



APPLICATION FOR VARIANCE
Zoning Board of Adjustment
Town of Fremont
P.O. Box 120
Fremont, New Hampshire 03044

Do not write in this space.

Case # 024-001

Date filed: 3/28/24

Hearing Date: 4/23/24

Total Fees Received: 451.80

Signed: [Signature]

Location of property Map # 06 Lot # 23

Zoning District of Property: RESIDENTIAL

Is the property in the Aquifer Protection District? Yes ☐ No ☒

Is the property in the Flood Zone? Yes ☐ No ☒

Name of applicant: JAMES ROGERS

Address: 59 VETTER DRIVE

Phone: 978-9124847

Other contact information: jimshortcircuit@yahoo.com

Name of owner: SAME AS

(if same as applicant, write "SAME AS")

Address: _____

Phone and Email: _____

Other contact information: _____

NOTE: This application is not acceptable unless all required statements in the appropriate section have been completed. Additional information may be supplied on a separate sheet if the space provided is inadequate.

APPLICATION FOR VARIANCE

A Variance is requested from Article _____ Section _____ of the Zoning Ordinance to permit:

Construction of a permanent 28x30 garage with left
setback from the side property line

Facts supporting this request:

1. The variance will not be contrary to the public interest because;

There is a buffer between this property and the abutting property.
Several trees also separate the abutting property (6-11-1-22).
Abutting property view would be the same, only seeing the garage
vs house and vehicles.

2. The spirit of the ordinance is observed because;

No new driveway would be needed. Structure complies with all
setbacks except the side setback which will be _____ from the
side property line. Septic would still be accessible. Well is
located opposite side of home.

3. Substantial Justice is done because;

Will not create a negative impact. Will increase property
values. Once completed it will look as if it was intended
to be. Kitchen access is on same side

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

Structure will match existing. Most homes in the neighborhood
have a garage, this one currently does not. Will increase value
of surrounding homes.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) 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;

Placement of garage is at existing driveway. Opposite side
would require new driveway and be too close to neighbors
garage. Kitchen is at same side as proposed garage breezeway
AND; added due to existing entrance to home being elevated

(ii) The proposed use is a reasonable one.

Need storage for vehicles, 2-motorcycles, tools →
work area.

OR

(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.

Signed: _____

James P. Rogers
(Actual property owner)

**Town of Fremont
Zoning Board of Adjustment
PO Box 120
Fremont NH 03044-0120**

APPLICATION and PROCEDURE

PROCEDURE – To apply to the Zoning Board of Adjustment for relief, you must follow these steps:

1. Obtain a letter of denial from the Board of Selectmen or Building Inspector.
2. Compile a typed list of the names and addresses of all current abutters. Submit list in excel (if available) and hardcopy. This is to be obtained from the Fremont Selectmen's Office prior to submission of this application. An abutter is anyone whose property physically abuts the subject property or is directly across a street or stream. Include the subject property, applicant, and anyone whose seal or stamp appears on the plan. The accuracy of the abutters list is the sole responsibility of the applicant.
3. All requests for required reports or other correspondence (such as indicated in Article IX Section H) must be sent by the applicant via certified mail with return receipt requested or date stamped by the recipient. This is for proof of date of delivery.
4. Applications can be left at the Town Hall at 295 Main Street in Fremont; or mailed to the Town of Fremont at the above address. The proper check amount for the fees due made payable to the Town of Fremont must be included with your application.

CHECKLIST FOR APPLICATION

This Application Includes:

- _____ cover letter of intent
- _____ Letter of denial
- _____ 8 copies of plan set(s) and full application package
- ✓ _____ current abutters list in excel and hard copy
- ✓ _____ proper check amount
- N/A _____ letter of approval to allow representation

FEE SCHEDULE

Fee Item	Fee	Paid
VARIANCE \$200.00 <i>For the first request</i>	\$200.00	✓
VARIANCE \$50.00 <i>for each additional request if a separate Zoning Article</i>		
ADVERTISING <i>Current rate of expense.</i>	\$150.00 125	✓
ABUTTER NOTIFICATION \$6.00 <i>per abutter plus current applicable postage rate. See "2" above for definitions of an abutter.</i>	\$15.85 # 8	126.80
Total		451.80

p2 ch #142

INSTRUCTIONS TO APPLICANTS APPEALING TO THE ZONING BOARD OF ADJUSTMENT

VARIANCE

The Board strongly recommends that, before making any appeal, you become familiar with the Zoning Ordinance and also with the New Hampshire Statutes TITLE LXIV, RSA Chapters 672-677 covering planning and zoning.

VARIANCE

A Variance is an authorization, which may be granted under special circumstances, to use your property in a way that is not permitted under the strict terms of the zoning ordinance.

If you are applying for a Variance, you must first have some form of determination that what you propose for your property is not permitted without a Variance. Most often this determination is a denial of a building permit and/or a letter of denial from the Selectmen, or their designee.

