



TOWN OF LONDONDERRY  
**ZONING BOARD OF ADJUSTMENT**

268B Mammoth Road Londonderry, New Hampshire 03053 • Phone: 432-1100, ext.112 • Fax: 432-1128 • email: [jtrottier@londonderrynh.org](mailto:jtrottier@londonderrynh.org)

**SPECIAL EXCEPTION GUIDELINES**

**\*PLEASE READ THESE GUIDELINES BEFORE COMPLETING YOUR APPLICATION\***

**When presenting your case to the Board, you must be prepared to address these conditions** (listed below). You must also supply a floor plan of your living space, indicating the calculation of your total living space and the 25% or less that you will be using. A sketch of your driveway and parking area will also be required. If there are any specific State requirements or licenses involved with your occupation, please provide that information as well.

**CONDITIONS TO BE MET FOR A HOME OCCUPATION:**

- A. \_\_\_\_ The owner(s) of the property must be the applicant(s) for the Special Exception.
- B. \_\_\_\_ A Home Occupation shall be carried on by the occupant only within a dwelling and/or garage. (A garage shall be defined as a detached accessory building or portion of a principal building used or occupied for the parking or temporary storage of household goods and/or motor vehicles of the occupants on the premises).
- C. \_\_\_\_ It shall be incidental and secondary to the use of the property as a dwelling for dwelling purposes and shall not change the residential characteristic thereof.
- D. \_\_\_\_ No exterior renovations or construction, nor the outside storage of materials related to the proposed home occupation will be permitted as part of a Home Occupation.
- E. \_\_\_\_ The Home Occupation shall not occupy more than twenty five percent (25%) of the normal living area of the home, regardless of the location of the home occupation on the property. **A floor plan showing this calculation must be submitted with your application.** (Normal living area does not include such places as garages, unfinished areas, decks, barns, sheds or other accessory buildings).
- F. \_\_\_\_ Only members of the occupant's immediate family residing on the property may be employed. Upon request, the Board of Adjustment is authorized to permit the employment of one additional employee.
- G. \_\_\_\_ The Board shall also consider whether the proposed Home Occupation will adversely affect the property involved or neighboring properties by reason of any unusual sight, light, noise, smell, traffic or other effects of the Home Occupation.
- H. \_\_\_\_ The Board shall consider the adequacy of off-street parking for anticipated customers, although no parking areas in excess of those necessary for normal residential purposes will be allowed. **A drawing showing your driveway and parking area must also be submitted with your application.**
- I. \_\_\_\_ The Board shall impose such conditions and restrictions as it deems desirable or necessary to protect the residential character of the neighborhood. In all cases where a Special Exception for a Home Occupation is granted, the person receiving the Special Exception **shall complete and sign a form with the Building Inspector** that sets forth the nature of the Home Occupation, provides details of the business and its scope of operations and states any conditions or restrictions imposed by the Board. The applicant shall comply with the conditions set forth in the granting of Special Exceptions and the failure to comply will result in the revocation of the Special Exception.
- J. \_\_\_\_ The State may have separate requirements for licensing of your business. Such requirements would be independent of this Special Exception and it is the applicant's responsibility to ensure that any and all State requirements are fulfilled.
- K. \_\_\_\_ **Child Care Home Occupations** must see the separate "Child Care Facilities as Home Occupations" information attached for specific categories and requirements.
- L. \_\_\_\_ **The following uses shall not be considered Home Occupations:** Auto Repair, Auto Sales (on site sales), Landscaping Businesses, Machine Shops and Lawnmower/Tractor Sales & Service (on site sales).

The Board also strongly recommends that you become familiar with the Zoning Ordinance, along with the NH Statutes TITLE LXIV, RSA Chapters 672-677 that cover planning and zoning.



## **CHILD CARE FACILITIES TOWN OF LONDONDERRY ZONING REGULATIONS Section 3.12.2**

### **3.12.2. Child Care Facilities as Home Occupations**

The following categories and criteria shall be applied to all requests for Child Care as a Home Occupation:

	Allowed as Home Occupation	Space per child
Family Day Care	Y	35 Square Feet*
Family Group Day Care	Y	35 Square Feet*
Day Care Nursery	Y (max of 12 children)	n/a
Group Child Care Centers	N	n/a

\* Must meet 25% Rule of Home Occupations.

Note: Guidelines taken from NH Child Care Facility (Day Care) Licensing and Operating Standards under RSA 170

**DAY CARE, FAMILY:** Care of three (3) to six (6) children from one (1) or more unrelated families including children under six (6) years old who live in the home and others related to the applicant. In addition to the six children, one (1) to three (3) children attending a full day school program may also be cared for up to five (5) hours per day on school days and all day during school holidays.

