# BUILDING, ZONING & LICENSING SERVICES

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**ZONING BOARD OF ADJUSTMENT** **NOTICE OF DECISION**

**Case No 2017-01**

March 9, 2017

**2017-01** Thomas J Demchak, Real Estate Advisors applicant, request a variance to permit commercial boarding and raising of ten (10) horses or other large animals defined as livestock with less than three (3) acres of land. Including sales of farmed raised provisions. Including existing structures and barns. To said terms Article 42.20.b.16, 42.23.b.E, 42.23.b.F

**Location:** 72 Crown Point Rd., 0235-0050-0000, in the Agricultural Zone

The variance was DENIED as presented for the following reasons:

The variance will not be contrary to the public interest because: It will negatively impact health and the general welfare. It will exacerbate the overcrowding of the land. It will diminish the value of buildings. The spirit of the ordinance is not observed because: It will exacerbate the overcrowding of land. It will diminish the value of buildings. Substantial justice is done because: If denied, the benefit to the community as a whole outweighs any disadvantage or harm to this individual applicant. The value of surrounding properties will be diminished because: It will be visible from the street.

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Mr. Ralph Torr - Chair

Rochester Zoning Board of Adjustment

**It is the applicant’s responsibility to obtain any applicable permits from local, state, and federal agencies. Contact the Department of Building, Zoning and Licensing Services at 332-3508 ext. 1, to apply for any necessary permits and certificates. Any work completed within the thirty (30) day appeal period, explained below, is at your risk.**

**Note:** Any person affected has a right to appeal this decision. A request for a rehearing is the first step of an appeal. The request must be submitted to the Department of Building, Zoning and Licensing within **thirty (30) days** (calendar days starting the day after the decision is made). If a rehearing is not granted, the next step is to appeal to Superior Court within thirty (30) days. If a rehearing IS granted, it is the responsibility of the original applicant to present the case to the Zoning Board, with the same obligations and following the same procedure used when the case was first heard.

### cc: Assessing

File