pd CK #1685 205.00

City of Rochester, New Hampshire

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

RECEIVED
OCT 11 2016
By KG

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE
CASE NO. 2016 - 30
DATE FILED 10/11/16
ZONING BOARD CLERK

Phone No 603.988.7514

Name of applicant Jennifer Leigh Gibbs

Address 156 Charles Street Rochester NH

Owner of property concerned Brick Foster
(If the same as applicant, write "same")

Address 11 Moses Carr Road Rollinsford NH
(If the same as applicant, write "same")

Location 90 north main street Rochester NH

Map No. 121 Lot No. 17 Zone DTC

Description of property Brick Building with Parking lot

Proposed use or existing use affected Used Car sales

The undersigned hereby requests a variance to the terms of Article 42, Section Table 18-B and asked that said terms be waived to permit used car sales

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 Jennifer L Gibbs
(Applicant)

boogieboardpro@hotmail.com

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2016-30

Date: 10.7.16

A Variance is requested by Jennifer Leigh Gibbs

from Section 42. Subsection Table 18-B

of the Zoning Ordinance to permit: car sales in the Downtown Commercial Zone

at 90 north main street Map 121 Lot 17 Zone DTC

Facts supporting this request:

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

see attached

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

see attached

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

see attached

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

see attached

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

see attached

Name Jennifer L Gibbs Date: 10.7.16

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Criteria for variance:

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

The cars parked on the lot will not change the character of the surroudings. The business that directly abutts the property is a municipal parking lot. The proposed used car business will blend with the already present municipal lot.

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

The public will be minimally affected by the change of use because each business that has been at the 90 North Main Street location has required customers to park in the lot (therefore multiple cars parked in the lot). The surrounding businesses have foot traffic as well as car traffic therefore my business will blend with the traffic and customer flow.

Noise will not be an issue as I will not be performing car repairs or maintenance on site. The cars will be tastefully displayed on the lot for sale with attractive matching price stickers professionally made and attached to the car windshields. Smoking will not be permitted in the building or outside of the building.

The outside of the building itself will not be changed therefore will be keeping it's historic brick appeal. The landscaping will be maintained and improved upon. My plan is to add lilac bushes to the already existing shrubs that surround the front of the building. The grass will be maintained and seeded if need be.

The lot and front walkway will be kept clean and in good repair at all times.

The existing historic sign on the property will be used to advertise for my business and will display my business name: Lilac City Motors.

Snow removal will be accomplished by setting aside as many car spots as needed to plow the snow into. In the event of a winter with large snowfall amounts the snow will be trucked off site.

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

I have looked at several other properties not only in Rochester but in the surrounding towns extending into Northwood NH and none of them offer what is needed in order to make a car sales business successful.

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The property has been vacant for a significant length of time and as of this writing no other inquiries have happened.

The property is in a location with steady traffic. The four way intersection provides the opportunity for potential customers to look at the cars I have for sale while safely stopped at the traffic light.

90 North Main Street is unique for the car sales business. The property has a small building with a huge amount of parking. Most of the properties I have researched have much higher rents to do most of them having a garage, multiple offices and a much larger lot and most not paved.

> **a) a garage isn't needed as I will have a contract with a local garage to do all inspections and the needed repairs to the cars will be completed before I bring them on the lot for sale.**
>
> **b) only three offices are needed as employees will be; my business/sales manager, a part-time secretary and myself (business owner).**
>
> **c) 30 cars are what I feel is managable with enough room for customer and employee parking and also to allow room to place the light snow that isn't trucked of site. The cars I sell will be in the $8,000 to $15,000 range.**
>
> **d) A paved lot is very important not only for the ease of plowing and lot maintenance but also for keeping the cars clean and ease of moving cars especially during the Spring time when rain and melting snow can be an issue.**

The building requires little to no maintenance due to it's brick exterior and already well landscaped lot. More money can be put into the quality of the vehicles sold.

The appearance of the building, parking lot and landscaping is in line with the cars I am looking to display for sale and the customers I wish to attract.

This location has a police presence passing by twenty four hours which adds to the safety of the building and vehicles.

4) **Granting the variance would do substantial justice beacuse:**

The business would generate revenue for the town. The business will employ two full time employees, one part time employee and several part time drivers. I will also bring a significant amount of business to several local garages and auto transport companies as well as auto reconditioners. Many events can be held onsite for public support. Fundraisers for local charities and families as well as school trips, sports teams and downtown and park festivals. Large events will bring in customers from the surrounding towns which will mean increased

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By

revenue for other local businesses.

