

From: [Audrey Cline](#)
To: [Tracey Cutler](#)
Subject: FW: VARIANCE MEETING
Date: Tuesday, July 9, 2024 4:34:45 PM

Please forward to the board, and he is bringing a copy of the site plan with the location of the proposed shed. I will need to make hardcopies for the board as he has only one 11x17

From: MICHAEL HOOKAILO <mjh1956@comcast.net>
Sent: Tuesday, July 9, 2024 4:33 PM
To: Audrey Cline <acline@ci.durham.nh.us>
Subject: Fwd: VARIANCE MEETING

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----- Original Message -----

From: MICHAEL HOOKAILO <mjh1956@comcast.net>
To: MICHAEL HOOKAILO <mjh1956@comcast.net>, meredithwilson19 <meredithwilson19@comcast.net>
Date: 07/09/2024 10:48 AM EDT
Subject: VARIANCE MEETING

GOOD EVENING

THIS IS AN ENVIRONMENT I AM NOT FAMILIAR WITH, BUT I WILL DO MY BEST TO PRESENT MY CASE AND ANSWER YOUR QUESTIONS. I AM HOPING YOU WILL SEE MY POINT OF VIEW AND THAT WE WILL HAVE A POSITIVE RESULT.

I HAVE RECIEVED ASSISTANCE & GUIDANCE FROM MY NEIGHBOR CHERYLE ST ONGE, WHOSE PROPERTY DIRECTLY ABUTS THE AREA WHERE WE ARE LOOKING TO PUT UP OUR NEW SHED. TRACEY IN THE BUILDING INSPECTOR'S OFFICE HAS ALSO BEEN HELPFUL IN PREPARING ME FOR THIS EVENING.

I WAS TOLD I SHOULD REFER TO FIVE SPECIFIC POINTS IN APPLYING FOR A VARIANCE, SO THAT IS WHAT I WILL DO.

#1) THAT THE VARIANCE WILL NOT BE CONTRARY TO THE PUBLIC INTEREST - WHEN WE PURCHASED OUR HOME IN 2008, THERE WERE TWO SHEDS ON THE PROPERTY, BOTH OF WHICH WERE

SHOWING THEIR AGE. THE TIME HAS COME TO REPLACE THEM. OUR PLAN IS TO REPLACE TWO UNSIGHTLY SHEDS WITH ONE NEW ONE THAT IS SIGNIFICANTLY MORE PLEASING IN APPEARANCE. THE SHED THAT WAS LOCATED AT THE LOCATION OF THE NEW SHED WAS 8X10, OR 80 SQUARE FEET. THE SHED TO THE REAR OF THE PROPERTY IS 10X 12 FEET, OR 120 SQUARE FEET. THEY TOTALLED 200 SQUARE FEET. THE NEW SHED IS TO BE 14X18, OR 252 SQUARE FEET. THE NEW SHED, WHICH WILL BE VISIBLE FROM THE ROAD, WILL BE A VAST IMPROVEMENT ASTHETICALLY FROM THE PREVIOUS STRUCTURES. THE LONE ABUTTER TO THE LOCATION OF THE NEW SHED HAS WRITTEN A LETTER IN SUPPORT OF THIS IMPROVEMENT TO OUR PROPERTY & OUR NEIGHBORHOOD. I BELIEVE THIS DEMONSTRATES THAT THERE WILL BE NO ADVERSE EFFECT ON THE PUBLIC INTEREST

#2) THAT THE SPIRIT OF THE ORDINANCE BE OBSERVED - I UNDERSTAND THE PURPOSE OF SETBACKS, SO THAT ONE NEIGHBOR IS NOT ENCROACHING UPON ANOTHER. THE LOCATION OF OUR PROPOSED BUILDING IS A COUPLE OF HUNDRED FEET FROM THE HOME OF OUR ABUTTING NEIGHBORS, CHERYLE & VINCE, WHO HAVE WRITTEN IN SUPPORT OF OUR PROPOSAL. ONE SMALL CORNER OF THEIR PROPERTY WILL BE NEARBY TO THE LOCATION OF THE SHED, FAR FROM THEIR HOME. MY UNDERSTANDING IS THAT PECULIARTIES IN A PARTICULAR PARCEL OF LAND ARE OFTEN TAKEN INTO CONSIDERATION WHEN GRANTING A VARIANCE. ANOTHER CRITERIA IN GRANTING A VARIANCE IS TO ASCERTAIN WHETHER GRANTING THAT VARIANCE WOULD VIOLATE BASIC ZONING OBJECTIVES AND TO EXAMINE WHETHER IT WOULD ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY. I BELIEVE OUR PROPOSAL WOULD PROVIDE A SIGNIFICANT IMPROVEMENT TO THE AREA. AND OBVIOUSLY, THERE WOULD BE NO THREAT TO THE PUBLIC HEALTH, SAFETY OR WELFARE.

#3) THAT SUBSTANTIAL JUSTICE IS DONE - I DON'T BELIEVE THERE IS A LOT OF RELIVANCE HERE IN REGARD TO A JUSTICE OR INJUSTICE TO MYSELF OR THE GENERAL PUBLIC. I DO NOT BELIEVE GRANTING A VARIANCE TO ALLOW OUR PROJECT TO PROCEED WOULD HAVE ANY EFFECT ON THE GENERAL PUBLIC

#4) THAT THE VALUES OF THE SURROUNDING PROPERTIES NOT BE DIMINISHED - I BELIEVE THAT REMOVING TWO OLD & UNSIGHTLY STRUCTURES, AND REPLACING THEM WITH ONE NEW ATTRACTIVE BUILDING, WILL ENHANCE THE APPEARANCE OF OUR HOME AND OUR NEIGHBORHOOD.

#5) LITERAL ENFORCEMENT OF THE PROVISIONS OF THE

ORDINANCE WOULD RESULT IN AN UNNECESSARY HARDSHIP - MY UNDERSTANDING IS THAT OUR HOME WAS BUILT AS A SCHOOLHOUSE IN THE 1880'S, AND HAS EVOLVED, AND SERVED MANY PURPOSES OVER THE YEARS. WE HAVE BEEN ITS HAPPY CUSTODIANS FOR THE PAST SIXTEEN YEARS. UNIQUE HOMES OFTEN HAVE UNIQUE CHALLENGES OR LIMITATIONS. WE HAVE A LACK OF STORAGE SPACE. THERE IS NO CELLAR, AND A VERY SMALL ATTIC SPACE. HAVING A NEW, SPACIOUS SHED IN OUR YARD WOULD SIGNIFICANTLY IMPROVE THAT SITUATION FOR OUR FAMILY.

THANK YOU