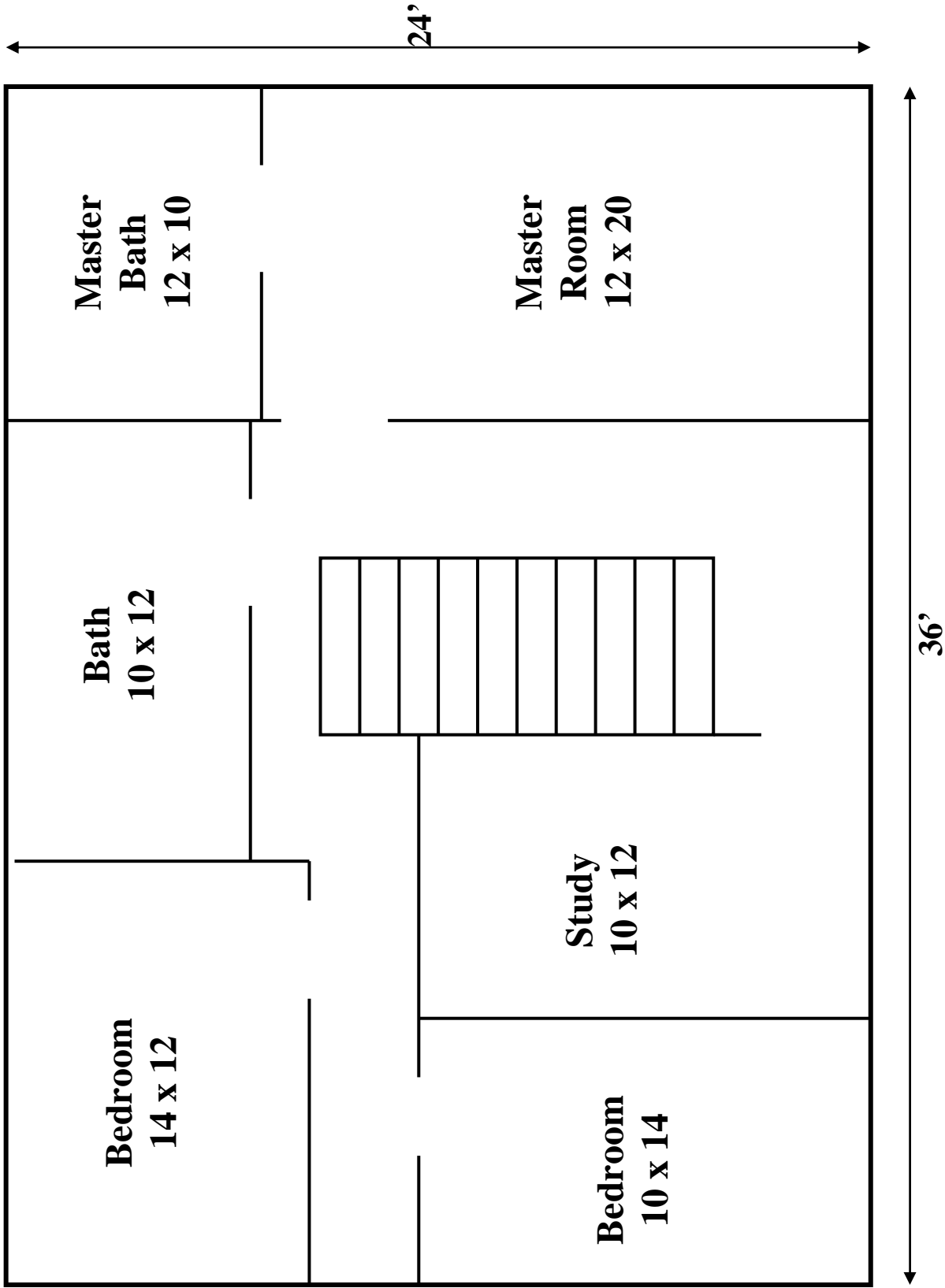
**DAY CARE, FAMILY GROUP:** Care of seven (7) to twelve (12) children from one (1) or more unrelated families including children under six (6) years old who live in the home and others related to the applicant.

