



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

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2015-21

DATE FILED 8-13-15

R. J. [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 lbrivais@yahoo.com
(If the same as applicant, write "same")

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

Location _____

Map No. 115 Lot No. 63 Zone R1

Description of property Residential

Proposed use or existing use affected addition to be used
for more living space

Table 19-A The undersigned hereby requests a variance to the terms of Article 42,
Section 12.19A and asked that said terms be waived to permit Setback closer
than the allowed 10ft.

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 _____

(Applicant)

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CRITERIA FOR VARIANCE

Luke Rivais
CASE # 2015-21
August 11, 2015

A Variance requested by Luke Rivais from Section 42 Subsection Tab 19-A of the Zoning Ordinance to permit: the distance between the garage and the proposed house addition to 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 surrounding properties will have a very low visual exposure to the proposed, since the side and the rear setbacks of the property will remain within code

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 be adding onto the original structure of the house.

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 current code which limits structures to be a minimum of 10 feet from one another forces construction to stop at 4 feet 11 inches. The cost of constructing a 12' X 4'11" addition is nearly not worth the time and money. I am only trying to end up with the best sized room for the money spent. The proposed addition is the only viable location on the property or building layout that would not impose upon neighboring properties.

The current distance between the buildings is 14' 11"

The proposed would be a 12' X 6.5' addition

If this variance is granted, the distance between buildings would be 8' 5"

4) Granting the variance would do substantial justice because:

The use of the proposed being requested is consistent with uses of surrounding lots.

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, and it would be an expansion of use while leaving an ample distance of 8' 5" to gain entrance to the back of the property.

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AUG 13 2015

Luke Rivais 

Luke Rivals
10 McDuffee St.
Rochester NH 03867
(603) 380-8001

August 11, 2015

Re: Variance *C-3C # 2015-21*

To whom it may concern,

I am requesting a variance for the distance between the garage and the proposed house addition to be closer than what is allowed at 10 McDuffee St. Rochester NH 03867 Map 115 Lot 63 Zone R1. The proposed structure would be 12' wide by 6.5' deep. The side and rear setbacks will remain within code, however the distance between structures would become 8' 5". The current requirement per code is a minimum of 10'.

The proposed addition would allow the closed in porch to become a dining room. The small lot size, and construction cost has limited where and how to add on, so the best option is to utilize the area requiring a variance.

Thank you for your time and consideration with this variance.

Sincerely,


Luke Rivals

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AUG 13 2015

Request of waiver of requirement to have a Certified Plot Plan for Case # 2015-21

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 distance from the proposed structure is well over the rear setback and from the sides. Construction would be in the center of the property
- 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.)
N/A

- 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 ☒ 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 ☒ 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 ☒ No ☐
- Any other applicable information: _____

