



CITY OF DOVER

## ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Thursday, May 21, 2009**  
Meeting Time: **7:00 pm**

### 1. ATTENDANCE

### 2. APPROVAL OF PRIOR MINUTES OF APRIL 16, 2009

### 3. OLD BUSINESS

- A. Z 09-03 BHD Realty, 802 Central Ave., a/k/a Tax Map 37, Lot 30, zoned Office, requests a Variance from the terms of Article IX, Section 170-12, Table I, Part C-2, to establish a personal service establishment (dog grooming business).

*Note: This item was tabled at the meeting of April 16, 2009.*

### 4. NEW BUSINESS

- A. \* Z 09-05 Mason Ham, 282 Dover Point Rd, a/k/a Tax Map L, Lot 105-A, zoned R-20, requests a Variance from the terms of Article V, Section 170-16, to construct an addition within approximately twenty-four (24) feet from a front property line as it abuts a street, where a minimum of thirty-five (35) feet is required.
- B. \* Z 09-06 David Johnson (Applicant: David Turner), 9 Renaud St., a/k/a Tax Map 17, Lot 77-C, zoned R-12, requests a Variance from the terms of Article V, Section 170-16, to construct a side addition onto a garage within approximately fourteen (14) feet from a side property line, where a minimum of fifteen (15) feet is required.

### 5. OTHER BOARD BUSINESS

### 6. ADJOURN

\*If the application is accepted for discussion, the public hearing will be held that evening.

Dear Property Owner: As an owner of the property, which is either adjoining or located directly across the street from the subject parcel, you are hereby notified of the public hearing on the above noted item.

Persons with questions or wishing to see the plans are invited to visit the Planning Office. Plans and applications are available for inspection in the Planning Office, weekdays from 8:00 am to 4:00 pm. You may also view materials at [www.dover.nh.gov](http://www.dover.nh.gov), a map showing project locations can be found at [www.dover.nh.gov/planhome.html](http://www.dover.nh.gov/planhome.html).

CASE # 209-03 DATE RECEIVED 3-31-09

AMOUNT PAID \$ 207.88 TIME RECEIVED \_\_\_\_\_

**CITY OF DOVER  
ZONING BOARD OF ADJUSTMENT  
APPLICATION**

I. APPLICANT BHD REALTY PHONE #: 603-235-1675  
ADDRESS 802 CENTRAL AVE DOVER, NH  
PROPERTY OWNER BRAD DUDLEY / BHD REALTY  
ADDRESS 25 DEVONSHIRE LANE LONDON NH 03053  
PROPERTY LOCATION 802 CENTRAL AVE DOVER, NH 03820  
BRIEF DIRECTIONS ACROSS ST FROM WDH  
  
ZONE O ASSESSOR'S MAP 37 LOT #(S) 30

TYPE OF APPEAL: (Please check off one)

VARIANCE DZO ARTICLE IX SECTION 170-12 Table I Part C-2  
 SPECIAL EXCEPTION ARTICLE \_\_\_\_\_ SECTION \_\_\_\_\_  
 ADMINISTRATIVE DECISION ARTICLE \_\_\_\_\_ SECTION \_\_\_\_\_  
 EQUITABLE WAIVER ARTICLE \_\_\_\_\_ SECTION \_\_\_\_\_

Describe briefly your plans for this property:

TO ALLOW A DOG GROOMING BUSINESS  
IN THE FRONT SPACE OF BUILDING

II. REQUIREMENTS SUBMITTED: (Please check off)

- A. Plot plan drawn in accordance with a boundary line survey to scale not less than 1" = 40', (12 copies). They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks.
- B. List of abutters including addresses and map and lot number of parcels who adjoin or are directly across the street or stream from property.
- C. Application fee of:
 

\$100.00 VARIANCE	\$ <u>100.00</u>
\$100.00 SPECIAL EXCEPTION	\$ _____
\$25.00 APPEAL FROM ADMINISTRATIVE DECISION	\$ _____
\$100.00 EQUITABLE WAIVER	\$ _____
- D. Certified letters fee:
 

# of abutters <u>7</u> X \$5.32 =	\$ <u>37.24</u>
Applicant & Owner <u>2</u> X \$5.32 =	\$ <u>10.64</u>
Foster's ad	\$ <u>60.00</u>

TOTAL \$ 207.88

**SPECIAL EXCEPTION REQUIREMENTS**

1. Explain how the requested use would be essential or desirable to the public convenience or welfare.

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2. Detail how the requested use would not create undue traffic congestion or unduly impair pedestrian safety.

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3. Describe how the requested use would not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the City will be unduly subjected to hazards affecting health, safety or the general welfare.

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**APPEAL FROM AN ADMINISTRATIVE DECISION**

1. Explain why you feel that the Administrative Official made an error in applying or interpreting the zoning ordinance in a particular case.

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IV. As applicant of standing of this request, I certify that the information herein is complete and accurate.

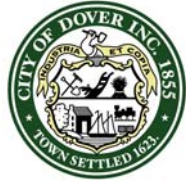
<p><b>IMPORTANT</b></p> <p>PROPERTY IDENTIFICATION SIGN MUST BE POSTED ON THE PROPERTY FOR THE 10 DAYS PRIOR TO HEARING.</p> <p>FAILURE TO POST MAY RESULT IN APPLICATION NOT BEING ACCEPTED</p>
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Christi Atutti  
Signature of Applicant\*

Christi Atutti  
Signature of Owner\*

\*Both Signatures Required





CITY OF DOVER

## DOVER ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Thursday, April 16, 2009**  
Meeting Time: **7:00 pm**

Public Hearing Closed

Colbath stated it is a mobile home park and 10 ft sides do not contribute to the diminution of surrounding area.

