

# TOWN OF MILFORD

Office of Community Development  
Planning • Zoning • Building Safety • Code Enforcement • Health  
Economic Development • Active Projects



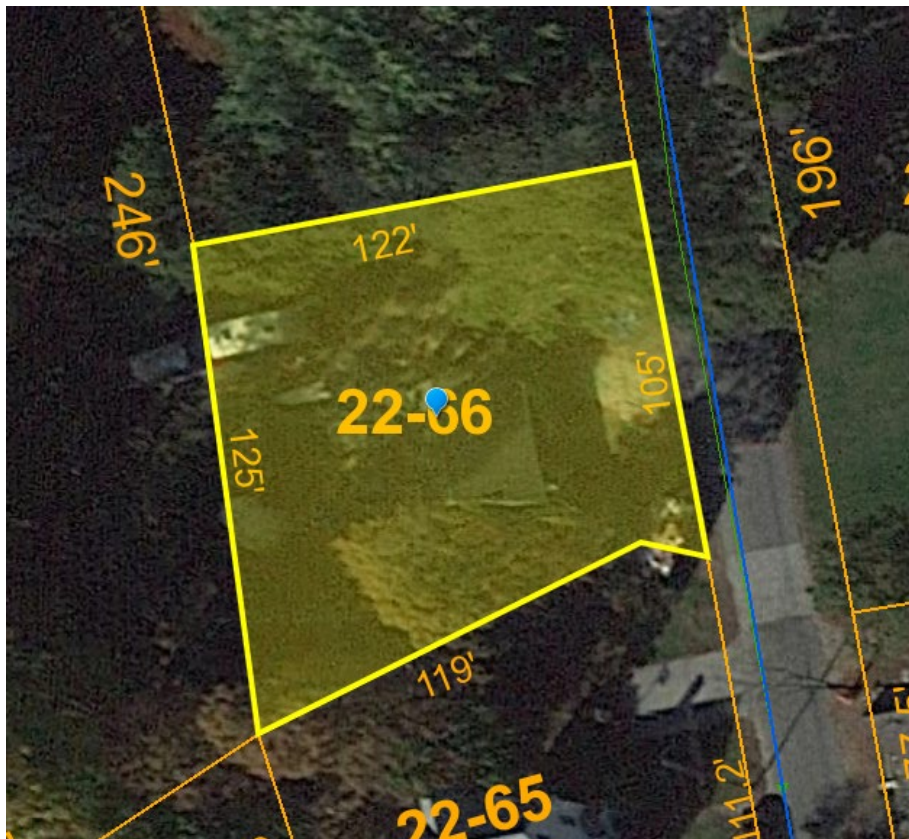
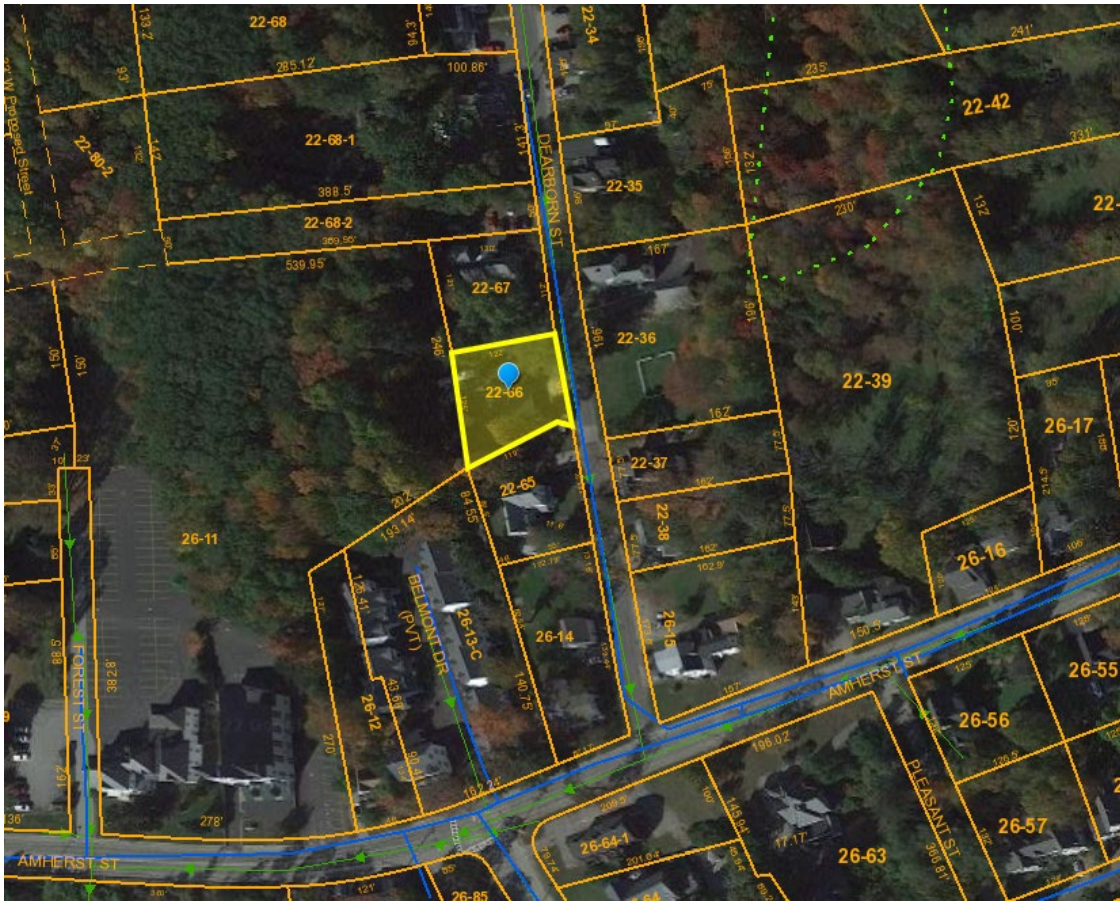
## Administrative Review

