

TOWN OF MILFORD

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



Administrative Review

Date: June 10, 2019
To: Steve Bonczar, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2019-11 – Steven and Camilla Opre, Tax Map 22, Lot 30, 49 Dearborn Street, Milford, NH.** Special Exception Application pursuant to Milford Zoning Ordinances, Article X, Section 10.02.6 to allow for an Accessory Dwelling Unit.

The applicant is before the Board of Adjustment seeking a Special Exception pursuant to Milford Zoning Ordinances, Article X, Section 10.02.6 to allow the construction of a 576 s.f. (24' x 24') accessory dwelling unit located within the attached garage of the existing home in the Residential 'A' Zoning District. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions – The subject property consists of a 2 story, 3 bedroom, single-family residence situated on approximately 0.25 acres (10,890 s.f.). The property contains approximately 87 linear feet of frontage on Dearborn Street and is serviced by municipal water and sewer. The driveway for the property has been designed for up to 5 vehicles.
2. The square footage of the ADU falls under the 750 square foot maximum area limitation and would be approximately 576 square feet. The ADU would be located on the second floor of the attached garage. The ADU will have a common interior access with the primary residence.
3. The current single-family residence meets all dimensional zoning requirements and the footprint will not be increased as a result of the application.
4. A building elevation and interior layout of the single-family residence has been provided. There will be minimum (if any) exterior changes to the residence and the overall architecture will be consistent with the character of the neighborhood.
5. The primary residence will be occupied by the owner of the property.

Aerial Photographs of Subject Property:





ZBA Application
MILFORD ZONING BOARD OF ADJUSTMENT ZBA Office
GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

TOWN OF MILFORD
 RECEIVED
 MAY 23 2019

Date Received: 5-23-19
 Case Number: 2019-11
 Application Number: _____
 Hearing Date: 6-20-19
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: 49 Dearborn St.
 Tax Map / Parcel #: 22-30 Lot Size: 0.25 acre

PROPERTY CURRENTLY USED AS

Single Family Home
(ADU application)

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

PROPERTY OWNER

Name: Steven + Camilla Opre
 Address: 49 Dearborn St.
 City/State/Zip: Milford, NH 03055
 Phone: (603) 265-0292 (Cammie)
 Email: Cammieopre@gmail.com or
Steve-opre@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.

Camilla Opre 5/23/19
 Property Owner's signature Date:

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: \$4 x <u>5</u>	<u>20.00</u>
Amount received:	<u>95.00</u>
Date Received:	

Check Cash

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: 5/23/19
 Case Number: 2019-11
 Application #: 2019-0757
 Date Complete: _____
 Hearing Date: 6/20/19
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION
Street Address: <u>49 Dearborn St.</u>
Tax Map / Parcel #:
<i>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.</i> *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 <u>10.</u> Section <u>2.6</u>
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: Dearborn St. has a mix of single family homes and multi-family homes and Beechbrook apartments are abutters on Adams St.

B. The specific site is an appropriate location for the proposed use because: It's above the garage so there is no change to the footprint of the home

C. The use as developed will not adversely affect the adjacent area because: No change will be visible from the outside of the home

D. There will be no nuisance or serious hazard to vehicles or pedestrians because: There is no sidewalk. There is very little traffic going by. All cars are parked off the street.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because: Our home has town water and town sewer.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

→ **ACCESSORY DWELLING UNITS 10.02.6**

1. Is the property going to be Owner Occupied?

Yes

2. Has a Building Permit application been made? Copy of permit application attached?

Yes

3. Is the ADU developed in a manner which does not alter the character/appearance of the principal use as a single-family residence?

Yes

4. Is the ADU intended to be secondary and accessory to a principal single-family dwelling unit?

Yes

5. Does the ADU impair the residential character of the premises or the reasonable use, enjoyment and value of neighborhood?

No

6. Is there adequate off-street parking? How many spaces?

Yes 5 spaces

7. Are any additional curb cuts being proposed?

No

8. Are all necessary additional entrances or exits located to the side or rear of the building to the maximum extent possible? Please note on the plan. *No additional exits to the outside of the home.*

But yes, there is access through the garage which has a side door (north side)

9. Is there adequate sewer/septic and water for the additional inhabitants? Please include septic/sewer approval.

Yes We are on town water and sewer

10. Is there only one (1) ADU on the property?

Yes

11. Is the ADU no more than 750 square feet? How many square feet is the ADU?

Yes 576 square feet

12. Does the ADU have no more than two (2) bedrooms? Please show on plans.

Yes. (1 bedroom)

13. If inside the existing dwelling, is there at least one common wall with a door between the two spaces at least 32 inches wide? Please show on plans.