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

Advertising for this business will be on the sign that is already on the property and was used by the former real estate business and is accepted by the historic department. Customers can park in the lot and therefore will not be changing any parking on Main street or in the municipal lot. Any business that is in the 90 North Main Street location will require cars on the lot and depending on the business the amount of cars may be close to the same as what I am proposing to sell. No changes are being made to the building therefore the historic significance of the propoerty will be unaltered. There is already a municipal lot abutting the property therefore it is already an area where cars are parked hence the look of the area will remain the same.

"car services" are permited on the zoning chart for this property which is defined as cleaning, servicing and maintenance. When the building was purchased in 1980 by the Fosters Daily Democrat it was Larochells's Garage and Gas Station. That business offered car repairs. I will be only selling cars that have already been serviced and inspected by a local garage therefore not doing "car services" as is permitted in this location. I will NOT be fixing cars therefore not adding to noise, unsightly appearance of cars waiting for repairs or fluids in the lot.

This is in essence a "retail" business. The products to be sold are vehicles and kept on the lot outside rather than articles for sale inside. Either way the product(s) for sale must meet certain criteria ie; clean product and surroundings, in good working order, free of defects that keep it from being sold, pleasant atmosphere to look at item(s), high integrity of staff and quality product(s) to continue good word of mouth for the business and the community.

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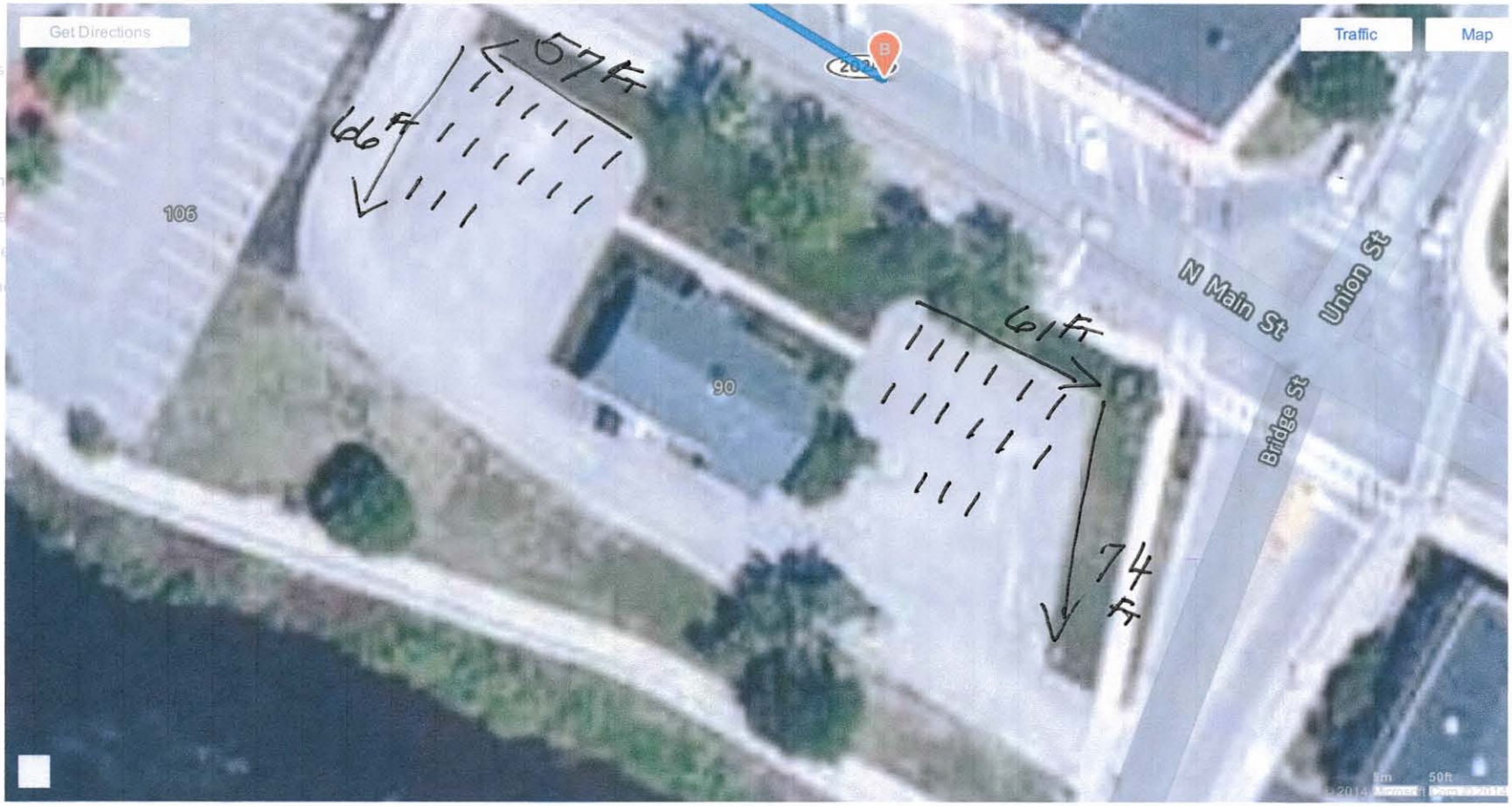
90 north main st rochester nh