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AUG 13 2015

Fence

Border

RECEIVED

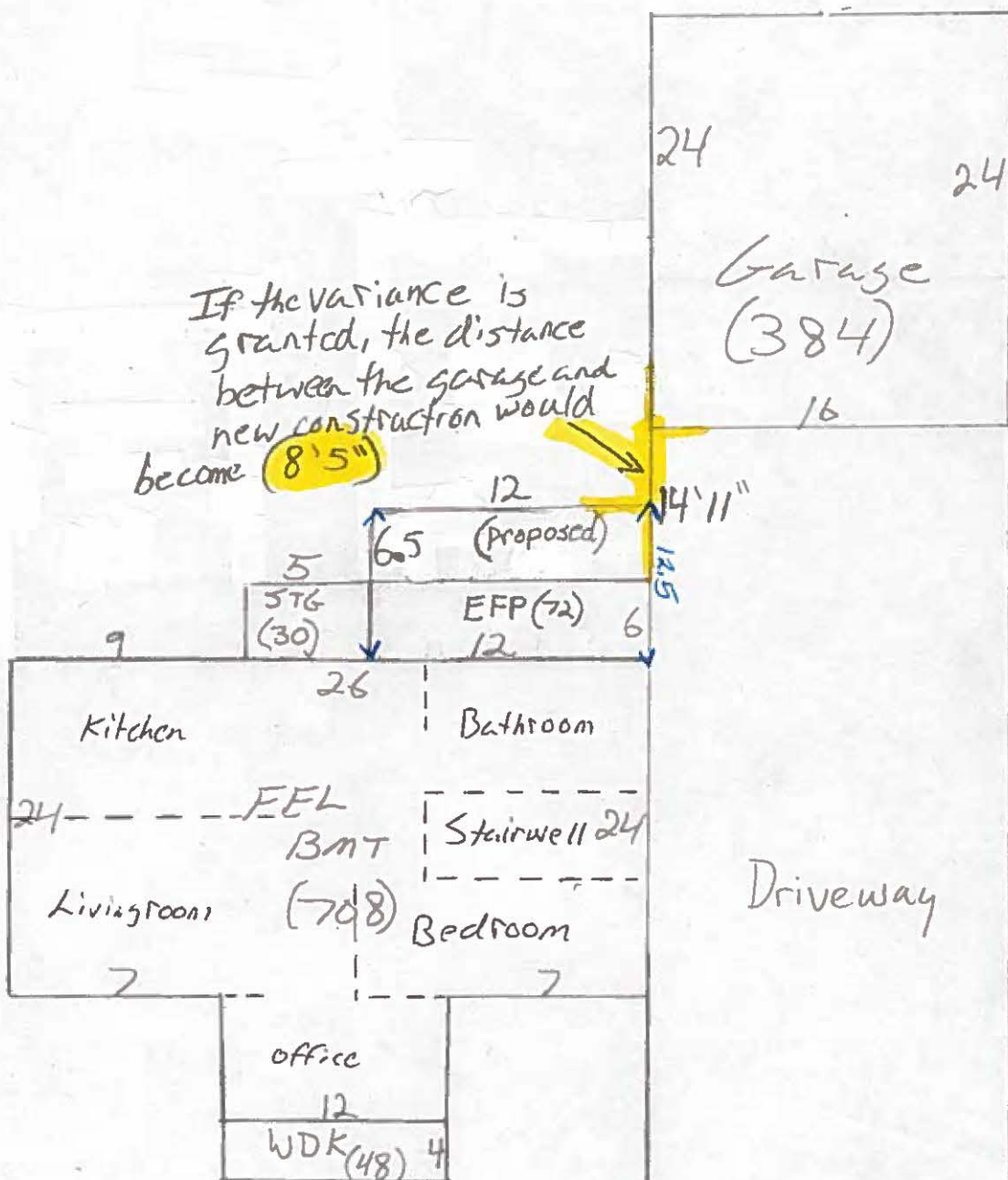
AUG 13 2015

Variance Sketch

Case # 2015-21

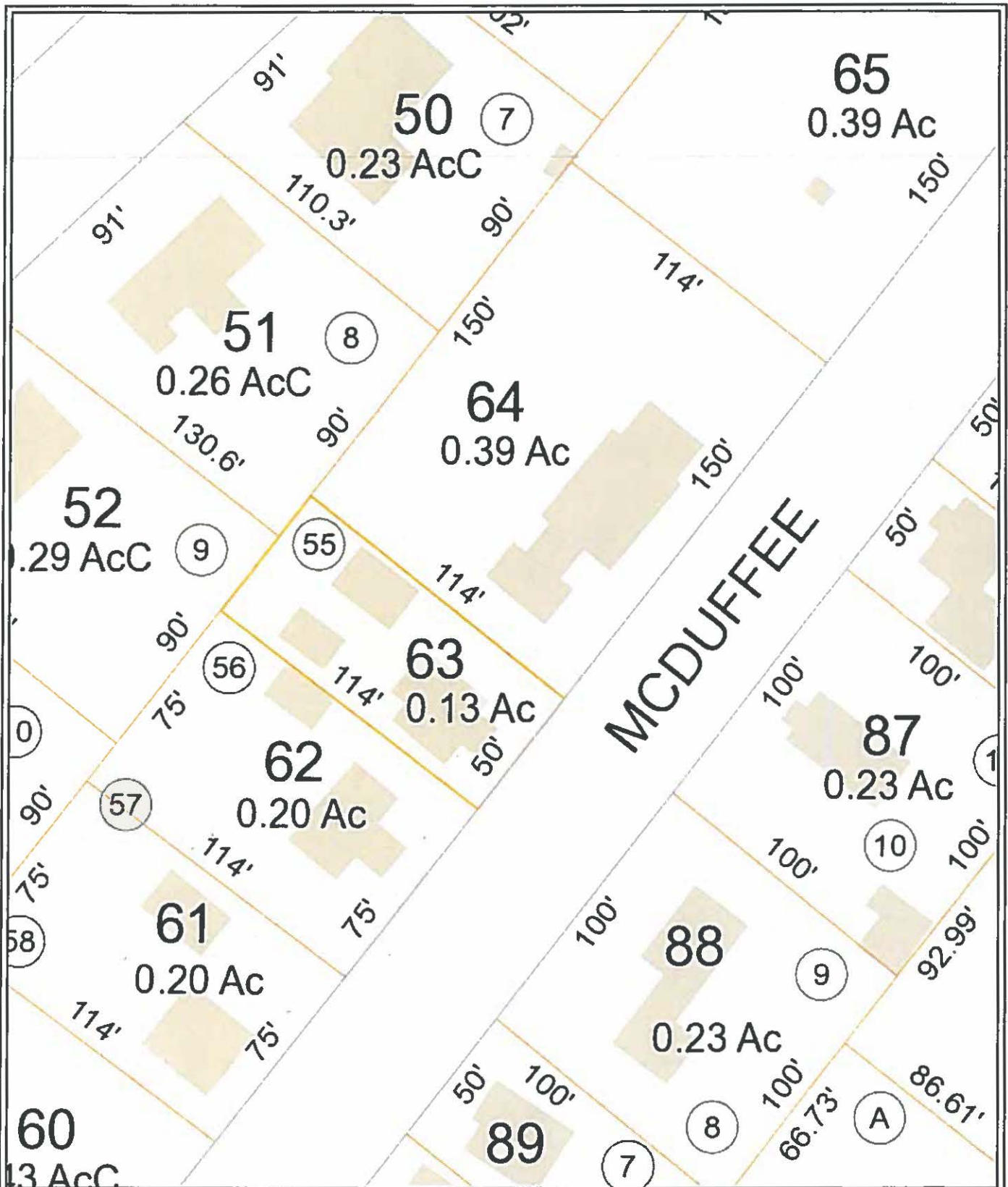
Aug 12 2015

If the variance is granted, the distance between the garage and new construction would become 8'5"



10 Mc Duffee St.

Variance
Case # 2015-21



MAP 115 lot 63
Rochester, NH
1 Inch = 47 Feet
May 30, 2014

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AUG 13 2015



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CAI Technologies

0115

0063

0000

1 of 1 RESIDENTIAL

TOTAL ASSESSED: 122,200

MAP

BLOCK

LOT

LOT2

LOT3

CARD

[2227]

Rochester



Patriot
Properties Inc.

USER DEFINED

Prior Id #

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PROPERTY LOCATION

No	Alt No	Direction/Street/City
10		MCDUFFEE ST, ROCHESTER

OWNERSHIP

Owner	Unit #
RIVAIS LUKE	
Owner	
Owner	
Street	10 MCDUFFEE ST
Street	
Twn/Cit	ROCHESTER
St/Prov	NH
