

TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

GENERAL APPLICATION FORM

Revised June 2019

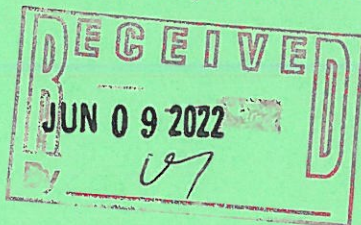
423 Route 45
PO Box 191
Temple, N.H. 03084

INSTRUCTIONS FOR SUBMITTING A COMPLETE APPLICATION

(Please read carefully)

For an application to be scheduled with the Zoning Board of Adjustment (ZBA), you shall submit the following items to the Temple Town Office:

1. Completed and signed ZBA General Application Form. The application will not be placed on the ZBA agenda unless all required signatures are on the application.
2. A specific Application Form for the type of application you are making:
 - a. Special Exception
 - b. Variance
 - c. Appeal of Administrative Decision
 - d. Equitable Waiver of Dimensional Requirements
3. Other information to provide (if applicable):
 - (a) Two (2) copies of a plot plan of the lot as shown on the Town Tax Map which shows the existing and proposed improvements, drawn to scale, along with existing and proposed setback distances.
 - (b) Pictures or construction plans showing all sides of the structure to which any improvements are proposed to be made.
 - (c) Any wetlands or aquifers shall be identified by a wetlands scientist for reference by the Conservation Commission. You shall meet with the Conservation Commission to discuss the proposal and receive a written report that will be forwarded to the ZBA prior to the FINAL public hearing.
4. Mailing Labels. Prepare mailing labels for all abutting property owners (as defined by RSA 672:3), licensed professionals on plan, owners, and applicants. See Attachment 1 for detailed requirements.
5. The required fees. See fee schedule in Attachment 2.
6. The completed Authorization to enter your property form included in Attachment 3.



TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

GENERAL APPLICATION FORM

Revised June 2019

An application may be delivered to the Town offices by hand (see Town website for office hours) or by US mail. An application will be considered received when stamped below.

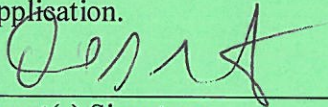
Note: As an applicant, you must be familiar with each of the following:

- a. Temple Zoning Ordinance
- b. Temple ZBA Rules of Procedure
- c. New Hampshire statutes on zoning (RSA's)

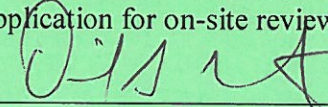
Documents a and b are available on the Town's web site or Town office. Document c is available on the State's website.

AUTHORIZED SIGNATURES

I/We certify that we have read the above Application Instructions and that this application is correctly and accurately completed in accordance with the Town of Temple's Zoning Ordinance and the requirements of this application. I/we agree to pay the fees outlined in the attachment to this application.

 6/8/22
Applicant(s) Signature Date
Colleen Dowd 6/8/22

As property owners, I/We give the applicant and/or agent, as stated hereon, our authorization to submit this application and represent us on matters relative to the Town's ZBA process. I/We also authorize members of the Temple ZBA and its agents access to the property described on this application for on-site review of the proposed application if necessary:

 6/8/22
Property Owners(s) Signature Date

Colleen Dowd 6/8/22

Office Use Only
Date Received: _____
Fees Paid: _____
Initialed: _____
Case #: _____

TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

GENERAL APPLICATION FORM

Revised June 2019

Type of Application:

(check all that apply)

- Special Exception
 Variance
 Appeal of Administrative Decision
 Equitable Waiver of Dimensional Requirement

2. Applicant:

Name(s): David S. and Colleen A. Forrest
Address: 15 Hadley Hwy. #21
City: Temple State: NH Zip: 03084 Phone: 603-878-0753
Email: dforrest89@yahoo.com

3. Property Owner(s):

Name(s): Same as above
Address: _____
City: _____ State: _____ Zip: _____ Phone: _____
Email: _____

4. Primary Contact:

Name(s) David S. Forrest
Phone: 603-533-1059
Email: dforrest89@yahoo.com
 Applicant Owner Attorney Surveyor/Engineer

5. Project Name: Garden Shed

Street Address: 15 Hadley Hwy. Temple, NH 03084
Tax Map: 7A Lot: 7-16
Acreage: .88

6. Zoning District(s)

(check all that apply):

- Village and Historic Preservation
 Rural Residential and Agricultural
 Mountain

7. Request

Please explain what you are seeking from the ZBA.

We are seeking a variance of the 35 foot setback requirement for constructing an 8 X 10 garden shed on the north side of our property.

TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

GENERAL APPLICATION FORM

Revised June 2019

PLEASE FILL OUT THE APPLICABLE APPLICATION FOR THE TYPE OF REQUEST YOU ARE MAKING

i.e. Special Exception, Variance, Appeal from an Administrative Decision or Equitable Waiver of Dimensional Requirements.

Notes:

- (1) In addition to the information requested in this application, the Temple ZBA may request any additional information it deems necessary to make a decision regarding your application.
- (2) Please feel free to attach any additional information to this application that you feel would be helpful to the ZBA.
- (3) As the applicant, it is your responsibility to provide evidence that you meet each of the requirements for the type of decision you are requesting. You may want to consult an attorney or other professionals as you prepare your application.

TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

GENERAL APPLICATION FORM

Revised June 2019

Attachment 1

Mailing Label Requirements

You must submit 2 sets of mailing labels with the current mailing addresses of:

- a. The applicant,
- b. The property owner or owners, if different from the applicant,
- c. Every person who owns property which touches any lot involved in the application (even at a corner) or is directly or diagonally across a road or stream, and
- d. The holders of any conservation, preservation, or agricultural preservation restrictions on any of the lots involved in the application.

Those persons in category (c) are known as “abutters.” It is your responsibility to provide accurate mailing labels including all abutters. Any ZBA decision made without notice to all of the abutters may be invalid. Any abutter without proper notice may be able to have the decision overturned.

Preparing a list of Abutters for the labels

- a. Find the lots you are interested in and the abutting lots from the tax maps at the Town Office or on the Town website.
- b. Get the current mailing address for the owners of each abutting lot maps at the Town Office or on the Town website.
- c. Check whether there are any conservation, preservation, or agricultural preservation restrictions on any of the lots involved in the application. Make sure that you get the correct mailing address for the entity that holds such restriction. It may be a conservation group, a homeowners’ association, or the Town of Temple.
- d. If a lot is held under collective ownership by an association, “abutter” means the officers of the association.
- e. Note: The Town of Temple only has information on properties within Temple. If the lot under consideration abuts an adjoining town, you will need to go to that town for abutter information.

TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

GENERAL APPLICATION FORM

Revised June 2019

Attachment 2

Zoning Board of Adjustment Application Fee

A fee will be charged sufficient to cover the ZBA's administrative fee, the mailing of legally-required notices and placing a notice in the local paper. The ZBA is authorized to select and retain outside technical, investigative, or legal assistance when the ZBA deems such assistance to be necessary to properly evaluate any application and the ZBA may charge those expenses to the applicant.

1. Application fee:		\$ 150.00
2. Required notices: \$ _____ x _____ *		\$ _____
3. Newspaper notice: **		\$ _____
4. Professionals retained by the ZBA: ***		\$ _____
5. Total Application Fee		\$ _____

Notes to above:

* Actual cost times number of notices

** Actual cost

*** To be assessed by ZBA

To find out about specific fees, or to get answers to questions, contact the Town Office at 878-2536.

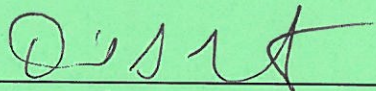
Attachment #3
Authorization to enter property

TOWN OF TEMPLE
ZONING BOARD OF ADJUSTMENT

AUTHORIZATION TO ENTER ONTO PROPERTY

I, (print name) David & Colleen Forrest do hereby authorize members of the Temple Zoning Board of Adjustment and the general public entry onto my property (identified as Map 7A Lot 7-16) for purposes of a site visit to assist with the application process for variance. Such site visit shall take place on (Date) _____ at (Time) _____ unless rescheduled.

This access authorization is limited to the times of the formal site visits as noticed by the Board.

Signature  Date 6/8/22
Colleen Forrest 6/8/22

TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

APPLICATION FOR A VARIANCE

Revised June 2019

Applicant Name: David S. and Colleen A. Forrest

When filing for a Variance, the applicant must complete the ZBA's General Application Form as well as this specific application.

As the applicant, it is your responsibility to provide evidence that you meet each of the requirements for the type of decision you are requesting, simply stating that the standard is met is not sufficient.

You may want to consult with an attorney or other professional as you prepare your application.

In order for the ZBA to grant a Variance, it must determine that each of the following conditions are met. At the time of application for a Variance, you must submit documentation regarding the following conditions which, in your judgment, are relevant including discussions with and responses from neighbors.

You must provide answers to the following five questions:

1. Granting the variance would not be contrary to the public interest because:

An attractive and well constructed garden shed is consistent with the rural character of the Town of Temple, enhances the value of the property, and by extension the value of surrounding properties. There would be no diminution in the value of surrounding properties. The neighboring property of the north side, Walter and Lori Sherburne have expressed no objection.