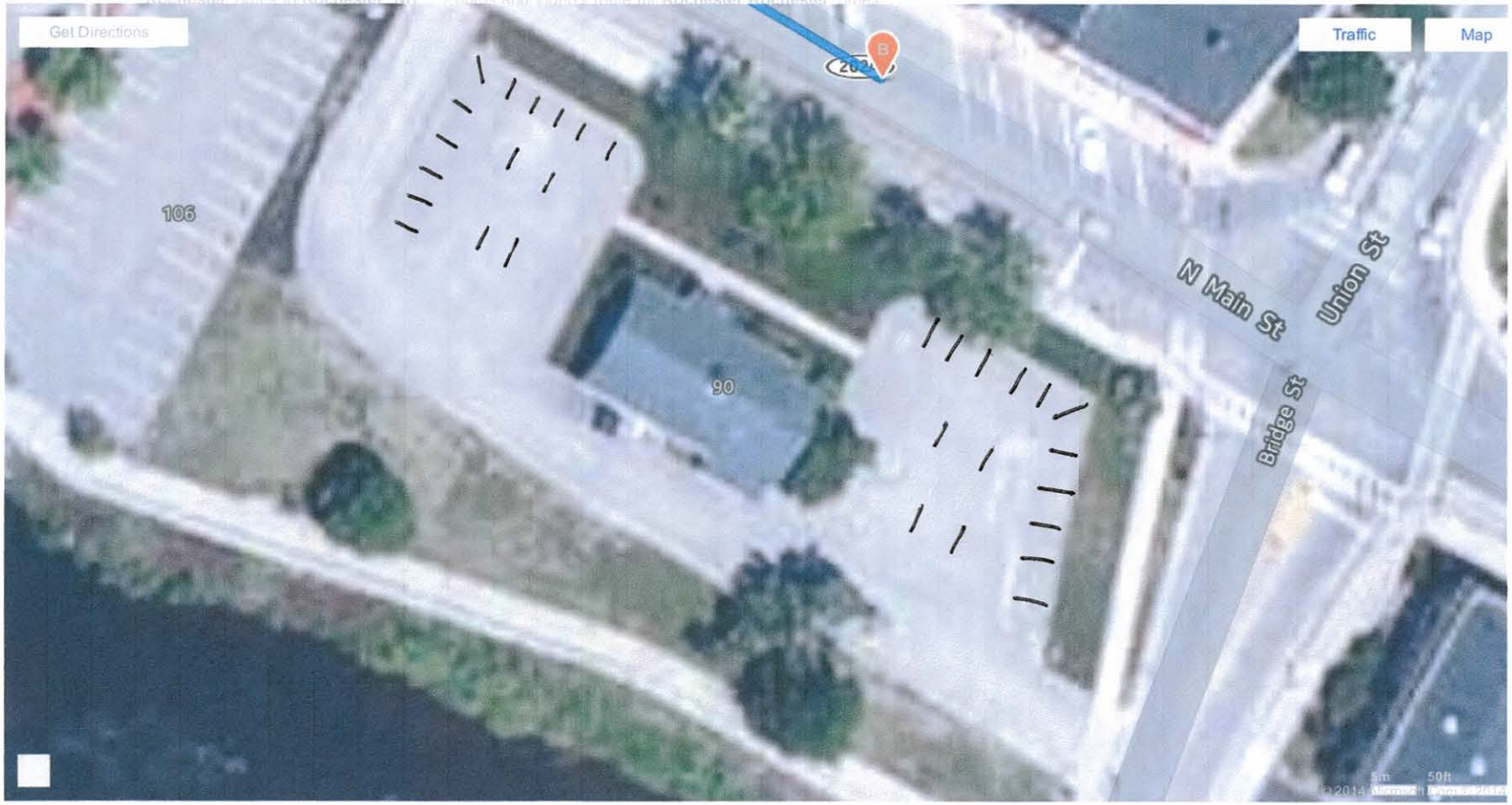
LEFT SIDE LOT 15 CARS - 8.5 x 22 FT PER CAR WITH 6 FOOT BUFFER LANE

RIGHT SIDE LOT 15 CARS - 8.5 x 27 FT PER CAR WITH 10 FOOT BUFFER LANE

Rochester Times in Rochester, NH | 90 N Main St, ...

www.superpages.com/bp/rochester-nh/rocheste...

