



Building, Zoning and Licensing Services
31 Wakefield Street, Rm 107
Rochester, NH 03867
(603) 332-3508 Fax (603) 509-1912

*pd. Cash
2016.52
xy*

APPLICATION FOR EQUITABLE WAIVER

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No 234-0696

DO NOT WRITE IN THIS SPACE

CASE NO. 2016-07

DATE FILED 3-10-16

[Signature]
ZONING BOARD CLERK

Name of applicant EDWARD K. NEWMAN

Address PO BOX 534 DOVER, NH 03820-0534

Owner of property concerned EDWARD K. NEWMAN REVOCABLE TRUST
(If the same as applicant, write "same")

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

Location of property 109-111 WHITEHALL ROAD

Map No. 240 Lot No. 65 Zone R1

Description of property 601 X 146 X 195 X 575 (2.04 ACRES)
(give length of frontage, side & rear)

Proposed use or existing use affected EXISTING DRUG & EXISTING ADDITION

The undersigned hereby requests an equitable waiver to the terms of RSA 674:33-a _____, Section 1a-d and asked that said terms be waived to permit THE EXISTING DRUG & EXISTING ADDITION TO BE EQUITABLY ALLOWED WHEREAS A SMALL CORNER OF THE DRUG IS 8.4' FROM THE FRONT LOT LINE AND A SMALL CORNER OF THE ADDITION IS 2.2' FROM THE FRONT LOT LINE WHERE 10' IS THE REQUIRED SETBACK. The undersigned alleges that the violation occurred by virtue of a good-faith error in calculation or measurement and thus constitutes grounds for an equitable waiver.

Signed *[Signature]*
(Applicant)

Considerations Governing Granting of a Dimensional Equitable Waiver (RSA 674:33-a):

1. The violation was not noticed or discovered by any owner, former owner, owner's agent or representative, or municipal official, until after a structure in violation had been substantially completed, or until after a lot or other division of land in violation had been subdivided by conveyance to a bona fide purchaser for value.

DECK WAS BUILT IN 1979 AND ADDITION WAS SUBSTANTIALLY COMPLETED IN 2016 (STARTED IN NOVEMBER OF 2015) BASED ON REASONABLE BELIEF THAT IT WAS AT LEAST 10' 6" FROM LOT LINE

2. The violation was not an outcome of ignorance of the law or ordinance, failure to inquire, obfuscation, misrepresentation, or bad faith on the part of any owner, owner's agent or representative, but was instead caused by either a good faith error in measurement or calculation made by an owner or owner's agent, or by an error in ordinance interpretation or applicability made by a municipal official in the process of issuing a permit over which that official had authority.

2015 ERROR WAS BASED ON GOOD FAITH ERROR IN MEASUREMENT (NOV. APPURTENANCE ATTACHED)

3. That the physical or dimensional violation does not constitute a public or private nuisance, nor diminish the value of other properties in the area, nor adversely affect any present or permissible future uses of any such property.

