



City of Rochester, New Hampshire

Department of Building Safety
31 Wakefield Street * Rochester, NH 03867
(603) 332-3508 * Fax (603) 509-1912

APPLICATION FOR A VARIANCE

*peck 6546 kg
205.08*

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2016-33

DATE FILED 11-23-16

K. J. J. J.
ZONING BOARD CLERK

Phone No 603-522-6637

Name of applicant KERRY FOX

Address Fox Survey Company PO Box 489 Sanbornville, NH 03822

Owner of property concerned Stephen Brochu
(If the same as applicant, write "same")

RECEIVED

Address 18 Stephens Drive
(If the same as applicant, write "same")

NOV 23 2016

Location 18 Stephens Drive

Map No. 236 Lot No. 43 Zone Agricultural

Description of property 1.31 ac. parcel w/ 240.74' road frontage.

Proposed use or existing use affected Maintenance around a pet cemetery.

The undersigned hereby requests a variance to the terms of Article 42.19,
Section 416 and asked that said terms be waived to permit an amendment
to a previously approved lot line.

If applicable in this case, the undersigned also requests a waiver from the requirement to
provide a certified plot plan, (see attached request sheet) Yes _____ No X

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)

foxsurvey@yahoo.com

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2016-33

Date: 11-23-16

A Variance is requested by Stephen Brochu

from Section 42.19 Subsection b1b

of the Zoning Ordinance to permit: an amendment to a previously

approved lot line.

at 18 Stephens Drive Map 236 Lot 43 Zone Age.

Facts supporting this request: SEE ATTACHMENT

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

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

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

4.) Granting the variance would do substantial justice because: _____

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

Name

[Signature]

Date: 11-22-2016



FOX SURVEY COMPANY

PO Box 489 Sanbornville, NH 03872 Tel: 603-522-6637

LETTER OF INTENT

November 21, 2016

RE: Stephen Brochu, Lot 236-43, 18 Stephens Drive, Rochester, NH

Dear Rochester Zoning Board Members,

Mr. Brochu would like to amend the boundary between Lot 236-43 and Lot 236-44 as was approved on November 7, 2016 by the Rochester Planning Board. Both parcels are still owned by Mr. Brochu. On the included plan you will see that I depict the original line between Lot 236-43 & 44, as was submitted to the Zoning Board of Adjustment back in September of 2016 and to the Planning Department for a public hearing on the Lot Line Revision back on November 7, 2016. I also depict the new or amended line.

When the original line was laid out on the ground it was determined that it was too close to the cemetery and did not provide enough room to allow for proper care of the cemetery. Mr. Brochu would also like to straighten the line so it runs parallel with the original boundary line found between Lot 236-43 & 44. It is important to him to hold these directions from an earlier survey performed for his parents and to maintain a simpler boundary configuration than the lot line that was presented with the Variance application for Case #2016-22 back in August.

Once again Lot 236-43 meets all zoning requirements except for Section 42.19 (b) 16. This requires any approved lot to have at least 3,000 square feet of contiguous buildable footprint outside of any required setback and that it be rectangular in shape and at least 30 feet wide. As you probably remember this property has two small separate areas of buildable envelope. In the first application 707 sq. ft. of buildable envelope was being requested for the lot line adjustment and in this second application were asking for an additional 334 sq. ft. of buildable envelope. This would leave 1,263

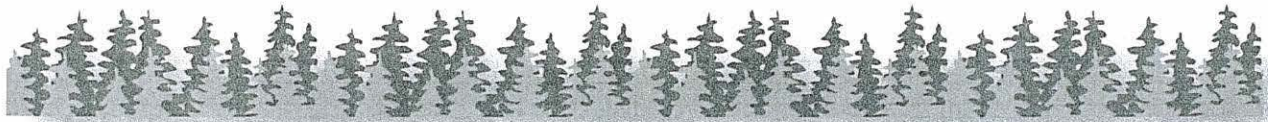
sq. ft. of buildable area in this pocket with 1,409 sq. ft. of buildable area adjacent to the existing home. Total non-contiguous area would equal 2,672 sq. ft. of buildable area.

I believe as we have discussed previously that this is somewhat of a moot point in that the lot is already fully developed and the current buildable areas don't come close to meeting the definition or requirement of Article 42.19, Section b.16. Mr. Brochu hope's the Zoning Board can understand his feelings in this matter by allowing a second variance with regards to the above article and a slight amendment to the line between these two properties.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kerry M. Fox', with a large, stylized loop at the end.