Postnl	03867-1107

PREVIOUS OWNER

Owner	Address
SECRETARY OF HOUS & URBAN DEV -	
Owner	% CITYSIDE MGNT CORP -
Street	186 GRANITE ST STE 301
Twn/Cit	MANCHESTER
St/Prov	NH
Postnl	03101

NARRATIVE DESCRIPTION

This Parcel contains .13 AC of land mainly classified as SINGLE FAM with a(n) BUNGALOW building Built about 1948, Having Primarily VINYL Exterior and ASPH SHINGLE Roof Cover, with 1 Units, 1 Baths, 0 HalfBaths, 0 3/4 Baths, 5 Rooms T

OTHER ASSESSMENTS

Code	Descrp/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descrp	%	Item	Cod	Descrp
Z	R1	RESIDEN	100	U	2	CITY SEW
o				t	1	CITY WATE
n				i	4	NONE
Census:				V2		VETERAN
Flood Haz:				xmpt		1
D	RO	ROCHESTE		Topo	1	LEVEL
s				Stree	1	PAVED
t				Traffi	2	LIGHT

LAND SECTION (First 7 lines only)

Jse	Description	LUC	No of	Depth /	Unit Type	Land Type	LT	Base	Unit	Adj	Neigh	Neigh	Infl 1	%	Infl 2	%	Infl 3	%	Appraised	Alt	%	Spec	J	Fact	Use Value	Notes
01	SINGLE FA		0.13		PRIMARY SITE		1.0	0 45,000.	6.019	1150									35,213						35,200	