Rochester Times in Rochester, NH ... Photos and Video Profile for Rochester Rochester Times



0121	0017	0000			1 of 1	COMMERCIAL	TOTAL ASSESSED: 250,400
MAP	BLOCK	LOT	LOT2	LOT3	CARD	Rochester	!243!

Patriot Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
90		NO MAIN ST, ROCHESTER

OWNERSHIP

Unit #:

Owner 1:	NINETY NORTH MAIN LLC
Owner 2:	% ROBERT FOSTER
Owner 3:	
Street 1:	11 MOSES CARR RD
Street 2:	
Twn/City:	ROLLINSFORD
St/Prov:	NH Cntry: Own Occ: N
Postal:	03869-5108 Type:

PREVIOUS OWNER

Owner 1:	FOSTER R & T FAMILY REALTY LLC -
Owner 2:	% CATHY HAYWARD -
Street 1:	333 CENTRAL AVE
Twn/City:	DOVER
St/Prov:	NH Cntry:
Postal:	03820

NARRATIVE DESCRIPTION

This Parcel contains .65 AC of land mainly classified as OFFICE with a(n) OFFICE Building Built about 1974, Having Primarily BRICK VENR Exterior and ASPH SHINGLE Roof Cover, with 1 Units, 0 Baths, 2 HalfBaths, 0 3/4 Baths, 0 Rooms Total, and 0 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descrip
Z	DTC	DOWNTOW	100	U	2	CITY SEWER
o				t	1	CITY WATER
n				l	4	NONE
Census:				Exmpt		
Flood Haz:						
D	RO	ROCHESTER		Topo	1	LEVEL
s				Street	1	PAVED
t				Traffic	5	HEAVY

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value
340	130,200	10,100	0.650	110,100	250,400
Total Card	130,200	10,100	0.650	110,100	250,400
Total Parcel	130,200	10,100	0.650	110,100	250,400

Source: Market Adj Cost | Total Value per SQ unit /Card: 155.92 | /Parcel: 155.92

Legal Description

Entered Lot Size
Total Land: 0.65
Land Unit Type: AC

User Acct: 27275
GIS Ref
GIS Ref
Insp Date

Parcel ID 0121-0017-0000

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2016	340	FV	130,200	10100	.65	110,100	250,400	250,400	Year End Roll	9/8/2016
2015	340	FV	130,200	10100	.65	110,100	250,400	250,400	Year-end	10/1/2015
2014	340	FV	130,200	10100	.65	110,100	250,400	250,400	Year End Roll	9/29/2014
2013	340	FV	124,800	10100	.65	88,100	223,000	223,000	Year End Roll	9/4/2013
2012	340	FV	124,800	10100	.65	88,100	223,000	223,000	Year End Roll	9/20/2012
2011	340	FV	124,800	10100	.65	88,100	223,000	223,000	Year End Roll	9/27/2011
2010	340	FV	131,900	10100	.65	88,100	230,100	230,100	roll	8/26/2010
2009	340	FV	131,900	10100	.65	97,900	239,900	239,900	Year End Roll	9/24/2009

PRINT

Date	Time
10/20/16	12:32:07

LAST REV

Date	Time
09/03/15	15:36:38

gaye
243

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:	
LandReason:	
BldReason:	

SALES INFORMATION

TAX DISTRICT

PAT ACCT.

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
FOSTER R & T FA	4084-529	2	12/1/2012	Business Aff	265,067	No	No	4		SAME PARTIES
FOSTER ROBERT H	2119-516		6/24/1999	Fam/Friends	155,000	No	No	4		
MOBIL OIL CORPO	1028-131	2	1/31/1979		80,000	No	No	4		
RAMSEY NORMAN A	855-426		4/1/1969			No	No			
JOSEPH MICHAEL	822-424		1/4/1967			No	No			

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
8/21/2012	2923	SIGN	965	C	12/7/2012			
1/10/2012	1668	SIGN	3,500	C	3/15/2012			
10/17/2008	08-1340	BOILER	8,500	C	1/9/2009			