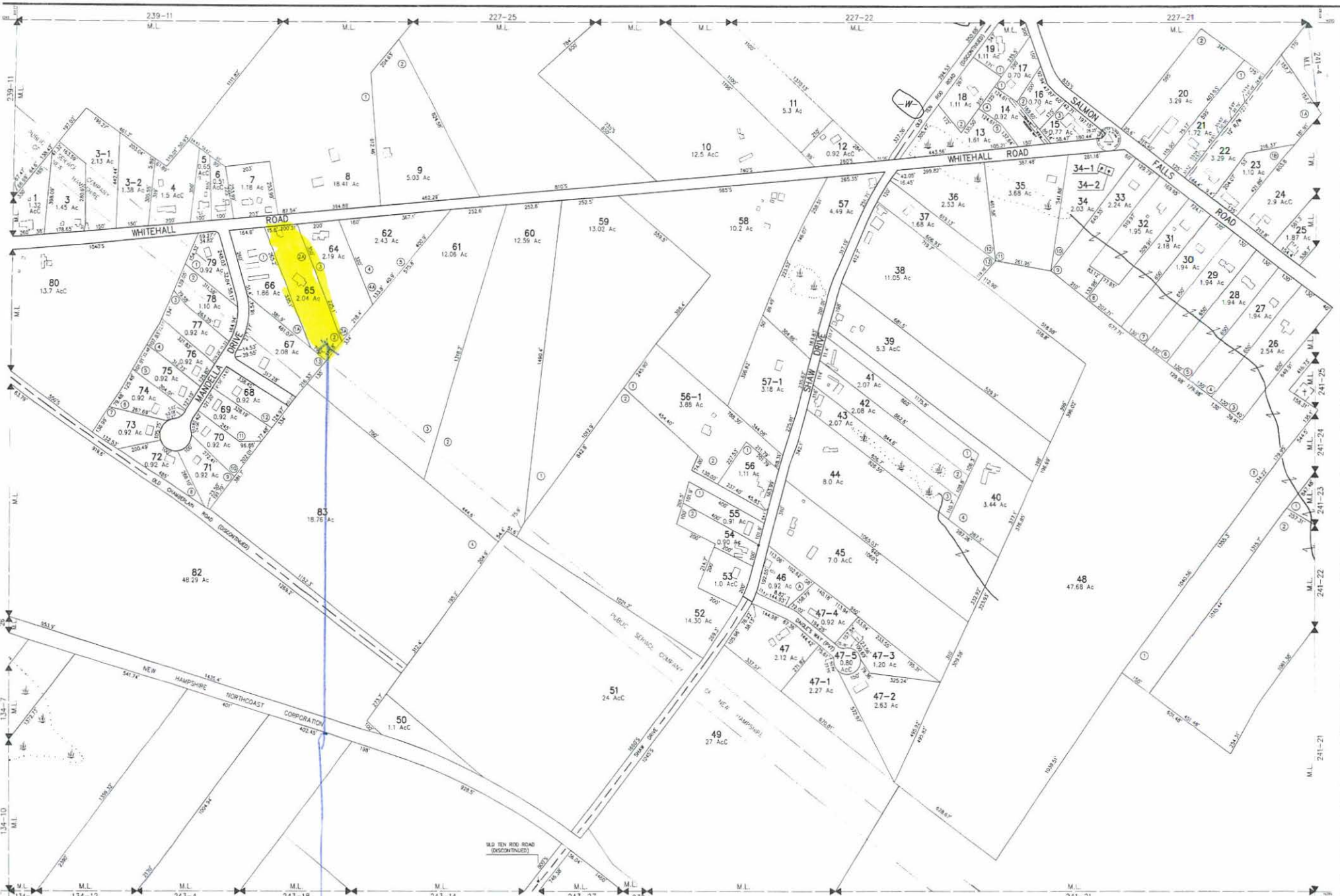
THERE IS NO ADVERSE AFFECT ON ANY OTHER PROPERTY.

4. That due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected.

THE ERROR IS MINOR. IT AFFECTS A SMALL CORNER OF THE DECK AND A SMALL CORNER OF THE ADDITION.

5. If all 4 of the above are not proven by the property owner, an equitable waiver may still be granted if the property owner can prove to the satisfaction of the Board that the violation has existed for 10 years or more, and that no enforcement action, including written notice of violation, has commenced against the violation during that time by the municipality or any person directly affected.