IN PROCESS APPRAISAL SUMMAR

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
101	80,000	7,000	0.130	35,200	122,200		29278
							GIS Ref
							GIS Ref
							Insp Date
Total Card	80,000	7,000	0.130	35,200	122,200	Entered Lot Size	
Total Parcel	80,000	7,000	0.130	35,200	122,200	Total Land: 0.13	
Source:	Market Adj Co	Total Value per SQ unit /Card	172.60	/Parc	172.	Land Unit Type: AC	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Item	Land Size	Land Value	Total Value	Asses'd Valu	Notes	Date
2014	101	FV	80,000	7000	.13	35,200	122,200	122,200	Year End Roll	9/29/2014
2013	101	FV	85,200	7500	.13	46,900	139,600	139,600	Year End Roll	9/4/2013
2012	101	FV	85,200	7500	.13	46,900	139,600	139,600	Year End Roll	9/20/2012
2011	101	FV	85,200	7500	.13	46,900	139,600	139,600	Year End Roll	9/27/2011
2010	101	FV	85,200	7800	.13	46,900	139,700	139,700	roll	8/26/2010
2009	101	FV	88,900	7800	.13	46,900	141,800	141,800	Year End Roll	9/24/2009
2008	101	FV	105,500	7500	.13	43,800	156,600	156,600		8/25/2008
2007	101	FV	98,200	7500	.13	43,600	149,300	149,300	Year End Roll	9/26/2007

SALES INFORMATION

Grantor	Legal Ref	Typ	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL	Value	Notes
SECRETARY OF HC	4174-238	1	10/15/2013	Government	62,700	No	No	4			
JPMORGAN CHASE	4152-572	2	4/30/2013	Government	1,333	No	No	4			
ELDRIDGE DONNA	4116-764	6	3/20/2013	Foreclosure	185,667	No	No	4			
JENSEN LEA A.	3253-225	1	9/1/2005	Val Lnd&Bldg	169,933	No	No	4			
WINTER DEAN W &	2156-633		11/12/1999	Val Lnd&Bldg	61,000	No	No	4			
LUCIER ALPHA	1518-554		8/13/1990	Val Lnd&Bldg	47,000	No	No	4			
LUCIER ROLAND	UNK		5/8/1990			No	No				

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Cod	F. Descrp	Comment
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ACTIVITY INFORMATION

Date	Result	By	Name
2/27/2013	VETERAN ADD	VK	VERNA
12/9/2013	INTER ONLY	NM	NANCY
11/5/2013	DEED CHANGE	RL	RUTH
11/1/2013	OWN ADD CHG	RL	RUTH
10/22/2013	CORRECTION	RL	RUTH
8/12/2013	OWN ADD CHG	RL	RUTH
8/2/2013	DEED CHANGE	VK	VERNA
4/26/2013	DEED CHANGE	VK	VERNA
1/23/2011	OWN ADD CHG	VK	VERNA

Sign VERIFICATION OF VISIT NOT DA / /

Total AC/H 0.13000 Total SF/S 5662.80 Parcel LU 101 SINGLE FAM Prime NB D RESIDENTIAL

