



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Thursday, September 17, 2015**
Meeting Time: **7:00 pm**

1. ATTENDANCE

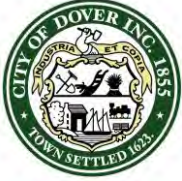
2. APPROVAL OF MEETING MINUTES OF AUGUST 20, 2015

3. HEARINGS

- A. Z15-18 Owner Brian Fischer, 432 Central Avenue, appeals the administrative decision of Building Official Thomas L. Clark to issue three Certificates of Occupancy (No. C 14-207 '15) to Riparia at 100 First Street LLC, 100 First Street (Tax Map 6, Lot 3) on the grounds that issuance of the Certificate of Occupancy violates **Section 170-44.I (f)** of the Zoning Ordinance.
- B. Z15-19 Owners Brian & Mary Ann Short, 3 Wentworth Terrace (Tax Map 8, Lot 32), located in the Low-Density Residential (R-20) District and Riverfront Residential Overlay (RRD) District, request a variance from **Section 170-28.1.C** of the Zoning Ordinance to permit a subdivision that would create a 43,893-square-foot lot and a 32,275-square-foot lot where 60,000-square-foot lots are required.
- C. Z15-20 Owner Ardena Plourde, 42 Constitution Way (Tax Map K, Lot 21-21), located in the Rural Residential (R-40) District, requests a variance from **Section 126-5.F** of the Manufactured Home Parks Ordinance to permit the construction of a garage six feet from the side lot line, where 12 feet is required.

4. ADJOURN

Persons with questions or interested in reviewing the meeting materials are invited to visit the Planning Department located in City Hall, open Monday-Thursday from 8:30 am to 5:30 pm and Friday from 8:30 am to 4:00 pm. The meeting materials are also available on-line at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.



**CITY OF
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ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center, Room 306
61 Locust Street, Dover NH 03820
Meeting Date: **Thursday, August 20, 2015**
Meeting Time: **7:00 pm**

1. ATTENDANCE

Members Present: Otis Perry (Vice-Chair), Frank Landford, Bob Hall, Arianna Adams (Alternate)

Members Not Present: Sam Reid (Chair), Chris Prior, George Reagan (Alternate)

Staff Present: Christopher Parker (Assistant City Manager), Elena Piekut (Assistant City Planner), Tracy Smith (Recording Secretary)

The Chair called the meeting to order at 6:59 p.m. He opened the meeting, introduced the Board and staff members to the audience, and described the process used to hear cases.

2. APPROVAL OF MEETING MINUTES OF JULY 16, 2015

Motion: F.Landford made a motion to approve the July 16, 2015 Regular Meeting Minutes. Seconded by B.Hall. Vote U/A

O.Perry stated there is a three person vote required to approve a variance, and gave the applicants the option to withdraw their application and notify abutters for the next meeting.

Richard Dolbec, 47 Cielo Drive, asked if the Zoning Board operates under Roberts Rule and asked about the number of voting members present.

B.Hall said yes and that four need to be present.

3. HEARINGS

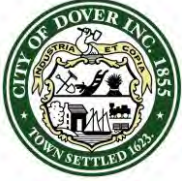
- A. Z15-12 Owners Gregory & Laura Halsey, 7 Hull Avenue (Tax Map 35, Lot 49), located in the Medium Density Residential (R-12) District, request a variance from **Section 170-14.A(2)** of the Zoning Ordinance to permit the demolition and reconstruction of an existing attached breezeway and garage, where the widened garage will require a two-foot setback where a six-foot side yard setback is required.

Gregory Halsey presented his application and stated the information and five criteria explanations as listed on the application, adding the project was discussed with his neighbor, Pasco and Winifred Del Ponte, who provided written support which was distributed to the Board members. He addressed the Staff Memo regarding the recommendation for the lot line adjustment, and stated his concern regarding the cost issue, and that there is no guarantee The Del Pontes would sell the land to him.

B.Hall requested clarification on the uniqueness of the property. G.Halsey stated the frontage is narrower in comparison to the other lots in his neighborhood.

F.Landford confirmed with G.Halsey that he did not discuss obtaining the land from his neighbor.

C.Parker confirmed with G.Halsey that he knew at the time he purchased the home that it was a nonconforming lot, and he intended to rebuild the garage at that time.



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B.Hall asked the applicant if the garage could be restructured for additional clearance. G.Halsey stated he would like to widen it to add a stair set from the garage to the house, and to have enough space for an opening to get the car in the garage.

A letter from Pasco and Winifred Del Ponte, 3 Hull Avenue, which expressed support of the variance was distributed to the Zoning Board members and read by O.Perry.

Public Hearing Opened. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION:

The Planning Department recommends the Board hold the public hearing and deny the request for the variance, and suggests the applicant instead seek a lot line adjustment with the owners at 3 Hull Avenue.

C.Parker recommended the application be denied due to lack of hardship, and stated the applicant knew when he purchased the home that he did not have a conforming lot to do the project, adding it would be a hardship if the neighbor stated they would not do the lot line adjustment. He further stated the applicant has the option to construct a 14 ft. garage which would comply with the setbacks.

G.Halsey stated he was uncertain whether his neighbor would approve of the lot line adjustment, and asked the Board to consider a condition of approval. C.Parker stated the variance is supposed to be the last option when all other options have been exhausted.

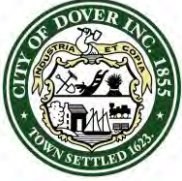
Motion: B.Hall made a motion to deny the variance due to no demonstration of hardship or deviation from the strict requirement of the ordinance, and the intent of the ordinance has not been met. Seconded by F.Landford. Vote U/A

- B. Z15-15 Owners Steve and Briana Hyde, 45 Dover Neck Road (Tax Map M, Lots 78 & 79D), located in the Rural Residential (R-40) District, request a variance from Section **170-12.A** of the Zoning Ordinance and the R-40 District Table of Use and Dimensional Regulations to transfer the two-family conversion right of a pre-1964 single-family dwelling on lot 78 to lot 79D to permit the construction of a two-family dwelling on lot 79D, where a single-family dwelling is permitted.

Christopher Berry, Berry Surveying & Engineering, represented the applicant and stated the information and five criteria explanations in regards to the application, adding the motive for the applicant is the duplex style and they want to live in the duplex and have a family member live with them. He explained the location and style of the structure, adding the style would be non-congruent with each the existing home. He further stated if the application is denied, the applicant would have to build a single family home in the building area provided and would have to remove vegetation. Steve and Briana Hyde were also present.

C.Berry said the special condition of this property is that it is the only of its kind in that area. The special condition on the second vacant lot is long standing vegetation in the front that they want to maintain.

S.Hyde clarified the location of the existing lot they own and the purchased property, adding the majority of their lot is wooded. They would prefer not to add the house in one area, instead to transfer the second unit right in the back so it



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would not affect the character of the street and to give a wooded buffer. If they later sell, the newly constructed property could not be viewed from the home.

F.Landford confirmed with C.Parker that the Planning Department has a signed copy of the application.

O.Perry stated his concern regarding the transfer. C.Parker clarified the transfer of the right and explained the applicant wants to create a duplex on a lot where a single family unit is ordinarily allowed by right and have a single family unit on the lot where the duplex is allowed. He stated three units are allowed on the lot.

Public Hearing Opened

David Goodwin, 23 Dover Neck Road, spoke in favor of the variance as long as it is being built as proposed. He addressed another current project pertaining the renovation of a house in relation to the applicant's proposal, adding the completion of both projects would provide open space that would make the area look better. He explained the property he owned in comparison with the proposal and how the applicant supported him when he made changes on his property. F.Landford confirmed with D.Goodwin the property he sold to the applicant.

Vera Haus, 28 Dover Neck Road, spoke against the variance and stated her concern with building the two family home where there are none in that area. She expressed her concern with the property values diminishing by allowing the two family home to be built and used as a rental property. Jeffrey Haus was also present.

S.Hyde stated their proposal has less of an impact on the area, where if they expanded their existing home they would be very close to their neighbor. He further stated the proposed structure would keep the nature of neighborhood, and if the variance was not granted, they could sell the property to a builder who would not care about the area or the trees and would remove them. He further stated the home they would eventually rent would be across the street from an existing rental, adding anyone could rent their homes at any time.

C.Berry stated the applicants live in the neighborhood and care about the area, and clarified there are reconfigured units on Arch Street as an example of the concept.

Discussion ensued about the septic system for the duplex, and the applicants are required to bring sewer to the new units.

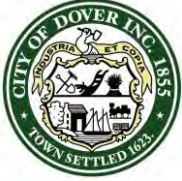
STAFF RECOMMENDATION:

The Planning Department recommends the Board hold the public hearing and does not oppose the request for variance. If the Board chooses to approve the request, staff suggests a condition that a deed restriction be added for Lot 78, stating that there shall be no conversion of the existing dwelling to accommodate two units. A note to this effect should also be added to the plan.