### FINDINGS OF FACT: AREA VARIANCE

**1. The applicant was to provide proof that special conditions exist and that literal enforcement of the ordinance would result in an unnecessary hardship.**

- a) AREA:**
- i.** Did the Applicant demonstrate that an area variance is needed to enable the proposed use of the property given the special conditions of the property? Yes, Vote: U/A. This conclusion is based on the following findings of fact: Angle of lot line necessitates a variance.
  - ii.** Did the Applicant demonstrate that the benefit sought cannot be achieved by some other method reasonably feasible to pursue, without the area variance? Yes, Vote: U/A. This conclusion is based on the following findings of fact: Alternatives (making carport too small to fit a car or moving the existing structure) are unreasonable.
- 2.** Did the Applicant provide proof that demonstrates how granting the variance will result in substantial justice? Yes, Vote: U/A. This conclusion is based on the following findings of fact: Protection from winter weather including health and safety issues.
- 3.** Did the Applicant provide proof that demonstrates how a variance would be consistent with the spirit and intent of the ordinance? Yes, Vote: U/A This conclusion is based on the following findings of fact: Reasonable clearance between building and lot line for maintenance and safety purposes. (10 feet)
- 4.** Did the Applicant provide proof that demonstrates the variance will not result in a diminution in value of surrounding properties? Yes, Vote: U/A. This conclusion is based on the following findings of fact: Abutter's petition and character of the neighborhood.
- 5.** Did the Applicant provide proof that demonstrates the variance would not be contrary to the public interest? Yes, Vote: U/A. This conclusion is based on the following findings of fact: Abutter's petition and mobile park is a self contained area.

Therefore, based upon the foregoing, it is ordered that the application for the variance be granted.

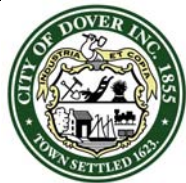
Motion: Colbath made the motion to approve, Reid seconded. Vote: U/A

**B. Z 09-03 BHD Realty, 802 Central Ave., a/k/a Tax Map 37, Lot 30, zoned Office, requests a Variance from the terms of Article IX, Section 170-12, Table I, Part C-2, to establish a personal service establishment (dog grooming business).**

Brad Dudley, owner of BHD Realty, stated he'd like to rent out space in the front of the building that was formally a shipping company. A dog grooming business is not allowed under the current ordinance. It would be a good business to have in the area. What is currently allowed is a daycare, doctor's office, law office. As a landlord, he's having a hard time renting out space. If the variance is not allowed, he may be put in a situation where he may have to sell the business because he can't rent the space out.

Motion: Colbath made the motion to accept the application, Reid seconded. Vote: U/A

Public Hearing Open



CITY OF DOVER

## DOVER ZONING BOARD OF ADJUSTMENT - MINUTES

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Meeting Time: **7:00 pm**

Jimmy Veinote, 7 Page Ave, stated he is an abutter to the property. He has some questions that he would like to hear the answers to. What would the hours of operation be? Would any of the animals be spending the night? How many people would live in that residence? Would there be any measures to control sound?

Sandra Burkett, realtor for the proposed tenant, stated the proposed hours of operation would be Monday- Friday from 8:00 am-5:00 pm and, possibly, one Saturday per month. She also stated there are no plans for the dogs to stay overnight.

Denison asked if it was a mixed use building

Dudley stated there is an apartment upstairs and the sign company is located in the back office. They currently have 10 parking spaces.

Denison asked what plan is for additional insulation to deal with the sound.

Dudley stated the dogs are walked with a person from the business. He stated there are not a lot of dogs there at one time.

Burkett stated the space is located on the roadside of the building. The most noise you would hear would be from the hairdryer.

Denison asked how many dogs are allowed at one time.

Burkett stated the most dogs they would have is 11 at a time.

Kelley asked what zone would allow a dog business.

Woodruff stated it is allowed in most commercial zones.

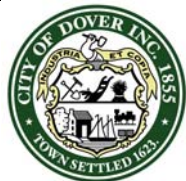
Veinote stated he empathizes with the business owner. He stated that traffic noise and dogs barking are two different things. He's lived in that area for a long time and has had a problem with dogs before. It's all residential behind the property. He doesn't want any trouble in the future with dog barking and instigating the neighborhood dogs to bark.

Public Hearing Closed

Reid stated his concern is that it is the office area of Central Avenue. The use is not allowable in that area for a reason. It's incompatible with the office use. The Supreme Court has stated that they should pay attention to Use variances because they can degrade the quality of the zoning. The Planning Board looked and decided what types of businesses should be in the Office zone and a dog grooming business is not one of them.

Kelley stated from a Planning Board point of view, the ordinance has been set up well. A dog grooming business shouldn't be in this zone when it is allowed in other zones.

Colbath stated that a dog grooming business is a personal service. There's also the noise concern for surrounding residents.



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Woodruff stated a variance was granted for a personal service establishment near Federal Savings Bank. The City isn't opposed to the idea but they are not supportive. If the Board chooses to grant the Use variance, to allow a personal service establishment, he would recommend placing a timeline on the property. For instance, if the business left, the variance would leave. The spirit and intent of the original Office zone, was a transitional zone that would allow the existing structures to remain. It was a way to make it so the property was worth the same or more. The bottom line is the City is neutral.

