

TOWN OF MILFORD

Office of Community Development
Planning • Zoning • Building Safety • Code Enforcement • Health
Economic Development • Active Projects



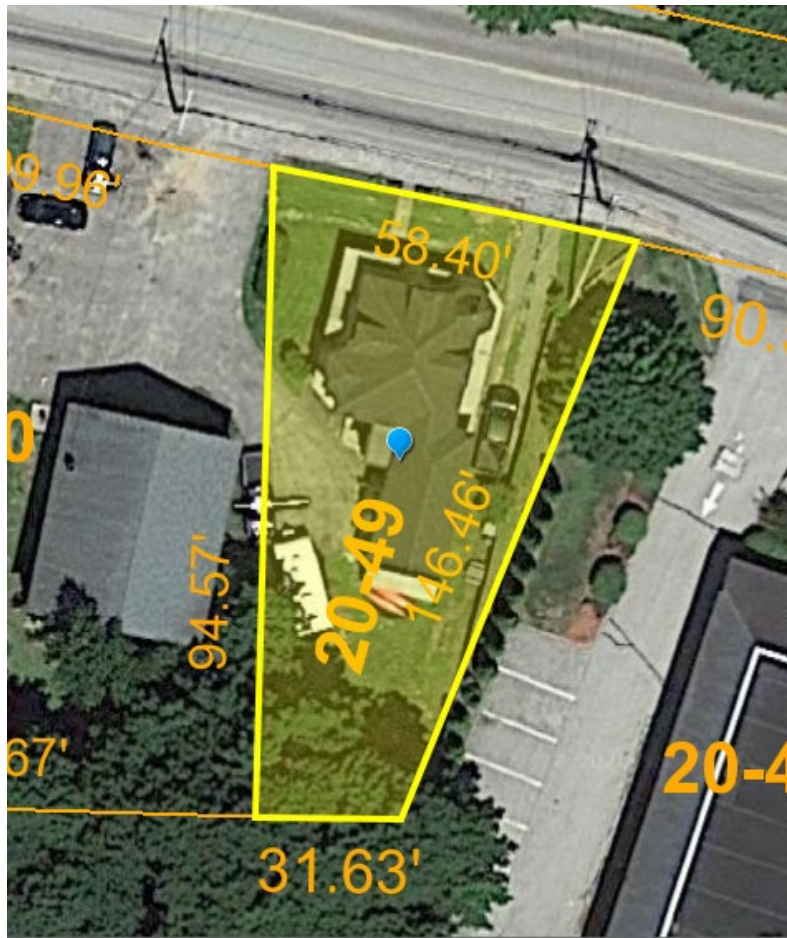
Administrative Review

Date: March 13, 2020
To: Steve Bonczar, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2020-02 – Kraig Koranda, 92 Elm Street, Milford Tax Map 20, Lot 49.** Special Exception Application pursuant to Article V, Section 5.05.2A.3 to allow the construction of a staircase for the existing 2-family residence within the 15 foot, side dimensional setback in the Commercial 'C' district.

The applicant is before the Board of Adjustment seeking a Special Exception pursuant to Milford Zoning Ordinances pursuant to Article V, Section 5.05.2A.3 to allow the construction of a staircase for the existing 2-family residence within the 15 foot, side dimensional setback in the Commercial 'C' district. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions – The subject property consists of a 2 story, two-family residence situated on approximately 0.2 acres (8,712 s.f.) and contains 52.4 linear feet of frontage on Elm Street. The two-family building is served by a private driveway to the east of the building and a shared driveway located on the western side of the building. The property is situated in an established commercial and single-, two-, and multi-family residential neighborhood.
2. The proposed staircase will serve as a second means of egress for one of the units in compliance with State Building Codes and be located approximately 7' 9" from eastern dimensional property line. A stair case construction plan has been included with the property.
3. The dimensional setbacks for a property in the Commercial 'C' Zone are 30 feet from the front of the property and 15 feet along the rear and sides.
4. The applicant should be prepared to discuss what alternatives were considered when locating the staircase on the property.

Aerial Photographs of Subject Property:



Street Level Photographs of Subject Property:





ZBA Application
MILFORD ZONING BOARD OF ADJUSTMENT

GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

PROPERTY INFORMATION

Street Address: 92 Elm St

Tax Map / Parcel #: Map 20 Lot Size:

PROPERTY CURRENTLY USED AS

owner occupied 2 family home.

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

PROPERTY OWNER

Name: Kraig Koranda

Address: 92 Elm St

City/State/Zip: Milford NH 03055

Phone: (603) 305 1855

Email: Koranda K@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.