Yes

14. If a connecting hall is proposed, is the hallway at least 36 inches wide? Please show on plans.

There is an existing hallway, 36" wide, as we intended to finish our "bonus room" someday
For Existing Unpermitted ADUs

15. Has a Code Compliance inspection been conducted by the Building Inspector? Please include inspection report.

16. Is the ADU in compliance with Section 10.02.6:A of the Milford Zoning Ordinance? How so?

17. If no, has a Variance from Section 10.02.6:A been granted by the ZBA?

FRONT ELEVATION

SCALE N.T.S.

NOTES:
 FULL COVERAGE VINYL SIDING AND ALUMINUM WRAPPED TRIM.
 6" FLUTED VINYL CORNER BOARD TRIM
 ASPHALT ARCHITECTURAL STYLE ROOFING WITH CONTINUOUS SOFFIT AND RIDGE VENTILATION

Can we get that back, please!
 TOP OF ATTIC FLOOR

TOP OF SECOND FLOOR

TOP OF FIRST FLOOR
 TOP OF FOUNDATION



~~WHITE TRIM~~ GARAGE DOOR
 WHITE TRIM
 HERITAGE CREAM SIDING
 CHARCOAL ASPHALT ROOFING

3 Yes we want back of
 (with yet) Screen door. Is
 fine enough many left over
 from driveway when trip
 go to start now for plot plan.

SNOWBROOK CONST., INC.
 COMPLETE DESIGN AND CONST. CO.
 RUSS GOLDMAN

LOT 1
 MILFORD, NH
 03035

24'x34' Colonial Farm,
 with 24'x24' Attached Garage



NOTES- MAIN HOUSE

1. MAIN HOUSE FRAME- 2x6- 16'0" C. W/ R-21 INSULATION.
2. WINDOW SIZES TO BE 28x56" D.H. OR DET-BY-CONTRACTOR
3. CEILING HEIGHTS ON 1st FLR TO BE 9'-0" AND 2nd FLR TO BE 8'-0"
4. CONTRACTOR RESERVES THE RIGHT TO ADJUST ALL DIMENSIONS ETC. SHOWN ON PLANS TO SUIT ALL FIELD CONDITIONS.

5. THE CONTRACTOR SHALL ESTABLISH ALL FINAL ELEVATIONS ON SITE TO SUIT ALL EXISTING BUILDING CONDITIONS.
6. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND STRUCTURAL MEMBERS. DIMENSIONS AND SIZES TO BE DETERMINED ON SITE BY CONTRACTOR
7. ALL CONDITIONS APPROVED BY CONTRACTOR WILL ABIDE BY ALL LOCAL AND STATE BUILDING CODES.

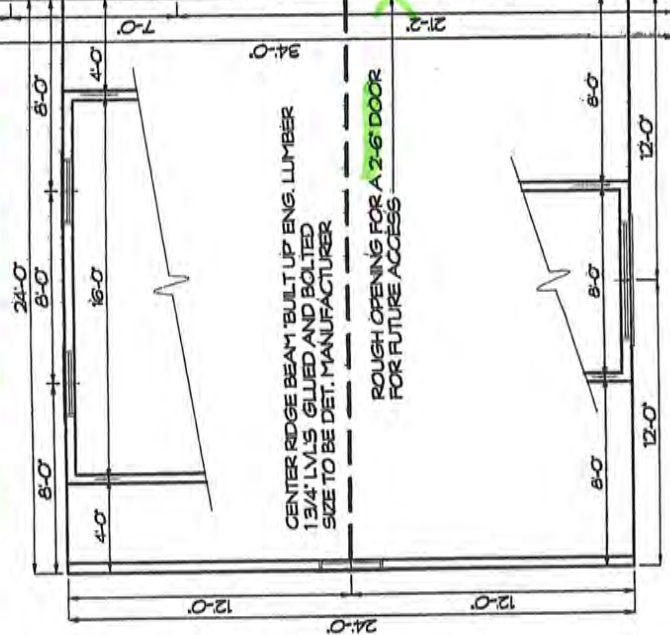
All Porches are pressure treated 10' stairs

SNOWBROOK CONST., INC.
 COMPLETE DESIGN AND CONST. CO.
 RUSS GOLDMAN

LOT 1
 MILFORD, NH
 03035

**24'x34' Colonial Farmhouse
 with 24'x24' Attached Garage**

NOTE:
ROUGH GARAGE TO BE ROUGH FRAMED
ROOM OVER GARAGE TO BE FINISHED AT A LATER DATE
ONLY. ROOM TO BE FINISHED AT A LATER DATE



SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0"

SNOWBROOK CONST., INC.
COMPLETE DESIGN AND CONST. CO.
RUSS GOLDMAN

LOT 1
MILFORD, NH
03035

24'x34' Colonial Farmhouse
with 24'x24' Attached Garage.

SHEET NO.

5

Order 44569127, SUBJECTSTREETVIEW.JPG

49 Dearborn St.
→ Last house
on street



Order 44569127, SUBJECTINTERIORPHOTO_1.JPG

View unfinished. Above garage was storage. Now will be finished.