**Date:** May 28, 2022  
**To:** Jason Plourde, Chair - Zoning Board of Adjustment  
**From:** Lincoln Daley, Community Development Director  
**Subject:** **Case #2022-10 Kenneth and Hannah Wiggins for the property located at 14 Dearborn Street, Tax Map 22, Lot 66 - Special Exception Application.**

The applicant is before the Board of Adjustment seeking a SPECIAL EXCEPTION from the Milford Zoning Ordinance, Article V, Section 5.02.2.A.8 and 5.02.5.A to allow the construction of a 12' x 4' porch 22.3' from the front dimensional setback where 30 feet is required on the subject property located in the Residential 'R' District. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions:
  - a. The subject property is approximately .32 acres (13,939 sq. ft.) and is primarily undeveloped. The property contains a 1.25 story, single-family, 2 bedroom residence.
  - b. Property contains approximately 105 feet of linear frontage Dearborn Street. The property is serviced by municipal water and sewer.
  - c. The subject property falls within Residential 'R' Zoning District and is situated among an established residential. To the north, south, and east, the subject property abuts single-family residences. To the west the, property abuts the Roman Catholic Church property.
  - d. The existing house/stairs is located 24.4 linear feet from the front dimensional setback on Dearborn Street.
2. The applicant is seeking to replace the existing front stairs to the residence with a 12' x 4' porch 22.3 linear feet from the front property line. According the application materials, the existing stairs are located. 24.4 feet from the front property line. The relief being sought is approximately 2.1'.
3. Pursuant to Section 5.02.2.A.8 and 5.02.5.A, locating a structure within the 30 foot front dimensional setback is permitted by way of Special Exception. Upon further examination of the abutting and surrounding properties within the Dearborn Street neighborhood, we find that is it common for the existing structures to encroach within front comparatively. This is due to the pre-existing, non-conforming nature of the lots and age/location of the buildings.
4. As part of the Board deliberation, the applicant should be prepared to discuss the following:
  - a. Explanation /summary of the options/alternatives considered.
  - b. Confirmation of the relief being sought.

**Aerial Photograph(s) of Subject Property:**





**Street View(s) of Subject Property:**

View of Residence Looking West



View From Dearborn St. Looking South





View From Dearborn St. Looking North



View From Dearborn St. Looking North







**ZBA Application**  
**MILFORD ZONING BOARD OF ADJUSTMENT**

**GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS**

TOWN OF MILFORD  
 RECEIVED  
 APR 26 2022  
 PB ZBA Office

Date Received: 4-26-22  
 Case Number: 2022-10  
 Application Number: 2022 0628  
 Hearing Date: 6-2-22  
 Decision Date:  
 Decision:

**PROPERTY INFORMATION**

Street Address: 14 Dearborn St Milford NH 03055  
 Tax Map / Parcel #: 22-66 Lot Size: .32

**PROPERTY CURRENTLY USED AS**

Residential home

If the application involves multiple lots with different owners, attach additional copies of this page.