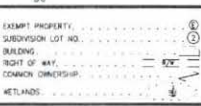
THE DECK WAS BUILT IN 1979 AND THE ADDITION THE YEAR. IT ONLY BECAME KNOWN WHEN A CERTIFIED PLOT PLAN WAS UNPLEATED FOR A PRIVATE PORCH ADDITION. (COPY ATTACHED)



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.
THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE ANGLE COORDINATE SYSTEM.
OTOPGRAPHY DATE: APRIL 28, 1990
COMPLETION DATE: JUNE 30, 1992



LEGEND
EXEMPT PROPERTY
SUBDIVISION LOT NO.
BUILDING
RIGHT OF WAY
COMMON DIMENSION
WETLANDS



PROPERTY MAPS
ROCHESTER
NEW HAMPSHIRE

INDEX	DIAGRAM	MAP NO.
228	227	226
239	241	240
134	242	242

109-111 WHITEHALL RD



12/03/2012



0 Abutters List Report

Rochester, NH

March 10, 2016

8x3.94

175.00

31.52

206.52

pd Clark

MAR 10 2016

Subject Property:

Parcel Number: 0240-0065-0000
CAMA Number: 0240-0065-0000
Property Address: 109 WHITEHALL RD

Mailing Address: NELSON EDWARD K REV TRUST %
EDWARD K NELSON TRUSTEE
109 WHITEHALL RD
ROCHESTER, NH 03868-5714

Abutters:

Parcel Number: 0240-0007-0000
CAMA Number: 0240-0007-0000
Property Address: 110 WHITEHALL RD

Mailing Address: MILBURY RUTH & EVERETT L &
NATHAN G
110 WHITEHALL RD
ROCHESTER, NH 03868

Parcel Number: 0240-0008-0000
CAMA Number: 0240-0008-0000
Property Address: 112 WHITEHALL RD

Mailing Address: KACZYNSKI THOMAS L JR REVOC
TRUST % T L KACZYNSKI JR
112 WHITEHALL RD
ROCHESTER, NH 03868-5713

Parcel Number: 0240-0061-0000
CAMA Number: 0240-0061-0000
Property Address: 0 WHITEHALL RD

Mailing Address: FERWERDA LINDA
37 TARAH WAY
FREMONT, NH 03044-3249

Parcel Number: 0240-0064-0000
CAMA Number: 0240-0064-0000
Property Address: 113 WHITEHALL RD

Mailing Address: HENDERSON DANA
113 WHITEHALL RD
ROCHESTER, NH 03868-5714

Parcel Number: 0240-0066-0000
CAMA Number: 0240-0066-0000
Property Address: 107 WHITEHALL RD

Mailing Address: KETEL ERNST J & ELAYNE B % KETEL V
E & J E & S M
107 WHITEHALL RD
ROCHESTER, NH 03868-5712

Parcel Number: 0240-0067-0000
CAMA Number: 0240-0067-0000
Property Address: 8 MANDELA DR

Mailing Address: PROVENCHER ALAN V & SANDRA C
8 MANDELA DR
ROCHESTER, NH 03868

Jerry



www.cai-tech.com

3/10/2016

Data shown on this report is provided for pricing and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Page 1 of 1



Minor Building Permit Application

City of Rochester, New Hampshire
Department of Building, Zoning and Licensing Services
31 Wakefield St. Rochester, NH
Telephone: (603) 332-3508
Fax: (603) 509-1912

Issue Date: 12-17-15
Permit #: 12458
(This area for office use only)

Map #: 240
Lot #: 605
Block #: R1
Zoning: 321

Location of Construction (Address): 109-111 Whitehall Rd
Property Owner: Edward Nelson Rev Trust Home Phone: _____
Mailing Address: PO Box 534 Cell Phone: _____
City: Dover State: NH Zip Code: 03826-0534 Daytime Phone: _____
Email: _____

Bob Cannon
Helping to Build

Contractor: Home Owner Phone: _____
Mailing Address: _____ Cell #: _____
City: _____ State: _____ Zip Code: _____
Email: _____

Preferred Contact Method: ☐ Telephone ☐ Cell ☐ Email

Property located in: HISTORIC DISTRICT (Yes / No)

Flood Hazard Area - per the Flood Insurance Rate Map (Yes / No)

Is any of the proposed work located within 50 feet of a jurisdictional Wetland Area (Yes / No) - If so, please document.