ACTIVITY INFORMATION

Date	Result	By	Name
1/4/2013	DEED CHANGE	VK	VERNA
1/9/2009	MEAS+INSPCTD	TM	TOM
1/20/2005	ZONE CHANGE	TM	TOM
12/4/2003	OWN ADD CHG	VW	VIRGINIA
11/6/2001	NO INSP	GN	GAYE

Sign: VERIFICATION OF VISIT NOT DATA ___/___/___

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 Influ	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
340	OFFICE		0.65		PRIMARY A	SITE	1.0	0	90,000.	1.883	3003			CORNER	25					110,137						110,100	

Total AC/HA: 0.65000 | Total SF/SM: 28314.00 | Parcel LUC: 340 OFFICE | Prime NB Desc COMMERCIAL | Total: 110,138 | Spl Credit | Total: 110,100

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

kareng 2017

XTERIOR INFORMATION

Type:	C51 - OFFICE		
Sty Ht:	1 - 1		
(Liv) Units:	1	Total:	1
Foundation:	1 - CONCRETE		
Frame:	01 - WOOD		
Prime Wall:	8 - BRICK VENR		
Sec Wall:	21 - CONC BLO	35	%
Roof Struct:	1 - GABLE		
Roof Cover:	1 - ASPH SHINGLE		
Color:	RED BRICK		
iew / Desir:	A - AVERAGE		

ENERAL INFORMATION

Grade:	C+ - AVG. (+)		
Year Blt:	1974	Eff Yr Blt:	
Alt LUC:		Alt %:	
Jurisdict:		Fact:	.
Const Mod:			
Lump Sum Adj:			

TERIOR INFORMATION

Avg Ht/FL:	10		
rim Int Wal	6 - AVERAGE		
ec Int Wall:			%
Partition:	T - TYPICAL		
rim Floors:	8 - AVERAGE		
Sec Floors:			%
Bsmnt Flr:			
Bsmnt Gar:			
Electric:	3 - TYPICAL		
Insulation:	2 - TYPICAL		
Int vs Ext:	SAME		
Heat Fuel:	2 - GAS		
Heat Type:	3 - FORCED H/W		
Heat Sys:	1		
% Heated:	100	% AC:	100
Solar HW:	NO	Central Vac:	NO
% Com Wal		% Sprinkled	

BATH FEATURES

Full Bath		Rating:	
A Bath:		Rating:	
3/4 Bath:		Rating:	
A 3QBth		Rating:	
1/2 Bath:	2	Rating:	SAME
A HBth:		Rating:	
OthrFix:		Rating:	

OTHER FEATURES

Kits:		Rating:	
A Kits:		Rating:	
Frpl:		Rating:	
WSFlue:		Rating:	

CONDO INFORMATION

Location:	
Total Units:	
Floor:	
% Own:	
Name:	

DEPRECIATION

Phys Cond:	AV - Average	40.	%
Functional:			%
Economic:			%
Special:			%
Override:			%
	Total:	40	%

CALC SUMMARY

Basic $ / SQ:	100.01
Size Adj.:	1.25000000
Const Adj.:	1.00726593
Adj $ / SQ:	125.921
Other Features:	0
Grade Factor:	1.10
Neighborhood Inf:	0.94999999
LUC Factor:	1.00
Adj Total:	217044
Depreciation:	86817
Depreciated Total:	130226

COMMENTS

BETTER HOMES AND GARDENS REAL ESTATE.

RESIDENTIAL GRID

1st Res Grid	Desc:		# Units	
Level	FY LR DR D K FR RR BR FB HB L O			
Other				
Upper				
Lvl 2				
Lvl 1				
Lower				
Totals	RMs:	BRs:	Baths:	HB 2

