

Town of Strafford, NH – Zoning Board of Adjustment

Strafford Town Hall • 12 Mountain View Drive • Strafford, NH 03884

<http://www.strafford.nh.gov/index.php/planning-board>

Plan Review

PROJECT NAME: Ricky Nelson Rd - Karahalios		CASE NUMBER: 24-004 SE and VAR
PLAN DATE (REVISION): January 25, 2024		
MEETING DATE: April 18, 2024	APPLICANT(s): Karahalios Ricky Nelson Rd Strafford, NH	APPLICATION TYPE: <input type="checkbox"/> Equitable Waiver <input checked="" type="checkbox"/> Variance <input checked="" type="checkbox"/> Special Exception
SURVEYOR:	APPLICANT'S REP:	REVIEWED BY: Blair Haney SRPC Circuit Rider bhaney@strafford.org
EXECUTIVE SUMMARY		
<p>Applicant is requesting a Special Exception under Article 1.4.1, Section K and Variances to Article 1.4.1 Section K, Paragraph III (3) and Paragraph V (h), <i>Accessory Dwelling Unit</i> of the Zoning and Land Use Ordinances in order to convert the second floor of a detached garage currently under construction into an Accessory Dwelling Unit (ADU). The proposed 920 square foot ADU exceeds the maximum square foot requirement of the ordinance by 170 square feet and the existing lot does not meet the minimum land area requirements for a detached ADU under current ordinances. The new garage and Accessory Dwelling Unit meets all structure setback requirements and has a new approved septic disposal system. (42 Ricky Nelson Road, Tax Map 8, Lot 75-1)</p>		
BACKGROUND		
TAX MAP/LOT:	Tax Map 8, Lot 75-1	
AREA:	+- 1.6 Ac.	
ROAD ACCESS (FRONTAGE):	Ricky Nelson Rd	
ZONING DISTRICT(S):	Residential/Agricultural	

COMPLETENESS/APPLICATION ACCEPTANCE

1. Missing Items (in digital packet)—the Board should inquire whether these items were submitted via hard copy.
 - a. N/A

STAFF TECHNICAL COMMENTS & MEETING REVIEW HISTORY

1. The applicant provided an approved ISDS in the application.
2. Applicant submitted two requests:
 - a. Request for Special Exception to construct an ADU above a three-car garage.
 - b. Request for Variance (two):
 - i. Exceed 750 SF maximum allowed for an ADU
 - ii. Construct a detached ADU on a lot less than two acres per definition of “Detached.”

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3. The applicant does not state a compelling justification to exceed the maximum allowed square feet. RSA 674:33 requires an applicant to show, among other things, that the variance 1) upholds the spirit of the ordinance, and 2) literal enforcement would cause a hardship. The subject parcel can accommodate a garage/ADU with a smaller footprint (spirit of the ordinance); as such, no hardship would exist. The Board should carefully consider any precedent set by approving a variance without sound justification.
4. The Board should note that the Building Inspector's letter states that the applicant must apply for a Special Exception but does not mention the need for a Variance.