Colbath asked where the personal service establishment, that was granted a variance, was located. He asked what the variance was for that was granted for the sign company.

Woodruff stated he's not sure if there was a variance for the sign company.

Colbath stated the point he's trying to make is the sign company a personal service establishment.

Discussion ensued regarding a personal service establishment.

Woodruff stated he needs to talk to the Building Official to get more information for the Board.

Public Hearing Reopened.

Denison asked the applicant what the status of the existing business was.

Dudley stated that he bought the sign company in 2003. When he spoke to the Building Official, Tom Clark, his business fell under an artist's license. Signs have been manufactured there since the early 90's. He stated that the sign company is a personal service business. You sit with the customer and design the sign.

Public Hearing Closed.

Denison asked if they should table the case until they can find out more information.

Motion: Reid made the motion to table the case to hear additional information about a grandfathered use, Colbath seconded. Vote: U/A

**C. Z 09-04 Karen Lawrence & Sandra Devenney (Applicant: River Valley Development Corporation, 46 Dover Point Rd., a/k/a Tax Map K, Lot 23, zoned B-3, requests a Special Exception as provided by the terms of Article VI, Section 170-19, and Article XII, Section 170-52.C (3) to construct a multi-family project.**

Atty. Jim Schulte represents the applicant, passed out copies of a memorandum regarding the status of municipal water and sewer and additional site plans. (In file)

Atty. Schulte stated the application is a result of the change in the zoning ordinance which states that multifamily uses in the B-3 zone require that the residential uses have to be on the 2<sup>nd</sup> floor or above and a business on the 1<sup>st</sup> floor. The project is identical to the Harvest Way project that the Board granted a Special Exception for. He proceeded to go over the application.



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Motion: Kelley made the motion to accept the case, Colbath seconded. Vote: U/A

Kelley asked when Harvest Way was built.

Atty. Schulte stated it's been there for 3-4 years.

Reid stated the plan doesn't show a lot of green space. Where will the water be dealt with?

Atty. Schulte stated some of the parking lot will have pervious pavement.

Doug LaRosa, Trittech Engineering, stated the drainage for the site will be collected and infiltrated into a gravelly outwash material that exists on the site. All of it will be treated for runoff and the runoff that is generated from the site will be 1/10 of what it generates now.

Discussion ensued regarding drainage.

Denison stated it sounds like the bottom floor of the residential units is a garage. The business is adjacent to the garage. On the bottom floor, there is an office in the front and a garage in the back. The residence is above the whole footprint on the second floor. The special exception is just for the residential unit. Is it for any residential unit or a residential unit with a first floor component?

Atty. Schulte stated it's for any multifamily in the B-3 zone. To be allowed in the B-3 zone it has to be 5 units or more.

Colbath asked Woodruff how the parking was calculated.

Woodruff stated it does meet the zoning requirements which require 2 parking spaces per unit.

Public Hearing Open – Public Hearing Closed

Woodruff and LaRosa discussed the decal lane.

Motion: Reid made the motion to grant a special exception, Kelley seconded. Vote: U/A

Recessed at 8:25pm.

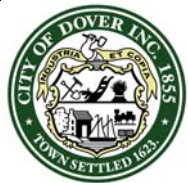
Resumed at 8:35pm.

### 5. OTHER BOARD BUSINESS

A. Annual election of chairperson and vice chairperson

Motion: Kelley nominated Masi Denison as Chairperson and Bill Colbath as Vice Chairperson, Landford seconded. Vote: U/A.

Woodruff told the Board that there is currently a House bill that has survived crossover on April 9, 2009. It has gone over to the Senate. It's a Variance Language Clarification bill that simplifies and gets rid of the differentiation between Use and Dimensional Variances. There is movement afoot in the Senate to squash it by the developers.



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### 6. ADJOURN

Motion: Reid made the motion to adjourn at 8:44 pm, Colbath seconded. Vote: U/A.

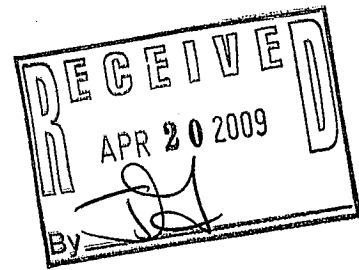
#### List of Members

Masi Denison-regular member  
 William Colbath-regular member  
 Frank Landford-regular member  
 Sam Reid-regular member  
 Jim Kelley-regular member  
 Otis Perry-alternate member  
 Chris Prior-alternate member

#### Term Expires

01-24-10  
 10-23-09  
 04-12-11  
 11-12-09  
 05-23-10  
 02-08-09  
 02-01-11

DRAFT



CASE # Z 09-05 DATE RECEIVED 4/20/09  
 AMOUNT PAID \$ 202.56 TIME RECEIVED \_\_\_\_\_  
 check # 979

CITY OF DOVER  
 ZONING BOARD OF ADJUSTMENT  
 APPLICATION

I. APPLICANT MASON HAM PHONE #: 617-285-9830  
 ADDRESS P.O. 662 DOVER NH 03821  
 PROPERTY OWNER MASI DENISON  
 ADDRESS P.O. BOX 2023 DOVER NH 03821  
 PROPERTY LOCATION 282 DOVER POINT ROAD  
 BRIEF DIRECTIONS APPROXIMATELY 1/4 MILE FROM EXIT 6N OF SPAULDING.  
NEAR PEARSON.  
 ZONE R20 ASSESSOR'S MAP L1 LOT #(S) L-105A