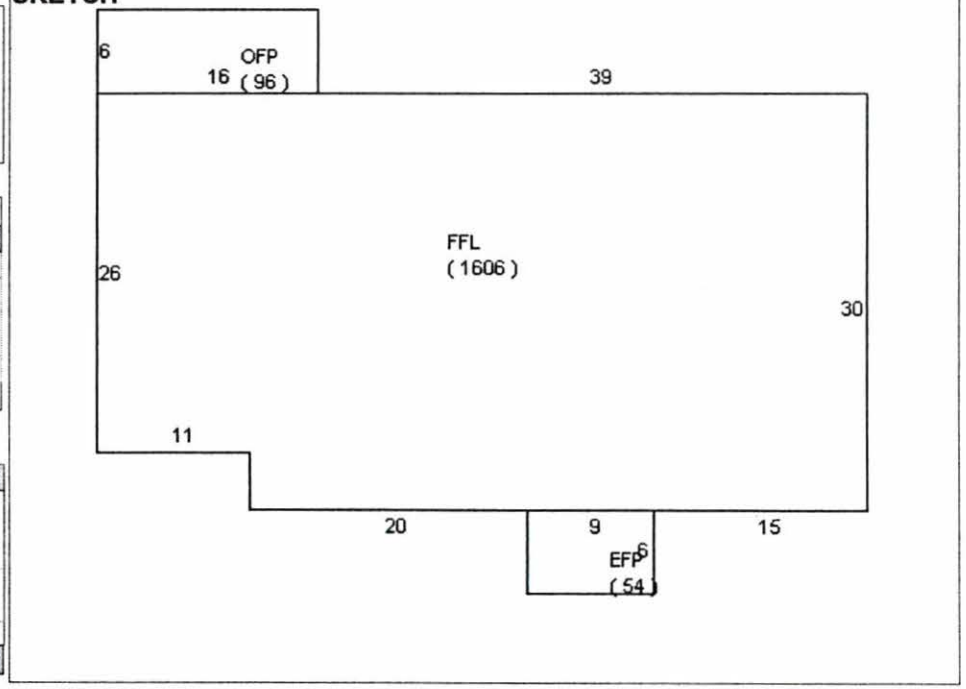
REMODELING

Exterior:	
Interior:	
Additions:	
Kitchen:	
Baths:	
Plumbing:	
Electric:	
Heating:	
General:	

RES BREAKDOWN

No Unit	RMS	BRS	FL
Totals			

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
FFL	1ST FLOOR	1,606	125.920	202,229
OFP	OPEN PORCH	96	26.310	2,525
EFP	ENCL PORCH	54	54.500	2,943

Net Sketched Area:	1,756			Total:	207,697
Size Ad	1606	Gross Area	1756	FinArea	1606

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu	# Ten

COMPARABLE SALES

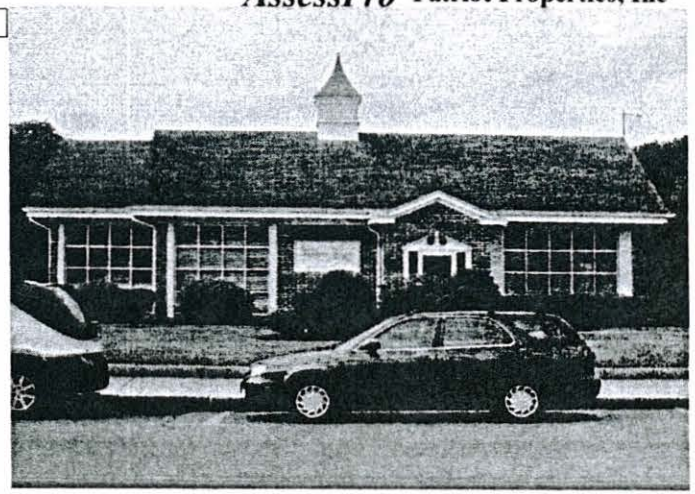
Rate	Parcel ID	Typ	Date	Sale Price

WtAv$/SQ:		AvRate:	Ind.Val

Juris. Factor:		Before Depr:	131.59
Special Features:	0	Val/Su Net:	74.15
Final Total:	130200	Val/Su SzAd	81.07