**DAY CARE NURSERY:** Care of five (5) or more children under three (3) years of age.

**Total Area = 1,728 Sq. Ft.  
Using 10 x 12 Study and 10 x 14  
Bedroom = 240 Sq. Ft. = 15%**

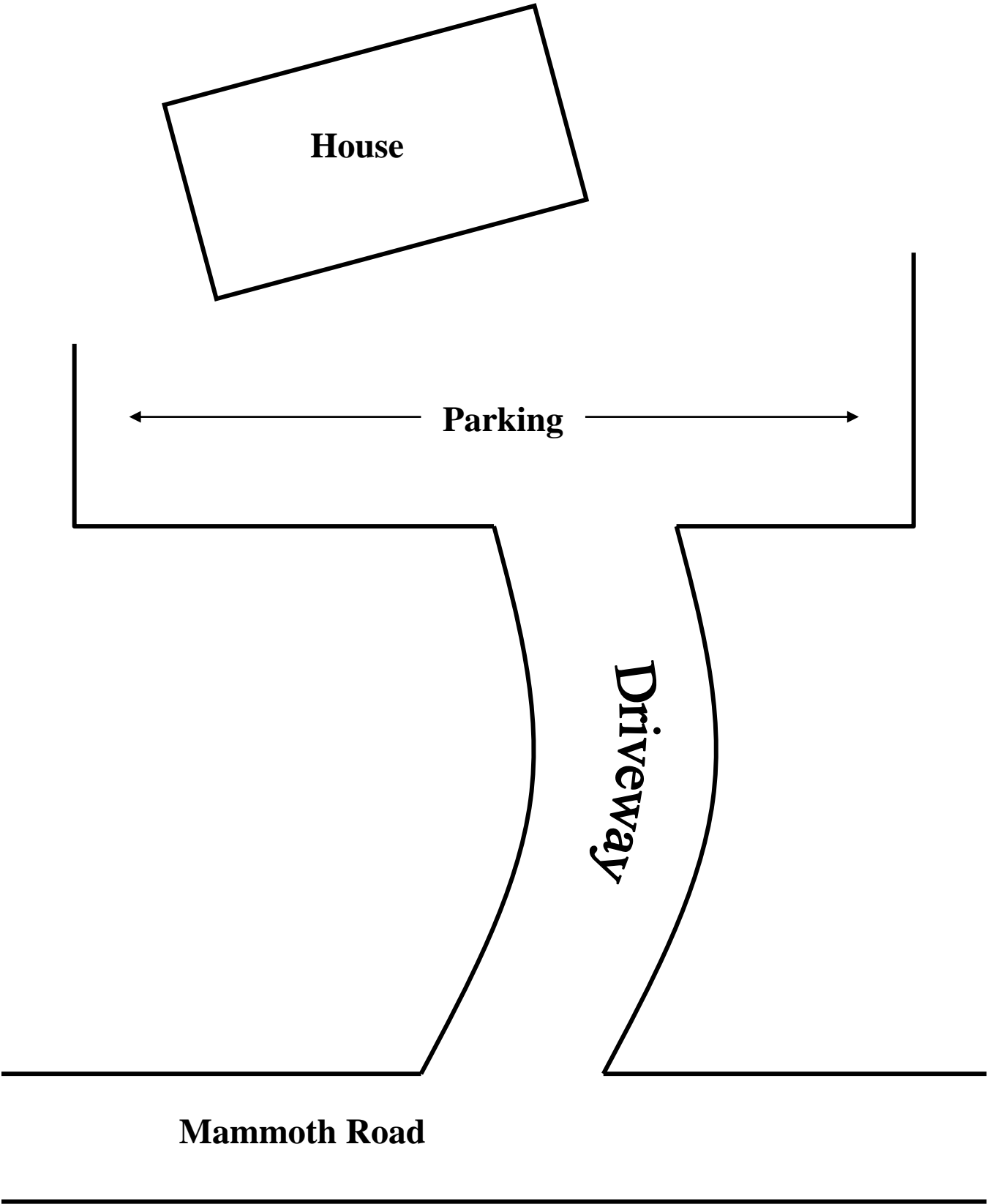
# EXAMPLE

## Second Floor



EXAMPLE

**EXAMPLE**





TOWN OF LONDONDERRY

## ZONING BOARD OF ADJUSTMENT

268B Mammoth Road Londonderry, New Hampshire 03053 • Phone: 432-1100, ext.112 • Fax: 421-9617 • email: [jtrottier@londonderrnh.org](mailto:jtrottier@londonderrnh.org)

### **SPECIAL EXCEPTION** **FOR A HOME OCCUPATION**

**\*PLEASE READ GENERAL GUIDELINES AND SPECIAL EXCEPTION GUIDELINES**  
**BEFORE COMPLETING APPLICATION\***

### **APPLICATION FOR APPEAL**

1) Applicant's name (s) \_\_\_\_\_ Tel. No. \_\_\_\_\_  
(must be owner(s) of record)

Applicant's address \_\_\_\_\_  
\_\_\_\_\_

2) Representative \_\_\_\_\_ Tel. No. \_\_\_\_\_  
Rep's Address \_\_\_\_\_  
\_\_\_\_\_

3) Location of property: Street address \_\_\_\_\_  
Tax map \_\_\_\_\_ Parcel \_\_\_\_\_ Zone \_\_\_\_\_