C.Parker addressed the previous comments and stated conditions as suggested by the Planning Department.

Public Hearing Closed

Motion: B.Hall made a motion to grant the variance with the following conditions:



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- The house be constructed as shown on the plan.
- The new units be required to tie in to the sewer system.
- No more than three units exist on the combined two lots.
- There will be minimal cutting of the existing wooded buffer.
- The lot line adjustment be approved by the Planning Board.

Seconded by F.Landford. Vote U/A

- C. Z15-16 Owner Carl Thibodeau, 8 Pineview Drive (Tax Map L, Lot 48M), located in the Low Density Residential (R-20) District, requests a variance from **Section 170-12.B** of the Zoning Ordinance and the R-20 Table of Use and District Dimensional Regulations to allow 92.51 feet of frontage where 125 feet is required.

Christopher Berry, Berry Surveying & Engineering, represented the applicant and stated the information and five criteria as listed on the application. He stated Mr. and Mrs. Thibodeau were also present.

Discussion ensued regarding the proposed structure to be built and that the utility easement would remain. C.Parker confirmed the applicant would not build an Accessory Dwelling Unit structure.

Public Hearing Opened. Nobody Spoke.

STAFF RECOMMENDATION:

The Planning Department recommends the Board hold the public hearing and approve the request for variance. If the Board chooses to approve the request, staff suggests a condition that a deed restriction be added for Lot 48M, stating that there shall be no conversion of the existing dwelling to accommodate two units. A note to the same effect should be added to the plan.

C.Parker recommended to approve the variance with the following conditions:

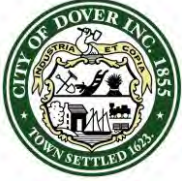
- No more than two units over the two lots be created.
- Screening will be installed prior to issue of the building permit.
- The utility easement would be donated to the City, if needed.
- The new home will have a similar look and feel to the existing neighborhood mitigated through street-scape improvements.

Public Hearing Closed

B.Hall stated his concern with the condition regarding the look and feel with existing lots and meeting the zoning requirements. C.Parker stated the applicant wants to build with a look that the structures have been there all along, which is why he put in that condition.

Motion: F.Landford made a motion to grant the variance with the conditions as suggested by the Planning Department. Seconded by A.Adams. Vote U/A

- D. Z15-17 Owner Heron Bay Partners, LLC, 38 Cielo Drive (Tax Map H, Lot 4-38), located in the Assembly and Office (I-4) and Residential-Commercial Mixed Use (RCM) Overlay Districts, requests



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an equitable waiver **per Section 170-52.C(d)** from the dimensional requirements of **Section 170-28.2.F(2)**, specifically where 24 feet between buildings is required but 20.7 feet exists.

Christopher Berry, Berry Surveying & Engineering, stated he represented himself for Heron Bay Partners, and stated the information as listed on the application.

F.Landford requested clarification of the location of the structures on the plans.

C.Berry explained the cost to demolish the structure and asked the Board allow the structure to remain.

Public Hearing Opened

Richard Dolbec, 47 Cielo Drive, spoke in favor of the waiver.

STAFF RECOMMENDATION:

The Planning Department recommends the Board hold the public hearing and grant the request for an equitable waiver.

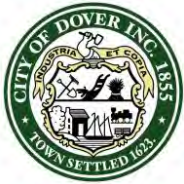
C.Parker stated he does not believe the measurement error would be noticed due to the shared space, adding this is not typical for C.Berry or his company. He recommended the equitable waiver be granted.

Public Hearing Closed

Motion: F.Landford made a motion to grant the request for the equitable waiver. Seconded by B.Hall. Vote U/A

4. ADJOURN

Motion: B.Hall made a motion to adjourn at 8:40 p.m. Seconded by F.Landford. Vote: U/A



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	McConnell Center Room 306 – 61 Locust Street, Dover, NH
Meeting Date:	Thursday, September 17, 2015
Meeting Time:	7:00 pm

INTENT: Brian Fischer, 432 Central Avenue, appeals the administrative decision of the Building Official to issue Certificates of Occupancy to Riparia at 100 First Street because issuing the certificates violates the Zoning Ordinance, particularly Section 170-44.I(f).

UNITS PROPOSED: N/A

AGENDA ITEM #: 3A

ZONING DISTRICT: CBD-General

FILE: Z15-18

APPELLANT: Brian Fischer

OWNERS: Riparia at 100 First Street LLC

LOCATION: 100 First Street (Tax Map 6, Lot 3)

ACREAGE: 0.75 acre

EXISTING LAND USE: Mixed Use

PROPOSED LAND USE: N/A

SURROUNDING LAND USE: Mixed Use

PREVIOUS ZBA ACTION: None

ATTACHMENTS: Application, Letter

PLANNING BOARD APPROVAL REQUIRED: N/A, previously approved

STAFF RECOMMENDATION:
The Zoning Board should not accept jurisdiction of the appeal.

SUMMARY OF APPEAL AND BACKGROUND

On February 25, 2014, the Planning Board conditionally approved the site plan for the mixed use building at 100 First Street. Concurrently, the Board approved a Conditional Use Permit (CUP) for reduced parking as requested by the applicant. As part of the consideration of the CUP, the Planning Board has 6 criteria that it reviews the request against. The applicant believes that one of those criteria, “There shall be no detrimental effects on surrounding properties by any proposal” has not been met, thus the Building Official should not have issued Certificates of Occupancy for three of the four residential floors of the structure. It is also noteworthy that at the time, the Applicant sent a letter to the Planning Board in February 2014 stating concerns about the project’s impact on its property and ability to use an adjacent loading zone. The Planning Board considered this impact when determining whether the Conditional Use Permit should be granted or not, and ultimately granted the permit.

REASON FOR STAFF RECOMMENDATION

At its heart, the substance of this appeal is that the Building Official should not have issued the Certificates of Occupancy because the appealing party claims that the Planning Board improperly interpreted the ordinance – erroneously resolving one of the criteria for the approval of a Conditional Use Permit was not met (the allegation is that there was a detrimental effect on a surrounding property).

Specifically, the appealing party takes the position that a Certificate of Occupancy should now be withheld because the Zoning Ordinance lays out criteria for a CUP, and the Building Official and/or the Zoning Board of Adjustment has the authority to review the Planning Board’s determination that the CUP was properly granted because it involved the Board’s interpretation of the Ordinance.

This position is in clear conflict with State law. NH RSA 676:5 III guides how the ZBA may review Planning Board interpretations of the Ordinance. It states however that:

“... if the zoning ordinance contains an innovative land use control adopted pursuant to RSA 674:21 which delegates administration, including the granting of conditional or special use permits, to the planning board, then the planning board's decision made pursuant to that delegation cannot be appealed to the board of adjustment, but may be appealed to the superior court as provided by RSA 677:15.”

Thus, even assuming, for the sake of argument, that the Planning Board improperly resolved one or more elements of a CUP and

improperly approved the CUP for the building at 100 First Street, the appeal should have been filed with the Strafford County Superior Court, and not the Zoning Board of Adjustment. Moreover, that appeal should have been filed by late March 2014 – some seventeen months ago.

Based on the foregoing, Staff believes that the Zoning Board of Adjustment does not have jurisdiction over the appeal, as it should have been made to Superior Court in 2014. Thus, the ZBA is required to dismiss the appeal on grounds that it lacks jurisdiction. Moreover, under State Law, if a land use board lacks jurisdiction, then it has no authority to determine the merits of the appeal.

RECOMMENDATION

The Zoning Board should dismiss the appeal for lack of jurisdiction based on NH RSA 676:5 III.

If the ZBA determines the first reason for dismissal is not adequate, then it should discuss the appeal as untimely filed, since state law (RSA 675:6 I) requires any appeal of an administrative decision, such as a Planning Board interpretation of the zoning ordinance, to be filed with the ZBA within “A reasonable time,” as defined by the Zoning Board Rules and Procedures. Dover’s Zoning Board Rules and Procedures states that 30 days is a reasonable time. This appeal was not filed until nearly eighteen months after the Planning Board’s February 2014 decision, and is therefore untimely.

THOMAS L. CLARK
Building Official
t.clark@dover.nh.gov



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City of Dover, New Hampshire

OFFICE OF THE BUILDING OFFICIAL

RECEIVED
Planning Office

SEP 10 2015

Dover, New Hampshire

MEMORANDUM

TO: Zoning Board of Adjustment

FROM: Thomas L Clark, Building Official

SUBJECT: Appeal from Administrative Decision

DATE: September 9, 2015

This is in response to the appeal submitted by Atty Scott Hogan representing Brian Fisher. The appeal alleges the Certificates of Occupancy issued to the owners of the building at 100 First St. should be rescinded based on a purported violation of the Zoning Ordinance.

