

FROM
SAM FLANDERS

Regulations and Setbacks for RA Zone:

Front Yard 30' Minor / 40' Arterial (what is Cowell?)
Side yard 10'
Back Yard 20'
Maximum Impervious 33%

175.38 F.3. No parking shall be permitted in the area between the front property line and the front wall of the principal building except in a driveway.

175.111.D All driveways in the front yard setback must be 22' in width or less.

175.111.G.3 A maximum of 3 cars is permitted in the front yard setback. All parking must be on paved, gravel or similar surfaces.

175.113 A minimum of 3 parking spaces are required for houses occupied by 3 unrelated individuals.

175-117.C. There is only a single curb cut permitted for lots with less than 200' frontage.

Analysis:

In the Cowell Drive Area Neighborhood, most lots are 100-120' wide. With a 30' front setback, and taking into account the fact that Town property extends several feet from the paved road surface, most driveways exist totally within the front setback of the property. In almost all instances, it would be difficult or impossible to park a car totally outside of the front setback. This means for almost all houses in the neighborhood that a maximum of 3 cars can be parked in the existing driveways. Cars can never be parked on grass or mud surfaces. The only way to increase the number of cars that can be parked would be to expand the driveway to the side of a house (complying with all side and rear setback requirements). It is our interpretation that any driveway expansion would still need to comply with the 22' wide limitation on driveway width. In some instances, attempting to expand a driveway to the side of a house would violate the 22' width limitation. The only option for expansion in this instance would be to relocate the driveway so that it could be extended. For some properties, relocation would be problematic because of existing retaining walls and entryways.

These limitations make it difficult or impossible for a rental property to set up parking that permits more than 2 cars to exit the property without moving a parked car. While some properties might like to extend parking perpendicular to the entry driveway, the 22' driveway width limitation will make this difficult or impossible to do (an average car is 15' in length and can not turn in 7'. The only way to do this would be to drive over a non-paved area of the property. While no ordinances specifically address the issue of driving over a grass or mud area, it is our belief that the ordinances intend to prohibit the use of non-driveway areas for regular car movement since areas used for regular car movement are, by definition, driveways.

Summary:

Existing Town ordinances already limit parking of cars to a maximum of 3 in our neighborhood (with the exception of any residences that can extend parking to the side of their property). We believe the limit of 3 cars is a suitable one for a small lot residential neighborhood. It makes sense that only one car is required for each tenant in a 3-unrelated house. When a small property is overwhelmed with cars, it no longer has the appearance of a family friendly neighborhood, but instead begins to look like an urban or commercial neighborhood. Adding car capacity simply invites violations of the 3-unrelated ordinance or the encouragement of additional parking services for individuals attending UNH.

We would like to work with the Town to further set a maximum limit per residential rental household of 3 cars in all cases. Our reasoning is that 95%+ of all residential properties have 3 or fewer cars, and we feel that it is appropriate for non-owner occupied properties to follow a similar pattern. Inviting more than 3 cars to be parked at a house immediately opens up the possibility that tenants will be encouraged to add a 4th or 5th (illegal) resident. Limiting the number of cars to 3 eliminates this obvious nuisance invitation, and makes it less convenient for those who choose to violate the 3 unrelated ordinances.

The last thing resident taxpayers want to see is to have our neighborhood paved over with tenant parking spaces, since parking is a very visible and hard to reverse physical change, which will change the character and appearance of our neighborhood. We hope that the Town will discourage parking expansion, and we expect the Town to strictly enforce existing ordinances.

