



TOWN OF DURHAM
ZONING BOARD OF ADJUSTMENT
8 NEWMARKET RD
DURHAM, NH 03824
PHONE: 603/868-8064
www.ci.durham.nh.us

VARIANCE

Prior to seeking a variance, the property owner must have been denied a building permit by the Building Inspector or denied an approval by the Planning Board.

Name of Applicant Chris Sterndale

Address: 60 Mill Rd

Phone # 603.502.7980 Email: csterndale@gmail.com

Owner of Property Concerned Same
(If same as above, write "Same")

Address: Same
(If same as above, write "Same")

Location of Property: 60 Mill Rd
(Street & Number)

Tax Map & Lot number 006-003-004

A Variance is requested from Article(s) 175-109 Section(s) B (7) of the Zoning Ordinance to permit:

Placement of an accessory shed within the 10' side and rear setbacks.

All applications must include a statement explaining how the applicant meets each of the five (5) statutory requirements for granting a variance, (A) through (E), which are found on page 2. (See page 3 for guidance.) The Zoning Board of Adjustment may consider the variance application incomplete if these five statements have not been addressed. In addition all applications must be accompanied by adequate plans and exhibits.

Variance Request
Sterndale – 60 Mill Rd.
175-109 B 7, placement of accessory shed

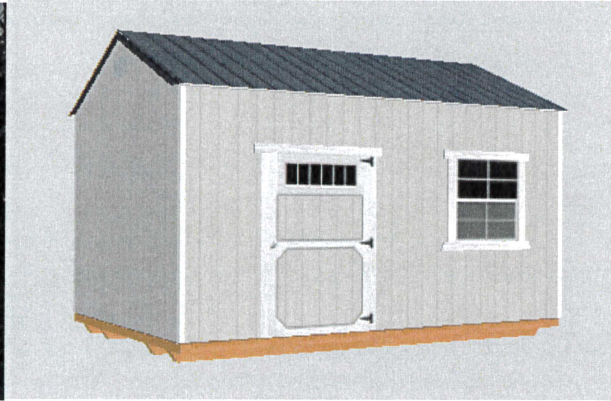
Background:

We are requesting a variance to allow placement of a storage shed closer than 10' to the property line at our home at 60 Mill Rd. We have purchased a 16'x12' shed and would like to site it within one foot of the Northern and Eastern boundaries as shown on the attached plan.

Our home is among the smallest in a neighborhood of small homes, at 1,400 sq. ft. A storage shed for tools and bicycles is obviously common and reasonable.

The half-acre lot is less than 200' deep, between Mill Rd. and UNH's "E Lot" undergrad resident parking. The parking lot is about 12' in elevation higher than Mill Rd., and that drop creates the general slope of our property. One level, 30'x30' portion of the lot is suitable for an accessory shed.





Another relevant feature of the property is the exposed ledge and boulders. One seam bisects the back yard, and a large portion of the basement area is crawl space over granite. Given some of the deed history, it appears the planned location of the home may have been changed once the extent of ledge became known.

Variance criteria:

1&2 – Public interest and the spirit of the ordinance

The public interest protected by ordinance 175-109 B. (7) is two-fold. First, it protects abutters from intrusive or imposing structures looming over their property, blocking light or views. Second, it

ensures a rational placement of buildings and prevents them from being packed together along property lines.

Two abutters could be effected by our proposed shed placement.

To the rear, UNH has had a parking lot in this location since at least the 1970s. UNH will be oblivious to the placement of our shed along the line of scrub brush, power lines, and plowed snow mountains that separate us. To the East, a single-family residence (DeGross, 58 Mill Rd.) will be able to see the roof of our shed. Between our properties are a row of small evergreens, and on the neighbor's property a 6' fence. That fence is installed at an odd angle to avoid a large boulder on the property line:



This unusual fence configuration moves the effective, visual boundary between our properties and creates nearly 10' of buffer in the rear corner. The fence and tree line will obscure any view of the proposed shed, except the top 1-2' of its roof. The 'encroachment' requested with this variance will be almost unnoticeable to residents at #58, and may actually block some parking lot light from reaching their windows.

To the general public, the proposed placement will appear logical and consistent with the neighborhood, appearing to be in the back corner of the lot, rather than in the middle. By partially obscuring the parking lot and scrub brush, it will likely improve the view from the street.

3 – Substantial justice

There is no harm to the public by allowing us to move the shed 9' closer to neighboring properties, and no public benefit to forcing us to place it 10' from legal boundaries. The buffer is unnecessary in this location and would cause us to lose about 350 sq ft of prime backyard space.

4 – Surrounding property values

As explained in #1-2 above, there is little noticeable difference to abutters where this shed is placed. By marginally improving the value and street view of our home, surrounding values will only benefit.

5- Unnecessary hardship

By ordinance, accessory sheds must be placed behind the front façade of the house, and 10' from boundaries. Most homeowners place sheds proximate to their driveway, for bicycles, snowblowers, trash, etc.

Due to the placement of our home close to the eastern boundary of the property, the sloping terrain, and prevalence of ledge, there is a relatively small area to place a shed that is both legal and practical. This is the only flat yard space on the property, roughly 900 sq. ft. in the NE corner.

Complying with the ordinance on our property would require one of the following:

- Clearing forested area on the West side of the house, and placing the shed nearly 100' from the driveway, effectively eliminating its use in the winter; or
- Placing it in the middle of the only flat area, effectively eliminating its use as a yard or play space. This placement would also be aesthetically absurd, from the street and the house.

As explained in #1-2 above, the purpose of the ordinance can be met with a less stringent setback requirement.

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ABUTTER LIST

Map – Lot	Owner	Address
006-003-003	UNH	OFFICE OF THE PRESIDENT THOMPSON HALL DURHAM, NH 03824
013-007-003		
006-003-005	DEGROSS, LINDA	P.O. BOX 212 DURHAM, NH 03824
006-004-032	BOBICK 9/92 REV TRUST, MELVIN T	63 MILL RD. DURHAM, NH 03824
006-004-031	COLE FAMILY REV TRUST	6 WRYAN ROAD DERRY, NH 03038



- Ledge
- Treeline

UNH

DeGross
6-3-3

UNH
6-3-5



Mill Rd.

EXISTING CONDITIONS

10'



Available space
with 10' setback

10'



Allowed location



Proposed Location