Please know the parking issue described in the appeal was addressed by the Dover Planning Board in the form of a Conditional Use Permit. In addition, there is no connection between the Zoning Ordinance and the Building Code, which regulates the issuance of Certificates of Occupancy.

In my opinion, the Zoning Board of Adjustment is not the appropriate body to hear this case as it has no jurisdiction over the Building Code. Accordingly, I respectfully suggest that the Zoning Board vote not to accept this application for consideration.

APPEAL OF ADMINISTRATIVE DECISION

THIS SECTION TO BE COMPLETED BY APPLICANTS APPEALING AN ADMINISTRATIVE DECISION ONLY

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

See Appeal of Administrative Decision, attached.

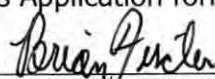
SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

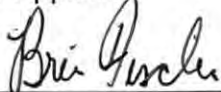
I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.



Signature of Applicant*



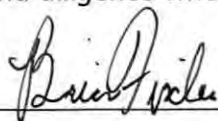
Signature of Owner*

*Both Signatures Required

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Zoning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____



Date: _____

8/31/15

The Law Office of Scott E. Hogan

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P.O. Box 33
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Phone: 603-969-1183

hoganlaw@comcast.net

Fax: 603-659-9092

APPEAL OF ADMINISTRATIVE DECISION PURSUANT TO RSA 676:5

TO: Dover Zoning Board of Adjustment

FROM: Brian Fischer, Owner Ear Craft Music
432 Central Avenue
Dover, NH 03820

BY: Scott E. Hogan, Esq.

DATE: August 31, 2015

RE: July 31, 2015 issuance of Certificates of Occupancy No. C 14-207 '15 to Riparia at 100 First Street LLC.

Nature of the Appeal

On July 31, 2015 Dover Building Official Thomas L. Clark issued three Certificates of Occupancy, No. C 14-207 '15, for the mixed-use facility at 100 First Street. The Certificates state that such issuance "...verifies compliance with the intent of the Building Code and applicable City Ordinances...". See attached.

The issuance of the Certificates of Occupancy violates the Zoning Ordinance as follows.

History

The City of Dover entered into a License Agreement dated July 17, 2014 with First Street at Garrison, LLC and Riparia-One Hundred First Street, LLC regarding the parking of vehicles in certain areas on First Street by the Licensees pursuant to a plan to develop Licensees' land off of First Street. This Agreement involved reallocating parking and loading areas in the general vicinity of the First Street development project.

The Appellant Brian Fischer is the owner of Ear Craft Music, located at 432 Central Avenue. When Mr. Fischer originally purchased the Ear Craft property there was a provision of the sale requiring the seller to "...take whatever steps are necessary to assure that the City of

Dover designates four (4) parking spaces, at the side of the subject property, as a loading zone for the benefit and use of the subject property". The City, through the Chief of Police, did so designate those 4 spaces as a loading zone, which has been used by Ear Craft Music as part of its daily business operations since that time. The loading zone has been critical to daily business operations, as it's used to unload large stock deliveries, load large items being delivered to customers, load sound system rentals being sent out to various venues, loading and unloading repairs, moving stock into the building from the business's warehouse on Fourth Street, and for daily use by the business's three service techs.

The License Agreement executed by the City reallocated the loading zone for use by the First Street mixed-use development project.

Thereafter, First Street at Garrison, LLC submitted various applications to the Dover Planning Board, seeking approvals for the development project, including a Conditional Use Permit for reduced parking.

Prior to the Planning Board's approvals, Mr. Fischer spoke to Dover Parking Manager William Simons about his concerns over the proposed parking space changes on First Street in favor of the First Street development project, and the negative effects they would have on the daily operation of his business. Mr. Simons represented to Mr. Fischer "not to worry", that the loading area would remain as it was and that it was just an oversight on the plan. He further represented that in order for him to address it Mr. Fischer would need to send him his concerns in writing, and that he would take care of everything. He also represented that there would be no need for Mr. Fischer to go to the Planning Board meeting and he would take care of it. Mr. Fischer did immediately submit a written letter to Mr. Simons documenting his concerns. Subsequently in May of 2015 a contractor for the First Street development project hand delivered a notice to Mr. Fischer that the loading zone area was being taken away, and that it was "non-negotiable".

After significant contact with the City, the City Council eventually passed a Resolution amending the License Agreement to "restore" only two spaces of the loading area, and imposed a regime of new conditions restricting hours and terms of use. In the meantime, between the restricted use of the loading zone, and the general unavailability of area parking due to the reallocations for the First Street development project, there has been a profound daily negative effect on the Ear Craft Music business.

Dover Zoning Ordinance

Article XI (Off-Street Parking and Loading), Section 170-44 pertains to the Conditional Use Permit approval granted to the First Street development project for reduced parking. Section 170-44(I)(f) states specifically:

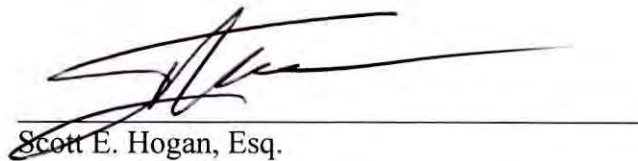
"There shall be no detrimental effects on surrounding properties by any proposal" (Emphasis added).

After decades of operation, Ear Craft Music has recently suffered significant and unprecedented “detrimental effects” as a result of the reallocation of loading and parking spaces in favor of the First Street development project, and thus the issuance of the July 31st Certificates of Occupancy are in violation of the Zoning Ordinances cited above.

CONCLUSION

For the reasons described above, the July 31, 2015 issuance of the referenced Certificates of Occupancy violates the Dover Zoning Ordinance, and must be reversed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott E. Hogan', is written over a horizontal line.

Scott E. Hogan, Esq.
66 Lee Road
P.O. Box 33
Durham, NH 03824
603-969-1183
Hoganlaw@comcast.net
NH Bar ID#: 10542

THOMAS L. CLARK
Building Official
t.clark@dover.nh.gov



288 Central Avenue
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Fax: (603) 516-6146
www.dover.nh.gov

City of Dover, New Hampshire

OFFICE OF THE BUILDING OFFICIAL

CERTIFICATE OF OCCUPANCY

NO. C 14-207 '15

DATE: July 31, 2015

This certifies that the building (structure) or portion thereof, located at 100 First Street referenced by Building Permit Number B 14-207 issued 07/11/2014 may be occupied as 3rd floor dwelling units within a multi-family building (units 301-308).

This Certificate of Occupancy has been issued based upon plans and/or specifications submitted, inspections made during and subsequent to construction and other information and/or engineering data submitted; and verifies compliance with the intent of the Building Code and applicable City Ordinances, subject to any comments/conditions which may be on the Certificate of Occupancy Application.

THIS CERTIFICATE ISSUED TO:

Riparia at 100 First Street, LLC

466 Central Avenue

Dover, NH 03820

Thomas L. Clark
Building Official

THOMAS L. CLARK
Building Official
t.clark@dover.nh.gov



288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6038
Fax: (603) 516-6146
www.dover.nh.gov

City of Dover, New Hampshire

OFFICE OF THE BUILDING OFFICIAL

CERTIFICATE OF OCCUPANCY

NO. C 14-207 '15

DATE: July 31, 2015

This certifies that the building (structure) or portion thereof, located at 100 First Street referenced by Building Permit Number B 14-207 issued 07/11/2014 may be occupied as 4th floor dwelling units within a multi-family building (units 401-408).

This Certificate of Occupancy has been issued based upon plans and/or specifications submitted, inspections made during and subsequent to construction and other information and/or engineering data submitted; and verifies compliance with the intent of the Building Code and applicable City Ordinances, subject to any comments/conditions which may be on the Certificate of Occupancy Application.

THIS CERTIFICATE ISSUED TO:

Riparia at 100 First Street, LLC

466 Central Avenue

Dover, NH 03820

Thomas L. Clark
Building Official

THOMAS L. CLARK
Building Official
t.clark@dover.nh.gov



288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6038
Fax: (603) 516-6146
www.dover.nh.gov

City of Dover, New Hampshire

OFFICE OF THE BUILDING OFFICIAL

CERTIFICATE OF OCCUPANCY

NO. C 14-207 '15

DATE: July 31, 2015

This certifies that the building (structure) or portion thereof, located at 100 First Street referenced by Building Permit Number B 14-207 issued 07/11/2014 may be occupied as 5th floor dwelling units within a multi-family building (units 501-508).

This Certificate of Occupancy has been issued based upon plans and/or specifications submitted, inspections made during and subsequent to construction and other information and/or engineering data submitted; and verifies compliance with the intent of the Building Code and applicable City Ordinances, subject to any comments/conditions which may be on the Certificate of Occupancy Application.