4) Description of proposed use, showing justification for a Special Exception as specified in the zoning ordinance, Section \_\_\_\_\_ (Please describe the business you are applying for and what it entails):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.a) Are there any State licenses and/or specific State requirements involved with your specific occupation?  
If so, please describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SPECIAL EXCEPTION

### APPLICATION FOR HOME OCCUPATION

- 5) Days of operation: \_\_\_\_\_ Hours of operation: \_\_\_\_\_
- 6) Will you be requesting a sign? ☐Y ☐N If yes, freestanding or a wall sign? \_\_\_\_\_  
What size? (you are allowed up to 3 sq. ft. for a non-residential sign on a residential property) \_\_\_\_\_
- 7) Please attach a floor plan of each floor of your residence (only include the basement if it is finished, fully or partially). Demonstrate on this plan what part of the house will be used for the home occupation and include the calculation. **You may only use up to 25% of your living area.** (see handout for description)  
Total living space: \_\_\_\_\_ sq. ft. Living space to be used: \_\_\_\_\_ Percentage: \_\_\_\_\_
- 8) Please include a drawing of your driveway and parking area to show where customers will be able to park. No parking area in excess of those necessary for normal residential purposes will be allowed.
- 9) Will the home occupation only be carried on by the occupant within a dwelling and/or garage? (see handout for definition of garage) ☐Y ☐N
- 10) Will the home occupation be incidental and secondary to the use of the property as a dwelling and not change its residential character? ☐Y ☐N
- 11) Will there be any exterior renovations, construction or the outside storage of materials? ☐Y ☐N
- 12) Please verify that only members of the occupant's immediate family residing on the property will be employed: ☐Y ☐N  
Upon request, the Board is authorized to permit the employment of one additional employee. Will you be requesting the employment of one additional employee? ☐Y ☐N
- 13) Note: The Board may also consider whether the proposed home occupation will adversely affect the property involved or neighboring properties by reason of any unusual sight, light, noise, smell, traffic or other effects of the home occupation.
- 14) Child Care home occupations must also see the separate "Child Care Facilities as Home Occupation" information attached for specific categories and requirements.
- 15) In cases of child care, a fenced in play area may be required prior to opening of the business. Do you have such a fenced in area? ☐Y ☐N
- 16) Note: **If approval is obtained, the applicant must sign an approval form** outlining the nature of the business and any restrictions put on by the Board. **If any changes are made** to the parameters of the home occupation as outlined in the presentation, **the applicant must make a new application** and appear again before the Board to request those changes.

## LIST OF ABUTTERS


The following is a list of all abutting property owners concerned in this appeal. **An abutter is any person owning land within 200 feet of the perimeter of the property in question.**

The ZBA Secretary will provide a list of parcel ID numbers which you will then enter in the Assessing Office's computer to determine all owner's names listed on the property deed and their current ***mailing*** addresses. **You are ultimately responsible for your own list of abutters.** This information is necessary to properly notify all interested parties with certified notices. Failure to provide complete information on abutters will result in the application being returned and may delay the scheduling of your hearing.

[illegible]

## HOW TO USE THE ASSESSOR'S COMPUTER TO DO YOUR ABUTTER'S LIST



1. Make sure you are at the screen where “Parcel ID,” “Street Name,” “Owner Name” and “Print Record” are all listed vertically on the right hand side. If not, click on the down facing arrow “” on each screen until it brings you back.
2. Click on the “Parcel ID” square on the top right hand corner of the screen.
3. The first time you do this, the keyboard should pop up automatically. The next time you perform step “2,” you will be brought to another screen; just look for the keyboard icon on the lower right hand screen and click on that. Then you will arrive at the keyboard itself.
4. Using the mouse, enter the parcel ID numbers as they have been written on the abutter’s list, e.g. 012 001 24 (with spaces in between, no dashes).
5. Click on the “Enter” key to the far right.
6. When the property is listed on the next screen, click on “Go To” found in the middle of the screen. This will bring you to the actual card for that property, which is what you need to find.
7. When the card appears, **click on the owner’s name.** This will cause a smaller insert to appear which will detail the owner’s name and mailing address. ***This is the information that needs to be copied down onto your application.*** If the owner’s mailing address is in Londonderry, you don’t have to copy down “Londonderry, NH 03053.” Just do this when their mailing address is outside of Londonderry.
8. Click on “Parcel ID” again to repeat the process and put in the next set of numbers.
9. If you have any problems, see the Zoning Board Secretary



I understand that I must appear in person at the public hearing scheduled by  
the Zoning Board of Adjustment.

If I cannot appear in person,  
I will designate a representative or agent in writing below to act on my behalf.

I hereby designate \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

to represent me as a representative/agent in the pursuance of this appeal.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Dated

Total fee due (to be calculated by ZBA secretary): \$ \_\_\_\_\_