



Application #: 202021-0022  
 Fees Paid: 125 + 40  
 Check #: \_\_\_\_\_  
 Receipt #: CC 655368

**ZONING BOARD OF ADJUSTMENT  
 VARIANCE APPLICATION**

**RECEIVED**

Name of Applicant: Paul Cady MAY 11 2021  
 Mailing Address: 62 Moultonborough Neck Rd, Moultonborough NH 03254 Planning/Zoning  
City of Laconia  
 Phone: 603 707 0630 E-mail: paul@stephenslandscaping.com  
 Owner (If same as applicant, write "same"): Stephen Evans  
 Mailing Address: 42 McKenna Dr. Nashua NH 03062  
 Phone: 1888 649-9919 E-mail: stephen@turfunlimited.com  
 Tax Map/ Lot # (s): 180-516-17 Zoning District (s): SPOD  
 Street Address: 44 Indian path, Laconia, NH 03246

**OWNER AUTHORIZATIONS & STATEMENTS OF ASSURANCE:**

I hereby make application to the City of Laconia for the above-referenced property (ies) and the development as described. To the best of my knowledge the information provided herein is accurate and is in accordance with the Zoning Ordinance and land use regulations of the City, except where waivers are requested. The City of Laconia Zoning Board and/or city employees are authorized to enter the property (ies) for purposes of reviewing this proposal and for inspecting improvements as a result of an approval of this proposal. I understand that I am responsible for appearing, or having someone appear on my behalf, at any and all meetings before the Zoning Board.

PROPERTY OWNER(S)  
Stephen Evans  
 Printed Name Here  
[Signature]  
 Signature of Property Owner(s)  
5-10-2021  
 Date

AGENT(S)  
Paul Cady  
 Printed Name Here  
[Signature]  
 Signature of Agent(s)  
5/10/2021  
 Date

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

**REQUIRED ATTACHMENTS:**

- Abutters List (from <https://www.axisgis.com/LaconiaNH/>)
- Envelopes and Certified Mail Receipts (Filled out for all abutters)
- Plot Plan (Showing dimensions of proposed building, setback requirements, and encroachments into any setbacks.)

**DUE AT SUBMISSION:**

**10 COPIES OF ENTIRE ZONING BOARD APPLICATION WITH REQUIRED ATTACHMENTS**

A variance is requested from article IV section 235-19 of the Zoning Ordinance to permit a covered pavilion, expanded steps, relocated hot tub

Facts in support of granting the Variance:

1. Granting the variance would not be contrary to the public interest because:

the public would not be affected - this is entirely on private property

2. If the variance were granted, the spirit of the ordinance would be observed because:

we are making the access for residents safer, and bringing the property more into compliance by reducing overall coverage

3. Granting the variance would do substantial justice because:

there is substantial hardship since the property is an undersized, non-conforming lot, almost entirely in the 50' shoreland setback

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

we are working largely within the building setback and abutters are generally not able to view the work being proposed.

5. Unnecessary Hardship

a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. 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:

we are reducing total coverage on the property, making the site generally more permeable, and ~~also~~ adding the additional structure in an ~~already~~ existing impervious area. We are also making access from the house to the property safer.

ii. The proposed use is a reasonable one because:

We are making the lot more conforming by reducing impervious area - considering the existing hardship (lack of buildable area) our intervention is relatively minor and will make the property more ecologically sound and safer.

-or-

b. If the criteria in subparagraph (a) 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.



