fences which go up to the shed in multiple locations. This would ease the cost of redoing fences after installation of the shed.
3. Having the shed close to the driveway is important.
 - a. Being able to have secure access to tools and machines to keep up with property maintenance (Example: Being able to get the snowblower to driveway without causing property damage).
4. Currently the two sheds provide privacy between neighboring property (36-73, 57 Valhalla Drive)
 - a. With the proposed location of the shed, the owners of 57 Valhalla Drive (Peter & Kristin Benoit) are in agreement for the location of the shed (Please see letter from Peter and Kristin Benoit).
5. Other Locations have been looked at:
 - a. Moving it to the backyard would cause multiple problems.
 - i. Due to the grade change from the front of the property to the rear, extensive dirt work would be required to make a base for the shed. (Please see letter from Marc Vaillancourt, contractor).
 - ii. Putting it on the rear property line is a concern due to water drainage and accumulation. Damage could occur (Please see letter from Marc Vaillancourt, contractor).
 - iii. By moving it in the backyard, it would take away from the area of the yard where children play.
 1. This removal of yard square footage would decrease the value of the property (Please see letter from Nancy Walsh, realtor).
 - iv. Moving it to the opposite side yard is a hazard due to underground utilities, removal and replacement of two fences, more zoning issues, and being removed from the area of use (see reason 3).
 - v. Placing in the front of the property would bring up various issues and concerns.
 1. It would become an eyesore to the neighborhood.

Special Exception Notes for 53 Valhalla Drive

2. It would take away from the front yard square footage and would decrease property value (Please see letter from Nancy Walsh, realtor).
6. Location is similar to numerous sheds in the neighborhood and town.
 - a. When driving through residential areas in town, there are many properties that have sheds on or near property lines.
 - b. We would like to have our shed in an area of our property which does not disrupt neighbors and is not taking away from our current use. We would like to be able to put the shed where it is current safe and convenient for its intended purpose, to store tools and equipment.

For all the reasons above, it has been determined that the best area for the shed is the current location of two older sheds. Keeping with similar practices with smaller lots in the neighborhood we would like to keep our shed in an area which does not take away from our property but adds value. Thank you for your time in this matter.

Lincoln Daley

From: Ryan Farnsworth <farnsworthryan@gmail.com>
Sent: Thursday, July 8, 2021 4:49 PM
To: Lincoln Daley
Subject: Special Exception Extension

Mr. Daley,

Thank you for calling to check in with us earlier today.

Abby and I would like to ask for an extension in our application for a Special Exception in order to have more time to have our property surveyed in order to provide the Board more information. If at all possible, would we be able to have until the August meeting?

Thank you again for your help,

Ryan and Abby Farnsworth