Kerry M. Fox L.L.S. 837



FOX SURVEY COMPANY

PO Box 489 Sanbornville, NH 03872 Tel: 603-522-6637

VARIANCE CRITERIA

November 21, 2016

RE: Stephen Brochu, Stephens Drive, Lot 236-43, Rochester, NH

1. The proposed use would not diminish surrounding properties because: Lot 236-43 is a developed lot of record. There is an existing home, septic system and well located on the property. An amendment to the previously approved boundary line with abutting Lot 236-44 in the area of the pet cemetery will require an additional 312.74 sq. ft. of land area to be taken from Lot 236-43. This adjustment will still leave Lot 236-43 as a conforming lot of record with both adequate road frontage and land area. The change in the line is very modest and certainly would not create any diminishing effect on surrounding property values.
2. Granting the variance is not contrary to the public interest because: The primary reason to amend the first line is simply to straighten out the line that was originally submitted. It was noted when laying out the boundary that it did not provide enough room for Mr. Brochu to mow and maintain around the cemetery. The amended line is straight, from the cul-de-sac to the side line, parallel to the original division line between Lot 236-43 & 44 and just a couple feet further away from the cemetery. All of these elements are quite important to Mr. Brochu and this configuration will provide enough area around the cemetery to allow for proper maintenance and the possible expansion of the cemetery in the future. I believe most people would want to do the same so I don't see something contrary to the public interest here.
3. Denial of the variance would result in an unnecessary hardship to the owner because of the following special circumstances of the property: Section 42.19 (b)16 Dimensional Regulations-Lot Area-Usable land states no lot shall be approved unless a rectangle measuring at least 3,000 square feet can fit inside the lot beyond any required setbacks, wetlands, wetland buffers, or slopes >25

percent. This lot has two buildable envelopes, one near the home at 1,409 sq. ft. and the other within the area of the lot line amendment at 2,304 sq. ft., a total of 3,713 sq. ft. of non-contiguous buildable envelope. What Mr. Brochu is asking for is an additional 334 sq. ft. of the buildable envelope from the pocket that contains 2,304 sq. ft. of land. The original line position utilized 707 sq. ft. of buildable area but did not provide for adequate room to work around the pet cemetery so the new line has been straightened and moved another two feet from the limit of the pet cemetery. This in total equals 1,041 sq. ft. of land area. The parcel is unique, as well as the abutting, along with the pet cemetery in between and getting the boundary right for the land owner is important and that's why we are back here asking for your cooperation in approving this variance.

4. Granting the variance would do substantial justice because: The variance will allow Mr. Brochu to finally come to closure with this project that started back in June of this year. In that time he will have created a new residential building lot and reconfigured a boundary line around the pet cemetery so that he can care and maintain for the cemetery on the lot where he will reside.
5. The use is not contrary to the spirit of the ordinance because: The use will remain the same for Lot 236-43. This is a single-family residential lot with a State approved septic and existing artesian well. The variance and the following lot adjustment will not alter or change any of these existing conditions and in this proposal still will leave Lot 236-43 with a non-contiguous 2,672 square feet of buildable envelope.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kerry M. Fox', with a stylized flourish at the end.

Kerry M. Fox L.L.S. 837

0236

0043

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1 of 1

MOBILE HOME

TOTAL ASSESSED: 67,500

MAP

BLOCK

LOT

LOT2

LOT3

CARD

Rochester

!8613!



Patriot
Properties Inc.

USER DEFINED

Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
ASR Map:
Fact Dist:
Reval Dist:
Year:
Land Reason:
Bld Reason:

PROPERTY LOCATION

No	Alt No	Direction/Street/City
18		STEPHENS DR, ROCHESTER

OWNERSHIP

Owner 1:	BROCHU STEPHEN M
Owner 2:	
Owner 3:	
Street 1:	18 STEPHENS DR
Street 2:	
Twn/City:	ROCHESTER
St/Prov:	NH
Cntry:	
Own Occ:	Y
Postal:	03867-4228
Type:	

PREVIOUS OWNER

Owner 1:	
Owner 2:	
Street 1:	
Twn/City:	
St/Prov:	
Cntry:	
Postal:	