THIS CERTIFICATE ISSUED TO:

Riparia at 100 First Street, LLC

466 Central Avenue

Dover, NH 03820

Thomas L. Clark
Building Official

ABUTTER LIST

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

Pursuant to RSA 676:7, the State Law of New Hampshire, the City of Dover is required to notify the applicant and every abutter of the public hearing by certified mail. The cost of required publication or posting of notice, and the cost of mailing said notices, shall be paid by the applicant.

"Abutter" is defined in Chapter 170, Dover Zoning Ordinance, as:

The owner of record of a parcel of land located in New Hampshire and adjoins or is directly within **two hundred (200) feet** (including land across the street or waterway) of the proposed site under consideration by the Board.

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PLEASE NOTE: abutter ownership information for lots located in Dover, shall be obtained through the City's Tax Assessment Office.

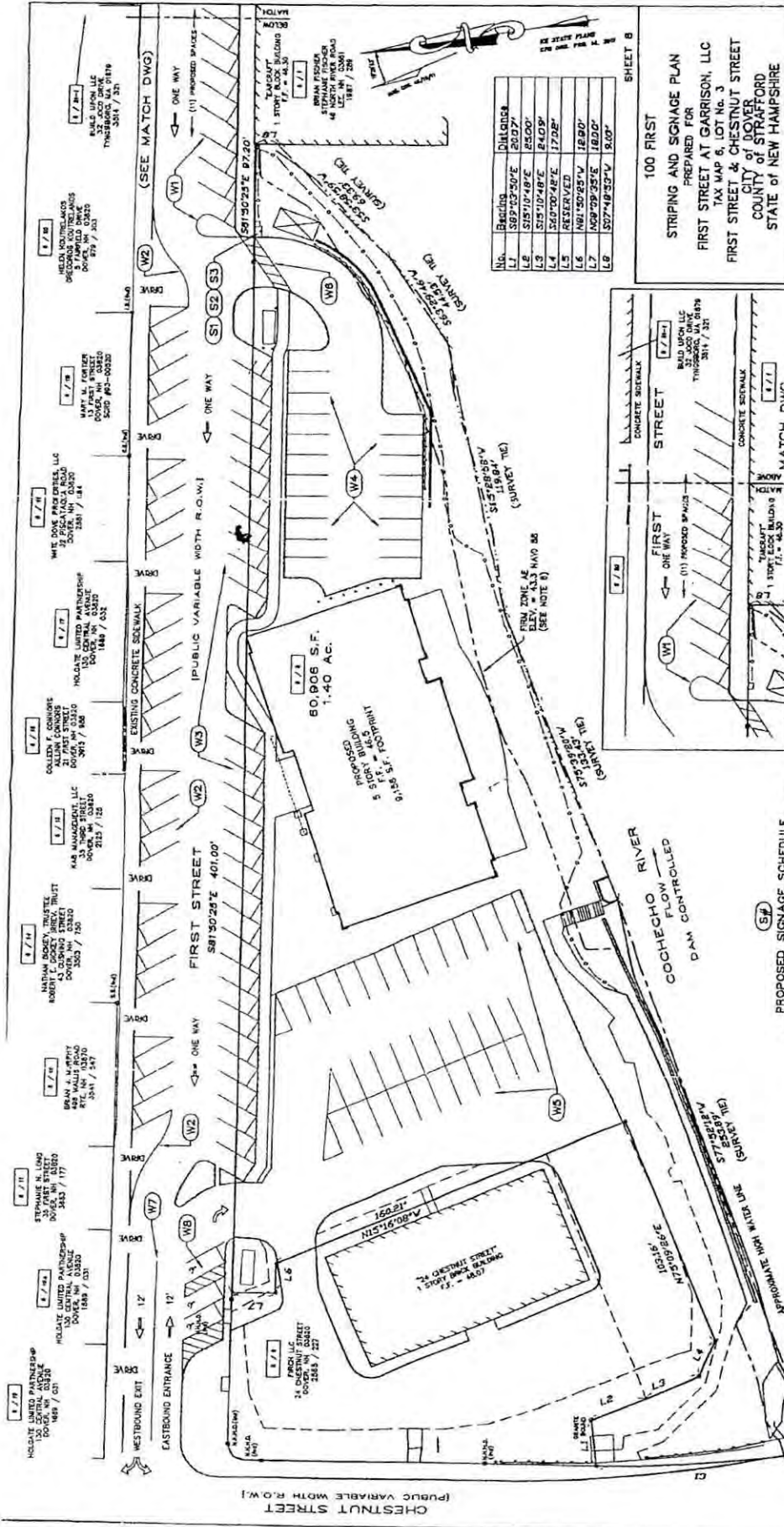
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1	02051-000000	PETER & PAULA GEORGAKILAS LIVING REV. TRUST	PETER & PAULA GEORGAKILAS ,TRUSTEES	62 SILVER STREET	DOVER	NH 03820
2	02052-000000	INNATE, LLC		1 WALDRON COURT	DOVER	NH 03820
3	02054-000000	COCHeco PARK PRESERVATION ASSOCIATES	C/O PRESERVATION HOUSING MANAGEMENT	3100 BROADWAY, SUITE #1234	KANSAS CITY	MO 64111
4	06009-000000	FIRCH, LLC		24 CHESTNUT STREET	DOVER	NH 03820
5	06010-000000	HOLGATE LIMITED PARTNERSHIP		130 CENTRAL AVENUE	DOVER	NH 03820
	06010-A00000	(SAME)				
	06017-000000	(SAME)				
	06029-000000	(SAME)				
6	06011-000000	STEPHANIE N. LONG		35 FIRST STREET	DOVER	NH 03820
7	06012-000000	BRIAN J. MURPHY		496 WALLIS ROAD	RYE	NH 03870
8	06014-000000	ALDEN PROPERTIES LLC		750 LAFAYETTE ROAD	PORTSMOUTH	NH 03801
9	06015-000000	KAB REALTY MANAGEMENT, LC		35 THIRD STREET	DOVER	NH 03820
10	06016-000009	COLLEEN F & AILUNN CONNORS		21 FIRST STREET	DOVER	NH 03820
11	06018-000000	WHITE DOVE PROPERTIES, LLC		32 P1SCATAQUA ROAD	DOVER	NH 03820
12	06019-000000	MARY M. FORTIER		13 FIRST STREET	DOVER	NH 03820
13	06020-000000	GREGORIOS N. KOUTRELAKOS, TRUSTEE	KOUTREKALOS GREGORIOS N. REVOCABLE TRUST	5 FAIRFIELD DRIVE	DOVER	NH 03820
14	06021-001000	BUILD UPON, LLC		56 SUMMER STREET	DOVER	NH 03820
15	06021-002000	MARKER 21 HOLDINGS, LLC		130 CENTRAL AVENUE	DOVER	NH 03820
16	06021-003000	CARTELLI'S LLC		30 GOVERNOR SAWYER LANE	DOVER	NH 03820
17	06021-A00000	PETER & JOAN HENRY		454 CENTRAL AVENUE	DOVER	NH 03820
18	06022-000000	WEST CONCORD INVESTMENTS, LLC		4 WEST CONCORD STREET	DOVER	NH 03820
19	06024-000000	DAVID R. & STACEY L CAMIRE		P. O. BOX 724	SOMERSWORTH	NH 03878
	06025-000000	(SAME)		P.O. BOX 724	SOMERSWORTH	NH 03878
20	06026-000000	JEAN FIELD		24 SECOND STREET	DOVER	NH 03820
21	06027-000000	REDDY INFOSYS INC	ATTN OFFICE BERLIN PROPERTIES	277 MAIN STREET	DURHAM	NH 03824
22	06028-000000	RICHARD SCHREUER	NANCY DOYLE	234 ECHD COVE ROAD	SOUTH HAMILTON	MA 01982
23	31005-000000	HARLECH, LLC		273 CORPORATE DRIVE, SUITE 150	PORTSMOUTH -	NH 03801
24	31006-000000	LOYAL OROER OF MOOSE #443		45 CHESTNUT STREET	DOVER	NH 03820
25	PREVIOUS APPLICANT 06003-001000	FIRST STREET AT GARRISON, LLC		466 CENTRAL AVE STE 12	DOVER	NH 03820
26	OWNER 06003-000000	RIPARIA - ONE HUNDRED FIRST STREET LLC		466 CENTRAL AVE STE 12	DOVER	NH 03820
27	APPLICANT	Brian Fischer		46 North River Road	LEE	NH 03824
28	APPLICANT	The Law Office of Scott E. Hogan		P.O. Box 33	DURHAM	NH 03824
29	SURVEYOR	MCENEANEY SURVEY ASSOCIATES, INC.		24 CHESTNUT STREET	DOVER	NH 03820
30	ENGINEER	CIVILWORKS, INC.		P.O. BOX 1166	DOVER	NH 03821

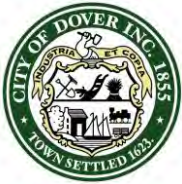
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Planning Office

AUG 31 2015

Dover, New Hampshire



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CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers – City Hall, 288 Central Avenue, Dover, NH
Meeting Date:	Thursday, September 17, 2015
Meeting Time:	7:00 pm

INTENT: The Applicant requests a variance from the minimum lot size requirement of 170-28.1.C in the Riverfront Residential Overlay District. They propose two lots of 43,893 sf and 32,275 sf where 60,000 sf is required.

