

TOWN OF GORHAM
BOARD OF APPEALS
MEETING MINUTES
APRIL 3, 2013

The Gorham Board of Appeals held its annual meeting April 3, 2013 at 7:00 P.M. in the Council Chambers at the Gorham Municipal building.

Present; Chairman Mark Curtis, Board members Charles Haws, Alton Shurtleff and Rachel Sunnell. Code Enforcement Officer Freeman Abbott and Deputy Town Clerk Jennifer Elliott. Absent; Board members Jared Clark, Joshua Kaufman and Stephen Scontras.

Moved, Seconded and VOTED to accept the March 21, 2013 meeting minutes as printed and distributed. 4-0

The Deputy Clerk took nominations for Chairman.

Mark Curtis was voted Chairman 4-0

Nominations for Vice-Chair.

Charles Haws was voted for Vice-Chair 4-0

The meeting resumed with the reading of Appeal # 13-05. The appeal of Thomas Strumph requesting a 16 inch single family front-yard setback variance for property he owns at 361 Ossipee Trail (Map 78, Lot 6) which is in the Suburban Residential, Manufactured housing Zoning District.

Mr. Strumph spoke on his own behalf and stated that this is a result of an honest mistake at the beginning of the process to build this house. It was discovered by the bank when they were doing a survey for a possible sale of the home.

The Code Enforcement Officer stated that because of a bump-out on the home it needs the 70 foot set-back, and if the house was placed properly at the beginning it would have fit on the lot without any issues.

There were no comments from the public and the hearing was closed.

The Chairman read through the staff recommendations that were included in their packets.

They discussed the criteria for a single family dwelling setback variance.

Findings;

1. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood. The lot is not particularly unique with the

exception the Ossipee Trail is classified as an arterial street therefore it requires a 70 foot front-yard set-back. 4 yeas

2. The granting of a variance will not alter the essential character of the locality. Granting of this minor variation will not alter the essential character. 4 yeas
3. The hardship is not the result of action taken by the applicant or prior owner. Regretfully the hardship was the result of the builder constructing a small portion of the house approximately 16 inches into the required set-back. The variance request is minimal and will not impact surrounding properties. 4 yeas
4. The granting of the variance will not substantially reduce or impair the use of abutting property. The granting of the variance will not substantially reduce or impair the use of abutting properties. 4 yeas.
5. The granting of the variance is based upon demonstrated need, not convenience, and no other feasible alternative is available. There are not many feasible alternatives for the applicant. If the variance is not granted the will most likely need to remove the entire 2 foot by 8 foot portion of the 2 plus story structure the falls within the front-yard setback. 4 yeas.

As outlined above, the Board concludes that although the applicant does not strictly meet all of the above criteria the requested 16 inches front-yard setback variance is minimal and does not negatively impact the surrounding property owners.

Moved, Seconded and VOTED to approve the variance. 4-0

Moved, Seconded and VOTED to adjourn. 4 yeas

Time of adjournment 7:25 P.M.

A True Record of Meeting.

ATTEST:

Jennifer Elliott, Deputy Clerk