2. The spirit of the ordinance is observed because:

The size of the shed at 8 feet by 10 feet and its location within the 35 foot setback does not violate basic zoning objectives in that it does not alter the essential character of the locality and the surrounding properties.

3. Substantial justice is done because:

The setback requirement, as applied to our property interferes with our reasonable use of the property, considering the unique setting of this antique property on a small (less than 1 acre) lot. The front of the property is very close to the road--less than 35 feet. The rear is significantly sloped and not suitable for a shed. The only flat area is the curtilage in the rear of the property on the north side where an inground swimming pool was located when we purchased the property in 1989. We are creating gardens in this area, and thus the need for a garden shed. Literal enforcement of the ordinance would result in unnecessary hardship.

4. The values of surrounding properties are not diminished because:

The placement of a garden shed close to the north side property line is consistent with the rural character of the town and does not alter the essential character of Temple.

TOWN OF TEMPLE ZONING BOARD OF ADJUSTMENT

APPLICATION FOR A VARIANCE

Revised June 2019

5. Literal enforcement of the provisions of the ordinance would result in an “unnecessary hardship” because:

See above.

- a. For purposes of this paragraph, “unnecessary hardship” means that special conditions of the property distinguish it from other properties in the area.

(i) Owing to these special conditions, no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

The small size of our lot, with limited level ground, renders our property unique in its environment. This results in the zoning restriction burdening our property in a manner that is distinct from other similarly situated properties.

(ii) The proposed use is reasonable since:

We are not seeking a use variance as having a shed within the 35 foot setback does not alter the use of the property as a single family residence, and nor does it alter the essential character of the property or any surrounding properties.

- b. If the criteria in subparagraph (a) are not established, an “unnecessary hardship” will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

The following special conditions of the property make the variance necessary in order to enable a reasonable use of it:

The small size of the lot; the significant amount of the property which is sloped; the existence of wetlands running through the rear of the property; the location of the house so close to the road.

Murray + Denise Colette,
Trustees
18 West Rd.
Temple, NH 03084

Murray + Denise Colette,
Trustees
18 West Rd.
Temple, NH 03084

Jori + Walter Sherburne
5 Hadley Hwy
Temple, NH 03084

Jori + Walter Sherburne
5 Hadley Hwy
Temple, NH 03084

Howard Shafman
Randy Santos
Shatos Realty Trust
75 Hitching Post Lane
Bedford, NH 03110

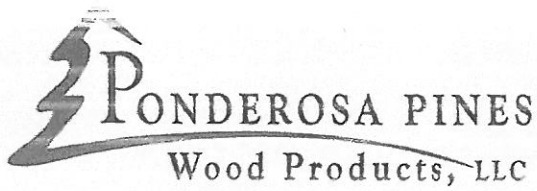
Howard Shafman
Randy Santos
Shatos Realty Trust
75 Hitching Post Lane
Bedford, NH 03110

Town of Temple
PO Box 191
Temple, NH 03084

Town of Temple
PO Box 191
Temple, NH 03084

Collect David Forest
PO Box 21
Temple NH 03084

Collect David Forest
PO Box 21
Temple NH 03084



8 Sears Drive, Rindge, NH 03461
 Office: 781-585-4472
 Cell: 339-933-3127



Milford, NH Keane, NH
 Walpole, NH Hillsboro, NH
 Petersborough, NH Brattleboro, VT

SALES CONTRACT

DATE 5/14/22

ESTIMATED INSTALLATION DATE 3-12 weeks
Approx

CUSTOMER NAME David Folger
 ADDRESS 15 Hanley Ave
 CITY Temple, NH STATE _____ ZIP 03284
 HOME PHONE (603) 278-0753 WORK PHONE _____

Product Size 8' X 10' Product Style Ponderosa Price \$ 5340.00

OPTIONS		Price
Double Doors	<input type="checkbox"/> \$ 300.00 Incl. Ramp	\$ _____
Single Door	<input type="checkbox"/> \$ 210.00 Incl. Ramp	\$ _____
Double Hung Window	<input type="checkbox"/> \$ 95.00	\$ _____
Extra Standard Window	<input type="checkbox"/> \$ 75.00 Incl. Flower Box & Shutters	\$ _____
Storage Shelf	<input type="checkbox"/> \$ 45.00	\$ _____
Work Bench (3x6)	<input type="checkbox"/> \$ 150.00	\$ _____
Work Bench (4x8)	<input type="checkbox"/> \$ 225.00	\$ _____
Custom Work Bench (priced per size)	<input type="checkbox"/> \$	\$ _____
7 Ft Walls	<input type="checkbox"/> \$ 10% base price	\$ _____
8 Ft Walls	<input type="checkbox"/> \$ 20% base price	\$ _____
Sona Tubes	<input type="checkbox"/> \$225.00 Each Tube	\$ _____
Transom Window- 6ft.	<input type="checkbox"/> \$275.00 Each	\$ _____
Transom Window- 8ft.	<input type="checkbox"/> \$375.00 Each	\$ _____

