

RECEIVED



AUG 27 2021

Planning/Zoning
City of Laconia

Application #:

Fees Paid:

Check #:

Receipt #:

202021-0046

175-

1316

ZONING BOARD OF ADJUSTMENT
EQUITABLE WAIVER OF
DIMENSIONAL REQUIREMENTS

Name of Applicant: Deventry Construction, LLC

Mailing Address: 272 Tilton Road, Suite 7, Northfield, NH 03276

Owner (If same as applicant, write "same"): Wayne Rogiers & Laura Campbell

Mailing Address: 74 Sterling Drive, Laconia, NH 03246

Tax Map/ Lot # (s): 170/502/14/77 Zoning District (s): _____

Street Address: 74 Sterling Drive, 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.

Sign as appropriate (If agent or non-person please attach certification)

NOTE: Please attach an Applicant Contact Worksheet

PROPERTY OWNER(S)

Printed Name Here

Signature of Property Owner(s)

Date

AGENT(S)

[Signature]
Printed Name Here

[Signature]
Signature of Agent(s)

8-26-2021
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

An Equitable Waiver of Dimensional Requirements is requested from Article XI Section 235-70 D (2). Explains below the circumstances that have led to the need for an Equitable Waiver of Dimensional Requirements.

When the bank did a review of the Plot Plan from GC Engineering, it came in showing that the house is encroaching on the 10' buffer setback per approved plan. An approved Variance from the City is needed.

Facts in support of granting the Equitable Waiver of Dimensional Requirements:

a. The violation was not noticed or discovered by the owner, former owner, owner's agent or representative or municipal official until after a structure in violation had been substantially completed or until after a lot or other division of land in violation had been subdivided by conveyance to a bona fide purchaser for value;

\$410,000.00

b. That the violation was not an outcome of ignorance of the law or ordinance, failure to inquire, obfuscation, misrepresentation or bad faith on the part of any owner, owner's agent or representative but was instead caused by either a good faith error in measurement or calculation made by an owner or owner's agent or by an error in ordinance interpretation or applicability by a municipal official in the process of issuing a permit over which that official had authority;

Plot plan was submitted to the City and we were unaware of set back from the buffer zone.

The house was placed in error.

c. That the physical or dimensional violation does not constitute a public or private nuisance nor diminish the value of other property in the area nor interfere with or adversely affect any present or permissible future uses of any such property;

2- 3 ft

d. That due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained that it would be inequitable to require the violation to be corrected.

Yes, we would have to move the house.

74 STERLING DR

Location 74 STERLING DR

Mblu 170/ 497/ 14/ 77/

Acct# 11559

Owner CAMPBELL ROGIERS REV TRUST

Assessment \$127,400

104436

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$72,600	\$54,800	\$127,400

Owner of Record

Owner	CAMPBELL ROGIERS REV TRUST	Sale Price	\$77,000
Co-Owner	ROGIERS WAYNE K & CAMPBELL LAURA TRUSTEES	Certificate	
Address	108 PORTSMOUTH AV STRATHAM, NH 03885	Book & Page	3399/277
		Sale Date	03/22/2021
		Instrument	00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
CAMPBELL ROGIERS REV TRUST	\$77,000		3399/277	00	03/22/2021
GOVERNORS CROSSING LLC	\$0		2066/0057	1N	07/16/2004

Building Information

Building 1 : Section 1

Year Built: 2021

Living Area: 1,551

Building Attributes	
Field	Description
Style:	Modern/Contemp
Model	Residential
Grade:	Average +10
Stories:	1.75
Occupancy	1

Exterior Wall 1	Clapboard
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	Carpet
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	
Total Bedrooms:	3 Bedrooms
Total Bthrms:	2
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	7
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	
Cndtn	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



(http://images.vgsi.com/photos/LaconiaNHPhotos/A001511559_15595.jpg)

Building Layout

Building Layout

(http://images.vgsi.com/photos/LaconiaNHPhotos/Sketches/104436_1045)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,002	1,002
TQS	Three Quarter Story	732	549
CTH	Cathedral Ceiling	270	0
FEP	Porch, Enclosed, Finished	144	0
FGR	Garage, Finished	484	0
FOP	Porch, Open, Finished	28	0
UBM	Basement, Unfinished	1,002	0
WDK	Deck, Wood	144	0
		3,806	1,551