For a Variance to be legally granted, you must show that your proposed use meets all of the following conditions:

- (1) The variance will not be contrary to the public interest;
- (2) The spirit of the ordinance is observed;
- (3) Substantial justice is done;
- (4) The values of surrounding properties are not diminished; and
- (5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
 - (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
 - (i) 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; and
 - (ii) The proposed use is a reasonable one.
 - (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.

I James P Rogers wish to construct a
28x30 garage with loft, + breezeway.

Attached to my home located at 59 Vetter Drive.

James P Rogers



TOWN OF FREMONT
Building Department
PO Box 120
Fremont NH 03044-0120


Telephone 603 895 3200 x 18
Facsimile 603 895 3149
FremontBl@comcast.net

4-2-24
James Rodgers
59 Vetter
Fremont, NH 03044
6-11-01-23

James:

Your application to build an attached garage to your dwelling must be denied because your location for the garage does not meet the proper setbacks. The setbacks for your property are 30 feet from the front of the building and 20 feet from the rear and sides.

Building Inspector, Code Enforcement



Laurence A. Miner

-11-1-22

108'

110'

112'

114'

307.46'

S 5.89° 01' 20" W

Proposed
28' x 30' Garage w/ Loft
8' x 6.5' Breezeway
10' x 28' Covered Porch

KIT
EXISTING
#3 BEDROOM
HOUSE
(UNDER CONST.)

BULK HEAD

CLAY BARRIER OR 12" ON SLOPES

PROPOSED WELL
30' FROM SEPTIC TANK
(75' MINIMUM)

150.00'

288.77

1. PIN 2
106'

S. 02° 24' 44" E.

LOT NO. 6-11-1-23
AREA = 1.001 ACRES

144.00'

"GREEN"

S. 83° 29' 12" E.

EDGE OF SEASONAL WET AREA

Bird

1. PIN 2

N. 00° 58' 40" W.

106'

PAINTED & BLAZED

LOT N

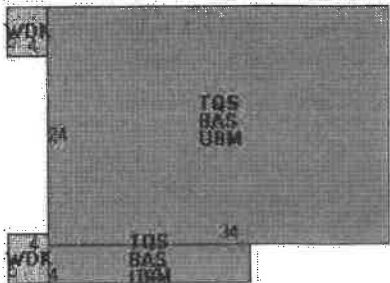
Building Attributes	
Field	Description
Style:	Cape Cod
Model	Residential
Grade:	Average +10
Stories:	1.75
Occupancy	1
Exterior Wall 1	Pre-Fab Wood
Exterior Wall 2	Clapboard
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Inlaid Sht Gds
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	2
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	7
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	
Cndtn	
MHP	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



([https://images.vgsi.com/photos/fremontnhPhotos///0005/IMG_3189\[1\]_56t](https://images.vgsi.com/photos/fremontnhPhotos///0005/IMG_3189[1]_56t))

Building Layout



(https://images.vgsi.com/photos/fremontnhPhotos//Sketches/956_956.jpg)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	896	896
TQS	Three Quarter Story	896	672
UBM	Basement, Unfinished	896	0
WDK	Deck, Wood	52	0
		2,740	1,568

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL3	2 STORY CHIM	1.00 UNITS	\$4,200	1

Land

59 VETTER DRIVE

Location 59 VETTER DRIVE

Mblu 06/ 011/ 001/ 023/

Acct# 001281

Owner ROGERS, JAMES P & JANET M

Assessment \$265,200

Appraisal \$265,200

PID 956

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2024	\$163,300	\$101,900	\$265,200
Assessment			
Valuation Year	Improvements	Land	Total
2024	\$163,300	\$101,900	\$265,200

Owner of Record

Owner ROGERS, JAMES P & JANET M

Sale Price \$0

Co-Owner

Certificate

Address 59 VETTER DRIVE
FREMONT, NH 03044

Book & Page 3069/0486

Sale Date 08/30/1994

Instrument 1N

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
ROGERS, JAMES P & JANET M	\$0		3069/0486	1N	08/30/1994

Building Information

Building 1 : Section 1

Year Built: 1985
Living Area: 1,568
Replacement Cost: \$185,662
Building Percent Good: 84
Replacement Cost
Less Depreciation: \$156,000

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone
Neighborhood 70
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 1
Frontage
Depth
Assessed Value \$101,900
Appraised Value \$101,900

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			96.00 S.F.	\$700	1
WDK	WOOD DECK			64.00 S.F.	\$500	1
SHD3	SHED POOR			96.00 S.F.	\$600	1
PAT1	PATIO-AVG			256.00 S.F.	\$1,300	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$162,300	\$101,900	\$264,200
2022	\$162,300	\$101,900	\$264,200
2021	\$156,500	\$101,900	\$258,400

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$162,300	\$101,900	\$264,200
2022	\$162,300	\$101,900	\$264,200
2021	\$156,500	\$101,900	\$258,400