

Board. The motion must be made within 30 days of the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in its opinion, good reason is stated in the motion. The Board will not reopen a case based on the same set of facts, unless its' convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested a rehearing before you can appeal to the courts. When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to all abutters. (Applicable fees will be charged to the applicant motioning for the rehearing).

Fees are charged to cover the cost of preparing and mailing the legally required notices:

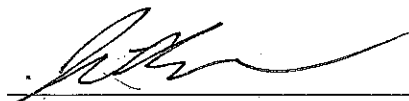
Application Fee.....	\$150.00
Abutter Notice.....	\$8.53 each
Site Identification Sign.....	\$5.00

Please make checks or money orders payable to the Town of Milton. Mail or deliver the completed application with all the necessary attachments to:

Land Use Department  
PO Box 310  
Milton, NH 03851

### Site Walk Authorization

The owner(s), by filing an application, hereby give permission for any member of the Milton Zoning Board of Adjustment and such agents or employees of the Town or other persons as the Zoning Board of Adjustment may authorize, to enter upon the property which is the subject of the application at all reasonable times for the purpose of such examinations and inspection as may be appropriate.

Owner(s) Signature:  \_\_\_\_\_  
\_\_\_\_\_

Authorized Agent Signature: \_\_\_\_\_

Dayna Chanley  
(978) 223-3812

## Town of Milton "Variance" Application

Date Received: \_\_\_\_\_ Public Hearing: \_\_\_\_\_

Applicant(s) Name: JOHNATHAN CHANLEY

Mailing Address: 41 MIDDLETON RD., MILTON, NH 03851

Phone: 978-496-6433

Land Owner's Name(s): JOHNATHAN CHANLEY

Map# 34 Lot# 27 Zone: LDR

Physical Address of Property: 41 MIDDLETON RD., MILTON 03851

*Note: This application is not acceptable unless all required statements have been made.*

A "Variance" is requested from Article: XXI, Section: III A of the Milton Zoning Ordinance to permit:

A detached garage with a 1-bedroom accessory dwelling unit.

Facts supporting this request:

1. The Variance will not be contrary to the public interest because: *(In responding to this question, please address: (1) Whether granting the variance would alter the essential character of the locality, and (2) Whether granting the variance would threaten public health, safety or welfare.)*

Granting this variance will not be contrary to public interest because  
1) it will not alter the character of the neighborhood or property. It is a garage that will meet all ~~the~~ building codes and 2) will not pose a threat to public health, safety or welfare.

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

The structure will meet all required zoning and building requirements and accessory dwelling units are allowed.

3. Granting the variance would do substantial **justice** because:

It will allow the homeowner to build a garage and accessory dwelling unit, which will improve property value and provide the means for long-term care of aging parents. It will not cause any impact or harm to the general public.

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

The structure will meet all required building codes and zoning laws. It will be a new, professionally built structure and will harmonize with the existing residence.

5. Literal enforcement of the provision of the ordinance would result in an **unnecessary hardship**. Special conditions of the property distinguish it from other properties in the area because:

The primary dwelling is a manufactured home and the construction of an attached accessory dwelling unit is not feasible.

(A) Denial of the variance would result in unnecessary hardship because:

(i) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

Other than not being attached to the primary dwelling, the garage + ADU will meet all other general purposes of the ordinance.

(ii) The proposed use is a reasonable one because:

ADU's are allowed and the structure will meet all required building & zoning requirements and will not alter the essential character of the neighborhood.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

The proposed structure cannot be attached to a manufactured home. A variance is required to enable the construction of a detached garage with accessory dwelling unit.

Applicant's Signature: \_\_\_\_\_

Date: 1/9/24

Property Owner(s) Signature: \_\_\_\_\_

Date: 1/9/24

**Abutter's List**

<u>Map#/Lot#</u>	<u>Property Owner</u>	<u>Mailing Address:</u>
34-26	DOMINICA + ALVIN R LIBBY	63 MIDDLETON Rd, MILTON, NH 03851
34-28	FELIPE A GARCIA	39 MIDDLETON Rd, MILTON, NH 03851
34-30	THOMAS + KATHLEEN MANNING	166 Little GULL LANE, MYSTIC, CT 06355
34-24	ROBERT L JOLLY	71 PINEKNOLL DR., FARMINGTON, NH 03835

Person who prepared this list: Dayna Chanley

Date on which this list was prepared: 12/31/23

I hereby certify that all information presented on this form, is to the best of my knowledge, correct.