[Signature]
 Property Owner's signature

Date:

TOWN OF MILFORD
 RECEIVED

FEB 19 2020

PB ZBA Office

Date Received: 2/19/20

Case Number: 2020-02

Date Complete: _____

Hearing Date: 3-19-2020

Decision Date: _____

Decision: _____

app # 20200423

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 <u>8</u>	<u>32.00</u>
Amount received:	<u>107.00</u>
Date Received:	<u>2-19-20</u>
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
FEB 19 2020
PB ZBA Office

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

PROPERTY INFORMATION

Street Address: 92 Elm St

Tax Map / Parcel #: Map 20 Parcel #49

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 5 Section 5.05.2A #3

Describe the use you are proposing under the above section of the Ordinance.

Relief from the side setbacks in the commercial district so that a stair case can be built for a second means of egress. The proposed staircase landing will be approximately 8' from lot line.

Application for (check all that apply):

- Home Occupation
- Self-Storage Facilities
- Accessory Dwelling Unit
- Office in Res-A & B
- Wetland Buffer Impact
- Change/Expansion of Non-conforming Use/Structure
- Side/Rear yard setback reduction
- Other

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for: Construct a second means of egress for second floor unit with an exterior PT stairway.

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: The use is not changing. It is one of many 2 family buildings in the area. A second means of egress must be built to meet state building code.

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

Same as "A"

C. The use as developed will not adversely affect the adjacent area because: A 2 family is already existing. The added second means of egress wont visibly affect adjacent properties.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because: The proposed staircase wont impede access due to wrap around drive way

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because: The property is served by town water and sewer, so nothing will change, because this is an exterior staircase for 2nd means of egress.

AUSTIN, KAYLENE & JAMES I
93 ELM ST
MILFORD, NH 03055

GARGASZ, CAROLYN M TRSTEE
GARGASZ, CAROLYN M 2007 R
PO BOX 6
HOLLIS, NH 03049

KAMIN, DANIEL G MILFORD L
% RITE AID CORPORATION ST
PO BOX 3165
HARRISBURG, PA 17105

KORANDA, KRAIG E
92 ELM ST
MILFORD, NH 03055-4714

SULLIVAN, JAMES P
VINCENT, DENICE M
PO BOX 255
GILMANTON, NH 03237

VIKING REALTY LLC
38 DAHL RD
MERRIMACK, NH 03054

*Town of Milford
Community Dev. Office
1 Union Sq.
Milford, NH 03055*

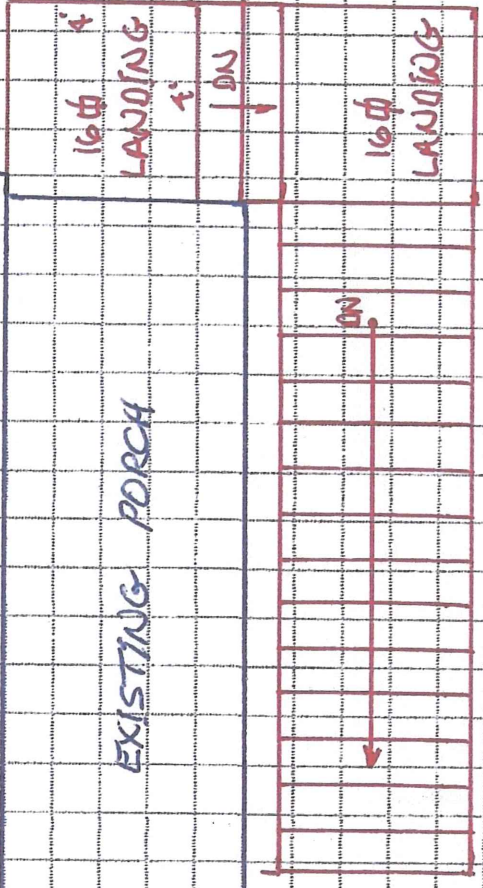
Contractor



FENCE / RITE-AID PHARMACY

TOWN OF MILFORD
RECEIVED
FEB 19 2020
PB ZBA Office

7'-9" +/-



EXISTING HOUSE

EXISTING PORCH

OPTION "A"

Customer: Koranda - Byras Res. Address: 92 Elm St. Town / State: Milford, NH 03055

Date: 02/13/20 Measured By: MAP B.O.W. _____

P.O. Box 196, Nashua, NH 03061-0196 * (603) 566-5636 * www.primobuilding.com