Total: 35,213 Spl Cre Total: 35,200

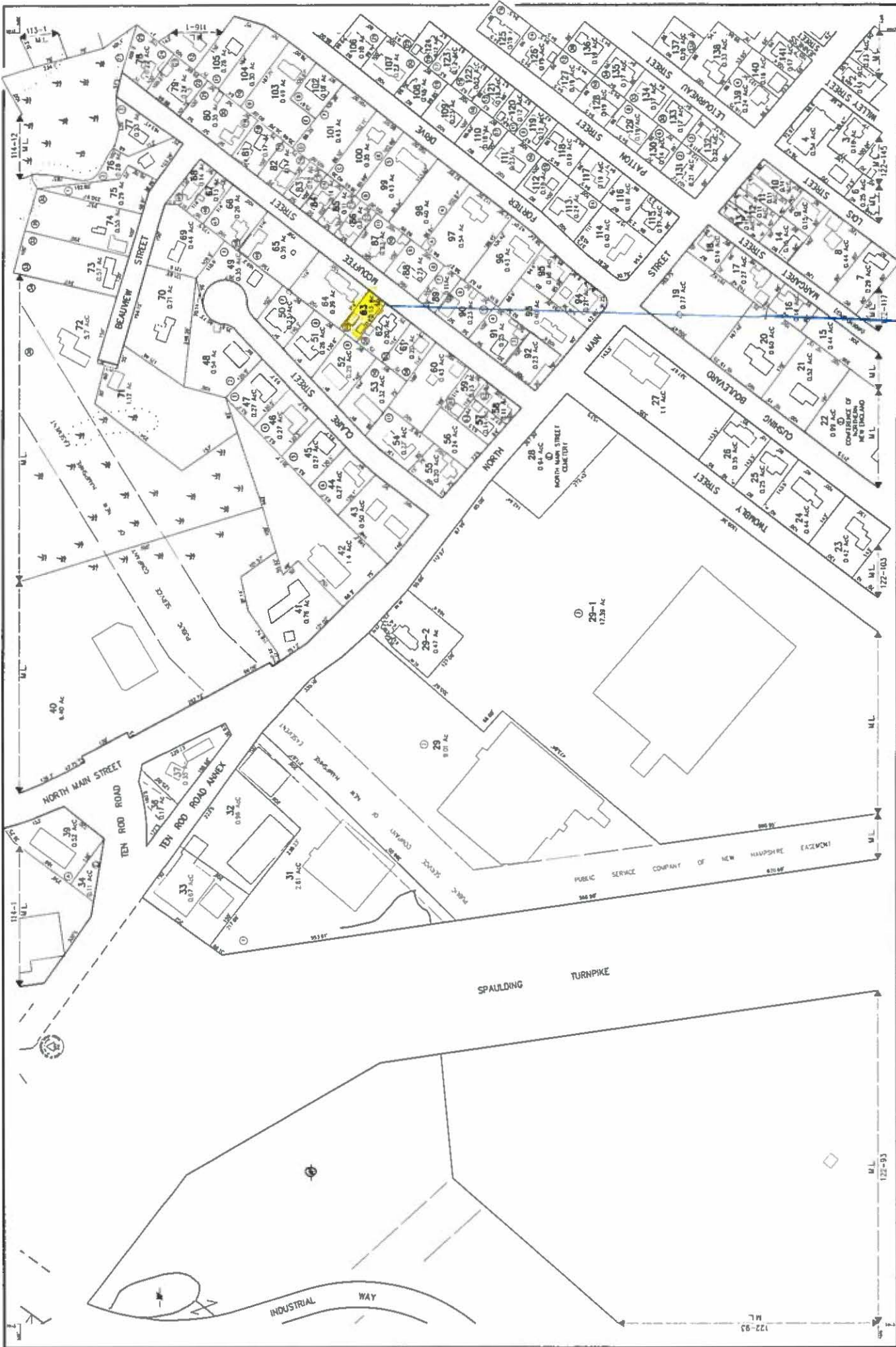
Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.

Database: AssessPro

apro

2015





PROPERTY MAPS
ROCHESTER
NEW HAMPSHIRE

INDEX DIAGRAM
22110113
333 118
122 123

MAP NO.
115

SCALE 1" = 100'

REVISIONS TO: 4 PPL 1, 2019

LEGEND

UNIMPROVED LOT
IMPROVED LOT
PAVED LOT
CONCRETE DRIVEWAY
ASPHALT DRIVEWAY
GRASS DRIVEWAY
WOOD DRIVEWAY
STONE DRIVEWAY
METAL DRIVEWAY
IRON DRIVEWAY
COPPER DRIVEWAY
BRASS DRIVEWAY
SILVER DRIVEWAY
GOLD DRIVEWAY
PLATINUM DRIVEWAY
DIAMOND DRIVEWAY
JEWELRY DRIVEWAY
WATCH DRIVEWAY
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MP100 DRIVEWAY

PRODUCED BY: CAI Technologies

115 PLANNING STREET, LITTLETON, CO 80120

THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE INFORMATIONAL BASIS IS THE N.H. HAMPSHIRE STATE PLAT BOOK SYSTEM.

PHOTOGRAPHY DATE: APRIL 28, 1990

COMPLETION DATE: JUNE 28, 1991



0' Abutters List Report

Rochester, NH
August 12, 2015

27.51
175.00
202.51 Total
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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: MAURER ROBERT KEITH & MAURER
LINDA K
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: SULLIVAN CHERYL
11 MCDUFFEE ST
ROCHESTER, NH 03867-1108

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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8/12/2015

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