**PROPERTY OWNER**

Name: Kenneth and Hannah Wiggins  
 Address: 14 Dearborn St  
 City/State/Zip: Milford NH  
 Phone: (603) 233-5403  
 Email: kennethwiggins2@gmail.com

The applicant is the person who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

**APPLICANT/REPRESENTATIVE**

SAME AS OWNER  
 Name:  
 Address:  
 City/State/Zip:  
 Email:  
 Phone: ( ) Cell: ( )

The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.  
 Property Owner's signature: [Signature]  
 Date: 4/26

**Zoning District (check one):**

- Residence A
- Residence B  Residence R
- Commercial
- Limited Commercial
- Industrial
- Integrated Commercial-Industrial
- Integrated Commercial-Industrial-2

**Overlay District (check any that apply):**

- West Elm Street Overlay
- Nashua/Elm Street Overlay
- Commerce & Community Overlay
- Open Space & Conservation
- Wetlands Conservation
- Groundwater Protection
- Floodplain Management

**APPLICATION FEES**

Application Fee:	\$75.00
Abutters Fee: <del>\$4 x 20</del>	85.6
Amount received:	160.60
Date Received:	4-26-22
Check <input checked="" type="checkbox"/> Cash <input type="checkbox"/>	CE 760

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.



# ZBA Application – Special Exception

## MILFORD ZONING BOARD OF ADJUSTMENT

Date Received: \_\_\_\_\_  
 Case Number: \_\_\_\_\_  
 Application #: \_\_\_\_\_  
 Date Complete: \_\_\_\_\_  
 Hearing Date: \_\_\_\_\_  
 Decision Date: \_\_\_\_\_  
 Decision: \_\_\_\_\_

### PROPERTY INFORMATION

Street Address: \_\_\_\_\_

Tax Map / Parcel #: \_\_\_\_\_

*A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board of Adjustment. Most special exceptions have a list of additional criteria that must be met in order for the ZBA to approve the application.*

**\*Note that in addition to the specific criteria that may be listed for a particular special exception, all special exceptions are subject to the general criteria in Section 10.02.1 of the Zoning Ordinance.**

What section of the Zoning Ordinance are you applying under?

Article \_\_\_\_\_ Section \_\_\_\_\_

Describe the use you are proposing under the above section of the Ordinance.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Application for (check all that apply):

- Home Occupation
- Self-Storage Facilities
- Accessory Dwelling Unit
- Office in Res-A & B
- Wetland Buffer Impact
- Change/Expansion of Non-conforming Use/Structure
- Side/Rear yard setback reduction
- Other

### General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:

\_\_\_\_\_

### Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

A. The proposed use is similar to those permitted in the district because:

\_\_\_\_\_

B. The specific site is an appropriate location for the proposed use because:

\_\_\_\_\_

C. The use as developed will not adversely affect the adjacent area because:

\_\_\_\_\_

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:

\_\_\_\_\_

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

\_\_\_\_\_

# Existing layout



Proposed Layout

23' - 6"

27.0'