IMAGE

AssessPro Patriot Properties, Inc



PEC FEATURES/YARD ITEMS

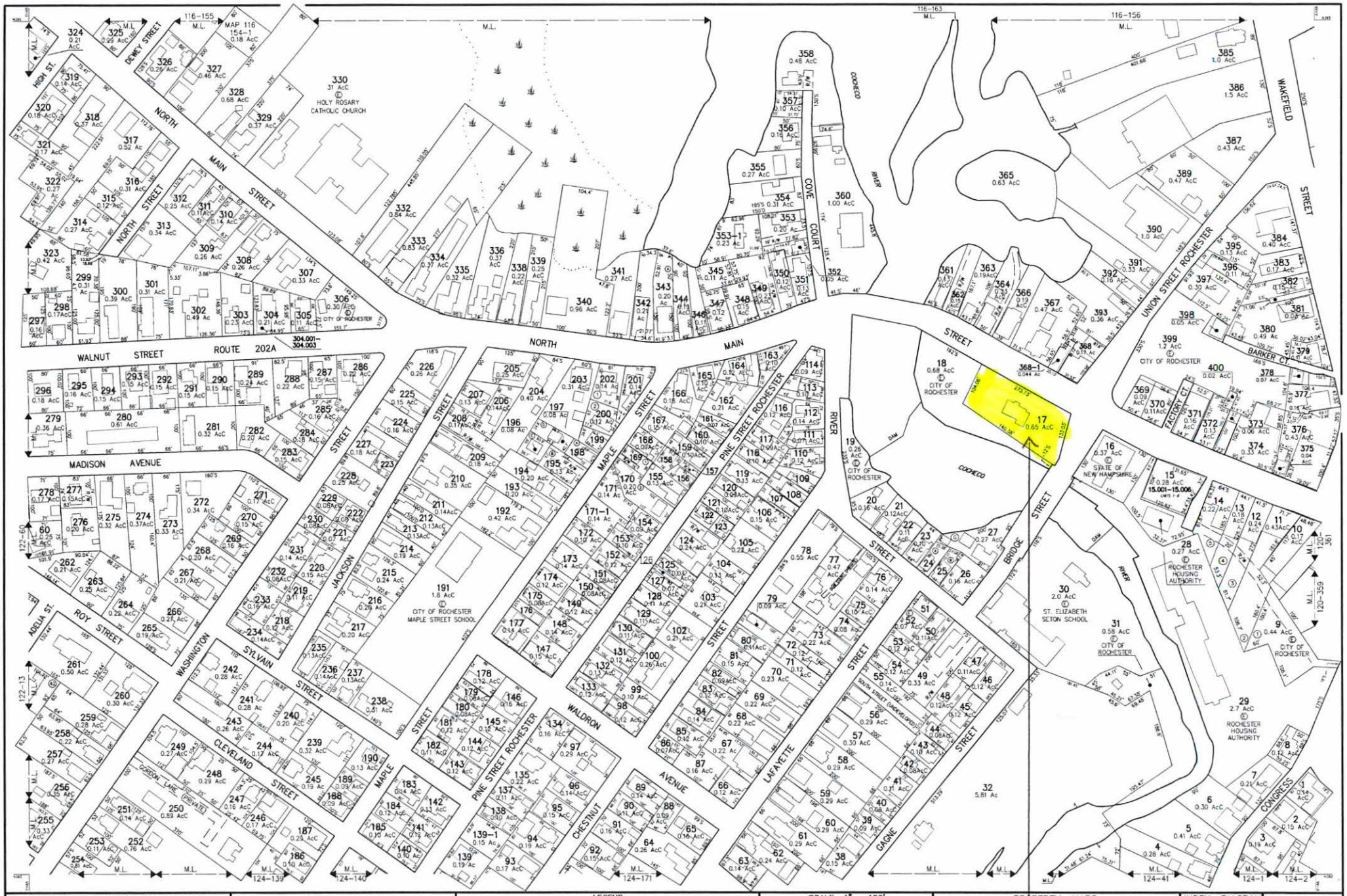
PARCEL ID 0121-0017-0000

ode	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
	PAVING ASPHT	D	Y	1	1X9600	C	AV	1986	1.76	T	40	340			10,100			10,100

More: N	Total Yard Items:	10,100	Total Special Featues:	Total:	10,100

90 NO MAIN ST-SITE PLAN

11/30/2012



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

THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.

PHOTOGRAPHY DATE: APRIL 28, 1990

COMPLETION DATE: JUNE 30, 1992

PRODUCED IN 1992 BY

CAI Technologies

Precision Mapping, Geographic Solutions

11 PLEASANT STREET, LITTLETON, NH 03561

603.322.4540 • WWW.CAI-TECH.COM

LEGEND

AREA SURVEYED	Ac
AREA CALCULATED	AcC
RECORD DIMENSION	100'
SCALED DIMENSION	100'S
MATCH LINE	M.L.
WATER	W
EXEMPT PROPERTY	E
SUBDIVISION LOT NO.	3
BUILDING	
RIGHT OF WAY	R/W
COMMON OWNERSHIP	
WETLANDS	

SCALE 1" = 100'

FEET 50 0 100 200 300

METERS 25 0 25 50 75

REVISED TO : APRIL 1, 2015

PROPERTY MAPS

ROCHESTER

NEW HAMPSHIRE

INDEX DIAGRAM

115	116	117
122		120
123	124	125

ON

MAP NO. 121

0 Abutters List Report

Rochester, NH
September 28, 2016

Variance - 175.00
8X3.76 - 30.08
205.08

Subject Property:

Parcel Number: 0121-0017-0000
CAMA Number: 0121-0017-0000
Property Address: 90 NO MAIN ST

