Walter O. & Connie Ike Phelps

59 Sleeper Circle, Fremont, NH 03044 (Mobile 315 263 7163)

September 26, 2023

Town of Fremont
Zoning Board of Adjustment
P.O. Box 120
Fremont, NH 03044

Subject: Application for Variance-Letter of Request

Per Article 9, Section 901, Walter O. and Connie Ike Phelps, legal owners of the Map 6 Lot 24-13 property, herewith request a variance to allow the construction of a $12' \times 22'$ permanent storage shed with an attached $6' \times 22'$ side shelter at a minimum side lot setback distance of 14'.

This proposed structure will be used as auxiliary inside storage space for an antique ski boat and offseason recreational and lawn equipment and supplies.

Attached Application for Variance includes the following documents:

- Letter of Denial-Fremont Building Inspector dated. 09-27-2023
- (8) Copies of Application Package dated 09-26-2023 consisting of:
 - DWG C2 Shed Addition Site Plan-59 Sleeper Circle, Fremont NH-Jones & Beach Engineers, Inc. (dated 09-18-2023)
 - o Plan # 1348, Sheet # A1 and A2-59 Sleeper Circle, Fremont NH-New Market Plains, LLC (dated 08-09-2023)
 - o Current Abutters List-59 Sleeper Circle Abutters List (dated 09-24-2023)
 - Check #5906 to Town of Fremont Variance Application Fee = \$461.65
 (dated 09-26-2023) Hand delivered.
 - o Representation Letter dated 09-26-2023 appointing Barry W. Gier, PE, Jones&Beach Engineers Inc. PO Box 219, Stratham, NH.

We understand the Hearing Date for this request will be Tuesday, October 24, 2023. Please contact us if additional information is required.

Walter O. Phelps

Wetter O. Phla



TOWN OF FREMONT

Building Inspector/Code Enforcement PO Box 120 Fremont NH 03044-0120

> Telephone 603 895 3200 x 309 Facsimile 603 895 3149

> > Ps +1

9-27-23 Walter Phelps 59 Sleeper Circle Fremont, NH 03044

Map 6 Lot 24-13

Mr. Phelps:

1 1

Your recent application to construct a shed on your property at 59 Sleeper must be denied. The reason for denial is because you do not meet your side set back to construct this shed. The proper set back for your side dwelling is 30 feet.

Any questions please contact me.

hank you.

Laurence A. Miner

Building Inspector, Code Enforcement



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

Case # ____ Date filed:

Do not write in this space.

Hearing Date: (e/24)
Total Fees Received: 4



Dignett.
M>P6-
Location of property Map # 24 Lot # 13
Zoning District of Property: Residential
Is the property in the Aquifer Protection District? Yes No_X
Is the property in the Flood Zone? Yes No_X
Name of applicant: Walter O. and Connie Ike Phelps
Address: 59 Sleeper Circle, Fremont, NH 03044
Phone: <u>315-263-7163</u>
Other contact information: <u>'sphelps@hcna-llc.com'</u>
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.

ADDUCATION FOR VARIANCE
APPLICATION FOR VARIANCE
A Variance is requested from Article 9 Section 901 of the Zoning Ordinance to permit:
Construction of a permanent 12' x 22' Storage Shed with attached 6' x 22' Side Shelter. Minimum 14' setback from the side property lot line.
the side property localitie.
Facts supporting this request:
1. The variance will not be contrary to the public interest because;
There is a significant buffer beween this property and the home on the abutting property. The adjoining (Lot 24-12)
home is located appox 120ft horizontal distance from the proposed structure and this neighbor's view is and will
continue to be unobstructed due to the elevation of the new structure being appox 15ft below line-of-sight from the
adjoining property and the privacy provided by the dense wooded hillside buffer separating the two properties.
2. The spirit of the ordinance is observed because;
The proposed structure complies with all setbacks except the side setback which will be 14' from the side property
line. No new driveway access to public street required.
3. Substantial Justice is done because;
The variance will not negatively impact neighbors' views or propety values.
New construction exterior finishes to match existing home exterior finishes.
4. The values of surrounding properties are not diminished because;
No negative value impact on surrounding properties, structure will be out of line-of-sight and will be used for
storage of antique ski boat, recreational/lawn equipment and tools. No change in residential use is requested and
there will be no increase or change in traffic flow.
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;
Although this is a 3.71 Acre lot, this is the best suited location for the proposed structure as this location
is behind the house and on high level ground. There is no interference with the septic system and out of
street view. The remainder of the lot has various elevation changes and prohibitative building conditions.
AND;
(ii) The proposed use is a reasonable one.
Auxilliary inside storage space for offseason recreational and lawn equipment and supplies is consistent
current residential use provisions.
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: Will fills
(Actual property owner)