UNITS PROPOSED: N/A

AGENDA ITEM #: 3-B

ZONING DISTRICT: R-20, RRD

FILE: Z15-19

APPLICANT: Brian & Mary Ann Short

OWNERS: Brian & Mary Ann Short

LOCATION: 3 Wentworth Terrace (Tax Map 8, Lot 32)

ACREAGE: 1.75 acres

EXISTING LAND USE: Single-family dwelling

PROPOSED LAND USE: Single-family dwelling(s)

SURROUNDING LAND USE:
Residential, Highway

PREVIOUS ZBA ACTION: None
(Lot Line Adjustment P12-08)

ATTACHMENTS: Application, 2012
Lot Line Adjustment Plan

**PLANNING BOARD APPROVAL
REQUIRED:** Yes, for subdivision

STAFF RECOMMENDATION: The Planning Department does not support the variance request.

Summary of Appeal and Background

Brian Short and Mary Ann Hemming Short own two lots at the end of Wentworth Terrace. One of them (Lot 32, 76,168 square feet) is divided by Wentworth Terrace, leaving one side with 43,893 square feet between Wentworth Terrace and the Piscataqua River, and the other side with 32,375 square feet between Wentworth Terrace and Hilton Park Road. There is a house on the water side, and a barn on the other half. Wentworth Terrace is a public street that ends at the other lot the Shorts own, Lot 31.

The Shorts request a variance from Section 170-28.1.C, which requires that **the minimum lot size in a Riverfront Residential Overlay District is three times the minimum lot size in the underlying district.** Therefore they request a variance from 60,000 square feet minimum to a 43,893-square-foot lot and a 32,275-square-foot lot.

Reason for Staff Recommendation

The effective division of Lot 32 by Wentworth Terrace is a special condition of the lot. However, although Wentworth Terrace is a public street, it is not a through way and terminates at Lots 32 and 31.

The lot line adjustment approved by the Planning Board in 2012—where 22,024 square feet of Lot 31 was conveyed to Lot 32—made Lot 32 conforming by increasing its area to 76,168 square feet. Now, the same applicant requests a variance to create two nonconforming lots. The purpose of the Riverfront Residential Overlay District is to comply with State law (Chapter 483-B) and to protect shoreland and public waters by means of minimum lot sizes and minimum shoreland frontages.

Staff opinion is that the hardship is not sufficient to justify a subdivision that creates new nonconforming lots, with the associated impact on shoreland, especially where conformity was recently achieved at the applicant's request.

Recommendation

Staff recommends that the Board deny the request for variance.

**Property Information**

Property ID 08032-000000
Location 3 WENTWORTH TR
Owner SHORT BRIAN D &
SHORT MARY ANN

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

The City makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated January 1, 2015





City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Adopted: August 16, 2012]

Office Use Only	Case #: <u>215-19</u>	Date Received: <u>AUG 31 2015</u>
	Amount Paid: \$ <u>236.00</u>	Time Received: <u>Dover, New Hampshire</u>
	<u>OK # 24555</u>	

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: Brian D. Shout + Mary Ann Hemming Shout Phone # _____

Address of Applicant: 1 Westworth Terrace, Dover NH

E-Mail Address: _____

PROPERTY OWNER (if different from applicant): Same as Applicant

Address: _____ Phone # _____

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 3 Westworth Terrace

Brief Directions: Take Right off of Hilton Drive, after Hilton Park, then Turn Right.

Zoning District: R-20 ^{Riverfront Res. Overlay} Assessor's Map # 8-10 Lot(s) # 32

TYPE OF APPEAL: (Please check one)

- | | |
|--|---|
| ☒ Variance | from Section <u>170-38.1C</u> of the Zoning Ordinance |
| ☐ Physical Disability Variance (RSA 674:33-V) | from Section _____ of the Zoning Ordinance |
| ☐ Special Exception | per Section _____ of the Zoning Ordinance |
| ☐ Appeal of Administrative Decision | regarding Section _____ of the Zoning Ordinance |
| ☐ Equitable Waiver | per Section _____ of the Zoning Ordinance |

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

Applicant wishes to subdivide the lot, presently located on both sides of Westworth Terrace into 2 lots, one lot with a residence upon it would contain 43,893^{sq} ft w 300' of frontage on the Piscataqua River and 290' of frontage on Westworth Terrace. The second lot with a barn upon it would have 32,275^{sq} ft of lot area with approx. 350' of frontage on Westworth Terrace.

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) 170-28.1C of the Zoning Ordinance to permit:

Subdivision of an existing lot in the R-20 District into 2
lots; Lot A having 43,893^{sq} ft and 300+ ft of frontage on Wentworth Terrace
and Lot B having 32,215^{sq} ft and 350+ ft of frontage on Wentworth Terrace.
The lot lies within the Riverfront Residential Overlay and
thus 60,000^{sq} ft of lot area is required

B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))

Please demonstrate compliance with the following:

1. Waiving the terms of the Ordinance will not be contrary to the public interest because:

Granting the variance will not substantially alter the
characteristics of the neighborhood as each proposed
lot is on opposite sides of Wentworth Terrace and
each has an existing structure thereon.

2. Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance because:

The granting of the variance would not threaten public health,
safety or welfare, nor would the essential characteristics
of the neighborhood be substantially altered.

3. Granting the variance would do substantial justice because:

The hardship upon the owner is not outweighed
by any benefit to the general public.

4. The value of surrounding property will not be diminished because:

THE SUBDIVISION WILL NOT AFFECT THE VALUES OF SURROUNDING PROPERTIES AS THE STRUCTURES UPON EACH PROPOSED LOT PRESENTLY EXIST

NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.

5A. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

(i) The following special conditions of the property distinguish it from other properties in the area:

THE PROPERTY HAS SPECIAL CONDITIONS BECAUSE THE LOT IS PRESENTLY BISECTED BY WESTWORTH TERRACE. THE FACT THAT A PUBLIC STREET RUNS THROUGH THE MIDDLE OF THE LOT CREATES AN UNNECESSARY HARDSHIP. THE PROPOSED LOTS ARE LARGER THAN ALL SURROUNDING LOTS WITH THE EXCEPTION OF WESTWORTH TERRACE

and

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

THE PURPOSES OF THE RIVERFRONT RESIDENTIAL OVERLAY IS TO PREVENT UNCOORDINATED, UNPLANNED DECEMENTAL DEVELOPMENT OF SHORELANDS WHICH COULD SIGNIFICANTLY IMPACT PUBLIC WATERS. THE PROPOSED TWO LOTS ARE ALREADY DEVELOPED AND ONE OF THE LOTS HAS NO SHOREFRONT WHATSOEVER. THUS THE PURPOSE OF THE ORDINANCE IS MAINTAINED AND THERE IS NO FAIR AND SUBSTANTIAL RELATIONSHIP BETWEEN THE ORDINANCE AS APPLIED TO THIS PARCEL

and

(iii) The proposed use is a reasonable one because:

THE PROPERTY IS IN AN R-70 ZONE AND BOTH PARCELS MEET THE CRITERIA FOR THAT ZONE, THE USE IS ALLOWED AND THE ROAD DIVIDES THE LOT IN HALF PRESENTLY

OR

5B. If the criteria in subparagraph 5A above are not established, explain how, 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:

THE FACT THAT THE LOT IS BISECTED BY THE PUBLIC STREET, DIFFERENTIATES THIS LOT FROM ALL OTHERS IN THE AREA.

SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.

Signature of Applicant*

Signature of Owner*

*Both Signatures Required

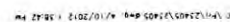
AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Zoning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:

Date:

8-26-15



ABUTTER LIST

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PLEASE NOTE: abutter ownership information for lots located in Dover, shall be obtained through the City's Tax Assessment Office.