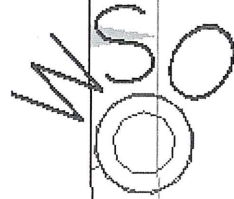
↑ WATER SHUT-OFF

↓ STEPS

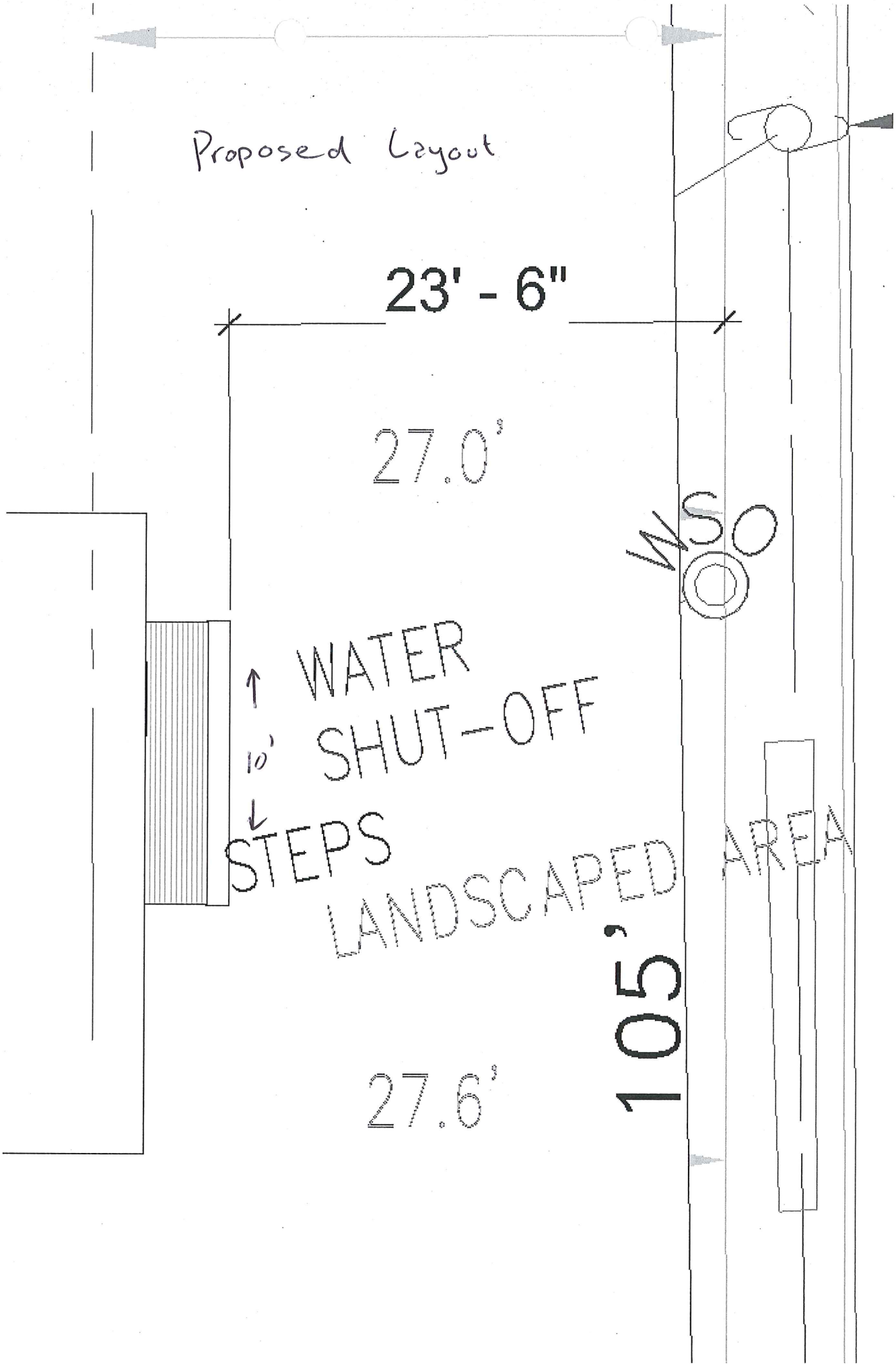
LANDSCAPED AREA

27.6'

105'