NARRATIVE DESCRIPTION

This Parcel contains 1.34 AC of land mainly classified as MFG OWN LAND with a(n) MANUFACTURED Building Built about 1971, Having Primarily ALUM/VINYL Exterior and N/A Roof Cover, with 1 Units, 1 Baths, 0 HalfBaths, 0 3/4 Baths, 4 Rooms Total, and 2 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int
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PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descip
Z	A	AGRICULT	100	U	0	SEPTIC
o				t	8	WELL
n				I	4	NONE
Census:						
Exmpt						
Flood Haz:						
D	RO	ROCHESTER		Topo	1	LEVEL
s				Street	1	PAVED
t				Traffic	4	MEDIUM

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
105	MFG OWN LA		1		PRIMARY A SITE		1.0	0	45,000.	1.000	1030									45,000			0			45,000	
105	MFG OWN LA		0.34		WASTE AC/WASTE		1.0	0	100.	1.000	1030									34			0			100	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
105	22,400		1.340	45,100	67,500		35735
							GIS Ref
							GIS Ref
							Insp Date
Total Card	22,400		1.340	45,100	67,500	Entered Lot Size	
Total Parcel	22,400		1.340	45,100	67,500	Total Land: 1.34	
Source: Market Adj Cost		Total Value per SQ unit /Card: 95.34		/Parcel: 95.34		Land Unit Type: AC	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2016	105	FV	22,400	0	1.34	45,100	67,500	67,500	Year End Roll	9/8/2016
2015	105	FV	22,400	0	1.34	45,100	67,500	67,500	Year-end	10/1/2015
2014	105	FV	22,400	0	1.34	45,100	67,500	67,500	Year End Roll	9/29/2014
2013	105	FV	19,200	0	1.34	60,100	79,300	79,300	Year End Roll	9/4/2013
2012	105	FV	19,200	0	1.34	60,100	79,300	79,300	Year End Roll	9/20/2012
2011	105	FV	19,200	0	1.34	60,100	79,300	79,300	Year End Roll	9/27/2011
2010	105	FV	25,500	0	1.34	60,100	85,600	85,600	roll	8/26/2010
2009	105	FV	28,300	0	1.34	60,100	88,400	88,400	Year End Roll	9/24/2009

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
PINE HILL MO HO	2167-697	2	8/25/1999			No	No	4		
BROCHU ROBERT &	2131-609	1	8/11/1999	Fam/Friends		Yes	No	4		
MARCHAND NORMAN	944-305	1	4/19/1974			No	No	4		
LACHANCE DONALD	856-174		4/14/1969			No	No			

BUILDING PERMITS

Date	Number	Descip	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment
8/31/1999	756		7,500					NEW MOBILE

ACTIVITY INFORMATION

Date	Result	By	Name
7/20/2011	CORRECTION	GN	GAYE
3/28/2000	NO INSP	TG	THERESA
1/19/2000	NO INSP	GN	GAYE
12/15/1999	MEAS+INSPCTD	TM	TOM

Sign:

VERIFICATION OF VISIT NOT DATA

//_

Total AC/HA: 1.34000 Total SF/SM: 58370.40 Parcel LUC: 105 MFG OWN LAND Prime NB Desc: RESIDENTIAL

Total: 45,034 Spl Credit: Total: 45,100

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

kareng

2017

0236

0044

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1 of 1

MOBILE HOME

TOTAL ASSESSED: 78,000

MAP

BLOCK

LOT

LOT2

LOT3

CARD

Rochester

!8614!



Patriot
Properties Inc.

USER DEFINED

Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Bld Reason:	

PROPERTY LOCATION

No	Alt No	Direction/Street/City
25		STEPHENS DR, ROCHESTER

OWNERSHIP

Owner 1: BROCHU STEPHEN
Owner 2:
Owner 3:
Street 1: 25 STEPHENS DR
Street 2:
Twn/City: ROCHESTER
St/Prov: NH Cntry Own Occ: Y
Postal: 03867-4228 Type:

PREVIOUS OWNER

Owner 1: BROCHU ROBERT & CORRINE -
Owner 2: -
Street 1: 25 STEPHENS DR
Twn/City: ROCHESTER
St/Prov: NH Cntry
Postal: 03867