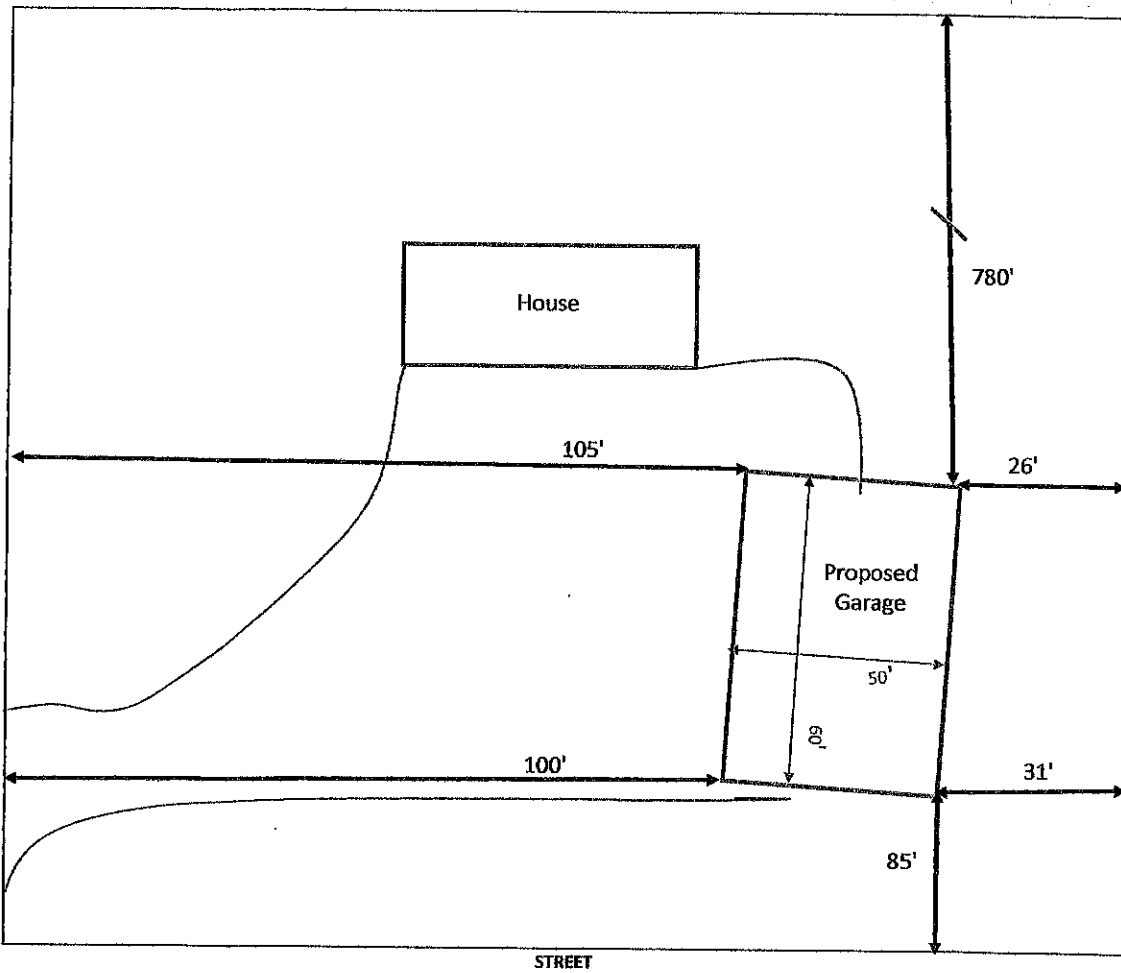
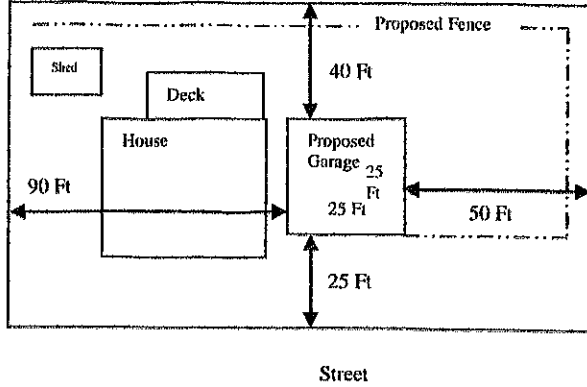
Signature of Preparer: Dayna L. Chanley

# Sketch Plan

**Instructions:**

- 1) Show the Property lines and road(s).
- 2) Show the proposed Structure and all existing structures.
- 3) Show the Measurements from the proposed structure to all lot lines, measure straight through existing structures if needed.
- 4) Include the dimensions of the proposed structure.