TYPE OF APPEAL: (Please check off one)

<input checked="" type="checkbox"/> VARIANCE	ARTICLE <u>NB</u>	SECTION <u>1760-16</u>
<input type="checkbox"/> SPECIAL EXCEPTION	ARTICLE _____	SECTION _____
<input type="checkbox"/> ADMINISTRATIVE DECISION	ARTICLE _____	SECTION _____
<input type="checkbox"/> EQUITABLE WAIVER	ARTICLE _____	SECTION _____

Describe briefly your plans for this property:

ADD A PORCH AND MUDROOM TO FRONT OF EXISTING HOUSE.  
REQUESTING RELIEF OF 11 FEET (SETBACK OF 24 FEET WHERE 35 REQD)

II. REQUIREMENTS SUBMITTED: (Please check off)

- A. Plot plan drawn in accordance with a boundary line survey to scale not less than 1" = 40', (12 copies). They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. \_\_\_\_\_
- B. List of abutters including addresses and map and lot number of parcels who adjoin or are directly across the street or stream from property.
- C. Application fee of:
 

\$100.00 VARIANCE	\$ <u>100.00</u>
\$100.00 SPECIAL EXCEPTION	\$ _____
\$25.00 APPEAL FROM ADMINISTRATIVE DECISION	\$ _____
\$100.00 EQUITABLE WAIVER	\$ _____
- D. Certified letters fee:
 

# of abutters <u>6</u> X \$5.32 =	\$ <u>31.92</u>
Applicant & Owner <u>2</u> X \$5.32 =	\$ <u>10.64</u>
Foster's ad	\$ <u>60.00</u>

TOTAL \$ 202.56

## Overview and Proposed Plan

We propose to add a porch and a mudroom to the front of the existing house. This addition would solve two key problems with the current structure.

1. The house is sited facing due west. In the summertime, the living room and dining room are unbearably hot because the afternoon sun shines directly into the front windows. The addition of a porch would shade these rooms and create a more energy efficient structure.
2. The interior layout is limited, with no entryway or coat closet. The front door opens directly into a small living room and the staircase to the second floor. This causes problems with traffic flow especially when trying to manage the storage of winter gear (coats, hats, etc.) as well as strollers, etc.

The proposed addition would put a farmers porch of approximately 10 feet in depth across the front of the structure. The center area of this porch would be an enclosed mudroom of approximately 100 square feet (10' x 10'). The stairway up to the porch will be on the side facing the driveway.

The house is currently located on a 10,000 square foot lot (.25 acres) in a zone that has a minimum lot size of 20,000 square feet (.5 acres). As such, the building envelope for the lot is extremely tight. As it is, the current structure is slightly encroaching on the current 35 foot setback. The proposed addition requires a variance from the front setback requirement. We are requesting relief of 11 feet to allow for a 10 foot addition, keeping in mind that the current structure is already slightly non-conforming. The variance would be to allow a 24 foot setback in a zone where 35 feet is required.

## Hardship (Area)

This lot was created before the adoption of the relevant zoning ordinance and is non-conforming. Because of the relatively small size of the lot, it is difficult to fit this reasonable addition into the building envelope given the location and layout of the current structure.

The only reasonable location for a mudroom/remodeled entrance is to the front of the house. One side of the house is an uninsulated one car garage. The other side of the house is far from the driveway and is where the first floor bedroom is located. The back of the house has an existing bulkhead door and propane tank, and the only bathroom. For this reason, the only logical place for the main entrance is the front of the house.

We believe an area variance is needed to enable the proposed use of the property given the special conditions of the property because *the location of the structure and the size of the lot do not allow for an addition without a variance.*

We believe the benefit sought cannot be achieved by some other method reasonably feasible to pursue without the area variance because *the siting of the house and the internal layout of the rooms require the addition to be placed in the front of the structure.*

## Substantial Justice

There are currently only three residential zones that allow for a lot size of 10,000 square feet: RM-10, RM-8 and RM-6. If this lot were located in one of those zones, a variance would not be necessary because the front setbacks for those zones are 20 feet or less. This request is for a 24 foot setback.

We believe granting the variance will result in substantial justice because *the property is so much smaller than the minimum lot size in this zone that the setback requirements are unjust.*

### **Spirit and Intent**

The spirit and intent of the ordinance is to keep homes a reasonable distance from the front property line for reasons of safety and aesthetics. However, since zones that allow a 10,000 square foot lot size allow a setback of 20 feet or less, the requested relief is not outside the norm of allowed setbacks.

We believe a variance would be consistent with the spirit and intent of the ordinance because *comparable setbacks are allowed on comparably sized lots.*

### **No Diminution of Value**

Most of the homes and other buildings in this area were constructed before the zoning ordinances were adopted. As such, many nearby properties do not currently meet the 35 foot setback requirement. Two of the abutting properties, 283 Dover Point Rd (Lot L-48A) and 284 Dover Point Rd. (Lot L-105C) have structures even closer to the front property line than the variance we are seeking.