Primary Use of Property Is: ☒ Residential ☐ Commercial ☐ Mixed Use (both Res. & Com)

Proposed Construction is for: ☐ Deck ☐ Door ☐ Garage ☐ Exterior Renovations
(Please Check all that Apply) ☐ Enclose Deck/Porch ☐ Fence ☐ Shed ☐ Interior Renovations
☐ Pool / Hot Tub ☐ Roof ☐ Windows ☒ Residential Addition
☐ Skylight ☐ Siding ☐ Other: _____

Description of work to be performed: 22' x 22' Addition to increase
inside room dimensions.

Proposed Use: _____

DEC 09 2015

Property & Setback Information

Setbacks from Lot Line to Construction:	Lot has City Water: Yes or No	Bedrooms: Existing _____ Proposed _____
Front: _____ Right: _____	Lot has City Sewer: Yes or No	Bathrooms: Existing _____ Proposed _____
Rear: _____ Left: _____	Lot is a Corner Lot: Yes or No	Units: Existing _____ Proposed _____

Signature: X [Signature] Date: 2/20/17

Date: X 11/15/15

240-65

Certification of Accuracy: As owner of record, or the agent of said owner of the property in question, I certify that all information contained within this application is true and accurate to the best of my knowledge and belief.

Certification of Compliance: I hereby certify that I am familiar with all pertinent codes relating to the above specified work, and that all work shall be performed in compliance with these codes, also that I am familiar with the City of Rochester Zoning Ordinance, Chapter 42.

It is the responsibility of the property owner and all contractors, electricians and plumbers to obtain and post the necessary permits in a conspicuous location before any work has begun.

Electrical and plumbing work requires a separate permit from this Building Permit.

Permits are non-transferable. If this is an "After the Fact" permit, it will be subject to a fee two times the normal permit fee.

It is the responsibility of the contractor / property owner to obtain all inspections required. **This signed application constitutes consent on the applicant's part to allow for inspections at the property by the Department of Building, Zoning & Licensing Services, Assessing Office and any other required City Staff.** Any work that is covered prior to the inspection may be required to be removed for inspection.

Inspections are required for:

- 1) Reinforcing steel prior to pouring (if required)
- 2) Foundation before backfilling with drainage system, if required, are installed
- 3) Rough-In: Framing with all other trades roughed in and fireblocking/draftstopping in place
- 4) Insulation
- 5) Sheetrock before mud and tape
- 6) Final Inspection

PLEASE BE ADVISED: Any deviation from the specifications submitted will require an amendment to this permit or additional permits. Permits expire one (1) year from the issue date. The Building Inspector may grant an extension of time if a written request is submitted prior to the expiration date. Permits become invalid if work is not started within 180 days or if work is abandoned/suspended for a period of 180 days.

The STATE OF NEW HAMPSHIRE requires that ENERGY CODE COMPLIANCE CERTIFICATION be obtained for all heated buildings, structures, and additions. You may also need to obtain Certification for altering, renovating or winterizing an existing structure. More information can be found at the web site: www.puc.state.nh.us and follow the link for Energy Codes.

Applicants are advised that the making of a false statement on this form is a criminal offense.

Cost of Construction: \$ 15,000 Permit Fee: 135 + 10 = 145 -

Permit fee is based on \$9.00 per \$1,000.00 of Construction Cost (Rounded Up Nearest \$1,000.00) plus a \$10.00 application fee
Minimum Permit Fee is \$20.00