**Sample Plan:**



Signature \_\_\_\_\_

Date 1/9/24

# Construction Plan

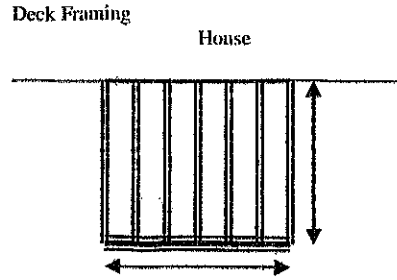
**Instructions:**

Provide sufficient information as to the proposed structure.

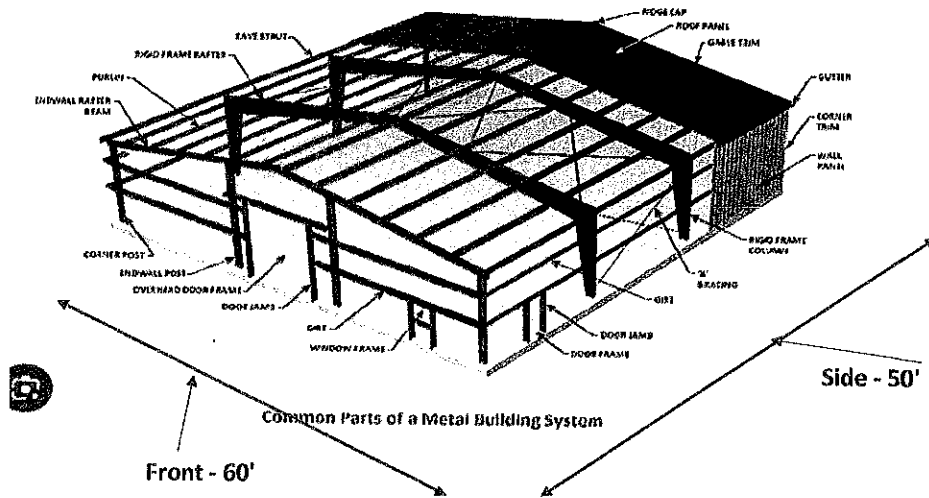
- 1) The Size.
- 2) If attached to the house, where and how?
- 3) Show Sketch below of how structure is to be framed. (Show the spans, lumber size, beam location, etc.)

Please note that some minor construction may require a full set of building plans.

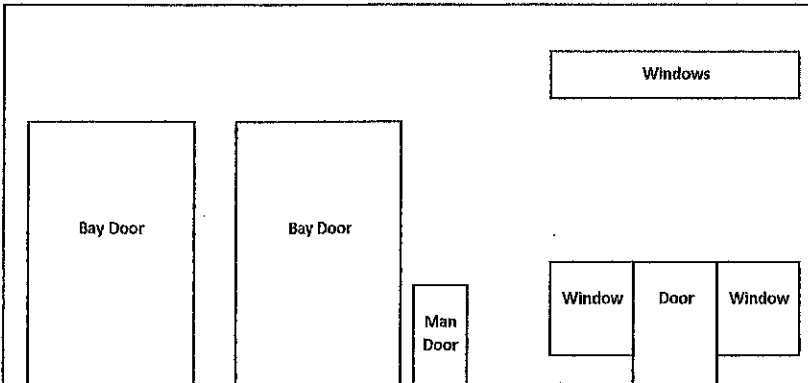
**Sample Plan:**



**60' x 50' x 20' (Peak) Steel Garage**  
 Meeting all Northeast Snow load & building code requirements  
 Poured Concrete Foundation



Front View



Left Side  
Man Door - 2-4 Windows

Right Side  
Man Door - 6-8 Windows

Rear  
Possible Man Door

Signature

Date

1/9/24