

LINCOLN ZONING BOARD OF ADJUSTMENT (ZBA)
NOTICE OF HEARING ON REQUEST FOR 2 VARIANCES
Wednesday November 2, 2022 at 6 PM

*Hybrid meeting available both in person with social distancing & masks & via Zoom Meeting Platform to allow for town wide participation. A quorum of the Planning Board member 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 with social distancing, the public is encouraged to participate remotely using ZOOM.

Join Zoom Meeting

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2N1Zk9xSzI1bVFPRWVzbyt4UT09>

Meeting ID: 817 0076 6161

Passcode: 179696

Find your local number: <https://us02web.zoom.us/u/kblNuPaMIG>

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 that the Zoning Board of Adjustment (ZBA) will hold two Public Hearing on Wednesday, November 2, 2022, commencing at 6:00 pm on the following applications:

- A. **Appellant Tamra Ham d/b/a Ham Rentals, LLC**; 98 US Route 3, Lincoln, NH 03251 who owns 13 Pleasant Street (Map 113, Lot 083) [0.15 Acres in the Rural Residential (RR) District] requests **two (2) Variances** from the ZBA as required under Land Use Plan Ordinance (LUPO), both in violation of Article VI (District and District Regulations) Section B. District Regulations, Paragraph 4. LOT AND LOT COVERAGE REQUIREMENTS AND STANDARDS, Dimensional Chart where in the General Residential (GR) District the **Side Setback is ten feet** (10') from the property boundary line, and the **Front and Rear Setback is fifteen feet** (15') from the property boundary line.

1. **Request for a variance to extend a deck onto the back of the house.** Pre-existing house was built in 1930 prior to 1986 adoption of zoning. Pre-existing house is approximately three feet six inches (3'6") versus ten feet (10') from the property boundary line, encroaching six inches (6'6") within the ten foot (10') side setback area. The proposed deck with A/C unit extends off the back of the house along the same line as the pre-existing house. Both existing house and proposed deck/AC Unit are the same distance (3'6") from the northwest property boundary line and seven feet five inches (7'5") from the neighbor's garage. The neighbor's garage is three feet eleven inches (3'11") from their shared property boundary line.
2. **Request for a variance to replace the pre-existing fabric garage with a regular stick-built garage and expand the new garage an additional two feet towards the house and away from the property boundary line.** The pre-existing fabric garage in the ten-foot side setback area

There was a stick-built garage on a slab built in 1940, prior to the adoption of zoning in 1986. The 1940s garage was still standing as of 1992, and 1993. On the assessment cards for 2006 & 2012 the structure was referred to as a "Utility Shed" and "shed1". A note on the 2012 assessment card says "GARAGE NOT TO BE BUILT PER OWNER" and "sheds remvd" which suggests the garage or "shed" was removed by a prior owner. There is no mention on the assessment cards about when

the fabric garage was located on the slab for the garage. The fabric shed was present when Appellant purchased the property in 2019.

The 1940 slab, the 1940 former garage and the existing fabric garage are located five feet (5') from the property boundary line (versus the required ten feet (10') from the property boundary line. A new garage in the same spot would not increase the existing encroachment into the southeast side setback area.

ACTIONS: Upon a finding by the ZBA that the application meets the submission requirements the ZBA may vote to accept the application for a Special Exceptions and Variances as administratively complete. The ZBA may conduct a public hearing, or schedule a public hearing at some future date established during this meeting. The ZBA will hold a public hearing on the merits. The Zoning Board will vote to approve, approve with conditions or disapprove the application.