We believe a variance will not result in diminution in value of surrounding properties because *this variance would be in keeping with the character of the neighborhood.*

### **Not Contrary to the Public Interest**

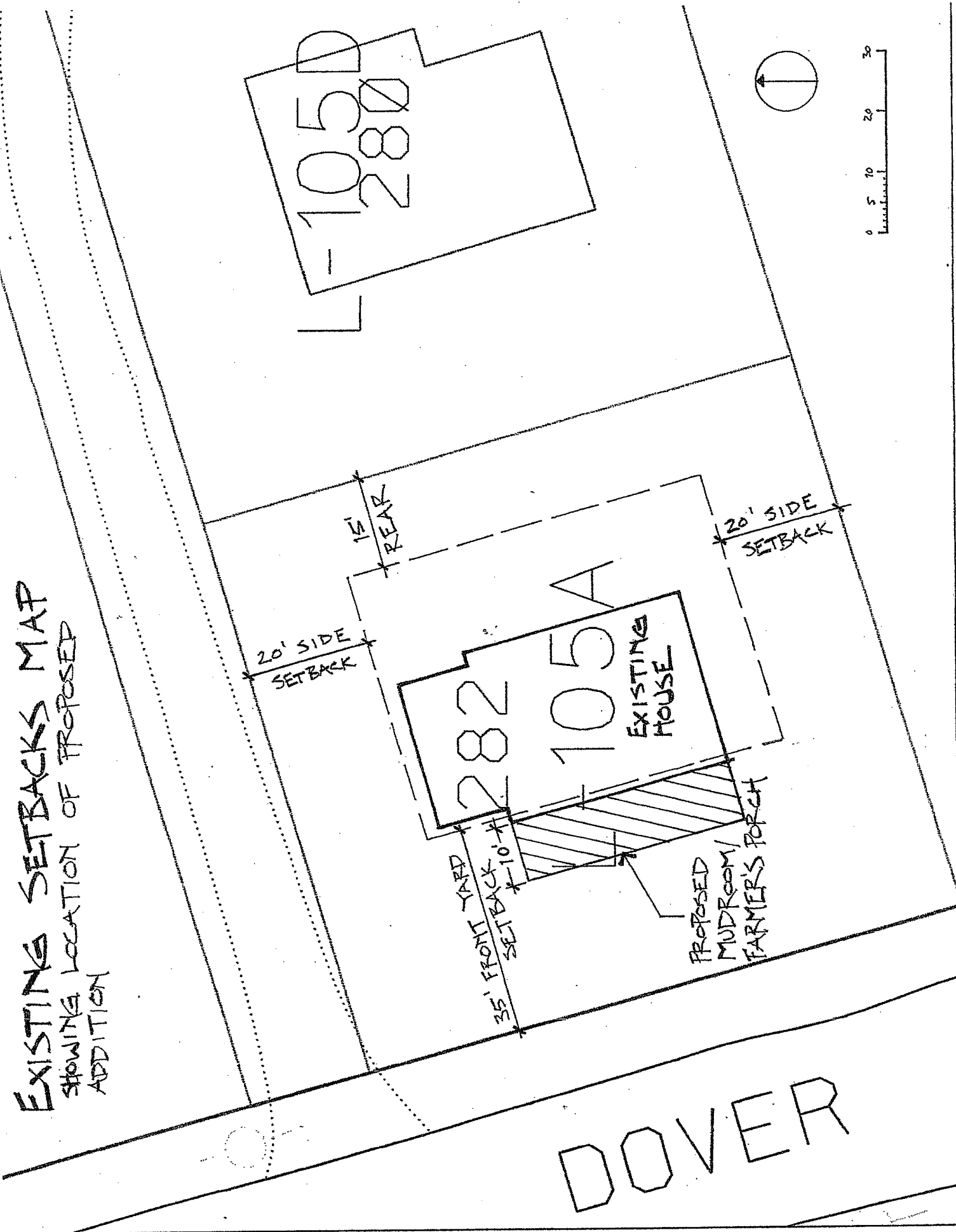
The public interest is defined as “anything affecting the rights, health, or finances of the public at large.” (West's Encyclopedia of American Law). It is hard to see how this variance impacts the public interest. Arguably, if the request were for a variance that would impact traffic patterns or safety, this might be an issue, but since the structure will still be 24 feet from the property line, there will be more than sufficient passage for traffic.

We believe a variance will not be contrary to the public interest because *the public interest would not be impacted by this variance.*

List of Abutting Properties

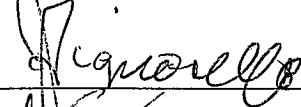
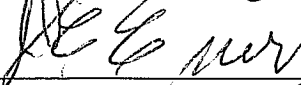
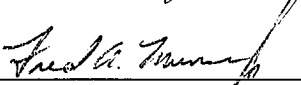
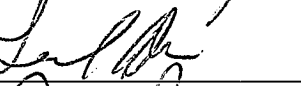
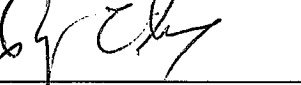
<b>Map and Lot No.</b>	<b>Owner(s) of Record</b>	<b>Mailing Address</b>
<b>Subject Property</b>		
<b>L-105A</b>	Masi Denison	P.O. Box 2023 Dover NH 03821
<b>Abutters</b>		
<b>L-106</b>	Roger C. Groux	278 ½ Dover Point Rd. Dover, NH 03820
<b>L-105D</b>	Christopher H. Johnson and Lauren E. Gagalis	280 Dover Point Rd. Dover NH 03820
<b>L-105C</b>	Evelyn E. Signorello and Joseph Signorello	284 Dover Point Rd. Dover NH 03820
<b>L-47</b>	Pamela Silver-McAdam Revocable Trust and Leonard Silver Trustee	14 Pearson Dr. Dover, NH 03820
<b>L-48A</b>	Arthur and Mary Dubois Irrev Trust and Arthur and Mary Dubois et al trustees	283 Dover Point Rd. Dover, NH 03820
<b>L-104</b>	Eveline C. Elkerton and Stanley W. Elkerton	278 Dover Point Rd. Dover, NH 03820