AREA





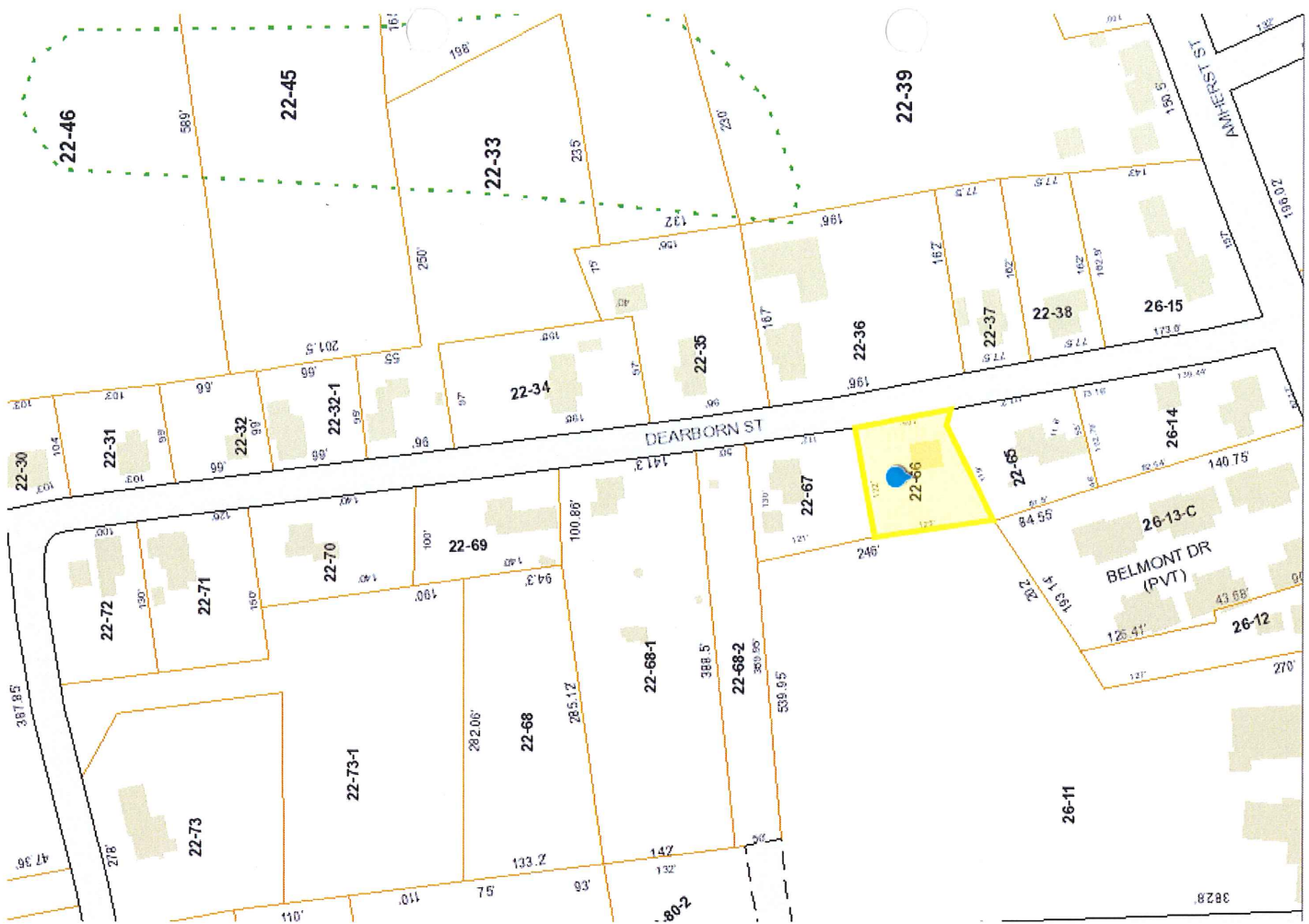
Ken Wiggins  
 603 233 5403  
 14 Dearborn St



Setback	Address	Tax Lot	Front Setback (ft)
1	50 Amherst	26-14	12.0
2	48 Dearborn St	22-72	12.2
3	45 Dearborn St	22-31	14.3
4	49 Dearborn St	22-30	15
5	Null	22-68-2	15.3
6	46 Dearborn St	22-71	15.3
7	Null	22-32	15.8
8	35 Dearborn St	22-33	16.9
9	39 Dearborn St	22-32-1	17.1
10	7 Dearborn St	22-38	18
11	20 Dearborn St	22-67	20.1
12	27 Dearborn St	22-34	20.1
13	32 Dearborn St	22-69	21.8
14	11 Dearborn St	22-37	22.1
15	40 Dearborn St	22-70	22.5
16	19 Dearborn St	22-36	24.2
17	14 Dearborn St	22-66	27.2
18	58 Amherst	26-15	29.5
19	10 Dearborn St	22-65	30.4
20	28 Dearborn St	22-68-1	30.8

