

**TOWN OF GORHAM
BOARD OF APPEALS
MEETING MINUTES
May 15, 2014**

The Gorham Zoning Board of Appeals held a regular meeting on February 20, 2014 at 7pm in the Council Chambers at the Gorham Municipal Center.

The Town Clerk opened the meeting and called for nominations for Chairman.

Mark Curtis Nominated for Chairman . All in favor

Nominations for Vice-Chairman. Charles Haws Nominated for Vice-Chairman. All in favor

Present; Chairman Mark Curtis, Board Members; Charles Haws, Alton Shurtleff, Jared Clark, Christine Hume Code Enforcement Officer Freeman Abbott, Town Clerk Jennifer Elliott

Absent; Board Members Joshua Kaufman, Janice Labrecque

Moved by Charles Haws, seconded by Jared Clark and VOTED to approve the February 20, 2014 meeting minutes as printed and distributed. 5 years.

Appeal #14-02 The appeal of Daren and Jennifer Meader seeking an 11 (eleven) foot single-family front yard setback variance for the property they own located at 29 Patrick Drive (Map 75, Lot 8.010) which is in the Suburban Residential District.

David Willis, of Willis real estate, spoke on behalf of the applicants stating that in the process of buying the home, the applicants had a mortgage survey done and it was then that it was discovered that there was an error made by the builder and the then Code Enforcement Officer allowing the setback when Patrick drive was put in.

Public Hearing. No comments from public. Public hearing closed.

The Board reviewed the criteria for the appeal resulting in the following:

1. The need for the variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood. The home was built in 2000 and was in violation at the time but it was not recognized by the Town. 5 years
2. The granting of the variance will not alter the essential character of the locality. 5 years
3. The hardship is not the result of action taken by the applicant or prior owner. Result of an error in issuing the permit by the then Code Enforcement Officer who also issued a final Certificate of Occupancy. 5 years
4. The granting of the variance will not substantially reduce or impair the use of abutting property. 5 years
5. The granting of the variance is based upon demonstrated need, not convenience, and no other feasible alternative is available. There are no other feasible alternatives for the owners, other than destruction. This is a minor violation that has existed for 14 years. 5 years

Moved by Jared Clark, Seconded by Charles Haws and VOTED to grant the 11 foot front yard variance from the paper street right of way, based on the findings of fact and the conclusions of law. 5 years.

Moved by Clark, Seconded by Haws and VOTED to Adjourn. 5 yeas

Time of adjournment 7:20 pm

A TRUE RECORD OF MEETING

Attest:

Jennifer Elliott, Town Clerk