Walter O and Connie Ike Phelps 59 Sleeper Circle Abutters List 9/26/2023

Tax Map 6 Lot 24-13 Phelps, Walter O & Connie I 59 Sleeper Circle Fremont, NH 03044 BK 5962 PG 0905

Tax Map 6 Lot 24-17 Duquette, Susan M. 58 Sleeper Circle Fremont, NH 03044 BK 2877 PG 1980

Tax Map 6 Lot 24-12 Dean SR, James E. 65 Sleeper Circle Fremont, NH 03044 BK 5573 PG 2000

Tax Map 6 Lot 30 Peterson, Judith A. Peterson, Jeremy 254 North Road Fremont, NH 03044 BK 5920 PG 1550

Tax Map 6 Lot 28 Whiteside Family Rev Trust 234 North Road Fremont, NH 03044 BK 4396 PG 0655

Tax Map 6 Lot 24-14 Lewis, Eric P. 51 Sleeper Circle Fremont, NH 03044 BK 5385 PG 2683

Jones&Beach Engineers Inc P.O. Box 219 Stratham, NH 03885 Attn: Barry W. Gier, PE

Walter O. & Connie Ike Phelps

59 Sleeper Circle, Fremont, NH 03044 (Mobile 315 263 7163)

September 26, 2023

Town of Fremont
Zoning Board of Adjustment
P.O. Box 120
Fremont, NH 03044

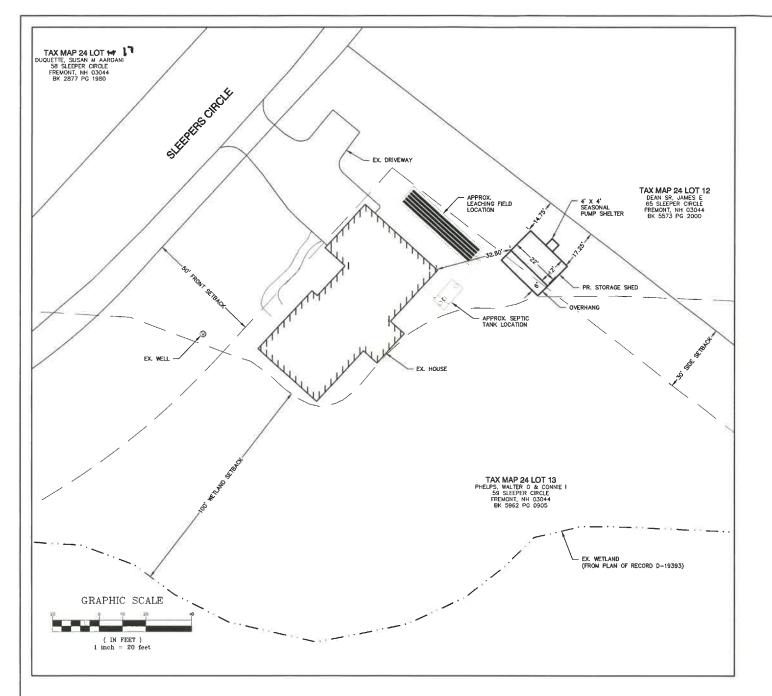
Subject: Phelps-Map 6 Lot 24-13 Application for Variance-Representation Appointment

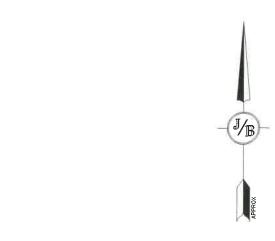
We the undersigned appoint Barry W. Gier, PE, Vice President, Jones&Beach Inc Engineers as our representative for the Zoning Board Adjustment Hearing scheduled for October 24, 2023.