EXISTING SETBACKS MAP  
SHOWING LOCATION OF PROPOSED  
ADDITION



We, the undersigned, understand that Masi Denison, property owner at 282 Dover Point Road, wishes to add a 10 foot deep porch and mudroom to her house and that this would require a variance from the required setback of 35 feet to a setback of 24 feet. We support this variance and do not have any objections to it.

Signed

Signature	Print Name	Address
	EVELYN SIGNORELLO JOSEPH SIGNORELLO	284 DOVER POINT RD. DOVER
	JEROME F. ENDO	286 DOVER POINT RD DOVER
	Fred A. Munson Jr	281 Dover Point Rd. Dover
	Leonard Silver	14 Pearson Dr Dover
	ROGER C. GROUSE	978 1/2 DOVER PT. N.H

280 Dover Point Rd.  
Dover NH 03820



City of Dover  
Planning Department  
288 Central Ave.  
Dover, NH 03820

Dear Planning Department Official,

We understand that Masi Denison, property owner at 282 Dover Point Road, wishes to add a 10 foot deep porch and mudroom to her house and that this would require a variance from the required setback of 35 feet to a setback of 24 feet. We support this variance and do not have any objections to it.

A handwritten signature in cursive script that reads "Christopher H. Johnson".

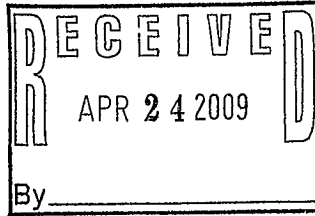
Date 04/27/09

A handwritten signature in cursive script that reads "Lauren E. Gagalis".

Date 4/27/09

Christopher H. Johnson

Lauren E. Gagalis



283 Dover Point Rd.  
Dover NH 03820

City of Dover  
Planning Department  
288 Central Ave.  
Dover, NH 03820

Dear Planning Department Official,

We understand that Masi Denison, property owner at 282 Dover Point Road, wishes to add a 10 foot deep porch and mudroom to her house and that this would require a variance from the required setback of 35 feet to a setback of 24 feet. We support this variance and do not have any objections to it.

Arthur DuBois Date 4/23/09 Mary DuBois Date 4/23/09

Arthur DuBois

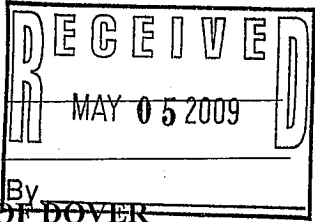
Mary DuBois

CASE # 209-06

DATE RECEIVED

AMOUNT PAID \$ 197.24

TIME RECEIVED



CITY OF DOVER  
ZONING BOARD OF ADJUSTMENT  
APPLICATION

I. APPLICANT DAVID TURNER PHONE #: 603 664 8833  
 ADDRESS 3 Greenville Dr Barrington N.H 03820  
 PROPERTY OWNER DAVE JOHANSON  
 ADDRESS 9 Renaud St Dover 03820 03820  
 PROPERTY LOCATION SAME  
 BRIEF DIRECTIONS OFF CENTRAL AVE DOVER PT RD  
 ZONE R-12 ASSESSOR'S MAP 17 LOT #(S) 17-C

TYPE OF APPEAL: (Please check off one)

- |                                                  |                                             |                       |
|--------------------------------------------------|---------------------------------------------|-----------------------|
| <input checked="" type="checkbox"/> VARIANCE     | ARTICLE <input checked="" type="checkbox"/> | SECTION <u>170-16</u> |
| <input type="checkbox"/> SPECIAL EXCEPTION       | ARTICLE _____                               | SECTION _____         |
| <input type="checkbox"/> ADMINISTRATIVE DECISION | ARTICLE _____                               | SECTION _____         |
| <input type="checkbox"/> EQUITABLE WAIVER        | ARTICLE _____                               | SECTION _____         |

Describe briefly your plans for this property:

ADDITION OF SINGLE CAR GARAGE

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II. REQUIREMENTS SUBMITTED: (Please check off)

- A. Plot plan drawn in accordance with a boundary line survey to scale not less than 1" = 40', (12 copies). They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. \_\_\_\_\_
- B. List of abutters including addresses and map and lot number of parcels who adjoin or are directly across the street or stream from property.
- C. Application fee of:
 

\$100.00 VARIANCE	\$ <u>100 -</u>
\$100.00 SPECIAL EXCEPTION	\$ _____
\$25.00 APPEAL FROM ADMINISTRATIVE DECISION	\$ _____
\$100.00 EQUITABLE WAIVER	\$ _____
- D. Certified letters fee:
 

# of abutters <u>5</u> X \$5.32 =	\$ <u>26.60</u>
Applicant & Owner <u>2</u> X \$5.32 =	\$ <u>10.64</u>
Foster's ad	\$ <u>60.00</u>

TOTAL \$ 197.24

III. **NARRATIVE:** Complete the section pertaining to your request for a dimensional/area variance. Keep your answers brief and be prepared to explain them in detail at the meeting. The burden of proof is on the applicant. If you need more space use an additional sheet of paper

**DIMENSIONAL/AREA VARIANCE REQUIREMENTS: (PLEASE TYPE OR PRINT IN INK)**

1. Provide proof that special conditions exist and that literal enforcement of the ordinance would result in an unnecessary hardship. Demonstrate that an area variance is needed to enable the applicant's proposed use of the property given the special conditions of the property; and that the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, without the area variance.