Mailing Address: NINETY NORTH MAIN LLC % ROBERT FOSTER
11 MOSES CARR RD
ROLLINSFORD, NH 03869-5108

Abutters:

Parcel Number: 0121-0016-0000
CAMA Number: 0121-0016-0000
Property Address: 70 NO MAIN ST

Mailing Address: STATE OF NEW HAMPSHIRE % BUREAU OF COURTS
25 CAPITOL ST RM 420
CONCORD, NH 03301-4931

Parcel Number: 0121-0018-0000
CAMA Number: 0121-0018-0000
Property Address: 106 NO MAIN ST

Mailing Address: ~~CITY OF ROCHESTER~~
~~31 WAKEFIELD ST~~
~~ROCHESTER, NH 03867-1916~~

Parcel Number: 0121-0029-0000
CAMA Number: 0121-0029-0000
Property Address: 6 BRIDGE ST

Mailing Address: ROCHESTER HOUSING AUTHORITY
77 OLDE FARM LN
ROCHESTER, NH 03867-0000

Parcel Number: 0121-0366-0000
CAMA Number: 0121-0366-0000
Property Address: 101 NO MAIN ST

Mailing Address: VONGSAY LLC
101 SCHANDA DR
NEWMARKET, NH 03857

Parcel Number: 0121-0367-0000
CAMA Number: 0121-0367-0000
Property Address: 95 NO MAIN ST

Mailing Address: BERNIER GERMAINE J REV LIVING TRUST % BERNIER GERMAINE J &
95 NO MAIN ST
ROCHESTER, NH 03867-1924

Parcel Number: 0121-0368-0000
CAMA Number: 0121-0368-0000
Property Address: 6 UNION ST

Mailing Address: M K REALTY TRUST
P O BOX 1443
ROCHESTER, NH 03866-1443

Parcel Number: 0121-0399-0000
CAMA Number: 0121-0399-0000
Property Address: 6 BARKER CT

Mailing Address: ~~CITY OF ROCHESTER~~
~~31 WAKEFIELD ST~~
~~ROCHESTER, NH~~

Parcel Number: 0121-0399-0000
CAMA Number: 0121-0399-000A
Property Address: 0 FACTORY CT

Mailing Address: ABACUS RESTAURANT CORP DBA REVOLUTION
61 NORTH MAIN ST
ROCHESTER, NH 03867

ROCHESTER MAIN STREET 18 South Main Street, Suite 2B
Rochester, NH 03867

Rochester Main Street Program is a non-profit volunteer organization devoted to the preservation, growth and vitality of downtown Rochester. Participate-Volunteer-Donate

October 3, 2016

RE: Proposed use of former Fosters building at 90 North Main Street as Used Car Dealership/Sales

This letter is submitted on behalf of the Board of Directors and volunteers of Rochester Main Street, a volunteer non-profit organization dedicated to the revitalization of downtown Rochester into a vibrant and active arts, dining, entertainment and shopping district. Whenever a vacancy opens in the downtown district it presents an opportunity to move the downtown forward as described in the vision of the Master Plan for the City of Rochester. This proposal is not consistent with the vision of a vibrant and active downtown Main Street District. We urge that the Planning Department, Planning Board, and Zoning Board of Adjustment consider very carefully before granting a request for variance that would be a large step backwards for the citizens and visitors to downtown.

The proposed use is also not compatible to the surrounding businesses in the area which are walkable retail, professional and food service oriented. This proposed use should be located outside of the downtown district.

The property is located alongside the Rochester Riverwalk, which has seen a renewed interest in final development of the Riverwalk plan as a passive urban recreational area.

The property is located within the Downtown Rochester National Register Historic District and adjacent to the historic Stone Arch Bridge. As the property appears to be over 50 years old it is now eligible for listing as a contributing structure within the district, evocative of the commercial architectural style of its period, and would be eligible for tax credit projects.

It is also not the highest and best use of a property which overlooks the city's waterfront area. A use should be considered which would significantly add to the tax base and benefit the general welfare of the citizens of Rochester, not detract.

Lastly, the proposed use of the property at 90 North Main Street does not meet any of the primary or secondary strategies approved and adopted by the Rochester Main Street Board of Directors in their work to revitalize downtown Rochester: Primary- Arts/Dining, Entertainment & Nightlife/Family Friendly/ Attracting Millennials, and Secondary: Elder Friendly/Tourism/Diversity/and Professional Services.

Thank you for your consideration in this important matter regarding the future of downtown.

Sincerely,

Michael Provost, CMSM
Executive Director, Rochester Main Street

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OCT 20 2016
By KG