

**DOVER ZONING BOARD OF ADJUSTMENT  
MINUTES OF WORKSHOP  
OCTOBER 6, 1997**

**MEMBERS PRESENT:** Dean Trefethen, Chairperson, Bill Colbath, Vice-Chairperson, Rick Callaghan, John Murphy

**STAFF PRESENT:** Thomas Clark, Building Official

Dean Trefethen called the meeting to order.

**ITEM #1** Review of the ZBA Application form in its entirety.

The changes are as follows:

**Page One:**

Add to the end of the first paragraph the following: "Please complete the one applicable to you."

Item number 3, change "where the applicant feels that the Building Inspector made a mistake in applying..." to read, "where the applicant feels that the Administrative Official made an error in applying..."

Second paragraph from the bottom, omit the first word "Obviously." Begin the paragraph with, "Familiarity with the particular provision..."

The last paragraph change "You may be represented by a lawyer if you wish." to read, "You may represent yourself or authorize in writing someone else to represent you."

**Page Three - Variance Requirements:**

Item number 5 change from "Discuss how the variance would be of benefit to the public interest." to read, "Discuss how the variance would not be contrary to the public interest."

**Page Four - Waiver of Dimensional Requirements:**

Item number 2 is joined together as follows:

2. Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the City, OR explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchase, AND how the violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake.

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At the bottom after item number 4, include the following:

**NOTE: The Board must find in the affirmative on all four (4) questions or the request must be denied.**

**ITEM # 2: Review the By-Laws**

The term "By-Laws" is changed to "Rules of Procedure" throughout the document.

The term "Chairman" is changed to "Chairperson" throughout the document.

The term "appeals" is changed to "petitions" throughout the document.

**Page One:**

Under Zoning Board of Adjustment, #1, second line, change, "approved by the City Council" to read, "appointed by the City Council."

Number 2, first line, change "will include five (5)" to read "will include up to five (5)."

Under Officers, make the following item #3: "If neither Chairperson or Vice-Chairperson are present, or cannot sit on a case due to conflict of interest, then the Board shall elect from its rank a Chairperson." Make "A Clerk may be appointed by the Chairperson as needed to..." as number 4.

**Page Two:**

Item #4, add "In the absence of both, the Board will elect a Chairperson for the hearing."

Bottom of the page, change letters A. through I. to numbers. Change #2 from "Approval of minutes" to "Approval of minutes of the previous meeting." Make "Old Business" #3. Make "New Business" #4. Make #5, "Other Board business." Make #6 "Adjournment." Eliminate letters E, F, G & H.

**Page Three:**

17th. line down, change "If granted, the variance must be of benefit to," to read, "If granted, the variance must not be contrary to."

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Line 25 down, change "The Board shall vote to accept the appeal." to read, "The Board shall vote whether or not to accept the petition."

Replace sixth line up from botton, "Formal vote shall be taken on the appeal." to read, "Each individual criteria, and associated condition(s), will be voted on individually. After all criteria have been voted on, the Chairperson will declare the petition granted or denied and summarize any conditions."

**Page Four:**

Item #6 delete in entirety and replace with, "The Board shall follow the State law concerning rehearings."

Item #7 delete in entirety and replace with, "The Board shall follow State law concerning rehearings."

Meeting was adjourned.