Extra Features

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

Land

Land Use

Use Code 1010
 Description SINGLE FAM MDL-01
 Zone RS
 Neighborhood No

Category

Land Line Valuation

Size (Acres) 0.23
 Frontage 0
 Depth 0
 Assessed Value \$54,800

Outbuildings

Outbuildings[Legend](#)

No Data for Outbuildings

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$0	\$15	\$15
2019	\$0	\$15	\$15
2018	\$0	\$14	\$14

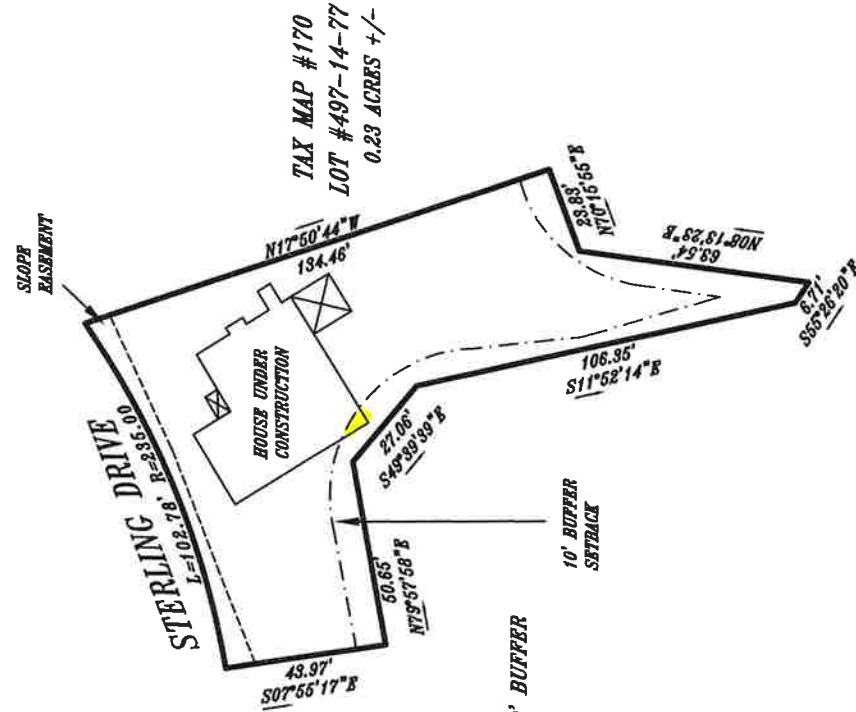
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MORTGAGE PLOT PLAN

NOT A SURVEY

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 DESIGNATED CLIENT AND IS NOT TO BE REDISTRIBUTED

OUR FILE#: **NBP00821**



BUYER: ROCERS/CAMPBELL
 ADDRESS: 74 STERLING DR LOT#77, LACONIA, NH
 SELLER: _____
 DEED REFERENCE: 2066/0057
 PLAN REFERENCE: L52-8
 FILE REFERENCE #: 201205695

I HEREBY CERTIFY THE FOLLOWING TO:
NORTHWAY BANK

1. The building(s) on this attached plan is/are approximately as shown hereon and it was in compliance with the Zoning Laws of the Town/City of LACONIA in the County of BELKNAP when constructed except as shown.
2. To the best of my belief and knowledge, all evidence of Easements and/or Encroachments, whether they be overhead or underground, but plainly visible from the surface, are located approximately as shown.

Drawn By: 

DATE: 08/17/2021

GCE **G. C. ENGINEERING INC.**
 635 MAIN STREET, SUITE 301, LACONIA, NH 03246
 TEL. 603-524-8023 * FAX. 603-524-6559

SCALE: 1"=40'