[illegible]

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Martin Alintuck, Trustee
44 Brookside Drive
Kingston, NH 03848

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Susan A. McCooey Drady
9 Wentworth Terrace
Dover, NH 03820

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Alexis Makris, Trustee
11 Wentworth Terrace
Dover, NH 03820

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State of New Hampshire
John O. Morton Building
Concord, NH 03301

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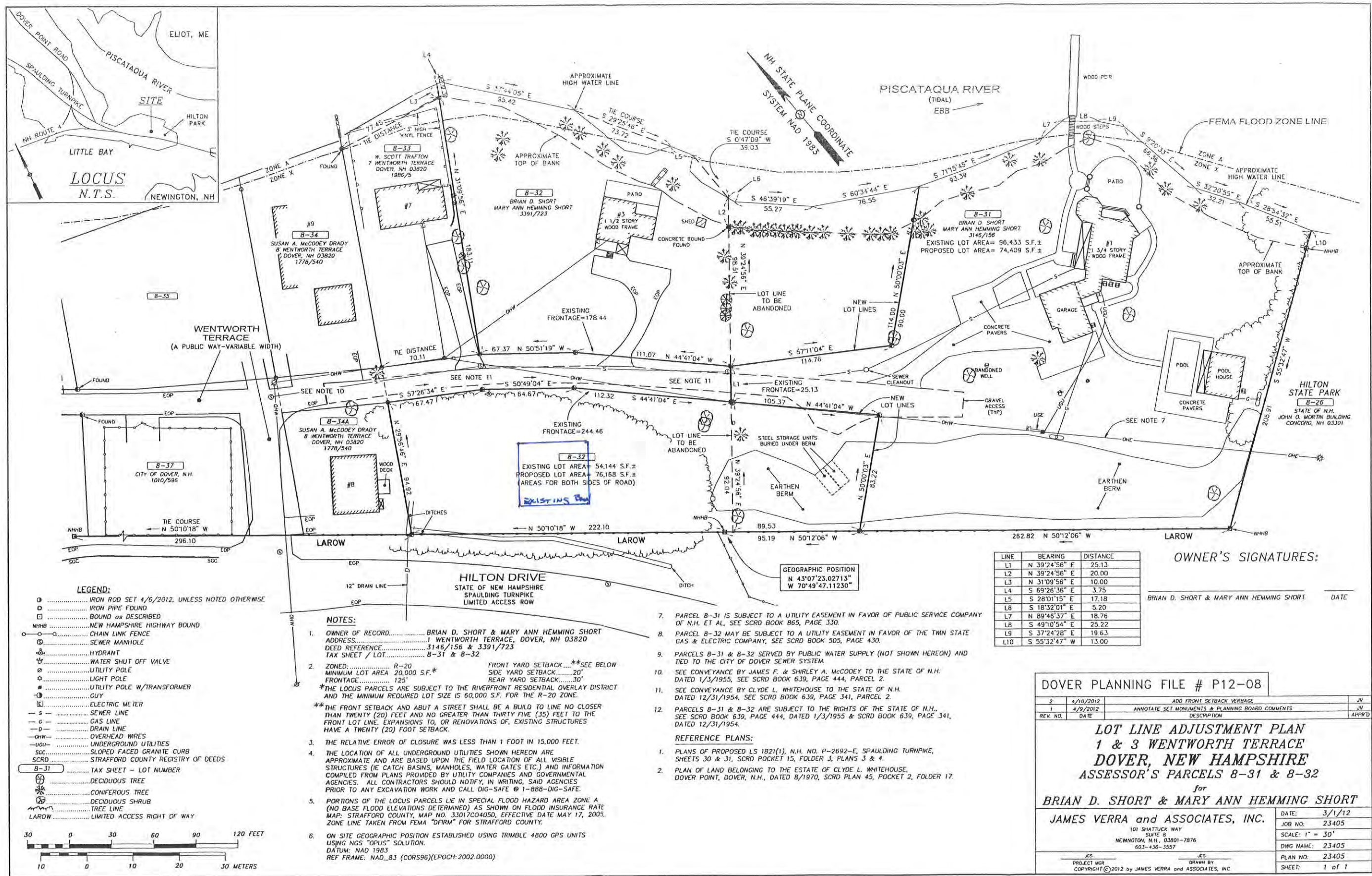
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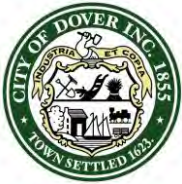
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CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers – City Hall, 288 Central Avenue, Dover, NH
Meeting Date:	Thursday, September 17, 2015
Meeting Time:	7:00 pm

INTENT: The Applicant requests a variance from the side yard setback required by the Manufactured Home Park site requirements.

UNITS PROPOSED: None

AGENDA ITEM #: 3-C

ZONING DISTRICT: R-40

FILE: Z15-20

APPLICANT: Ardena Plourde

OWNERS: Ardena Plourde (Doverbrook Park)

LOCATION: 42 Constitution Way

ACREAGE: N/A

EXISTING LAND USE: Single-family dwelling

PROPOSED LAND USE: Single-family dwelling

SURROUNDING LAND USE: Residential

PREVIOUS ZBA ACTION: Several similar variances granted:

1 Constitution Z12-20
52 Constitution Z02-28
51 Constitution Z02-20
19 Constitution 01-18
9 Independence 00-33
25 Constitution 99-12

ATTACHMENTS: Application, Plan

PLANNING BOARD APPROVAL REQUIRED: No

STAFF RECOMMENDATION: The Department supports the request for a variance.

Summary of Request and Background

Ardena Plourde owns a home at 42 Constitution Way (Tax Map K, Lot 21-21) in the Doverbrook 55+ manufactured home park. She plans to add a 12-foot by 20-foot detached garage to ease winter maintenance and her role as caregiver for her husband. She proposes a six-foot setback, where **Section 126-5.F** requires the home to be not less than 12 feet from the side lot line.

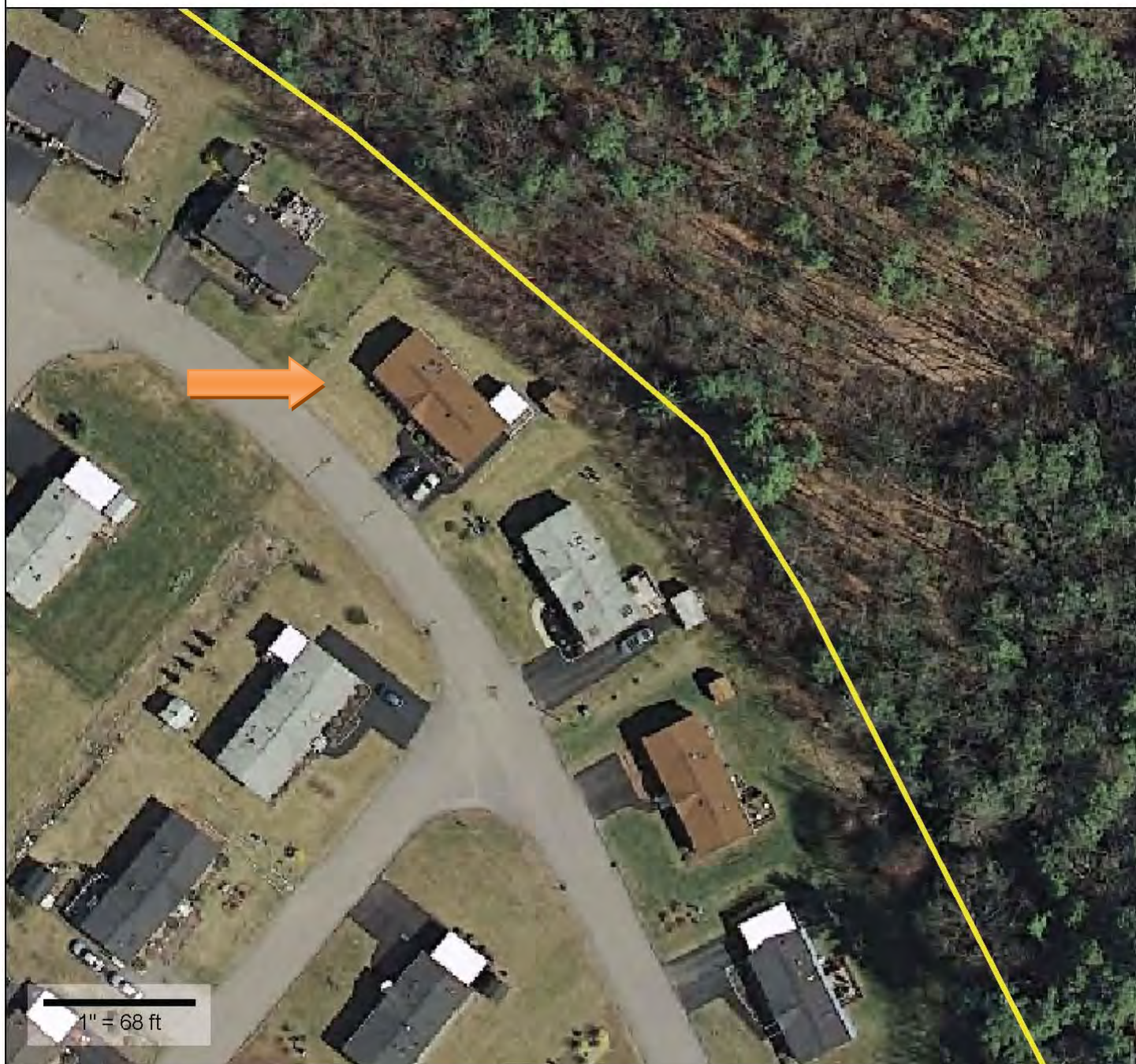
Reason for Staff Recommendation

The way that Doverbrook lots were laid out and homes sited on them has led a number of homeowners to seek variances for garages and carports. Granting Ms. Plourde a variance to construct a small garage will still maintain a safe distance of separation from the abutting home.