[Signature]
Applicant Signature

2/17/15
Date

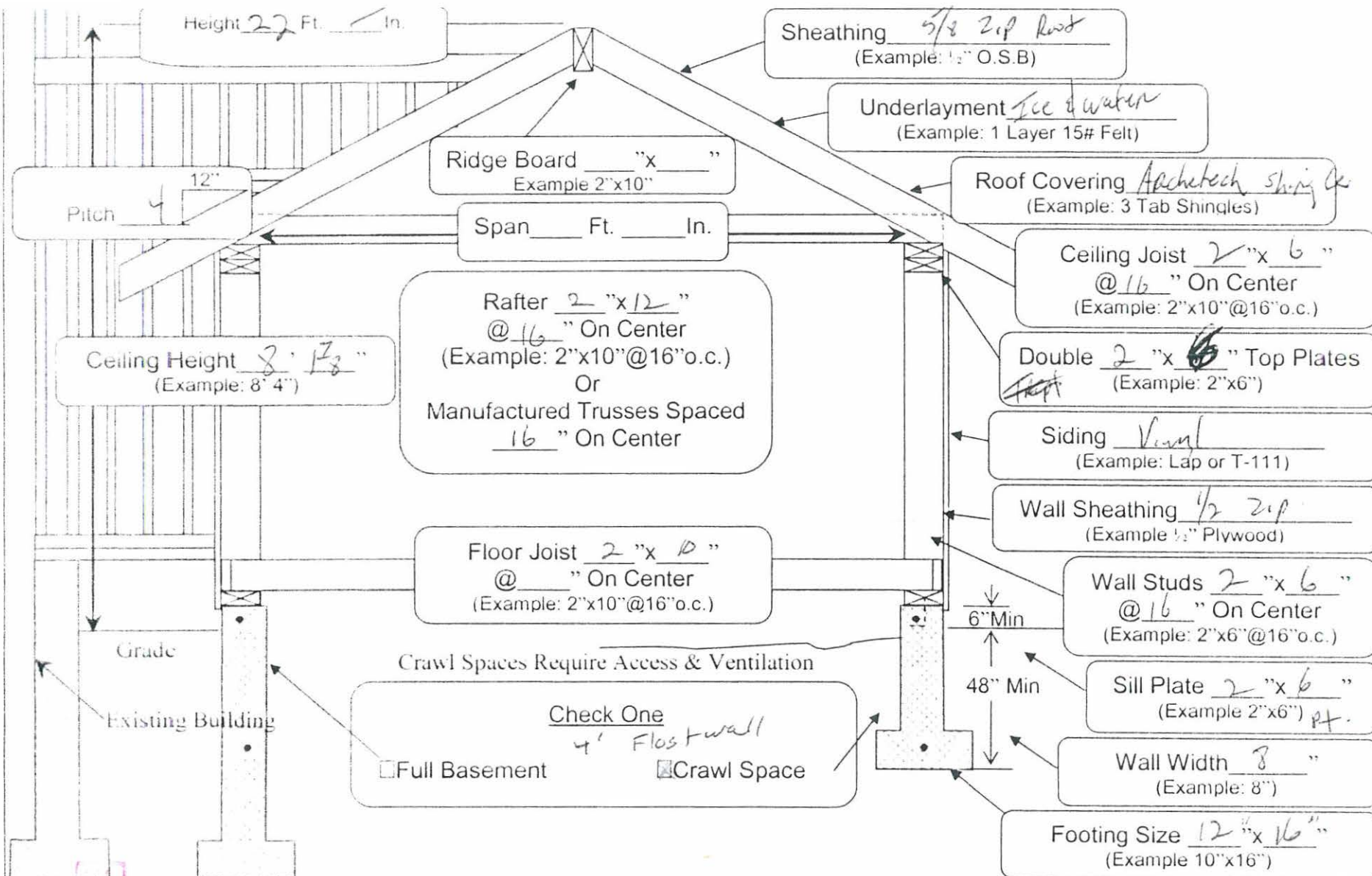
*** OFFICE USE ONLY - DO NOT WRITE IN THIS SPACE ***

Paid: ☒ Cash \$ 145 ☐ Check # _____

THIS PERMIT IS ☐ ISSUED with the following conditions: ☐ DENIED for the following reason(s):

Approved By: [Signature]
DEPARTMENT OF BUILDING, ZONING AND LICENSING SERVICES

Date: 12-15-15 CCF



This Handout is not Intended to Cover all Circumstances. Check with the Current Code Books for Compliance