TOWN OF MILFORD  
 RECEIVED  
 MAY 23 2022  
 PB ZBA Office

Ken Wiggins 14 Dearborn St  
 603 233 5403

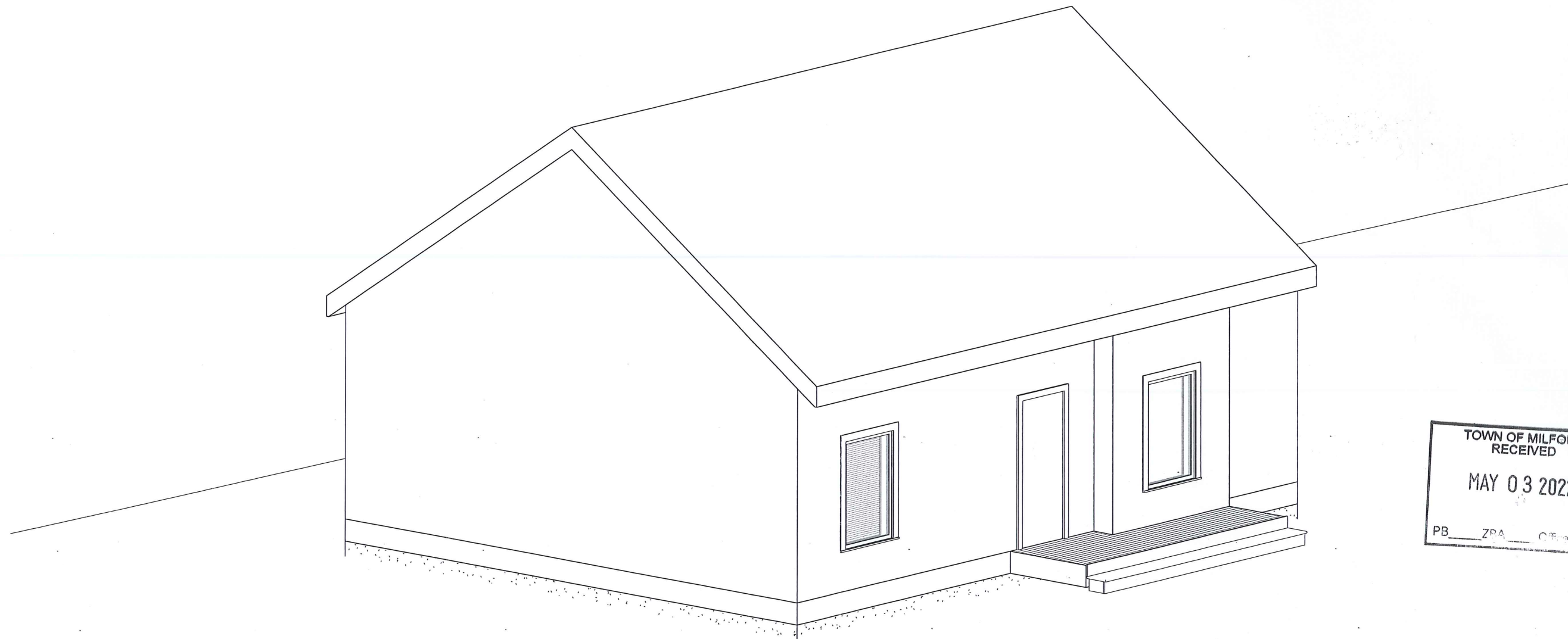


Setback	Address	Tax Lot	Front Setback (ft)
1	50 Amherst	26-14	12.0
2	48 Dearborn St	22-72	12.2
3	45 Dearborn St	22-31	14.3
4	49 Dearborn St	22-30	15
5	Null	22-68-2	15.3
6	46 Dearborn St	22-71	15.3
7	Null	22-32	15.8
8	35 Dearborn St	22-33	16.9
9	39 Dearborn St	22-32-1	17.1
10	7 Dearborn St	22-38	18
11	20 Dearborn St	22-67	20.1
12	27 Dearborn St	22-34	20.1
13	32 Dearborn St	22-69	21.8
14	11 Dearborn St	22-37	22.1
15	40 Dearborn St	22-70	22.5
16	19 Dearborn St	22-36	24.2
17	14 Dearborn St	22-66	27.2
18	58 Amherst	26-15	29.5
19	10 Dearborn St	22-65	30.4
20	28 Dearborn St	22-68-1	30.8

TOWN OF MILFORD  
 RECEIVED  
 MAY 23 2022  
 PB ZBA



<u>Project Name</u>	Front Porch
<u>Owner</u>	K. and H. Wiggins
<u>Address</u>	14 Dearborn St Architectural
<u>Sheet Name</u>	Rendering
<u>Sheet #</u>	E3



<u>Revision</u>	<u>Issue Date</u>
Architectural Concept	4/17/22



Proposed Layout





House

Front Setback

Property Line

As-Built Layout

27.0

26.3

24.4

2.8