NARRATIVE DESCRIPTION

This Parcel contains 3.06 AC of land mainly classified as MFG OWN LAND with a(n) MANUFACTURED Building Built about 1974, Having Primarily ALUM/VINYL Exterior and N/A Roof Cover, with 1 Units, 1 Baths, 0 HalfBaths, 0 3/4 Baths, 5 Rooms Total, and 2 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descip
Z	A	AGRICULT	100	U	0	SEPTIC
o				t	8	WELL
n				I	4	NONE
Census:				Exmpt	V6	VET WIDOW 1
Flood Haz:						
D	RO	ROCHESTER		Topo	1	LEVEL
s				Street	1	PAVED
t				Traffic	2	LIGHT

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infru	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
105	MFG OWN LA		1		PRIMARY A SITE		1.0	0	45,000.	1.000	1030									45,000						45,000	
105	MFG OWN LA		2.06		EXCESS AC EXCESS		1.0	0	2,500.	1.000	1030									5,150						5,100	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
105	27,600	300	3.060	50,100	78,000		35736
							GIS Ref
							GIS Ref
							Insp Date
Total Card	27,600	300	3.060	50,100	78,000	Entered Lot Size	
Total Parcel	27,600	300	3.060	50,100	78,000	Total Land: 3.06	
Source: Market Adj Cost		Total Value per SQ unit /Card: 79.27			/Parcel: 79.27	Land Unit Type: AC	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2016	105	FV	27,600	300	3.06	50,100	78,000	78,000	Year End Roll	9/8/2016
2015	107	FV	26,500	300	3.06	50,100	76,900	76,900	Year-end	10/1/2015
2014	107	FV	26,500	300	3.06	50,100	76,900	76,900	Year End Roll	9/29/2014
2013	107	FV	20,900	300	3.06	67,200	88,400	88,400	Year End Roll	9/4/2013
2012	107	FV	20,900	300	3.06	67,200	88,400	88,400	Year End Roll	9/20/2012
2011	107	FV	20,900	300	3.06	67,200	88,400	88,400	Year End Roll	9/27/2011
2010	107	FV	32,000	300	3.06	67,200	99,500	99,500	roll	8/26/2010
2009	107	FV	32,000	300	3.06	67,200	99,500	99,500	Year End Roll	9/24/2009

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
BROCHU CORRINE	4372-761	2	2/3/2016	Life/Defer'd	35,000	No	No	4		
MARCHAND NORMAN	944-305	1	4/19/1974			No	No	4		
ROBBINS DELMONT	784-307		9/14/1964			No	No			
RAND ELIZABETH	764-462		7/9/1963			No	No			

BUILDING PERMITS

Date	Number	Descip	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment

ACTIVITY INFORMATION

Date	Result	By	Name
5/17/2016	DEED CHANGE	VK	VERNA
5/2/2016	EXMPT OUT	VK	VERNA
1/22/2016	CORRECTION	TG	THERESA
1/5/2016	VETERAN ADD	VK	VERNA
4/21/2011	EXMPT ADD	GN	GAYE
12/9/2005	EXMPT ADD	GN	GAYE
12/9/2004	EXMPT ADD	GN	GAYE
12/8/2004	CORRECTION	TM	TOM
12/16/2002	OWN ADD CHG	GN	GAYE
Sign:		VERIFICATION OF VISIT NOT DATA	