ROCHESTER, NEW HAMPSHIRE
DEPARTMENT OF BUILDING ZONING &
LICENSING SERVICES
TELEPHONE: 603-332-3508
FAX: 603-509-1912

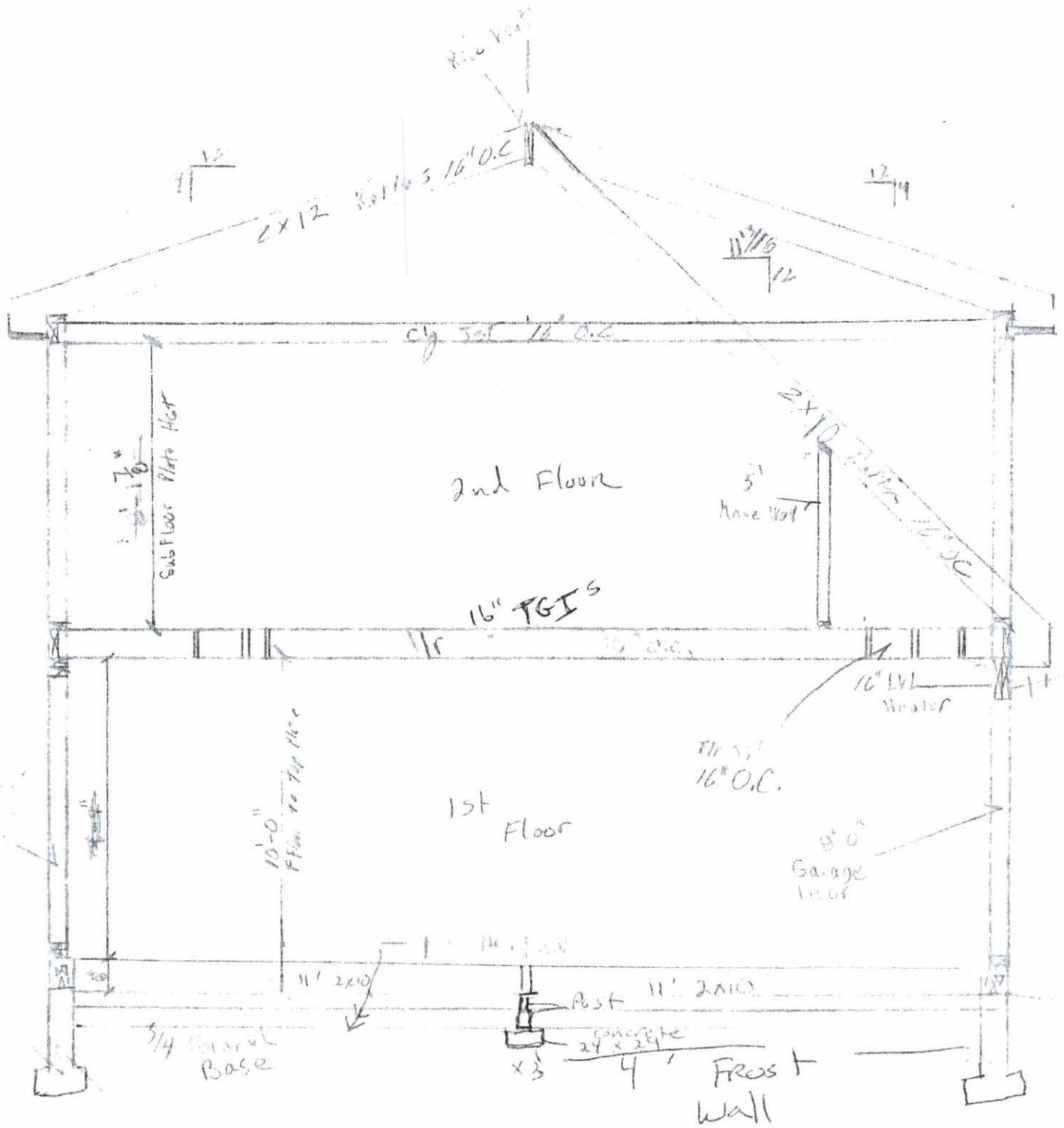
Residential Addition Handout

Based On 2009 ICC IRC
Page 1 of 3
For Residential Use Only

DEC 09 2015

010-010

240-65
109-111 Whitehall Rd
#12458



 **COPY**

RECEIVED

DEC 09 2015

13'-3 1/8"

