



**CITY OF DOVER**

## ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820  
Meeting Date: Thursday, September 17, 2020  
Meeting Time: 7:00 pm

### 1. ATTENDANCE

**Members Present:** Chris Prior (Chair), Otis Perry (Vice Chair), Rich Onufry (Alternate), Anthony Sillitta (Alternate), Casey Conley (Alternate)

**Members Absent (Excused):** George Reagan, Nick Couturier, James Burdin (Alternate)

**Staff Present:** Elena Piekut (Assistant City Planner, Zoning Administrator)

The Chair called the meeting to order at 7:00 PM.

### 2. APPROVAL OF MEETING MINUTES OF AUGUST 20, 2020

**Motion:** Rich Onufry moved to approve the minutes of August 20, 2020 as submitted. Seconded by Otis Perry. Vote: U/A with Casey Conley abstaining.

### 3. HEARINGS

Chair Prior explained the hearing process.

Z20-07 Owners Denise Kline & George Germain, 7 Allan Street (Tax Map A, Lot 9-K), located in the Medium Density Residential (R-12) Zoning District, request a variance from Section 170-12.B of the Zoning Ordinance to permit the addition of a carport with a side setback of 9.1 feet, where a minimum of 15 is required.

Attorney FX Bruton of Bruton and Berube represented the applicants and presented the case. Allan St. is a single-family home community. There are a number of neighboring homes with two-car garages or carports. The request tonight is to use existing pavement and install a roof which will sit on four posts. There will be no walls. The car is already parking there—this will give it some cover from the weather.

Atty. Bruton addressed the criteria for variance. This addition will not alter the character of the neighborhood- it will be similar to other homes in the area. The carport will maintain safety and is an appropriate use and a similar use to the neighboring lots. There will be no burden to the public- the abutter is in support and sent a letter stating this. Property values will not be diminished- it's a consistent look for the neighborhood and the abutter is not opposed. Hardship: the curb cut for this home was placed in an area that won't allow a two-car garage to fit which is unique to the area. The other homes have curb cuts that are centered on their garages.

*Public hearing was opened.*

No public was present to make any comments in person and no comments were received to the office.

### STAFF RECOMMENDATION:

Elena Piekut stated the Planning Department supports granting the variance. This lot is almost small enough to be nonconforming and qualify for reduced side setbacks of 10 feet per Section 170-14 of the Zoning



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Ordinance. The applicant requests a variance for approximately 9 feet (9.1 feet, according to the prepared plan). There is no more practical option for adding this small carport to the home—which is a reasonable use and is unlikely to have any adverse impact on property values. Other lots in this neighborhood are also burdened by the presence of septic tanks and leach fields, which present an unusual obstacle to additions or detached garages on those lots.

*The public hearing was closed.*

**Motion:** Otis Perry moved to grant the variance noting the presentation showed the criteria was met. Anthony Sillitta seconded. Vote: U/A

#### **4. OTHER BUSINESS**

None

#### **5. ADJOURN**

**Motion:** Otis Perry moved to adjourn at 7:13pm. Rich Onufry seconded. Vote: U/A