



**Zoning Board of Adjustment  
April 25, 2023**

- 1. Frank K. Minasian & Xiangli Wu (Owners) 23 Dickerman Street (Sheet 119 Lot 89) requesting the following variances from Land Use Code Section 190-16, Table 16-3, 1) to encroach 1.2 feet into the 25 foot required rear yard setback; and, 2) to encroach 3.5 feet into the 10 foot required right side yard setback – both requests to construct an attached 36’x20’ one-story garage addition. RA Zone, Ward 7.**

**VOTING MEMBERS: Nehiley, Mackay, Shaw, Boucher, Currier**

**REQUEST #1 & 2**

**MOTION TO: Approve**

**MOTION BY:**

**SECONDED BY:**

1. The Board found that the variance **is** needed to enable the applicant’s proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

**Stipulations:** None

**Special Conditions:** Board finds that there is no ability to expand on the left side, where the current garage is. Board finds that the garage proposes the minimum encroachment possible, and that placement and design are the least impactful. Board notes the unique shape of the property, and that the use of a 2-car garage is reasonable.

**VOTE: 5-0**

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- 2. East Dunstable Properties, LLC (Owner) John Forcier (Applicant) 7 East Dunstable Road (Sheet 109 Lot 76) requesting the following variances: 1) from Land Use Code Section 190-17 (E)(1) to exceed maximum driveway width, 24 feet permitted, 36 feet requested for two driveways on Burnett Street, one at 24 feet wide, the other at 12 feet wide; and, 2) from Land Use Code Section 190-209 (C) to permit the construction of a driveway within 50 feet of the intersection of East Dunstable Road and Burnett Street, 27 feet proposed. RA Zone, Ward 6.**

**NOTE: Variance request #2 is withdrawn by applicant**

**VOTING MEMBERS: Mackay, Boucher, Shaw, Currier, Minkarah**

**REQUEST #1**

**MOTION TO: Approve**

**MOTION BY: Minkarah**

**SECONDED BY: Boucher**

1. The Board found that the variance **is** needed to enable the applicant's proposed use of the property, and given there **are** special conditions associated with the property, the benefit sought by the applicant **cannot** be achieved by some other method reasonably feasible for the applicant to pursue.
2. The Board found that the spirit and intent of the ordinance being kept in good faith to **Approve** this request.
3. The Board found that property values **will not** be negatively impacted by this request.
4. The Board found that the request **is not** contrary to the public interest.
5. Substantial justice **will** be served to the applicant by granting this request.

**Stipulations:** House to be relocated so that 12-ft driveway meets the 50-ft intersection setback.

**Special Conditions:** Board notes the narrow width of the lot. Board finds that the use of three garage bays is reasonable, and would not be possible without variance. Board finds that several properties within the neighborhood have multiple driveways. Board received no evidence that there would be property damage as a result of the variance

**VOTE: 3-2 (Currier, Shaw opposed)**