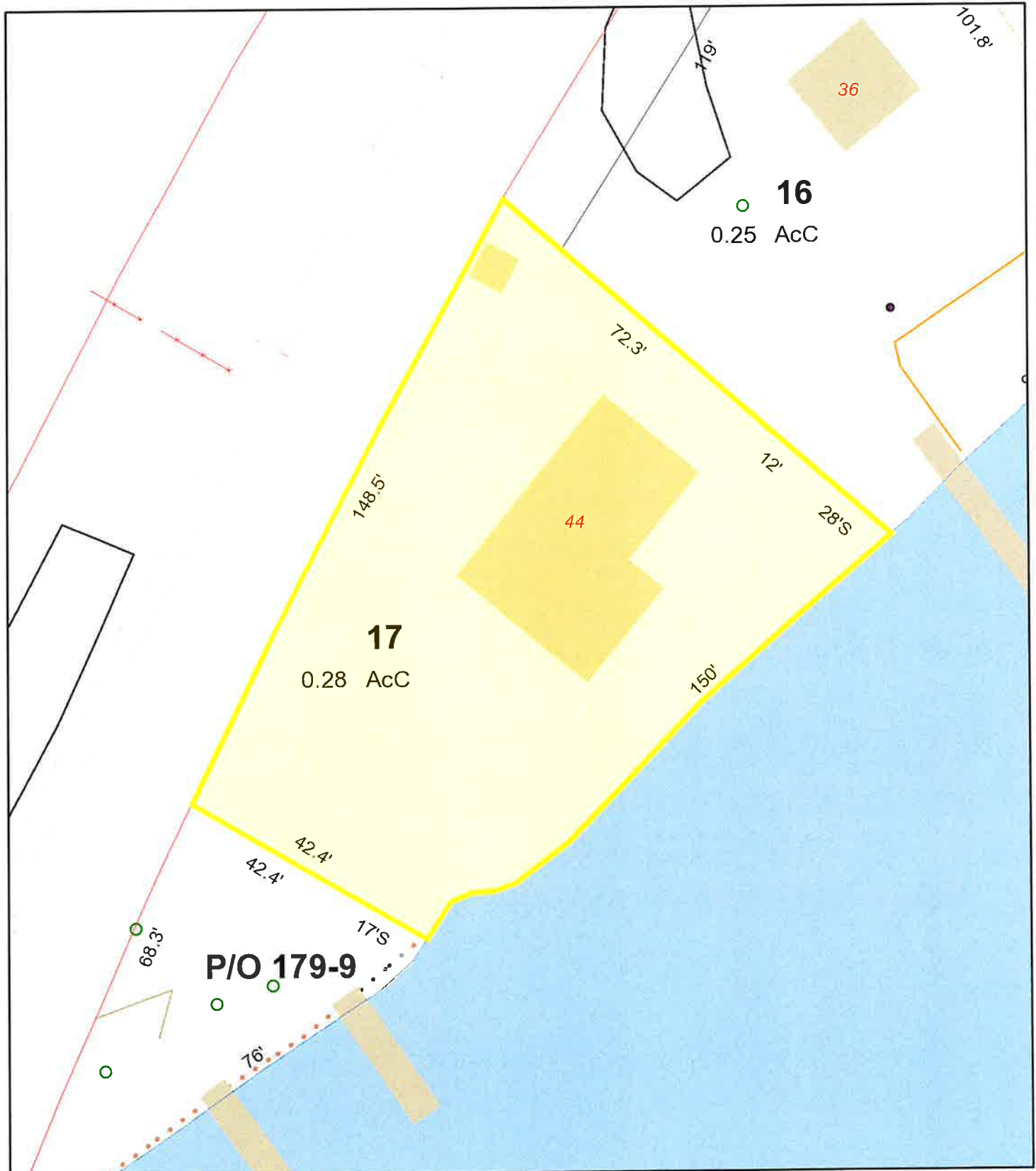
Laconia, NH

1 inch = 30 Feet



May 27, 2021

www.cai-tech.com



**P/O 179-9**

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

# 44 INDIAN PATH

**Location** 44 INDIAN PATH

**Mblu** 180/ 516/ 17/ /

**Acct#** 3852

**Owner** EVANS FAMILY REV TRUST

**Assessment** \$691,700

4728

**Building Count** 1

## Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$149,800	\$541,900	\$691,700

## Owner of Record

**Owner** EVANS FAMILY REV TRUST  
**Co-Owner** EVANS STEPHEN P & ALICIA R TRUSTEES  
**Address** 42 MCKENNA DR  
 NASHUA, NH 03062

**Sale Price** \$0  
**Certificate**  
**Book & Page** 3244/0575  
**Sale Date** 06/20/2019  
**Instrument** 38

## Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
EVANS FAMILY REV TRUST	\$0		3244/0575	38	06/20/2019
EVANS STEPHEN & ALICIA	\$1,075,000		3236/0753	01	05/13/2019
BRADY MARK A & ROBIN M	\$223,500		1467/0697	00	05/07/1998
MARGOLIS GABRIEL W	\$0		1153/0526	1F	11/01/1990
MARGOLIS G W & ELLEN S	\$0		/0		11/01/1990

## Building Information

### Building 1 : Section 1

**Year Built:** 1940  
**Living Area:** 2,275

Building Attributes	
Field	Description

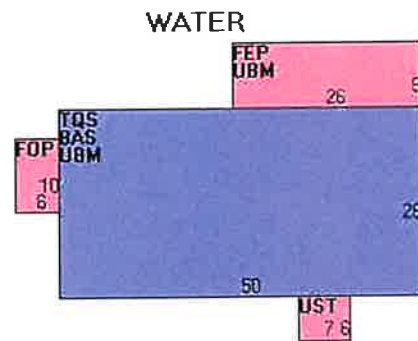
Style:	Conventional
Model	Residential
Grade:	Below Average
Stories:	1 3/4 Stories
Occupancy	1
Exterior Wall 1	Aluminum Sidng
Exterior Wall 2	Wood Shingle
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Wall Brd/Wood
Interior Wall 2	Drywall/Sheet
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	7 Bedrooms
Total Bthrms:	2
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	9 Rooms
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	01
Cndtn	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

