

NARRATIVE:

I. THE PROPERTY:

The applicant, Kathleen A Sullivan, owns and resides at the property located at 166 Martha Terrace, which consists of a single-family dwelling. This has been the primary residence of the applicant since 1999 but in the family since 1965. The property is notable in that it is located at the top of Martha Terrace with the proposed shed going in the same location that the original shed was located for over 50 years which is located to the left of the house near the back door.

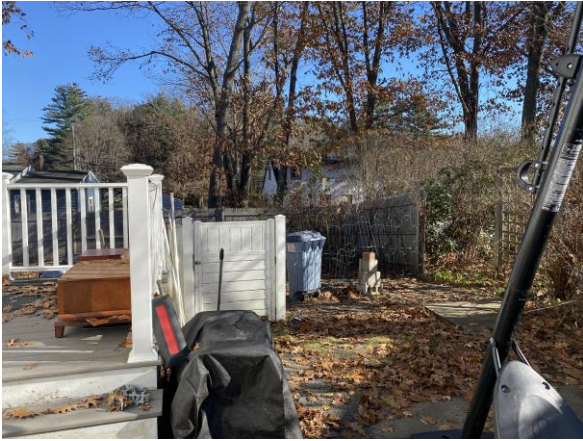
The applicants propose to replace a wood structure of 96 square feet of total gross floor area. The right side is 5 feet from the property line and approximately 50 feet from the street.

Proposal

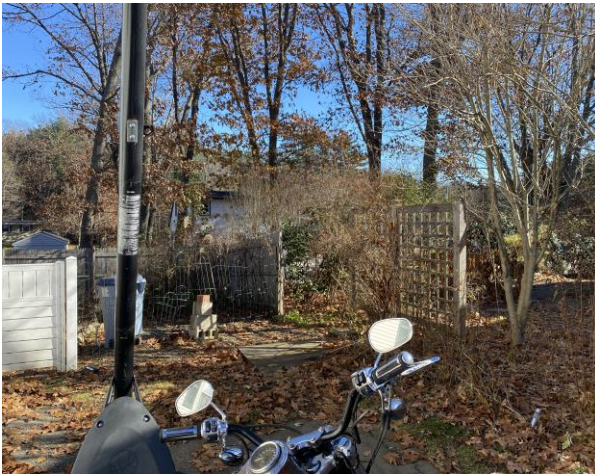
Rendering:



The first photo shows the location where the shed will be, which is where the original shed stood for over 50 years.



The second photo shows the distance of the trellis, which is on the property of Ray and Linda Bilodeau. Our fence is located to the left of their trellis well within the property line and the shed in front of that.



Granting the requested variances will not be contrary to the spirit and intent of the ordinance nor will it be contrary to the public interest. The test for whether or not granting the variance would be contrary to the public interest or contrary to the spirit and intent of the ordinance is whether or not the variance being granted would substantially alter the characteristics of the neighborhood or threaten the health, safety and welfare of the public. The essentially residential characteristics of the neighborhood would not be altered by this project. The modest increase in building footprint resulting from this project will in no way compromise the neighborhood. Were the variance to be granted, there would be no change in the essential characteristics of the neighborhood, nor would public health, safety or welfare be threatened in any way.

Substantial justice would be done by granting the variance. Whether or not substantial justice will be done by granting the variance required the Board to conduct a balancing test. If the hardship upon the owner/applicant outweighs any benefit to the general public in denying the variance, then substantial justice would be done by granting the variance. It is substantially just to allow a property owner the reasonable use of his or her property. In this case, there is no benefit to the public in denying the variances that are not outweighed by the hardship upon the owner. The increase in building coverage, approximately 96 square feet, is entirely reasonable given the size of the lot. The applicant has reviewed the proposal with the neighbor to the right of the property line and has received total support for this to be done. Accordingly, the loss to the applicant clearly outweighs any gain to the public if the applicant were required to conform to the ordinance.

The values of surrounding properties will not be diminished by granting the variances. The proposal will improve the functionality of

the applicants' property and will increase the value of the applicant's property and those around it. The values of surrounding properties will not be negatively affected in any way.

Literal enforcement of the ordinance would result in an unnecessary hardship. The proposed structure of the shed will offer an aesthetic value and function as it will have equipment for yard and lawn in a protected structure instead of being in the open elements sitting in a driveway, causing unnecessary costs for repair to the homeowner and would only improve the residence look.

The use is a reasonable use. The proposal is for residential use in a residential zone.

There is no fair and substantial relationship between the purpose of the ordinance as it is applied to this particular property. The purpose of the building coverage requirement is to prevent overcrowding of lots and unsightly and inconsistent massing of structures. The amount of additional building coverage proposed, is 96 square feet and not out of character for this neighborhood. Accordingly, the relief requested here would not in any way frustrate the purpose of the ordinance and there is no fair and substantial relationship between the purpose of the setback requirements and their application to this property.

III. CONCLUSION

For the foregoing reasons, the applicant respectfully requests the Board grant the variance as requested and advertised.

Thank you for your consideration

Kathleen A Sullivan