



City of Rochester, New Hampshire

Department of Building, Zoning and Licensing Services

31 Wakefield Street * Rochester, NH 03867

(603) 332-3508 * Fax (603) 509-1912

pl CK 512-17500
CK 513-2641

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2014-16

DATE FILED 8/5/14

[Signature]
ZONING BOARD CLERK

Phone No 603-380-8001

Name of applicant Luke Rivais

Address 10 McDuffee St Rochester NH 03867

Owner of property concerned same

(If the same as applicant, write "same")

Address SAME

(If the same as applicant, write "same")

Location 10 McDuffee St. Rochester NH 03867

Map No. 115 Lot No. 63 Zone R1

Description of property .13 AC single family bungalow detached garage

Proposed use or existing use affected vehicle storage/leisure

The undersigned hereby requests a variance to the terms of 42.19

Section Table A and asked that said terms be waived to permit the setbacks to

the side and rear lot lines be closer than what is allowed

The undersigned alleges that the following circumstances exist which prevent the proper enjoyment of his land under the strict terms of the Zoning Ordinance and thus constitute grounds for a variance.

Signed

[Signature]
(Applicant)

CRITERIA FOR VARIANCE

CASE # 2014-16
DATE: August 4, 2014

A Variance requested by Luke Rivals from Section Chapter 42.19 Subsection Takka of the Zoning Ordinance to permit: the setbacks to the side and rear lot lines be closer than what is allowed at 10 McDuffee St. Rochester NH 03867 Map 115 Lot 63 Zone R1

Facts supporting this request:

1) The proposed would not diminish surrounding property values because:

The proposed will increase the property value, while creating more tax revenue for the city of Rochester. The location of the wooden deck would be concealed from neighboring properties by a 6' privacy fence. The garage would be partially concealed by the 6' fence and 15' evergreens. The surrounding properties will have minimal visual exposure to the proposed. Furthermore, the proposed maximizes the use of space considering the .13 acre lot, while leaving backyard utility.

2) Granting the variance is not contrary to the public interest because:

The proposed would not alter the essential character of the neighborhood or threaten the health, safety, or general welfare of the public. The proposed would either be replacing existing structures (as with the wooden deck), or adding to (as with the garage).

3) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property:

The current layout of structures on the property, and the .13 acre lot size limits the available options for construction. The proposed would retain the utility of a backyard, versus the other options.

The other options for the proposed garage addition would include construction in the SW direction, which would nearly diminish the utilization of the backyard. It would be possible to maintain the current setback by building in SE direction, but this would also join the garage to the, creating snow removal and backyard accessibility issues.

Additionally, the cement pad (192 sq.ft.), and the wooden deck (300 sq.ft. including the stairs) for a total of 492sq.ft are currently being removed to regain wasted space on the property. The proposed wooden deck 9'X18' (162 sq.ft.), and the proposed garage 15'X16' (240 sq.ft) totals 384 sq.ft. This is a decrease of structural footprint on the property by 90 sq.ft., and would maximize the utility of the backyard.

4) Granting the variance would do substantial justice because:

The use being requested is consistent with uses of surrounding lots. The proposed will be concealed by a 6 foot privacy fence in the case of the wooden deck, and both the fence and tall evergreens for the garage.

CRITERIA FOR VARIANCE

CASE # 2014-14
DATE: August 4, 2014

5) The use is not contrary to the spirit of the ordinance because:

The use of the proposed is a permitted use by the Town of Rochester. If the variance is granted the construction will meet all standards and requirements (with the exception of the side and rear setbacks). All building codes will be followed and the appropriate permits will be obtained.



Name Luke Rivals Date: August 4, 2014

2014-14

Luke Rivaïs
10 McDuffee St.
Rochester NH 03867

August 4, 2014

Re: Variance

To whom it may concern,

I am requesting a variance for adding on to the existing garage structure located at 10 McDuffee St. Rochester NH 03867. The proposed structure will be 16' wide by 15' deep. This will maintain the current distance from my side property line of 5.5' and will be 7.5' from the rear property line. The peak height will not change.