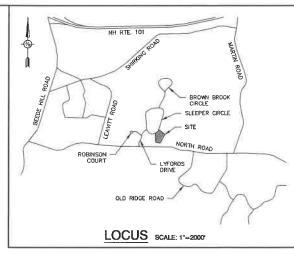
Walter O. Phelps

Connie Ike Phelps

1350







SITE NOTES:

- THE INTENT OF THIS PLAN IS TO SHOW THE PROPOSED STORAGE SHED ADDITION FOR TAX MAP 6, LOT 24-13 SITUATED IN FREMONT, NH.
- 2. CURRENT OWNER OF RECORD: WALTER PHELPS 59 SLEEPER CIRCLE, FREMONT, NH 03044 BK 5962 PG 0905
- 3. ZONING DISTRICT: RESIDENTIAL
 LOT AREA MININUM = 2 ACRES
 LOT FRONTAGE MININUM = 20
 BUILDING SETBACKS (MINIMUM):
 FRONT SETBACK = 50'
 SIDE SETBACK = 30'
 REAR SETBACK = 30
 MAX. IMPERVIOUS COVER = 30%
- MAX. IMPERVIOUS COVER = 30%
 THIS PLAN SET HAS BEEN PREPARED BY JONES & BEACH
 ENGINEERS, INC., FOR MUNICIPAL AND STATE APPROVALS AND
 FOR CONSTRUCTION BASED ON DATA GRIANDE PROOF ON-SITE
 FIELD SURVEY AND EXISTING MUNICIPAL RECORDS.
 THROUGHOUT THE CONSTRUCTION PROCESS, THE CONTRACTOR
 SHALL INFORM THE ENGINEER IMMEDIATELY OF ANY FIELD
 DISCREPANCY FROM DATA AS SHOWN ON THE DESIGN PLANS,
 INCLUDING ANY UNFORESEEN CONDITIONS, SUBSURFACE OR
 OTHERWISE, FOR EVALUATION AND RECOMMEDIATIONS. ANY
 CONTRADICTION BETWEEN ITEMS ON THIS BLONYPLAN SET. OR
 BETWEEN THE STATE OF THE PROOF OF TH
- 5. THE SUBJECT PARCEL IS LOCATED WITHIN AN AREA HAVING A ZONE "X" DESIGNATION BY THE FEDERAL ENERGENCY MANAGEMENT AGENCY (FEMA), ON I-LOOD INSURANCE RATE MAP NO. 33015C021SE, WITH EFFECTIVE DATE OF 5/17/2005, FOR COMMUNITY PAREL NO. 215 OF 6811, IN ROCKINGHAM COUNTY, STATE OF NEW HAMPSHIRE, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
- LANDOWNERS ARE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL WETLAND REGULATIONS, INCLUDING PERMITTING REQUIRED UNDER THESE REGULATIONS.
- 14. ALL CONSTRUCTION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN (S.W.P.P.P.). THIS DOCUMENT IS TO BE KEPT ONSITE AT ALL TIMES AND UPDATED AS REQUIRED.
- 15. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE WITH THE ENGINEER, ARCHITECT AND/OR OWNER, IN ORDER TO OBTAIN AND/OR PAY ALL THE NECESSARY LOCAL PERMITS, FEES AND BONDS.
- ALL CONSTRUCTION WILL CONFORM TO TOWN STANDARDS AND REGULATIONS, AND NHOOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, WHICHEVER IS MORE STRINGENT.
- ALL CONSTRUCTION ACTIVITIES SHALL CONFORM TO LABOR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) RULES AND REGULATIONS.
- LANDOWNERS ARE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL WETLAND REGULATIONS, INCLUDING PERMITTING REQUIRED UNDER THESE REGULATIONS.
- 19. ALL BUILDING DIMENSIONS SHALL BE VERIFIED WITH THE ARCHITECTURAL AND STRUCTURAL PLANS PROVIDED BY THE OWNER. ANY DISCREPANCES SHOULD BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND OWNER PRIOR TO THE START OF CONSTRUCTION. BUILDING DIMENSIONS AND AREAS. TO BE TO OUTSIDE OF MASONRY, UNLESS OTHERWISE NOTED.