WE WANT TO EXPAND GARAGE BY 10' MAKING IT A  
2 CAR GARAGE. THIS WILL GO OVER THE 15'  
SETBACK LAW FOR THIS ZONE. IT WILL ENOUGH  
BY 1 FOOT

2. Provide proof that demonstrates how granting the variance will result in substantial justice.

HOME OWNER WANTS TO BE ABLE TO HOSE BOTH  
HIS CARS AND AT PRESENT HAS ONLY 1 CAR  
GARAGE

3. Provide proof that demonstrates how a variance would be consistent with the spirit and intent of the ordinance.

WERE GOING OVER THE SETBACK RULE BY 1'

4. Provide proof that demonstrates the variance will not result in a diminution in value of surrounding properties.

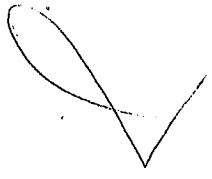
THIS WILL INCREASE THE VALUE OF HIS  
HOME AND THEREFORE LIFT OTHER PROPERTIES  
TO A HIGHER LEVEL

5. Provide proof that demonstrates the variance would not be contrary to the public interest.

SEVERAL OTHER HOMES HAVE 2 CAR GARAGES  
ON THIS STREET



**SPECIAL EXCEPTION REQUIREMENTS**



- 1. Explain how the requested use would be essential or desirable to the public convenience or welfare.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 2. Detail how the requested use would not create undue traffic congestion or unduly impair pedestrian safety.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 3. Describe how the requested use would not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the City will be unduly subjected to hazards affecting health, safety or the general welfare.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPEAL FROM AN ADMINISTRATIVE DECISION**

- 1. Explain why you feel that the Administrative Official made an error in applying or interpreting the zoning ordinance in a particular case.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. As applicant of standing of this request, I certify that the information herein is complete and accurate.

**IMPORTANT**  
PROPERTY IDENTIFICATION SIGN  
MUST BE POSTED ON THE PROPERTY  
FOR THE 10 DAYS PRIOR TO  
HEARING.  
FAILURE TO POST MAY RESULT IN  
APPLICATION NOT BEING ACCEPTED

