

LINCOLN ZONING BOARD OF ADJUSTMENT (ZBA)
NOTICE OF HEARING ON REQUEST FOR VARIANCE
WEDNESDAY February 21, 2024 at 6:00 PM

*Hybrid meeting available both in person & via Zoom Meeting Platform to allow for town wide participation. A quorum of **Zoning Board of Adjustment (ZBA)** members must be physically present at the meeting. Although there is space in the large conference room for 8-12 guests in addition to the Board members, the public is welcome to participate remotely using ZOOM. **ZBA** Meetings can be attended in-person at the Town Hall Building. Recordings of all **ZBA** meetings can be found at www.youtube.com (**Lincoln NH Planning Board Meeting 01-31-2024**). Zoom access is for your convenience; use at your own risk. If any technical difficulties or if ZOOM should go down, the meeting will NOT be rescheduled.

Join Zoom Meeting

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2NlZk9xSzI1bVFPRWVzbyt4UT09>

Meeting ID: 817 0076 6161

Passcode: 179696

Find your local number: <https://us02web.zoom.us/j/81700766161?pwd=WUFKR2NlZk9xSzI1bVFPRWVzbyt4UT09>

Or dial by your location 1-929-205-6099 US (New York)

(See also town website www.lincolnnh.org for same link, meeting ID and passcode.)

Notice is hereby given a ZBA hearing will be held in Conference Room of Town Hall, 148 Main Street, Lincoln, NH, & via ZOOM concerning a request by Appellant George Sourgiadakis d/b/a Ice Cream Delights, 73 Main Street, PO Box 701, Lincoln, NH 03251, for an Equitable Waiver of Dimensional requirements and a **Variance** for his property at 73 Main Street (Map 112, Lot 072) concerning Article VI (District and District Regulations), Section B (District Regulations), Paragraph 2 (Land Use Schedule), Paragraph 4 (Dimensional Chart) of the Land Use Plan Ordinance (LUPO).

Appellant & Property Owner: George Sourgiadakis d/b/a Ice Cream Delights, 73 Main Street, PO Box 701, Lincoln, NH 03251-0701

Property: Subject lot 73 Main Street (Map 112, Lot 072). Size: 0.13 acres. Village Center (VC) District. Appellant also owns the two closest two abutting lots: (1) 75 Main Street [Map 112, Lot 018] and (2) Franklin Street #LO [Map 113, Lot 017] that would be most impacted by the proposed project.

LUPO: In the Village Center (VC) District the rear setback requirement is fifteen feet (15') from the property boundary line. No "structure" is permitted within the setback areas. The proposed attached shed is a "structure" and would encroach approximately eleven feet (11') into the fifteen foot (15') rear setback area and be approximately four feet (4') from the rear property boundary line.

Requests are for the ZBA to grant:

1. An **Equitable Waiver of Dimensional Requirements** to allow the existing ice cream store structure that was erected in 1960, prior to the adoption of the zoning ordinance in 1986, and that currently encroaches approximately one or two feet into the fifteen foot (15') rear setback areas to remain. There was no violation by previous owners when the building was constructed because there was no zoning in effect. No enforcement action has been taken in 38 years.
2. A **Variance** to allow a proposed (24' 4 ½" X 10') shed with a refrigerator unit in it within the fifteen foot (15') rear setback area.
3. A **Waiver** of any usual requirement to provide a survey to show the exact measurements on the lot and the buildings on the lot.