This proposed addition will allow the placement of one additional vehicle. The small .13 acre lot size, and following current setback codes would diminish the backyard utility. My best option is to continue with the current width of the garage, requiring a variance for the side and rear setbacks.

I am also requesting a variance for replacing but also downsizing and relocating the wooden deck at the same property. The proposed structure will be 9' wide by 18' deep, and detached from the house. The proposed would maintain the current distance from my side property line of 5.5'. This requires a variance for the side setback, but it will be over 25' from the rear property line.

The proposed wooden deck would be surrounded by a 6' privacy fence. The proposed garage addition would also be partially concealed by the 6' privacy fence on the northwest facing side, and the northeast facing side would be fully concealed by 15' evergreens.

Thank you for your time and consideration with this variance.

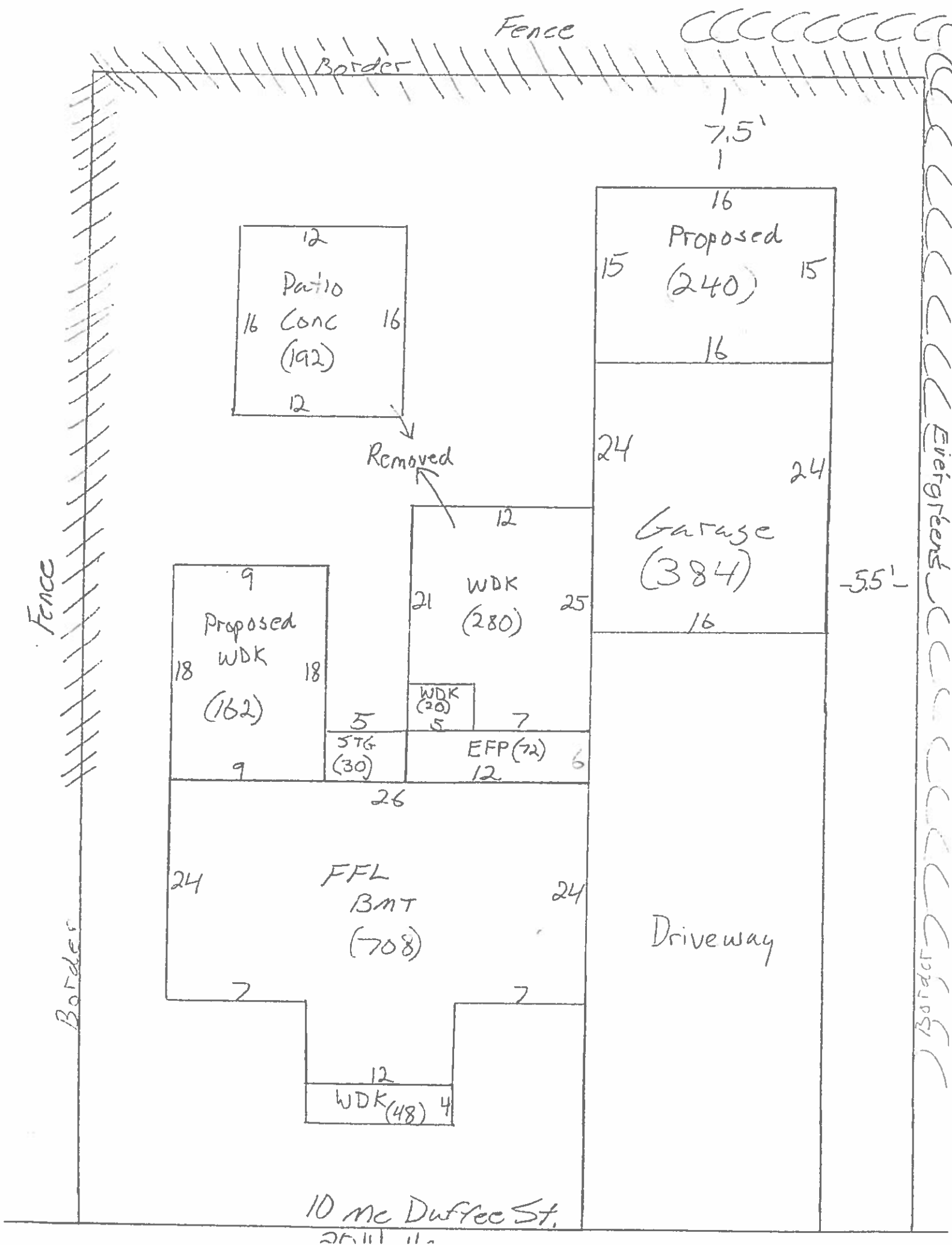
Sincerely,

Luke Rivaïs

Request of waiver of requirement to have a Certified Plot Plan for Case # 2014-16

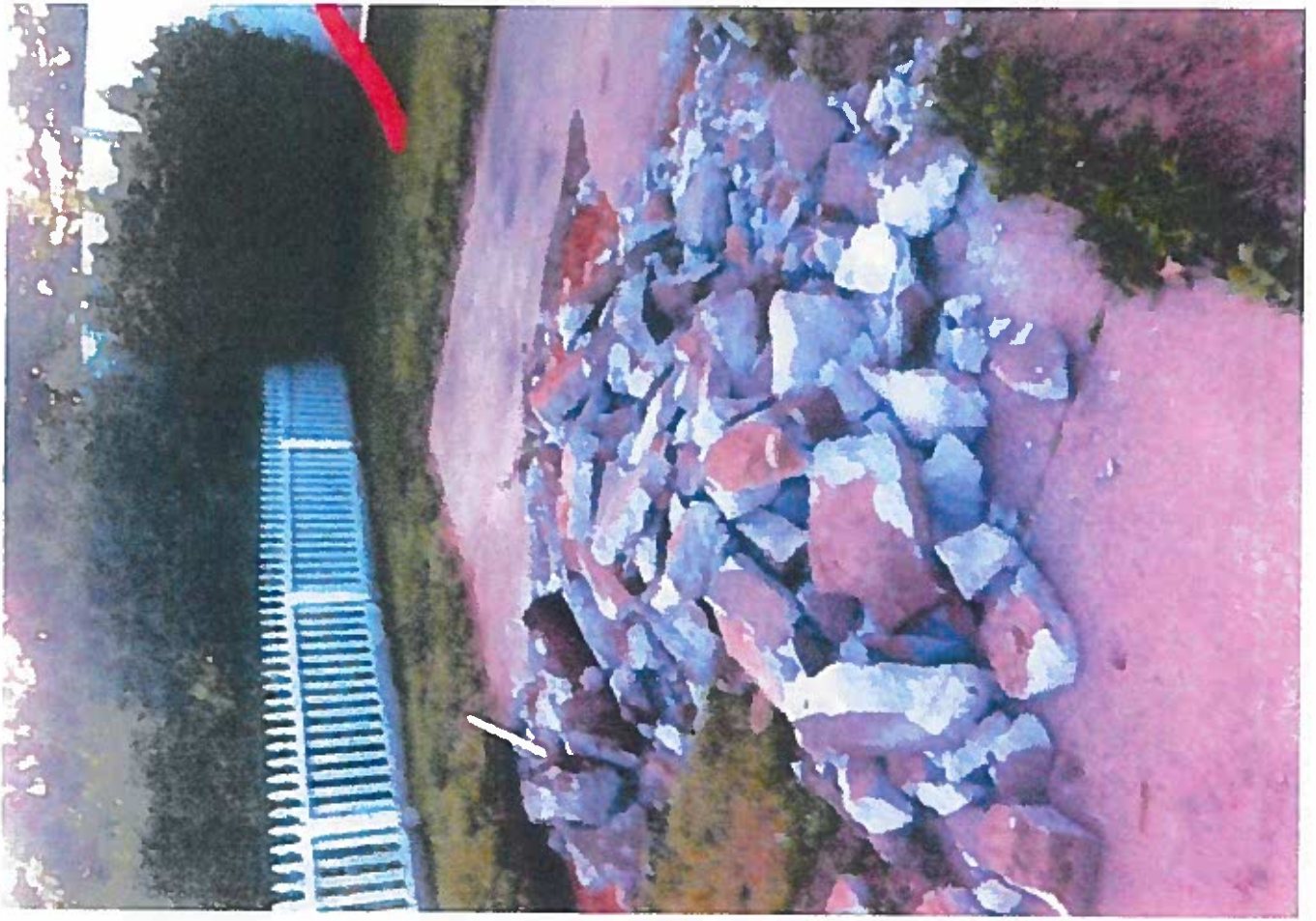
I request a waiver of the requirement to have a certified plot plan for the following reasons:

- There are no objections from any abutter, and:
- Based on the information provided, the distance into the setback will not create any problems to the abutting property because: The areas of construction would be concealed by a 6' privacy fence and 15' evergreens.
- The property is described in its deed as being bounded, on the side for which relief is requested, by a natural feature like a: (stone wall/ row of large trees/roadway, etc.)
There is a preexisting fence and tall evergreens surrounding or alongside the areas where the proposed would be constructed, requiring this variance.
- The request for relief from the setback required is modest enough that the probability of a surveying error large enough to make a material difference is remote. Yes X No _____
- Information provided is based upon other surveyed parcels in the immediate vicinity and is consistent with the tax map information, so the probability of a surveying error large enough to make a material difference is remote. Yes X No _____
- The request for relief from the setback required is in a direction where any impact on the abutter is small or nonexistent and, should a large surveying error be found in the future, there is adequate land area to correct the problem through a lot-line adjustment. Yes X No _____
- Any other applicable information: _____

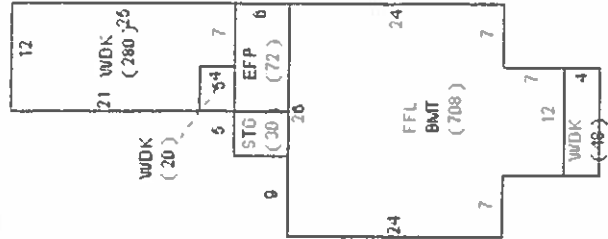








SKETCH



COMMENTS

LOT 55.

EXTERIOR INFORMATION

Type	10	BUNGALOW	Full Ba	1	Ratin	AVERAGE
Sty Ht	1	- 1	A Bath		Ratin	
(Liv) Units	1	Total	3/4 Bat		Ratin	
Foundatio	1	- CONCRETE	A 30Bt		Ratin	
Frame	01	- WOOD	1/2 Bat		Ratin	
Prime Wa	4	- VINYL	A HBth		Ratin	
Sec Wall			QthrFix		Ratin	
Roof Stru	2	- HIP				
Roof Cov	1	- ASPHALT SH				
Color	TAN					
View / Del	A	- AVERAGE				

GENERAL INFORMATION

Grade	C	- AVG. (-)	Location	
Year Bld	1948	Eff Yr Bld	Total Unit	
Alt LUC		Alt %	Floor	
Jurisdic		Fact	% Own	
Const Mod			Name	
Lump Sum Adj				

INTERIOR INFORMATION

Avg Ht/FL	STD	Phys Con	GD	- Good	30 %
Prim Int	1	- DRYWALL	Functiona		%
Sec Int	W		Economic		%
Partition	T	- TYPICAL	Special		%
Prim Floor	8	- AVERAGE	Override		%
Sec Floor			Total		30.8 %

DEPRECIATION

Basic \$ / SQ	72.90	Size Adj	1.3803389
Const Adj	1.0199999	Adj \$ / SQ	102.639
Other Features	23000	Grade Factor	0.92
Neighborhood	1.0599999	LUC Factor	1.00
Adj Total	116698	Depreciation	35943
Depreciated Tot	80755		

CALC SUMMARY

Basic \$ / SQ	72.90	Size Adj	1.3803389
Const Adj	1.0199999	Adj \$ / SQ	102.639
Other Features	23000	Grade Factor	0.92
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REMODELING RES BREAKDOWN