*[Handwritten Signature]*

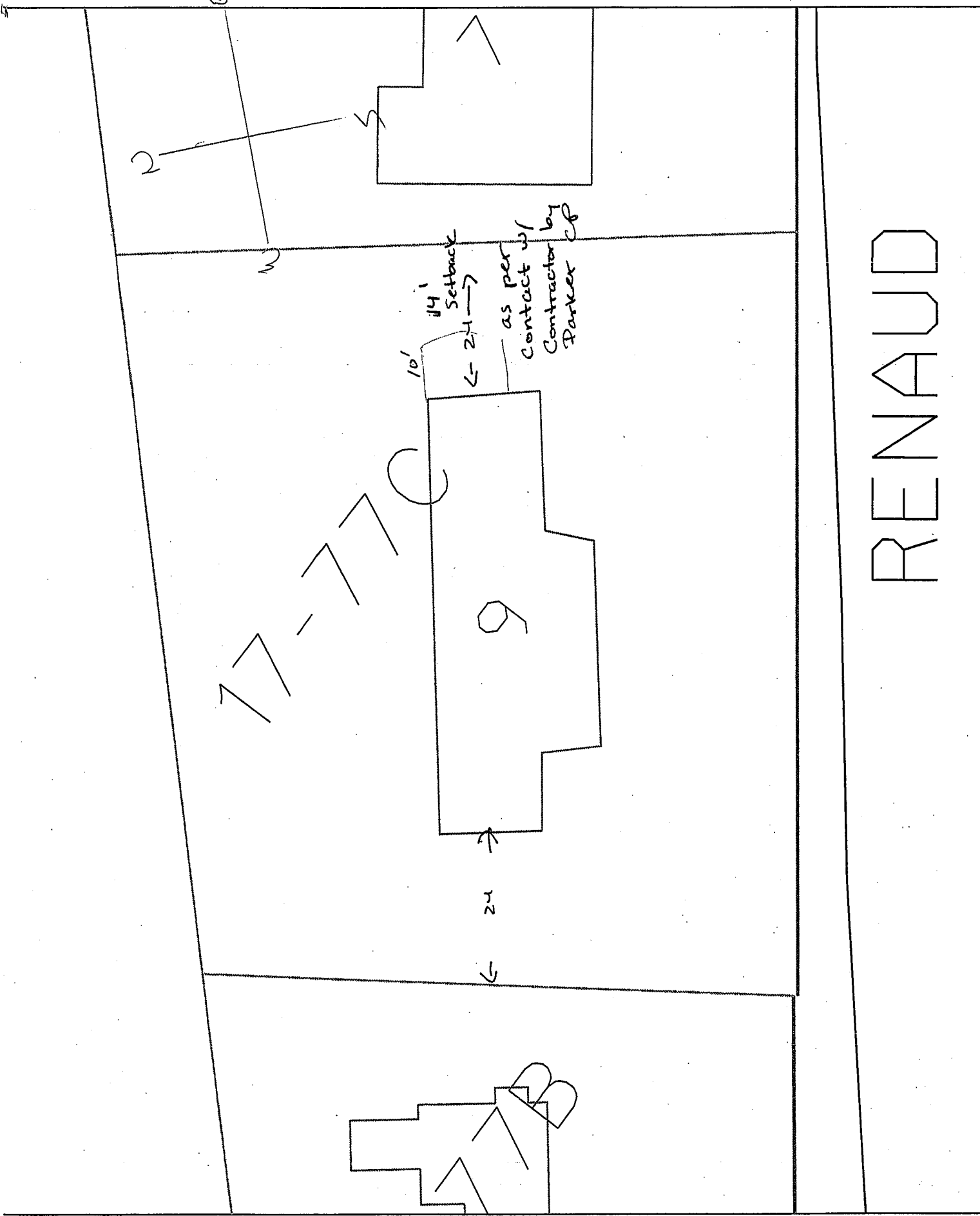
Signature of Applicant\*

*[Handwritten Signature]*

Signature of Owner\*

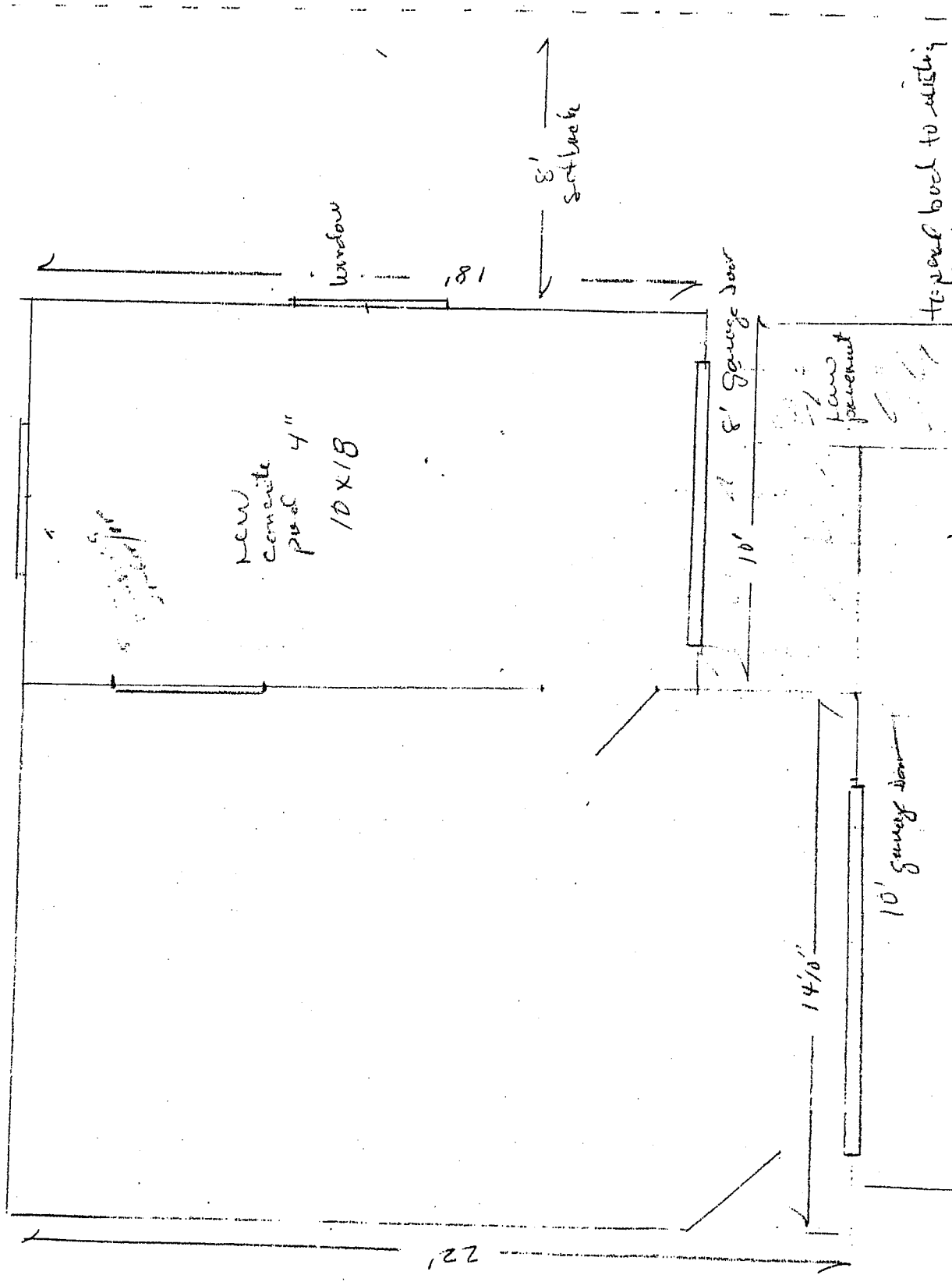
\*Both Signatures Required





RENAUD

Window?



Property line

Window

18'

8' Setback

10' 8' Garage door

New pavement

New concrete pad 4" 10x18

10' Garage door

14'0"

22'

to pad back to existing