24065

Neighboring
Fence

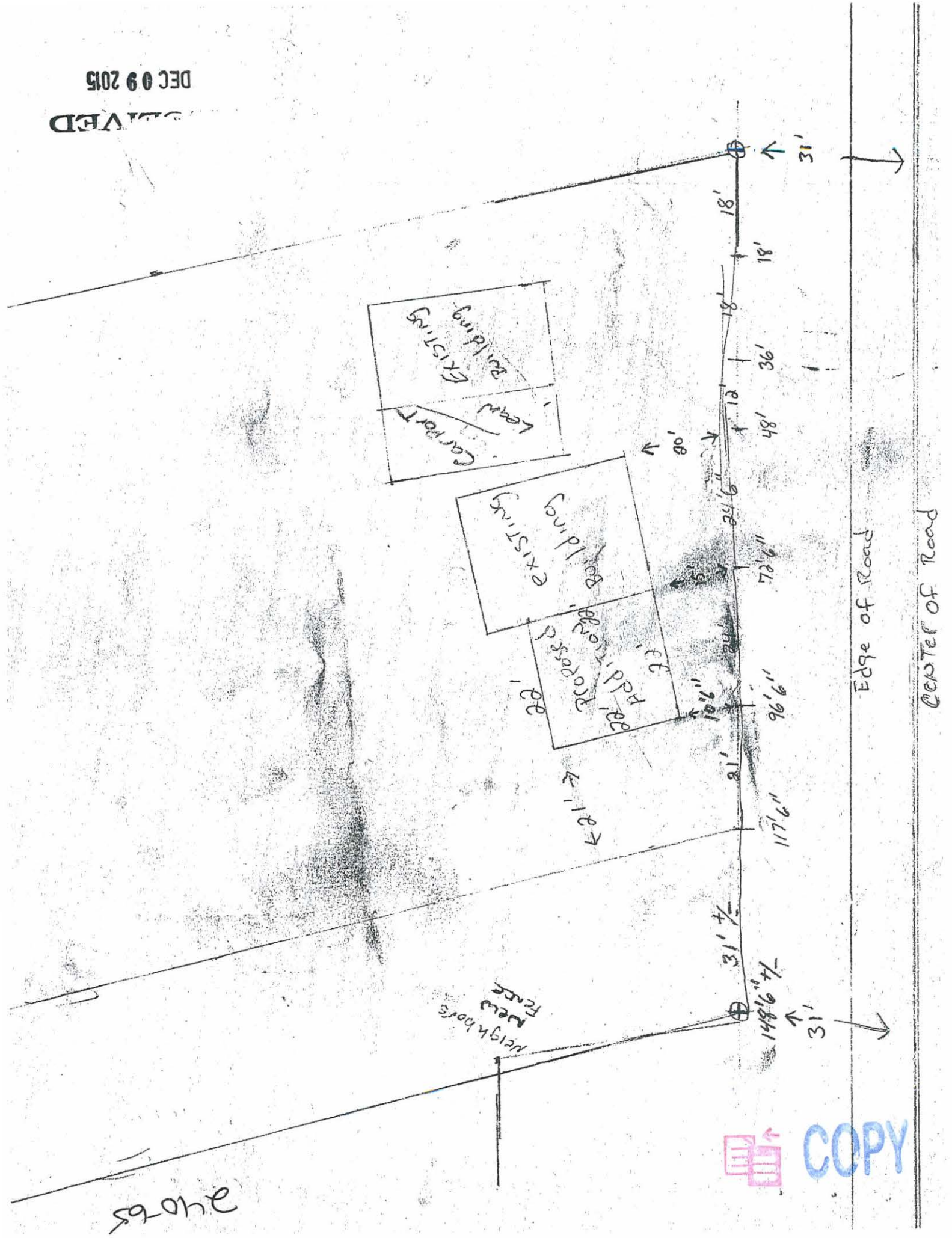
Carport
Leaving
Existing
Building

Existing
Building
Addition
Proposed

RECEIVED
DEC 09 2015



COPY



Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0240-0065-0000	Account Number 35976
Prior Parcel ID --	
Property Owner NELSON EDWARD K REV TRUST % EDWARD K NELSON TRUSTEE	Property Location 109 111 WHITEHALL RD Property Use MULT HOUSES
Mailing Address P O BOX 534	Most Recent Sale Date 4/21/2014
	Legal Reference 4208-695
City DOVER	Grantor NADEAU BARBARA J,
Mailing State NH Zip 03820-0534	Sale Price 282,533
ParcelZoning R1	Land Area 2.040 acres

Current Property Assessment

Card 1 Value	Building Value 79,700	Yard Items Value 20,600	Land Value 47,600	Total Value 147,900
Total Parcel Value	Building Value 212,700	Xtra Features Value 21,400	Land Value 47,600	Total Value 281,700