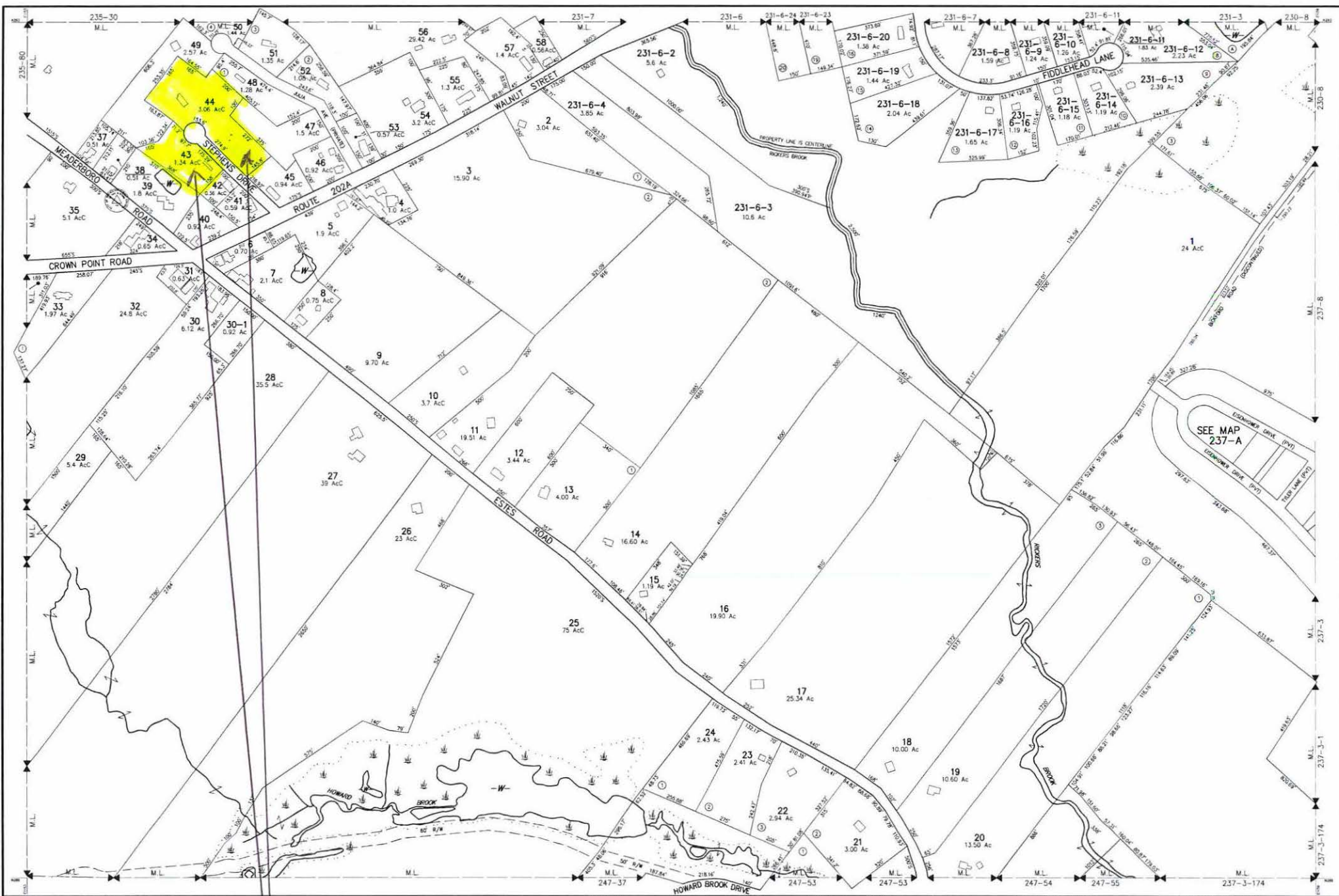
Total AC/HA: 3.06000 Total SF/SM: 133293.59 Parcel LUC: 105 MFG OWN LAND Prime NB Desc: RESIDENTIAL

Total: 50,150 Spl Credit: Total: 50,100

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

kareng

2017



<p>THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.</p> <p>THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.</p> <p>PHOTOGRAPHY DATE: APRIL 28, 1990</p> <p>COMPLETION DATE: JUNE 30, 1992</p>	<p>PRODUCED IN 1992 BY</p> <p>CAI Technologies</p> <p>11 PLEASANT STREET, LITTLETON, NH 03041 603-523-4440 • WWW.CAI-TECH.COM</p>	<p>LEGEND</p> <p>AREA SURVEYED AC</p> <p>AREA CALCULATED AC</p> <p>RECORD DIMENSION 100'</p> <p>SCALED DIMENSION 100'S</p> <p>MATCH LINE M.L.</p> <p>WATER W</p> <p>WETLANDS W</p>	<p>EXEMPT PROPERTY E</p> <p>SUBDIVISION LOT NO. S</p> <p>BUILDING B</p> <p>RIGHT OF WAY R</p> <p>COMMON OWNERSHIP C</p>	<p>SCALE 1" = 200'</p> <p>FEET 0 100 200 300 400 500 600</p> <p>METERS 0 50 100 150</p> <p>REVISED TO: APRIL 1, 2015</p>	<p>PROPERTY MAPS</p> <p>ROCHESTER</p> <p>NEW HAMPSHIRE</p>	<p>INDEX DIAGRAM</p> <p>232 231 230</p> <p>235 237</p> <p>246 247 248</p>	<p>MAP NO.</p> <p>236</p>
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Stephens Dr 0236-0043-0000