Shingle Color: Birchwood / Moire Black / Resawn Shake / Weatherwood

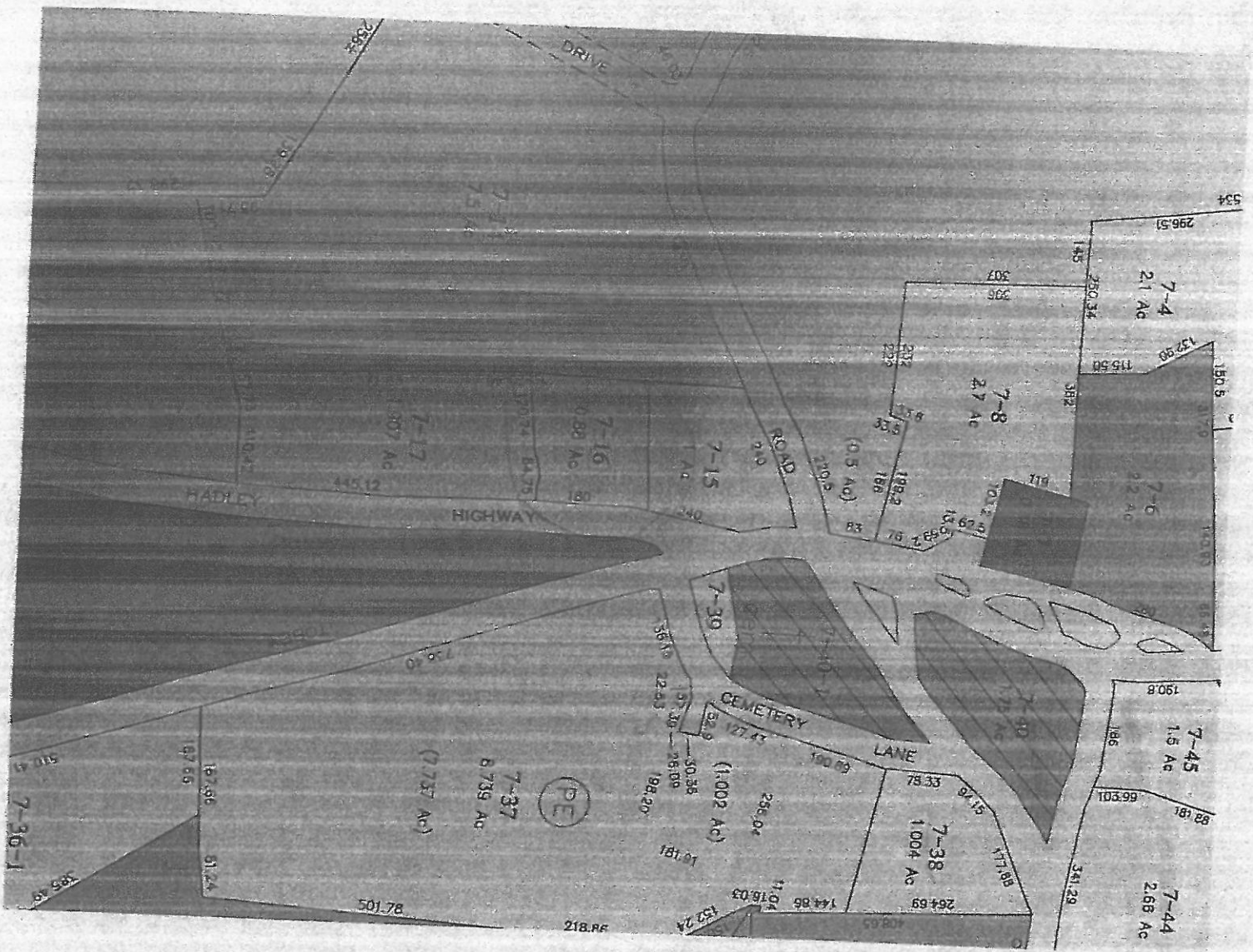
Special Instructions:

SUB TOTAL	
DELIVERY CHARGE	
WALK CHARGE	
ADD-ONS	
TOTAL	
10% DEP.	<u>534.00</u>
BALANCE DUE AT DELIVERY	

Salespersons Signature _____

Customers Signature _____

Balance Due Prior To Start Of Construction. See reverse side for requirements and disclaimers.
 Consumers are not liable for any injuries on the job.

