

APPLICATION FOR APPEAL

To:
Zoning Board of Adjustment
Town of Greenville
Greenville, NH 03048

Do not write in this space.
Case No
Date filed
(signed - ZBA)

Name of applicant SIGNART, INC 781-322-3785
Address 60 SHARON ST, MALDEN, MA 02148
Owner DANA RYLL
(if same as applicant, write "same")

Location of property 781 FITCHBURG RD AT SOPHIA'S WAY
TAX MAP 1 LOT 44-1 COMMERCIAL/INDUSTRIAL
(number, street)
(map number & lot number, zoning district)

NOTE: Fill in Section 1, 2, 3 or 4 as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate. Sign application at end.

Section 1. APPEAL FROM AN ADMINISTRATIVE DECISION

Relating to the interpretation and enforcement of the provisions of zoning ordinance.
Decision of the enforcement officer to be reviewed

Number Date
article section of the zoning ordinance in question:

Section 2. APPLICATION FOR A SPECIAL EXCEPTION

Description of proposed use showing justification for a special exception as specified in the zoning ordinance article section

Section 3. APPLICATION FOR VARIANCE

A variance is requested from article 4.5 section B of the zoning ordinance to permit ONE DOUBLE-SIDED, INTERNALLY-ILLUMINATED FREESTANDING SIGN TO BE POSITIONED SO AS TO PROPERLY IDENTIFY THE BUSINESS ADVERTISED

Facts supporting this request:

1. The proposed use would not diminish surrounding property values because:

THE DESIGN OF THE ROUGH-SAWN WOODEN FRAME AND SUPPORTS MATCHES THE NEW BUILDING CONSTRUCTION WHICH PRESERVES AND ENHANCES THE LOCAL AREA

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

THIS IS A NEW LOCATION FOR A LOCAL AND WELL-ESTABLISHED BUSINESS WHO HAS OPERATED NEARBY FOR MANY YEARS

3. Denial of the variance would result in "unnecessary hardship" to the owner. The applicant must either meet the criteria of I or II below.

I. Unnecessary hardship means owing to the special conditions of the property that distinguish it from other properties in the area:

a. No fair and substantial relationship exists between the general public purposes of the zoning ordinance provision and the specific application of that provision to the property; and

PLEASE SEE BELOW

b. The proposed use is a reasonable one.

II. If the criteria for unnecessary hardship above are not met an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions on the property that distinguish it from other properties in the area, the property cannot be used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

I. Granting the variance would do substantial justice because:

MOTORISTS TRAVELING IN EITHER DIRECTION HAVE AMPLE TIME TO REACT AND ACCESS THE BUSINESS

II. The use is not contrary to the spirit of the ordinance because:

THE SETBACK RESTRICTIONS MAY PREVENT THE SIGN FROM BEING PROPERLY POSITIONED ALONG THE ROADSIDE DUE TO EXISTING TOPOGRAPHICAL CONDITIONS - A GRADE THAT SLOPES AWAY FROM THE ROAD, DOWN INTO A DRAINAGE CULVERT, THEN BACK UP TO A

BOULDER-STACKED RETAINING WALL

BOTH AREAS ARE BELOW THE GRADE OF THE EXISTING BUILDING ELEVATION

Section 4. APPLICATION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

An Equitable Waiver of Dimensional Requirements is requested from article _____
Section _____ of the zoning ordinance to permit _____

1. Does the request involve a dimensional requirement, not a use restriction?
() yes () no
2. Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the town _____

- or -

Explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bonafide purchaser _____

And how the violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake _____

3. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of other property in the area _____
4. Explain how the cost of correction far outweighs any public benefit to be gained _____

SIGNATURE

Applicant Michael Trickett FOR SIGNATURE Date 5/20/2019
(Signature) LNC.

MICHAEL TRICKETT