### Building Photo



(<http://images.vgsi.com/photos/LaconiaNHPhotos/A00\01\06\18.jpg>)

### Building Layout



([http://images.vgsi.com/photos/LaconiaNHPhotos//Sketches/4728\\_5362.jp](http://images.vgsi.com/photos/LaconiaNHPhotos//Sketches/4728_5362.jp))

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,300	1,300	
TQS	Three Quarter Story	1,300	975	
FEP	Porch, Enclosed, Finished	294	0	
UBM	Basement, Unfinished	1,534	0	
UST	Utility, Storage, Unfinished	42	0	
WDK	Deck, Wood	16	0	
		4,486	2,275	

### Extra Features

Extra Features			Legend	
Code	Description	Size	Bldg #	
FPL	FIREPLACE	1.00 UNITS		1

### Land

**Land Use**

**Use Code** 1013  
**Description** SFR WATER MDL-01  
**Zone** SPOD  
**Neighborhood** PAUGUS BAY  
 No

**Land Line Valuation**

**Size (Acres)** 0.21  
**Frontage** 0  
**Depth** 0  
**Assessed Value** \$541,900

**Category****Outbuildings**

Outbuildings					<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Bldg #
SHD1	SHED FRAME			56.00 S.F.	1
SHD1	SHED FRAME			280.00 S.F.	1

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$149,800	\$541,900	\$691,700
2019	\$145,300	\$469,600	\$614,900
2018	\$142,600	\$397,400	\$540,000

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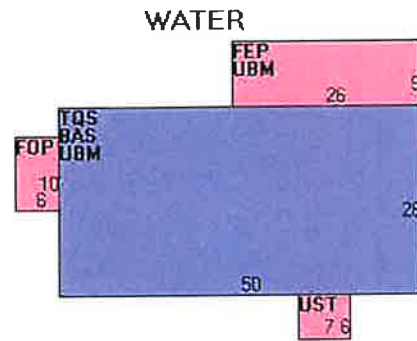
Style:	Conventional
Model	Residential
Grade:	Below Average
Stories:	1 3/4 Stories
Occupancy	1
Exterior Wall 1	Aluminum Sidng
Exterior Wall 2	Wood Shingle
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Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Wall Brd/Wood
Interior Wall 2	Drywall/Sheet
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	7 Bedrooms
Total Bthrms:	2
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	9 Rooms
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	01
Cndtn	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

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DEPARTMENT OF PLANNING, ZONING & CODE  
45 BEACON STREET, EAST  
LACONIA, NH 03246  
☎ 603-527-1264

## ABUTTER NOTIFICATION LETTER

### Notice of Hearing

The Laconia Zoning Board of Adjustment has received an application for a Variance. As provided by State law (RSA 676:7), the Zoning Board will hold a Public Hearing on the requests. Notification of this hearing is being made to all abutters, agents, lienholders, holders of preservation restrictions, and professionals whose seal appears on any document submitted. The hearing will give opportunity to look at the proposal, ask questions and make comments. The application is also on file for review at the City Hall during regular office hours. Written comments may be submitted to the Zoning Board prior to the hearing at the below address. This is a public meeting, and you are invited to attend.

Owner(s): Evans Family Revocable Trust  
Stephen & Alicia Evans, Trustees

MSL: 180-516-17

Applicant: Paul Cady

Zone: RR1/SPOD

Zoning Articles Cited: Article IV Section 235-19 Shoreland Protection District

Location: 44 Indian Path

Proposal: Application ZO2021-0022VAR. Applicant is requesting a Variance from Article IV Section 235-19 to allow for the installation of a covered pavilion, expanded steps and a relocated hot tub.

The hearing will be held at City Hall, Armand A. Bolduc City Council Chamber, 45 Beacon St. East on:

Day/Date: TUESDAY, June 15, 2021

Time: **6:30 PM**

**Due to COVID19, the meeting in which this public hearing will be held may be conducted partially or wholly by digital means on-line with ways for the public to participate. Contact the Planning office or the City of Laconia website prior to the meeting for information and instruction.**

The agenda, along with the application, plans, and details are posted online at [www.laconianh.gov](http://www.laconianh.gov). You can also stop by City Hall in the Planning and Community Development Department between 8:30 AM and 4:30 PM to review them.