Exterior	2004	No Uni	RMS	BRS	FL
Interior	2004	1	5	1	M
Addition					
Kitchen	2004				
Baths					
Plumbin					
Electric	2004				
Heating	2004				
General					
Totals		1	5	1	

RESIDENTIAL GRID

Type: 10 - BUNGALOW	Full Bal	Ratio AVERAGE
</		

OTHER FEATURES

Kits	1	Ratin	AVERAGE
A Kits		Ratin	
Frpl		Ratin	
WSFlu		Ratin	

CONDO INFORMATION

Location	
Total Unit	
Floor	
% Own	
Name	

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WtAvS/S		AvRat		Ind.V
Juns. Factor		Before De	100.09	
Special Featur	0	Val/Su Ne	43.30	
Final Total	80800	Val/Su Sz	114.12	

SPEC FEATURES/YARD ITEMS

Code	Description	A	Y	Qty	Size/Dim	Qual	Con	Year	Unit Price	D	Dep	LUC	Fact	NB F	JCo	JFac	Juns. Value
04	GARAGE FR	D	Y	1	16X24	C	AV	1950	24.77	T	30	101					6,700
13	PATIO CONC	D	Y	1	12X16	D	FR	1960	3.53	T	55	101					300

PARCEL ID

Type: 10 - BUNGALOW	Full Bal	Ratio AVERAGE
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Net Sketched Area

Type: 10 - BUNGALOW	Full Bal	Ratio AVERAGE
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SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
BMT	BASEMENT	708	24.630	17.440
FFL	1ST FLOOR	708	102.640	72.669
W/DK	WOOD DECK	348	8.220	2.861
EFP	ENCL PORCH	72	46.970	3.382
STG	BKHD/FRU	30	10.450	313

SUB AREA DETAIL

Sub	%	Descr	%	Qu	Ten
Area	Usbl	100	FBM		40
BMT					
FFL					
W/DK					
STG					

IMAGE



More N

More N	Total Yard Item	7,000	Total Special Feature	7,000
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0' Abutters List Report

Rochester, NH
May 21, 2014

Subject Property:

Parcel Number: 0115-0063-0000
CAMA Number: 0115-0063-0000
Property Address: 10 MCDUFFEE ST

Mailing Address: RIVAIS LUKE
10 MCDUFFEE ST
ROCHESTER, NH 03867-1107

Abutters:

Parcel Number: 0115-0051-0000
CAMA Number: 0115-0051-0000
Property Address: 7 CLAIRE ST

Mailing Address: LOPARCARO MARION T
7 CLAIRE ST
ROCHESTER, NH 03867-1104

Parcel Number: 0115-0052-0000
CAMA Number: 0115-0052-0000
Property Address: 5 CLAIRE ST

Mailing Address: GRIGGS STANLEY D & CAROL A
5 CLAIRE ST
ROCHESTER, NH 03867-1104

Parcel Number: 0115-0062-0000
CAMA Number: 0115-0062-0000
Property Address: 8 MCDUFFEE ST

Mailing Address: HLAVAC BRIAN F & MCMATH-HLAVAC
TRACI L
8 MCDUFFEE ST
ROCHESTER, NH 03867-1107

Parcel Number: 0115-0064-0000
CAMA Number: 0115-0064-0000
Property Address: 12 MCDUFFEE ST

Mailing Address: GAGNE MELISSA A & STEPHEN M
12 MCDUFFEE ST
ROCHESTER, NH 03867-1107

Parcel Number: 0115-0087-0000
CAMA Number: 0115-0087-0000
Property Address: 11 MCDUFFEE ST

Mailing Address: HOULE RAYMOND J III D/B/A RAY & RAY
BUILDING CREATIONS
93 AMESBURY RD
NEWTON, NH 03858-3205

Parcel Number: 0115-0088-0000
CAMA Number: 0115-0088-0000
Property Address: 9 MCDUFFEE ST

Mailing Address: TRUAX ANTHONY A
9 MCDUFFEE ST
ROCHESTER, NH 03867-1108



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