TAX MA DUQUETTE. : 58 SLE FREMOR BK 28	P 24 LOT 44 USAN M AAROANI PEPR CIRCLE 1, Nri 03044 77 PG 1980	TAX MAP 24 LOT 12 DEAN SR, JAMES E 65 SLEEPER GIRCLE FREMONT, NH 03044 BK 5573 PG 2000
		FREMONT, NH 03044 BK 5573 PG 2000
TAX MAP 24 LOT 14 LEWS, ERIC P 51 SLEEPER CIRCLE FREMONT, NH 03044 BK 5385 PG 2683	TAX MAP 24 LOT 13 PHELPS, WALTER O & CONNIE I SP SLEEPER CIRCLE FREMONT, NH 03044 BK 5962 PC 0905	-··-··
		TAX MAP 6 LOT 30 PETERSON, JUDITH A PETERSON, JEREMY 254 NORTH ROAD PREMONT, NH 0,0044 BK 5920 PG 1550
		GRAPHIC SCALE
	TAX MAP 6 LOT 28 WHITESIDE FAMILY REV TRUST 234 NORTH ROAD FREMONT, NH 03044 BK 4396 PC 0655	(IN FEET) 1 inch = 60 feet

59 SLEEPER CIRCLE, FREMONT, NH 0304 TOTAL LOT AREA 161,608 SQ. FT.

3.71 ACRES

PROJECT PARCEL TOWN OF FREMONT, NH TAX MAP 6, LOT 24-13

Design: BWG Draft: DFP Checked: BWG Scale: AS SI Drawing Name: 20531-PLAN.D THIS PLAN SHALL NOT BE MODIF PERMISSION FROM JONES & BEJ

Design: BWG Draft: DFP Date: 09/18/2023				
Checked: BWG Scale: AS SHOWN Project No.: 20531				
Drawing Name: 20531-PLAN.DWG	_	_		_
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN	_	-		
PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY				
ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE	0	01/01/01	REVISED PER	IN
USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.	REV	DATE	REVISION	



Plan Name:	SITE PLAN
Project:	SHED ADDITION 59 SLEEPER CIRCLE, FREMONT, NH
Owner of Record:	WALTER PHELPS 59 SLEEPER CIRCLE, FREMONT, NH 03044





I, THE CURER SHALL SECURE ALL RECURED PERMITS PRIOR TO PROCEEDING WITH CONSTRUCTION

 CONTRACTOR SHALL TAKE PRECAUTIONS AND PROVIDE ADECLIATE GLIARDS AND BARRIERS TO PREVENT BLURY TO PERSONA AND PROPERTY

3. DO NOT SCALE DRAWINGS. ALL WRITTEN DIFFERSIONS TAKE PREFERENCE. ALL CONTRACTORS SHALL REVIEW ALL DRAWINGS BEFORE PROCEEDING. REQUEST CLARIFICATION FOR ANY DIFFENSION REQUIRED. ALL DIFFENSIONS, ELEVATIONS, AND CONDITION



FRONT ELEVATION

SCALE: 1/2" = 1'-0"



REAR ELEVATION

SCALE: 12" = 1'-0"

ELEVATION GRADES AND FOUNDATION DROPS SHOWN ARE CONCEPTUAL. FOUNDATION DROPS AND GRADE WILL BE DETERMINED ON SITE BY CONTRACTOR