If these were nonconforming lots of record outside of a manufactured home park, the side yard setback for an outbuilding would be 10 feet. Although 126-5.F refers specifically to the manufactured home, it has been the practice of this Board to apply it to garages and carports. Staff opinion is that the request meets the criteria for a variance.

Recommendation

The Planning Department recommends that the Board grant the request for a variance.

**Property Information**

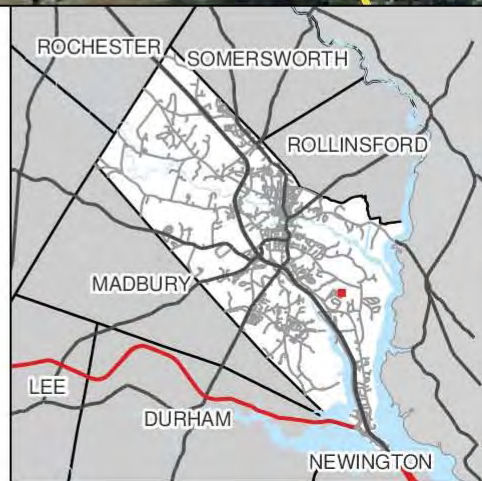
Property ID K0021-000021
Location 42 CONSTITUTION WY
Owner PLOURDE ARDEN A G



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

The City makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated January 1, 2015





City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Adopted: ~~APRIL 15~~, 2012]
Planning Office

Office Use Only Case #:

215-20

Date Received: SEP 02 2015

Amount Paid: \$ _____

Time Received: Dover, New Hampshire

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: ARDENA PLOURDE Phone # 343-2042

Address of Applicant: 42 Constitution way - Dover Brook

E-Mail Address: _____

PROPERTY OWNER (if different from applicant): Dover Brook P&R

Address: _____ Phone # _____

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 42 Constitution way Dover Brook P&R

Brief Directions: off Dover Pk on right across from
Census -

Zoning District: R-40 Assessor's Map # K Lot(s) # 21

TYPE OF APPEAL: (Please check one)

☒ Variance

☐ Physical Disability Variance (RSA 674:33-V)

☐ Special Exception

☐ Appeal of Administrative Decision

☐ Equitable Waiver

from Section 126-5-F of the Zoning Ordinance

from Section _____ of the Zoning Ordinance

per Section _____ of the Zoning Ordinance

regarding Section _____ of the Zoning Ordinance

per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

12' x 20' garage

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) C Npfr 126-5-F of the Zoning Ordinance to permit:

- 12' x 20' Garage - to Close to LNE -
12' Set Back - 6' From Line

B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))

Please demonstrate compliance with the following:

1. Waiving the terms of the Ordinance will not be contrary to the public interest because:

private use only

2. Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance because:

Does not interfere with (in summer may even slightly enhance) privacy for neighboring property. Is actually partly shielded from street view by existing shrubbery surrounding meter boxes between properties

3. Granting the variance would do substantial justice because:

I am a 24/7 caregiver for my spouse who has alzheimers disease. Clearing snow from a car in winter is beyond his capabilities and I find it very difficult. In addition placement of the garage will provide for closer access to the back door which is the easier entry for carrying groceries, etc. into the house

4. The value of surrounding property will not be diminished because:

Garage will be well back from the street & matching house exterior to enhance property value. Will in no way interfere with privacy or appearance of neighboring property.

NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.

5A. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

(i) The following special conditions of the property distinguish it from other properties in the area:

no unnecessary hardship will occur. There are other garages & carports in the area.

and

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

This construction will affect no one but is & is consistent with other properties in the development

and

(iii) The proposed use is a reasonable one because:

I find it difficult to clear snow from my car & my spouse is unable to assist. Convenience of back door access is important

OR

5B. If the criteria in subparagraph 5A above are not established, explain how, 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:

Crage for winter months

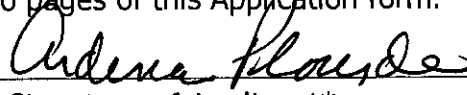
SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

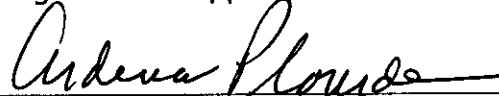
I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.



Signature of Applicant*



Signature of Owner*

*Both Signatures Required

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Zoning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:  Date: 9-1-2015

ABUTTER LIST

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

Pursuant to RSA 676:7, the State Law of New Hampshire, the City of Dover is required to notify the applicant and every abutter of the public hearing by certified mail. The cost of required publication or posting of notice, and the cost of mailing said notices, shall be paid by the applicant.

"Abutter" is defined in Chapter 170, Dover Zoning Ordinance, as:

The owner of record of a parcel of land located in New Hampshire and adjoins or is directly within **two hundred (200) feet** (including land across the street or waterway) of the proposed site under consideration by the Board.

In the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII. Additionally, the individual owners of units within the association, which are located within two hundred (200) feet of the common property line shall be notified only by first class mail.

PLEASE NOTE: abutter ownership information for lots located in Dover, shall be obtained through the City's Tax Assessment Office.

[illegible]

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Doverbrook LLC
306 Dahlia Drive
Wayland , MA 01778-2825

MAGLIO JOHN G
38 CONSTITUTION WAY
DOVER, NH 03820

PARK DIANE TRUSTEE &
DELANEY FAMILY TRUST
153 FREEDOM POINT ROAD
FREEDOM NH 03836

WILLIAM & MARILYN MCGREGOR
8 FREEDOM DRIVE
DOVER , NH 03820

William E Scire & Penny Scire
52 Overlook Drive
Dover, NH 03820

WELCH JAMES E SR
40 CONSTITUTION WAY
DOVER, NH 03820

MARTOCCHIO DENISE
46 CONSTITUTION WAY
DOVER, NH 03820

Sharon & Mark Wentworth
161 Middle Road
Dover, NH 03820

PLOURDE ARDENA
42 CONSTITUTION WAY
DOVER, NH 03820

WEARE MARCELL, EVERETT A &
MARGARET B
7 REVOLUTION DRIVE
DOVER, NH 03820

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Feed Paper  Bend along line to
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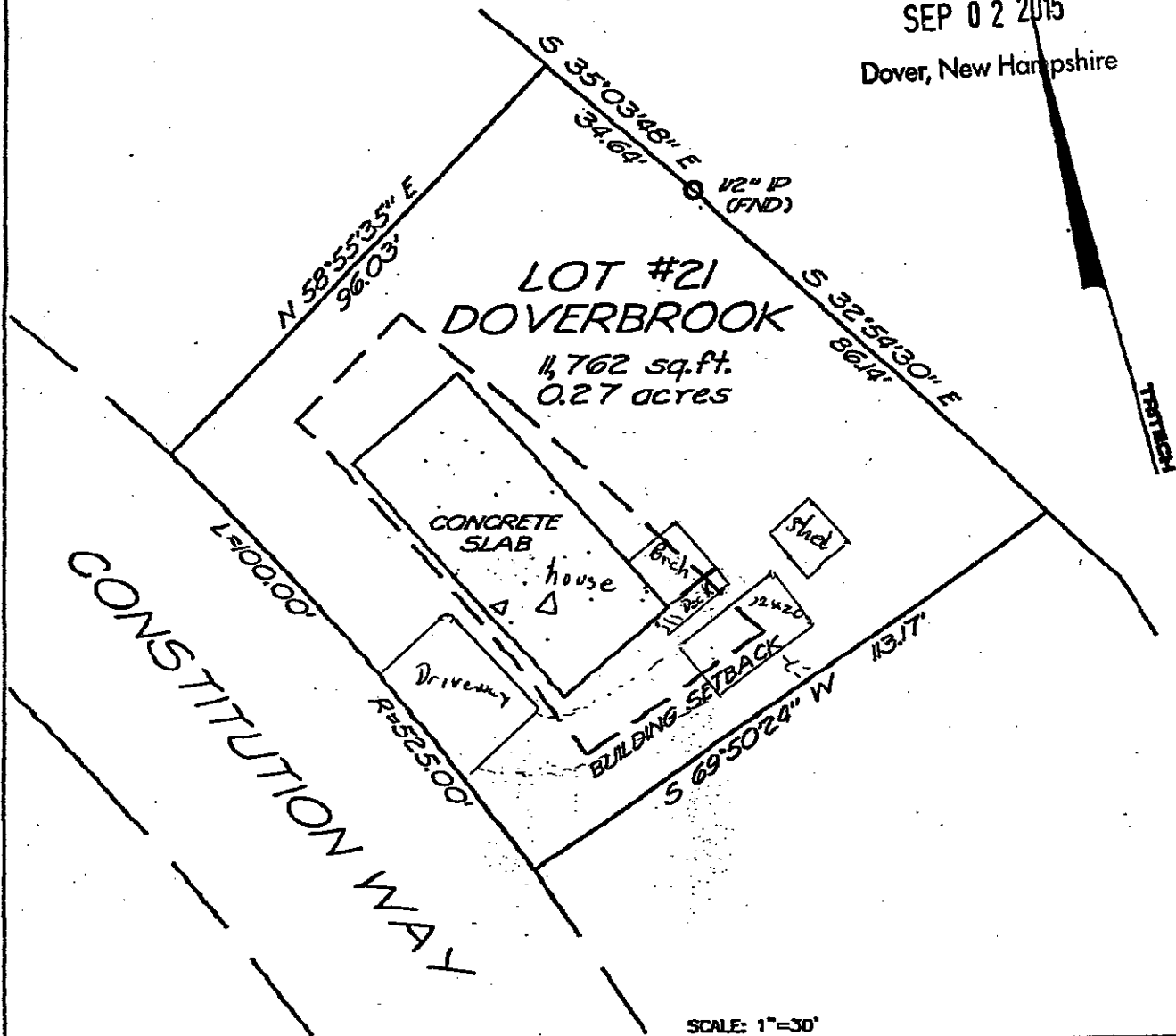
FOUNDATION CERTIFICATION

