

APPLICATION FOR A VARIANCE  
TOWN OF CENTER HARBOR - ZONING BOARD OF ADJUSTMENT

Name of Applicant: LISA & MARK OLSHESKIE, TRUST

Owner: MARK A. OLSHESKIE REVOCABLE LIVING TRUST  
(If different from applicant)

Physical Address: 28 BROOKSIDE LANE

Mailing Address if different: \_\_\_\_\_

Email: MARK.OLSHESKIE@COMCAST.NET Phone: (978) 430-3918

Map 104 Lot: 6

Town Office Section Only

Case No. 2018-0611B

Date Filed: 5/23/18

Received By: Aimee/ML

**\*\*Note: 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. According to the Center Harbor Zoning Board of Adjustment By-Laws, Section 6 (b), the application shall be read into the record by the applicant, applicant's designee or clerk \*\***

A variance is requested from article 5 section 9.2 of the zoning ordinance to permit ACCESSORY DWELLING UNIT ABOVE EXISTING GARAGE

Facts in support of granting the variance:

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

THIS PROJECT WILL PROVIDE CONSTRUCTION INCOME FOR LOCAL CONTRACTORS & BUILDING SUPPLIERS AND WILL ENHANCE PROPERTY VALUES IN THE COMMUNITY.

2. If the variance were granted, the spirit of the ordinance would be observed because:

THE ACCESSORY DWELLING UNIT WOULD ENABLE ACCOMMODATION OF OUR FAMILY'S NEED FOR MULTI-GENERATIONAL LIVING.

3. Granting the variance would do substantial justice because:

IT WOULD ENABLE US TO MAKE THE BEST USE OF OUR INVESTMENT IN THIS PROPERTY.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

ACCESSORY DWELLING UNITS (GRANDFATHERED AND CURRENT CONSTRUCTION) CURRENTLY EXIST ON BROOKSIDE LANE. WE BELIEVE THAT NEIGHBORING PROPERTY VALUES WILL BE ENHANCED AS THE RESULT OF THIS PROJECT.

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

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 because:

WHEN WE BUILT OUR EXISTING HOUSE AND GARAGE, WE WERE NOT ABLE TO CONNECT THE GARAGE TO THE MAIN RESIDENCE BECAUSE OF THE PRIVATE RIGHT OF WAY THROUGH OUR PROPERTY FOR OTHER RESIDENTS OF BROOKSIDE LANE.

and:

ii. The proposed use is a reasonable one because:

ADDING THE ACCESSORY DWELLING UNIT ABOVE THE GARAGE WOULD HAVE THE LEAST IMPACT ON MAINTAINING THE RURAL CHARACTER OF THE COMMUNITY.

B. Explain how, if the criteria in subparagraph (A) are not established, and 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.

IT WOULD NOT BE REASONABLE TO CONSTRUCT AN ACCESSORY DWELLING UNIT ATTACHED TO OUR MAIN RESIDENCE, WHICH MAY NOT BE FEASIBLE AND WOULD LIKELY REQUIRE ADDITIONAL VARIANCE(S) AND SUBSTANTIALLY GREATER EXPENSE TO BUILD.

Applicant Signature: Lisa M. Oshukin, TREC 5/23/2018  
Mark G. Oshukin, TREC 05/23/18



ABUTTERS LIST

Name of Applicant: MARK A. OLSHESKIE REVOCABLE LIVING TRUST

Address: 28 BROOKSIDE LANE

Property Concerned: Tax Map 104 Lot 6

The following are the abutters to the above property. Please include those across the street.

Tax Map 104 Lot 7 Name: PIELECH, M & McILVEEN- PIELECH, D TRUST  
Address: 16 ASHLEY LANE, METHUEN, MA 01844

Tax Map 104 Lot 12 Name: COLEMAN, CAROLINE M  
Address: 10707 SPRINKLE LANE, OWINGS MILLS, MD 21117

Tax Map 104 Lot 19 Name: EARL, BEULAH  
Address: 446 WAUKEWAN ROAD, CENTER HARBOR, NH 03226

Tax Map \_\_\_\_\_ Lot \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Tax Map \_\_\_\_\_ Lot \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Tax Map \_\_\_\_\_ Lot \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Tax Map \_\_\_\_\_ Lot \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Tax Map \_\_\_\_\_ Lot \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Tax Map \_\_\_\_\_ Lot \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Tax Map \_\_\_\_\_ Lot \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_



From: **Mark Olsheskie** [mark.olsheskie@comcast.net](mailto:mark.olsheskie@comcast.net)   
Subject: DBL ADU  
Date: May 22, 2018 at 7:59 AM  
To: Mark Olsheskie [mark.olsheskie@comcast.net](mailto:mark.olsheskie@comcast.net)





From: **Mark Olsheskie** [mark.olsheskie@comcast.net](mailto:mark.olsheskie@comcast.net)   
Subject: DBL ADU  
Date: May 22, 2018 at 8:24 AM  
To: Mark Olsheskie [mark.olsheskie@comcast.net](mailto:mark.olsheskie@comcast.net)





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