



**Zoning Board of Adjustment Meeting**  
Monday, August 7, 2006  
Council Chambers, City Hall at 7:00 p.m.

**Meeting Minutes**  
*Revised and Approved 9/5/06*

Meeting Called to order at 7:00 pm by Chair Hurd

**I. Roll Call:**

**Present:** Heather Bopp, Tracy Pope, Michael Hurd, Robert Woodman, Richard Dietz

**II. Report(s) of Secretary:**

- Monday, June 5, 2006 minutes

Correction on the first motion made by Ms. Pope and seconded by Ms. Bopp

**Motion to:** Accept the meeting minutes of 6/6/06

**Made by:** Robert Woodman    **Second:** Ms. Tracy Pope    **Vote:** Unanimous

**III. New Business and Related Public Hearing:**

- **Ann & Yvon Jacques, 8 Butler Terrace, Claremont, NH** – seek an Area Variance from Section 22-209 of the City Zoning Ordinance in order to construct a two car garage 24' x 24' approximately 6ft from the right side property line. Tax Map: 128, Lot: 26, Zoning District: R1,

**Open Public Hearing**

Abutters Present: Patricia Dechamps, 14 Butler Terrace

Contractor for the applicant spoke and would like to build garage 24' x 24'. Contractor will be pouring own pad, 3 sets of rebar and the City only requires 2 sets. Mesh will be put in with gravel at 16". The garage will be a double garage and owner will hire an electrician to do the electrical work.

Ms. Pope asked about the 5' from the house and wanted to know if the materials will be fire rated. She also asked if the garage would have a separate exit and the applicant said it would be located to the rear of the garage. Ms. Pope wanted to know if the property

line was in fact 3'8" from the property line. Contractor said it was but they were willing to move the structure forward to gain additional space to allow for 6' from the property line – this was what the abutting neighbor had requested. However it is going to be a 6' foot variance. This variance is to grant 4' from the property line. This will be from the wall of the garage not the eaves of the overhang. Mr. Woodman wanted to let the applicant know that he should check with the Code Enforcement Officer regarding the slab of the garage. This needs to meet code requirements. The gable end will be measured to the property line.

Mr. Dietz asked who submitted the application. He wanted to know if the applicant was aware that there was a 10 foot separation requirement between two buildings. This is required for residential properties.

Chair Hurd asked if this needed to be resubmitted to include the variance for the distance between the two buildings. Mr. Woodman felt that the garage should be consist of fire rated material since it was in fact so close to the residential property. Mr. Woodman also suggested that having a breezeway between the two buildings could eliminate the 5' foot separation problem. Chair Hurd said that modifying the plan with a breezeway would help eliminate the 10' separation problem. He felt that speaking with Ken Walsh would help clarify the situation. The applicant doesn't want to have a breezeway connecting the buildings. There are two gable ends and it doesn't seem to work well structurally.

Mr. Woodman said if there was variance given for the 6 feet and leave it into the hands of the building inspector. This would save the applicant the time and frustration of another meeting. The applicant asked if it would be possible to go before the board again to get the 5' waived between the two buildings and Chair Hurd didn't feel that this would ever be approved by the Zoning Board.

Mr. Dietz asked if on the other side of the house there were in fact 58'. The applicant stated that the land was surveyed and this is accurate. The house is set on the far left side of the property and this doesn't allow for easy placement of the proposed garage. Relocation from the proposed site would mean research regarding the septic and a variance towards the front lot line.

Ms. Bopp wanted to know about the curb cutting on the property and asked what the driveway consisted of. The driveway is gravel and the backyard is not a leach field.

Abutter Patricia Dechamps spoke and wanted the board to know that the only issue they have regarding garage is that they require there to be 6 feet from the property line to the building. Chair Hurd stated that this was going to be a problem since it was only going to be 4' once the garage was completed. He stated that this would change mean they would issue a 4' variance so that there could be 6' from the property line. Ms. Dechamps reinstated that they would like to have 6' from the property line. Mr. Woodman said that the garage would need to be brought forward closer to the road to allow for the 6 feet. Chair Hurd stated that the variance would need to be changed to a 4' variance if this were going to be the case. Chair Hurd stated that if this motion is made, then the garage will need to be moved forward and then the variance will be issued for a 4' variance.

### **Close Public Hearing**

Mr. Dietz is concerned that the neighbors aren't getting the required 6'. He thinks that it should be changed to a 10' side yard and the garage reduced to a smaller size.

**Motion to:** Approve the variance for 4' with 6' side yard in order to build 24' x 24' garage with the understanding that the contractor speak with Ken Walsh following the public hearing regarding the other building issues.

**Made by:** Ms. Pope

**Second:** Ms. Bopp

**Vote:** Ms. Pope – Aye

Ms. Bopp – Aye

Mr. Woodman – Aye

Mr. Hurd – Aye

Mr. Dietz – Nay – as this is against the spirit of the ordinance

### **IV. Adjournment**

**Motion to:** Adjourn

**Made by:** Ms. Bopp

**Second:** Ms. Pope

**Vote:** Unanimous

Meeting adjourned at 7:33 p.m.

Respectfully Submitted,

Katrina Spaulding