42 CONSTITUTION WAY, LOT 21 DOVERBROOK
DOVER, NEW HAMPSHIRE

RECEIVED
Planning Office

SEP 02 2015

Dover, New Hampshire



SCALE: 1"=30'

NOTES

- 1.) THE INTENT OF THIS SKETCH IS TO SHOW THE IMPROVEMENTS TO MAP K LOT 21-21 AS THEY RELATE TO THE RECORD PLAN AND IT'S INTENDED USE IS TO SHOW THAT THESE IMPROVEMENTS DO MEET THE SETBACK REQUIREMENTS.
- 2.) PLAN OF RECORD: SITE PLAN
DOVER, N.H.
FRANKLIN TORR
HOLDEN ENGINEERING
1-16-84 NOT RECORDED
- 3.) RESEARCH: DEED RESEARCH WAS LIMITED TO THE REVIEW OF THE CURRENT DEED AND RECORD PLAN. THIS SKETCH DOES NOT ADDRESS THE ACCURACY AND OR COMPLETENESS OF EITHER.

THIS IS NOT A SURVEY

CURRENT OWNER: DOVERBROOK, LLC
8 WAYLAND CIRCLE
EXETER, N.H. 03833

DEED REFERENCE

SCRD BOOK 1986 PAGE 539

ZONING

R-40 - MOBILE HOME PARKS

BUILDING SETBACKS

EXTERIOR PARK BOUNDARY: 50 FT
FLOWING STREAM: 100 FT
FRONT: 20 FT
SIDE: 12 FT
REAR: 15 FT
ACCESSORY STRUCTURE: 10 FT

JOB NO. 97178 DATE: MAY 10, 2001

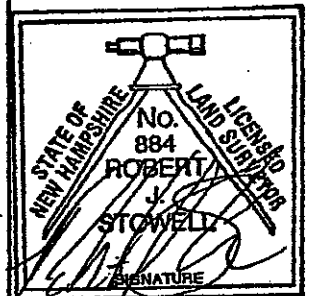
TRITECH

ENGINEERING CORPORATION

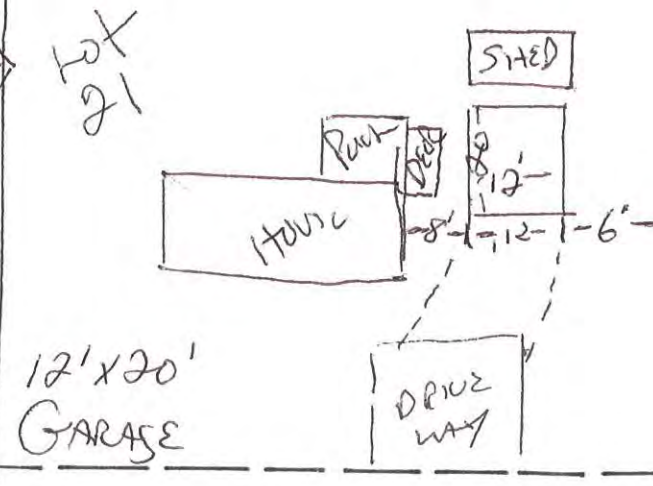
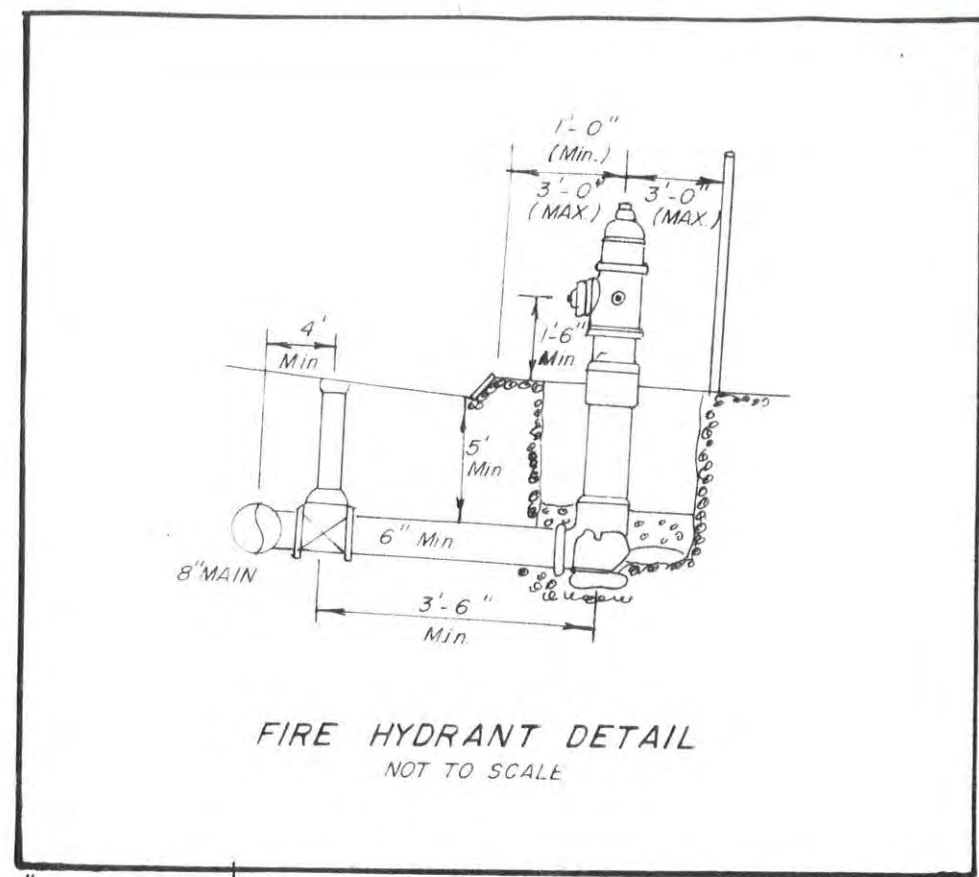
424 DOVER POINT OFFICE PARK
TELEPHONE 603-742-6107

DOVER, NEW HAMPSHIRE 03820

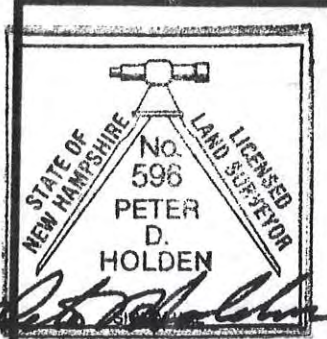
FAX 603-742-3830



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Dover, New Hampshire



APR 05 1984



Job No. 82-306

LAN H.	Owner: FRANKLIN TORR LITTLEWORTH RD. DOVER, N.H.	Date	Revised	Book 29	Page 14	Date: 1-16-84 Scale: 1"=50' Sheet No. 3 Of 16
		1.) 3-9-84	HYDRANTS			
		2.)				
		3.)				
		4.)				