Building Description

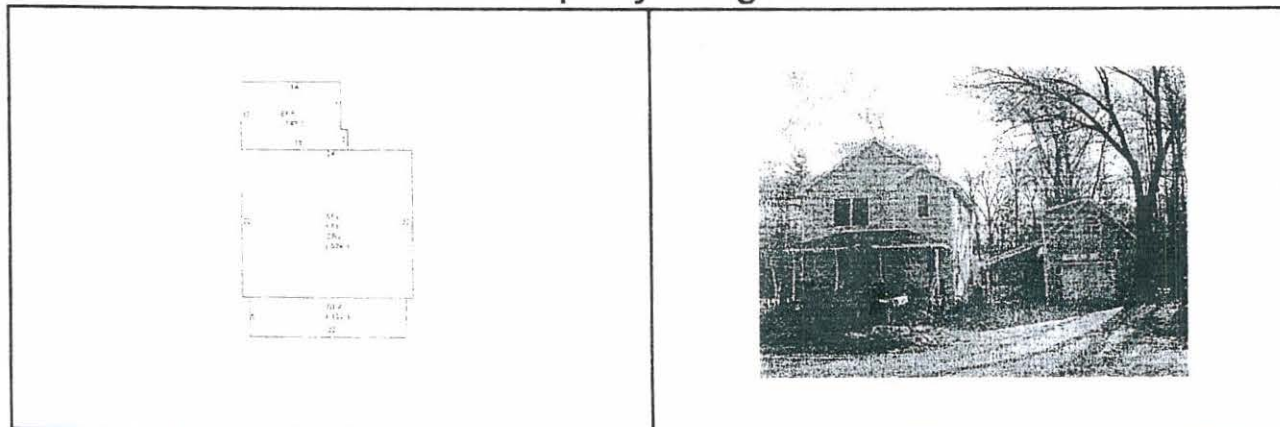
Building Style NEW ENGLAND	Foundation Type CONCRETE	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 2004	Roof Structure GABLE	Heating Type FORCED H/W
Building Grade AVERAGE	Roof Cover ASPH SHINGLE	Heating Fuel OIL
Building Condition Average	Siding VINYL	Air Conditioning 0%
Finished Area (SF) 1056	Interior Walls DRYWALL	# of Bsmt Garages 0
Number Rooms 4	# of Bedrooms 2	# of Full Baths 1
# of 3/4 Baths 0	# of 1/2 Baths 1	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 2.040 acres of land mainly classified as MULT HOUSES with a(n) NEW ENGLAND style building, built about 2004, having VINYL exterior and ASPH SHINGLE roof cover, with 1 unit(s), 4 room(s), 2 bedroom(s), 1 bath(s), 1 half bath(s).

Property Images



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