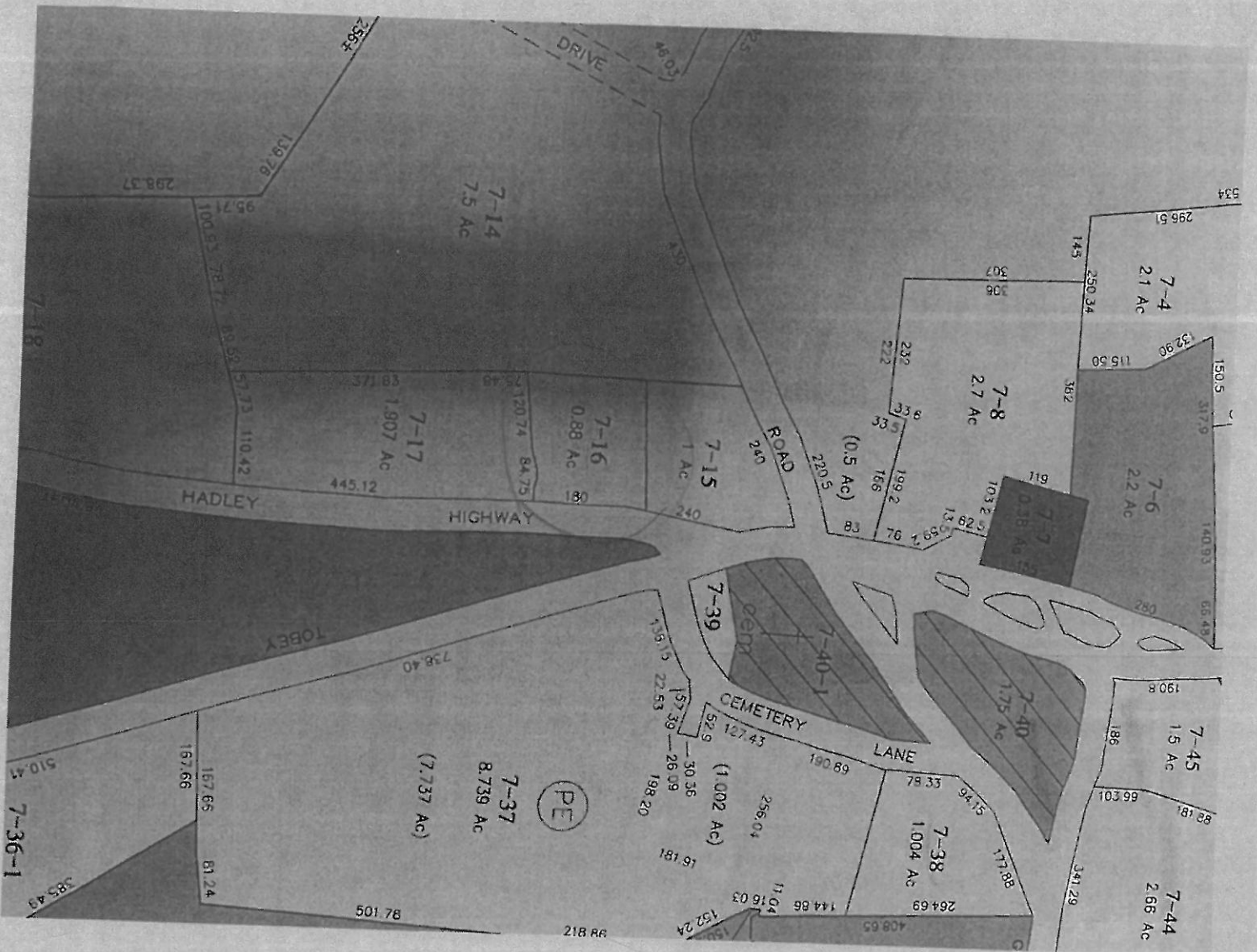


7-15
Sherburne

Shower wall
 44 ft. from
 stone wall



Front of house

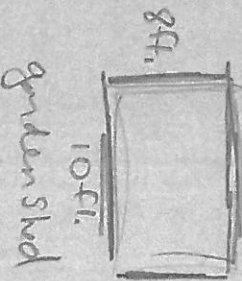


7-15
Sherburn

Stonewall landing

7-16
Fences!

4 ft. from
stone wall



front of house