

**NOTICE OF HEARING ON APPLICATION
FOR A VARIANCE BEFORE THE
WATERVILLE VALLEY
ZONING BOARD OF ADJUSTMENT**

The Waterville Valley Zoning Board of Adjustment will meet on November 30, 2022, at 3:00 p.m. to hear the application for a variance pending before the Board which was submitted by property owner Pat Gaudette on October 21, 2022. The hearing will be held in the Meeting Room (lower level) in the Waterville Valley Town Hall, 14 Tac Lane.

The variance application applies to property located at 101 West Branch Road, Waterville Valley, NH, Tax Map 102, Lot 002.

The application requests a variance from the Zoning Ordinance that requires a setback of 20' between a structure and any side or rear lot line. (Zoning Ordinance, Art. IV, A(1)(e)(ii)). The variance is requested to allow the applicant to "renovate and utilize an existing accessory structure" as a "home office/guest house." The existing building is nonconforming because it extends 5 feet into the 20-foot setback at the south side of the lot (7 feet with the roof line). The structure was previously used as a woodworking studio, without sewer or water, by the prior owners of the property and at the time it was constructed, it conformed to the existing setback requirements for an accessory building (then 10'). As such, though no longer in compliance with the 20-foot setback requirement later enacted, the structure is considered to be "grandfathered" (or permitted) for its current location and use as a woodworking shop.

The application does not address two other issues that must be resolved by the ZBA before any variance can be issued.

1. Does the requested use of the structure meet the criteria for a variance to develop a detached accessory dwelling unit (ADU). The Zoning Ordinance permits only "a single family dwelling and [an attached] Two-family residential unit (ADU)" in LDR. Art. IV.J.1(a) (defining permitted uses in LDR); III.C.100 (definition of "two family residential unit", requiring an interior door between the units).

2. Does the requested use of the structure meet the criteria for a variance from the prohibition against altering a non-conforming structure "for use for a purpose or in a manner substantially different from the use to which it was put before alteration." Art. VI.A.1-3.

All interested persons may appear and provide testimony as relevant to the facts in the application, a copy of which may be reviewed at the Waterville Valley Town Hall.

November 11, 2022
Zoning Board of Adjustment