11/23/2012

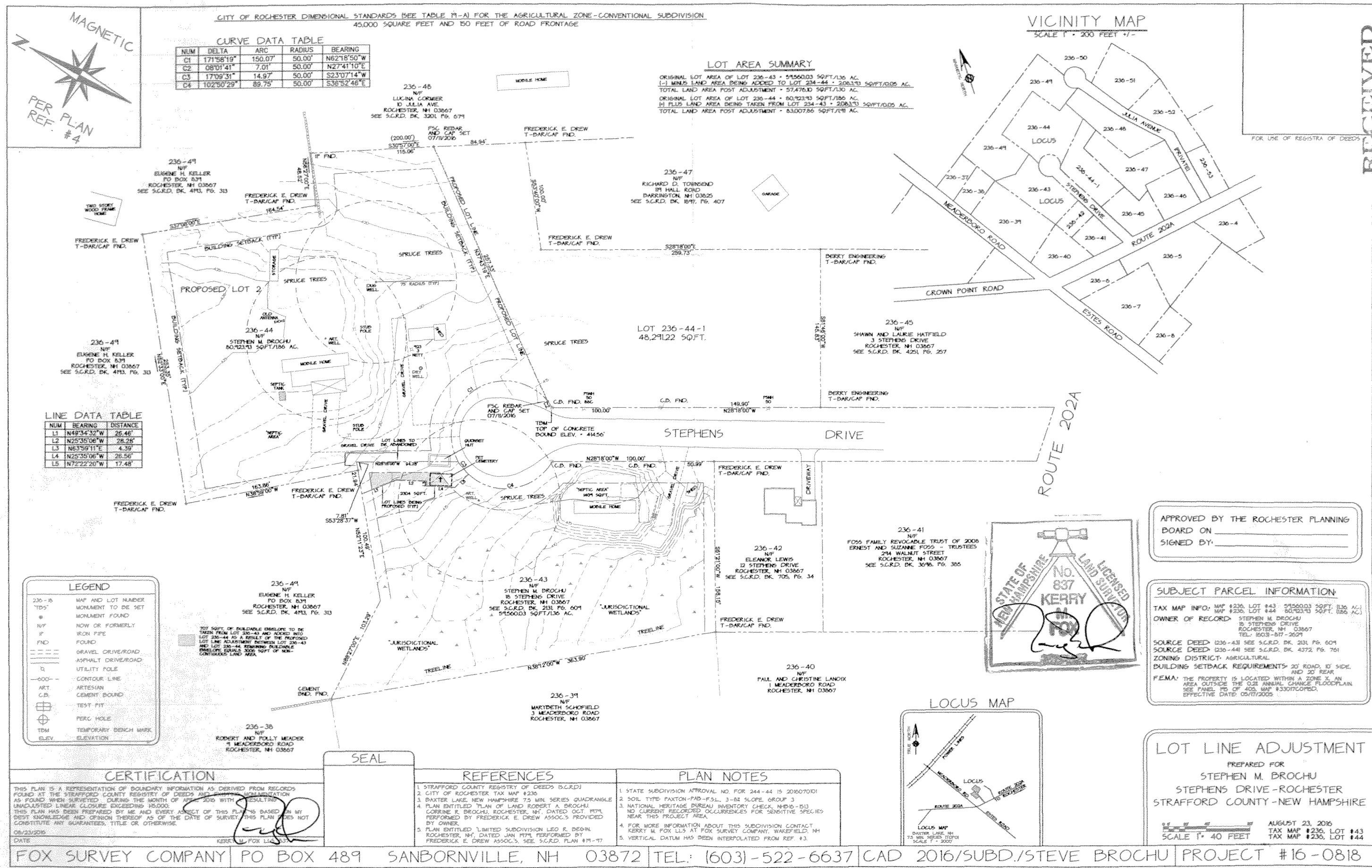
Stephens Dr 0236-0044-0000



11/23/2012

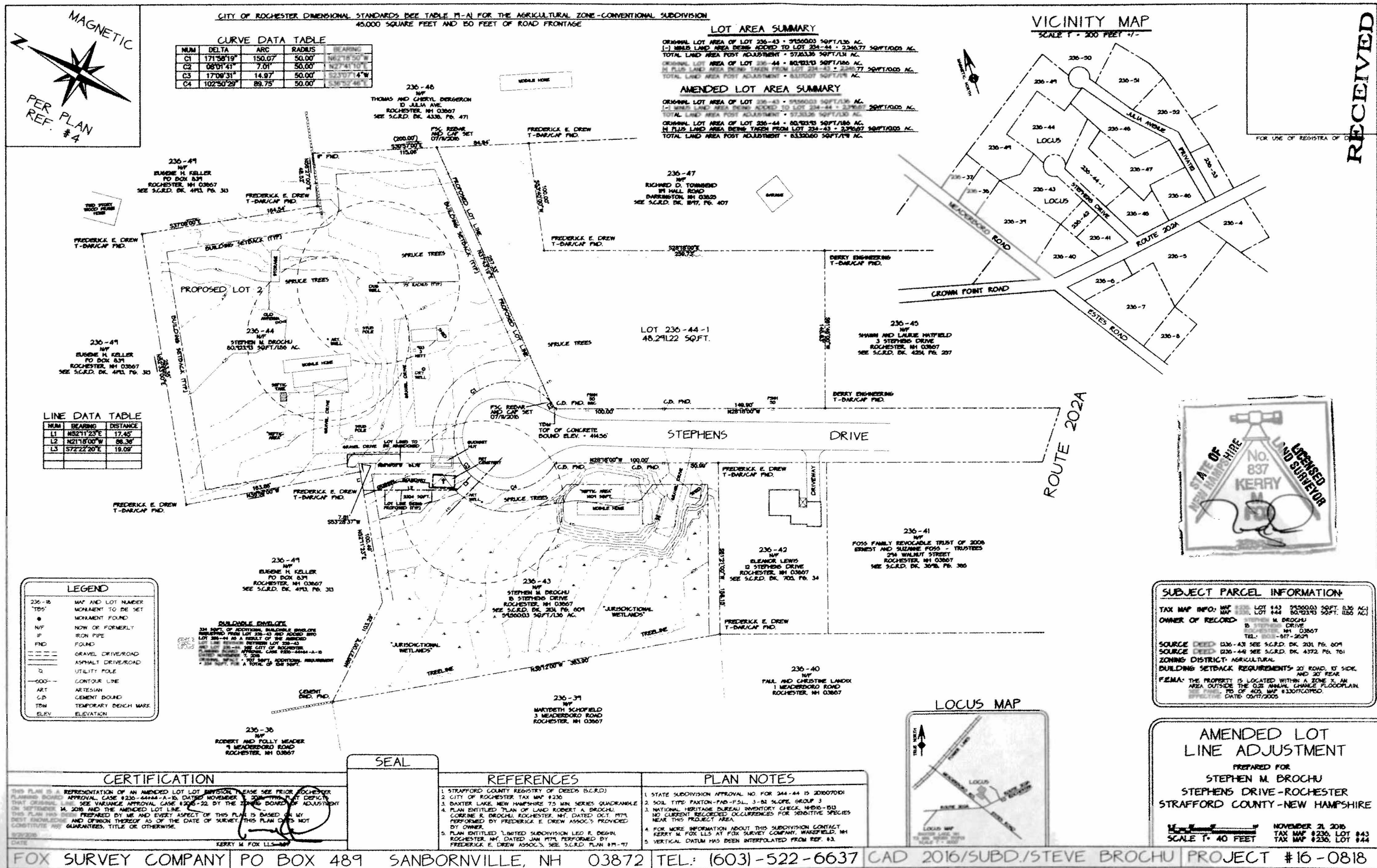
NOV 23 2016

RECEIVED



NOV 23 2016

RECEIVED



ABUTTER LIST

City of Rochester, NH
Please Print or Type

Applicant: Kerry Fox Phone 603-522-6637

Project Address: 18 Stephens Drive

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
236	43	Agr.	Stephen Brochu	18 Stephens Drive Rochester, NH 03867

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
236	38	Robert & Polly Meader	9 Meaderboro Rd. Rochester, NH
236	39	Marybeth Scofield	3 Meaderboro Rd. " "
236	40	Paul & Christine Lanoix	1 Meaderboro Rd. " "
236	42	Eleanor Lewis	12 Stephens Drive, " "
236	49	Eugene Keller	Po Box 839 " "

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address
Kerry Fox Fox Survey Co.	Po Box 489 Sanbornville, NH 03872
Adam Doiron Doiron Environmental LLC	720 Browns Ridge Rd. Ossipee NH 03864

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the City of Rochester Assessing Office computer - Assess Pro (located in the Revenue Bldg at 19 Wakefield Street)

on this date: 11/22/2016 This is page 1 of 1 pages.

Applicant or Agent: [Signature]