



Meeting Minutes
Town of North Hampton
Zoning Board of Adjustment
Tuesday, February 28, 2023 at 6:30pm
Town Hall, 231 Atlantic Avenue
North Hampton, NH 03862

These Minutes were prepared as a reasonable summary of the essential content of the Meeting, not as a transcription. All exhibits mentioned, or incorporated by reference, in these Minutes are a part of the official Case Record and available for inspection at the Town Offices.

In attendance: Robin Reid, Chair (electronic connection); Members Audrey Prior and Larry Miller; Alternate Members Mark Janos and Dennis Williams; and Recording Secretary Rick Milner.

I. Preliminary Matters.

Ms. Prior called the meeting to order at 6:35pm.

Ms. Prior announced that she would be acting as the Chair due to Ms. Reid not being physically present at the meeting as approved by the ZBA at the last meeting.

Mr. Janos seated for regular member vacant position. Mr. Williams seated for Mr. Clifford.

Mr. Miller moved that the ZBA allow Ms. Reid to participate in the meeting by electronic connection. Second by Mr. Janos. The roll call vote was unanimous in favor of the motion (4-0).

Ms. Prior presented the minutes of the January 24, 2023 meeting.

Mr. Miller moved that the ZBA accept the minutes of the January 24, 2023 meeting as written. Second by Ms. Reid. The roll call vote was unanimous in favor of the motion (5-0).

II. New Business.

Case #23:02 – Applicants: John and Sara Pickering, 61 South Road, North Hampton, NH 03862. The Applicants request a variance from Town of North Hampton Zoning Ordinance District Requirements Section 203.1 Yard and Lot Requirements to allow a structure (enclosed porch addition) within the front yard structural setback. Property Owners: John and Sara Pickering, 61 South Road, North Hampton, NH 03862. Property Location: 61 South Road, North Hampton, NH 03862; M/L: 004-015-000; Zoning District: R-1, High Density District.

In attendance for this application:

John Pickering, property owner.

Ms. Prior swore in Mr. Pickering.

Mr. Pickering addressed the Board. Mr. Pickering requested that the ZBA grant a variance to allow construction of an enclosed porch attached to the front of his home at a distance of 27 feet from the front yard structural setback where 30 feet is required by the Town of North Hampton Zoning Ordinance. Mr. Pickering presented a plan and photos of his home which indicated the following:

- a. a single story ranch style home with a two car garage built around 1959,
- b. lot configuration for the 0.50 acre 61 South Road property,

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47 c. stone wall along the front of the property,
48 d. septic system behind the home and driveway at front of the home,
49 e. measurements of setback distances from all lot lines for the existing home and proposed enclosed
50 porch, and
51 f. architectural features and location footprint for a proposed six foot wide (front to back) and 17 foot
52 long (side to side) enclosed porch.

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54 Mr. Pickering explained that there was no suitable area in the rear of the home for the placement of the
55 enclosed porch. Also, the front location would provide easier ground level access to the porch from the
56 front driveway. The proposed porch would have several bay windows, a cathedral ceiling, and a finished
57 interior with electrical and heating utilities. Two other properties in the area had existing structures
58 located closer to the road than the proposed distance from the road for the enclosed porch. Mr.
59 Pickering stated that his neighbors had no objections to the construction of the porch.

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61 Mr. Milner noted that the application stated two different distances for the location of the enclosed
62 porch from the front lot line, 27 feet and 27 feet-6 inches.

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64 Mr. Pickering stated that the proposed distance from the front lot line for the enclosed porch is 27 feet.

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66 Mr. Milner stated that the application will be amended to consistently indicate that the proposed relief
67 for the enclosed porch is a distance of 27 feet from the front lot line.

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69 Ms. Reid asked Mr. Pickering to address the five criteria for granting a variance.

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71 Mr. Pickering addressed the five criteria for granting a variance identified in the State of NH RSA's.

72 1. Granting the variance will not be contrary to the public interest in that the features of the proposed
73 addition is in character with the homes in the surrounding area.

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75 2. Granting the variance will be in the spirit of the ordinance in that the proposed three foot relief is not
76 unreasonable in relation to the fact that other homes in the area are closer to the front lot line than the
77 proposed addition will be.

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79 3. Substantial justice would be done by granting this request in that the enclosed porch would allow the
80 main entry of the home to be out of inclement weather for property owners, visitors, and emergency
81 personnel.

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83 4. Granting the variance will not diminish surrounding property values in that the proposed addition is
84 aesthetically pleasing. Also, neighbors do not object to the proposal and believe that their property
85 values will not be adversely affected.

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87 5. The property has conditions that distinguish it from other properties in the area. The home sits
88 further back on the property than other homes in the area and has a stone wall creating an additional
89 buffer from the road. Also, the shoulder of the road is wider in front of the home as compared to other
90 homes in the area. Literal enforcement of the ordinance would create a hardship for the property owner
91 in that a less restrictive method for entering the home will be denied. Also, the proposed addition will
92 add a buffer against the noise created by traffic along the roadway in front of the home. Denial of the
93 variance request would adversely affect the reasonable day to day living of the home owner by
94 decreasing safe access and leisurely enjoyment of the home.

Ms. Prior asked for public comments.

Mr. Milner read two letters submitted to the ZBA by abutters Justin Douglass and Bob and Lisa Sawade. The letters expressed support for the proposed porch construction. Both letters also expressed opinions that the proposed porch construction was aesthetically pleasing and would not diminish neighbor property values.

Ms. Prior closed the public hearing at 6:55pm.

Mr. Miller stated that the application met all criteria for granting a variance.

Mr. Janos stated that the application met all criteria for granting a variance. He is familiar with the neighborhood in the vicinity of 61 South Road. Any improvements to this area are a benefit to the Town.

Ms. Reid and Mr. Williams stated the applicant submitted a well prepared, complete application. They are in favor of granting the variance request.

Ms. Prior stated that the application met all criteria for granting a variance.

Mr. Williams moved that the Zoning Board of Adjustment grant a variance from Town of North Hampton Zoning Ordinance Section 203.1 Yard and Lot Requirements to allow a structure (enclosed porch addition) at a distance of 27 feet from the front lot line on the 61 South Road property as represented in the application and site plan presented to the Board. Second by Mr. Miller. The roll call vote was unanimous in favor of the motion (5-0).

Ms. Reid moved to adjourn the meeting at 7:01pm. Second by Mr. Janos. The roll call vote was unanimous in favor of the motion (5-0).

Respectfully submitted,

Rick Milner
Recording Secretary