

The Frankestown Zoning Board of Adjustment met on 11 January 2024 to hear the application of Marsha Dixon for a variance to permit an ADU at 33 Poor Farm Road, Tax Map 13, Lot 28 where the lot is non-conforming and the structure for the ADU does not meet the setback requirements.

Present were board members S.Jonas, C.St.Jean, S.Pitman, S.Brock, and S.Little; M.Dixon, J.Kendall, J.Griffith, S.Griffith, R.Fulton, the applicant, building inspector and abutters. Others were also present but did not speak at the hearing.

Ms. Dixon presented her application. The structure is a garage with a finished living space above. The living space predates her ownership by at least two owners. All that is needed to make the living space an ADU are a kitchen and a bathroom. There would be no external changes to the structure. She acknowledges needing state approval for the septic system's increased loading which she will do. The abutters support. There will be no adverse effect on property values. The ADU is consistent with the spirit of the ordinance and meets a public interest in allowing additional housing for single adults who otherwise could not afford or maintain a single family detached dwelling. Substantial justice is achieved as the structure exists, the improvements have been made lacking only the kitchen and bathroom, and all lots in the village are non-conforming. The hardship is the lack of a reasonable nexus to the proposed use given all the circumstances.

S.Griffith, R.Fulton and J.Griffith each spoke to the merits of the application and stated their support. J.Kendall supported the application and noted to the board that the provisions for the ADU when adopted, contemplated that a variance might be necessary as many existing structures do not meet setbacks or lot size requirements but on the right circumstance should be allowed an ADU.

No further evidence being offered, the board closed the hearing and proceeded to deliberations. The board concurred in the presentation of Ms. Dixon and the supporting abutters and the building inspector. The board unanimously found that variance should be granted on the condition that only one vehicle is allowed for the ADU.

Respectfully submitted

Silas Little

15 January 2024