



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: **Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820**
Meeting Date: **Thursday, March 17, 2022**
Meeting Time: **7:00 pm**

1. ATTENDANCE

Members Present: Chris Prior (Chair), James Burdin (Alternate), Rich Onufry (Alternate)

Members Absent (Excused): Casey Conley (Alternate), Anthony Sillitta, Nick Couturier

Members Absent (Unexcused): Otis Perry (Vice Chair), George Reagan

Staff Present: Natasha Kypfer (Zoning Administrator/Assistant City Planner)

The Chair called the meeting to order at 7:05 PM.

2. APPROVAL OF MEETING MINUTES OF JANUARY 20, 2022

Motion: Burdin moved to approve the minutes of January 20, 2022 as amended. Seconded by Onufry.

Vote: U/A

The Chair noted one of the two cases scheduled for tonight has asked to be rescheduled.

The Chair read the following into the record:

*Z22-04 Applicant New Style Homes - Michael Allfrey, (Property Owners: Brian & Maribeth Hopkins), 417 Middle Road #9 "9 Pine Tree Lane", (Tax Map M, Lot 62-9), located in the Low-Density Residential (R-20) Zoning District, requests an Equitable Waiver of Dimensional Requirements from **Section 170-12.B.** to allow after-the-fact placement of a new mobile home at 2.6' from the rear setback, where as 15' is required.

Motion: Burdin moved to continue case Z22-04 to April 21st. Seconded by Onufry. Vote: U/A

Chair Prior noted the process for the ZBA as per the Rules of Procedure. There are three members of the Board present which does make a quorum, but the applicant can choose to postpone. The applicant chose to move forward tonight with the hearing.

3. HEARINGS

- A. *Z22-03 Applicants John F. and Linda M. O'Connor, 48 Horne Street, (Tax Map 35, Lot 25), located in the Medium- Density Residential (R-12) Zoning District, requests a Variance from **Section 170-12.B.** to allow construction of a 14'x22' shed 5' from the side property lines, where 10' is required and to allow for the outbuilding to be closer than the principal building for the abut a street setback.

John O'Connor, 48 Horne Street presented the case, and reviewed the need for the shed on their property, which is a small lot. The home is on a corner of two streets. Under the regulations, the shed would be very close to his home and in the middle of his yard area. He expounded on his reasons for seeking variance and noted the three abutters wrote letters in support.

Mr. O'Connor answered some questions of the board members.

Public hearing was opened.



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Planning Department recommendation: N. Kypfer noted staff supports the variance, referencing the three abutters did reach out and show support via letters. In addition, the placement of the shed will allow for space away from the brook that runs along the back of the property.

Public Hearing was closed.

Burdin found the argument compelling. Other homes are set close to the front setbacks, and this will not be inconsistent with the neighborhood. Corner lots are tougher to find shed locations because of the double frontage and setbacks. Denying the variance would create a hardship.

Onufry stated the request meets the five criteria.

Motion: Burdin moved to grant the variance with no conditions based upon the representations made by the applicant and the testimony provided. Onufry seconded. Vote: U/A

4. OTHER BUSINESS

None

5. ADJOURN

Motion: Onufry moved to adjourn at 7:24 pm. Burdin seconded. Vote: U/A