FOR MORTGAGE PURPOSES ONLY
 NOT FOR RECORDING PURPOSES
 NOT FOR FLOOD DETERMINATION PURPOSES



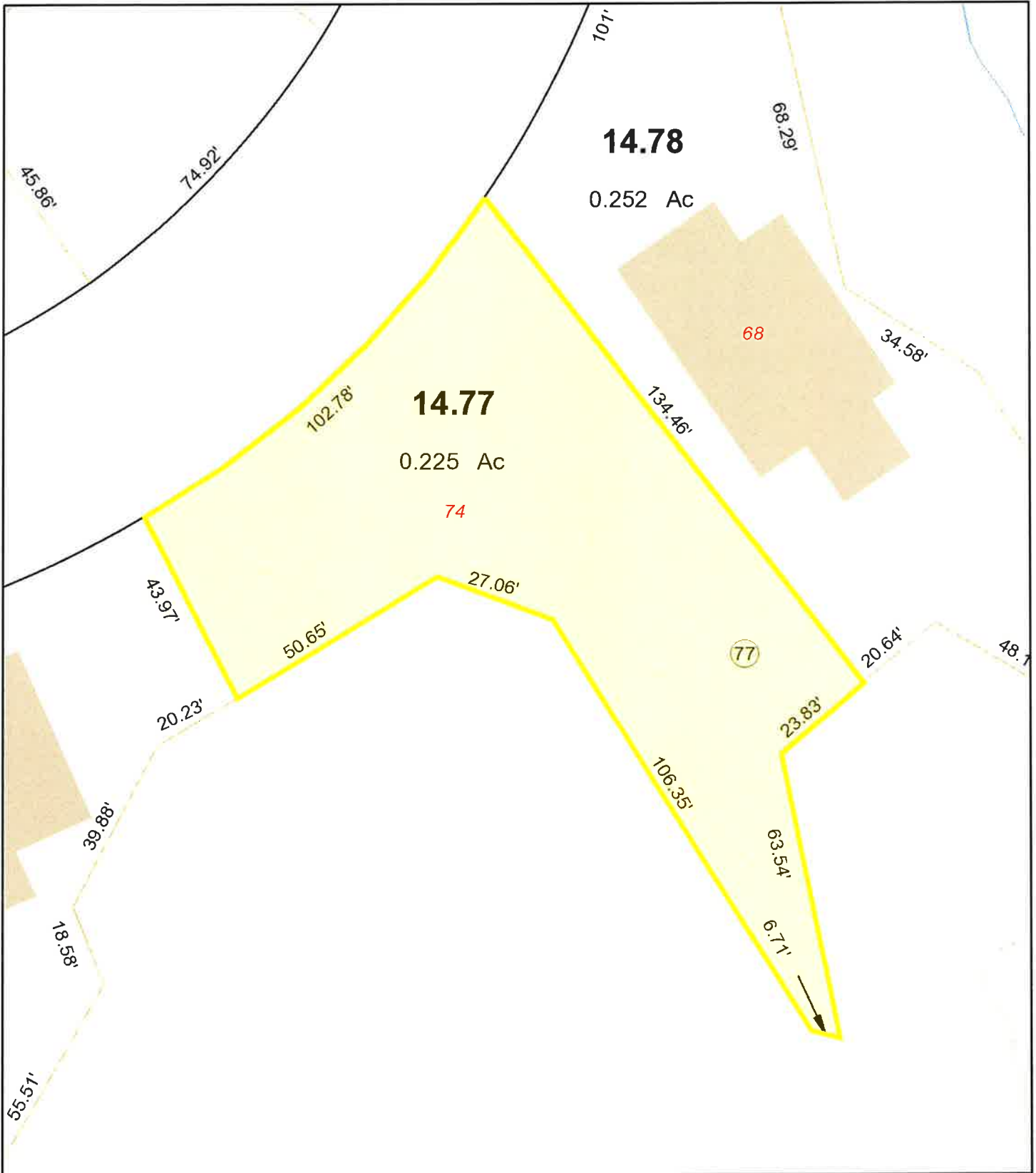
Laconia, NH

1 inch = 30 Feet



August 30, 2021

www.cai-tech.com



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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 an Equitable Waiver of Dimensional Requirements. 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): Campbell Rogiers Rev. Trust
Wayne Rogiers & Laura Campbell Trustees

MSL: 170-497-14.077

Applicant: Fred Deveau

Zone: RS

Zoning Article Cited: VII Section 235-40B(6)(h)[1]

Location: 74 Sterling Drive

Proposal: Application ZO2021-0046VAR. Applicant is requesting an equitable waive of dimensional requirements from Article VII Section 235-40B(6)(h)[1] Cluster Development Setback requirements to permit the construction of a single family house; the corner of the house encroaches into the 10' setback from the wetland buffer.

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

Day/Date: Monday, September 20, 2021

Time: **6:30 PM**

The agenda, along with the application, plans, and details are posted online at 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.