



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. 2017-09

DATE FILED 8/23/17

Julia Libby
ZONING BOARD CLERK

Phone No 603-630-4113

Name of applicant Corey Mackoul

Address 147 Wakefield St Rochester NH 03867

Owner of property concerned SAME

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

Address SAME

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

Location 147 Wakefield St Rochester, NH

Map No. 113

Lot No. 55

Zone _____

Description of property duplex built in 1906

Proposed use or existing use affected Resume use as hair salon

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

in the B1 zone

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)

EMAIL: _____

Corey.Mackoul@gmail.com

By Julia Libby

CRITERIA FOR VARIANCE

Case # 2017-09

Date: 8/23/17

A Variance is requested by Corey MacKoul

from Section _____ Subsection _____

of the Zoning Ordinance to permit: Hair Salon

at 147 Wakefield St Map 113 Lot 55 Zone _____

Facts supporting this request:

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

the previous salon dates back to 1977

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

there were no issues or complaints about
previous salon in this location

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

building was purchased with existing salon in place
and sister went to beauty school to re-open

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

the original intent of building purchase
will be realized

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

in home business

Name Corey MacKoul Date: 8/22/17

City of Rochester, NH
Zoning Department

I respectfully request that the City of Rochester grant a variance so that my sister and I can open a hair salon in the property that I own at 147 Wakefield Street. I purchased this building almost two years ago with the hope of having a positive impact on the community. Wakefield Street is a primary target of our Economic Revitalization, as it is a main thoroughfare into our downtown.

My first step was to move my mother's 25 year established business from another part of town. Her office has been well received, like a good neighbor, with no detrimental effect on the locale. As this property previously housed a beauty salon, I spoke with my sister and decided we should bring the old salon back to life. My sister spent a year and a half going to beauty school, while I learned about the business end of things and made small improvements to the building. We both have a vested interest in the success of this endeavor.

I truly believe that allowing this variance is good for the neighborhood, as these are not businesses that would create a sound or traffic nuisance. Commercial buildings are more likely to be kept up and improve the aesthetic look of the community.

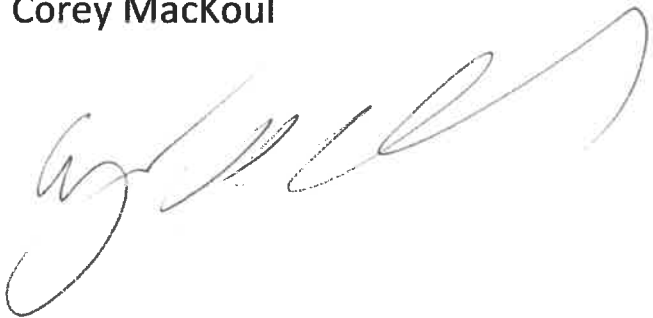
The granting of the variance would have no negative impact on the surrounding community. A good portion of Wakefield Street is already zoned commercially. With Spaulding High School Across the street and commercial developments to our rear, this property being used for business will not alter the neighborhood.

Personal discussions with residents in the area have confirmed my belief that my neighbors would prefer to see a business in this location rather than residential rentals. Less than half of the properties on Wakefield Street from Columbus to McDonalds are even owner occupied. On either side of these two landmarks, Wakefield Street is primarily being used for commercial purposes.

Thank you for considering this petition.

Respectfully submitted,

Corey MacKoul

A handwritten signature in dark ink, appearing to read 'Corey MacKoul', written in a cursive style.

Corey MacKoul

147 Wakefield Street
Rochester, NH 03867



August 23, 2017

City of Rochester, NH
Zoning Department

To Whom it May Concern:

I respectfully request that the City of Rochester grant a variance so that I can continue to revitalize the economic situation on Wakefield Street, a main street of our fine city. I purchased this building almost two years ago with the hope of improving the face of Wakefield Street. My first step was to move my mother's 25 year established business from another part of town. As this home previously housed a beauty salon, I spoke with my sister and decided we should bring the old salon back to life. She spent a year and a half going to beauty school, while I learned about the business end of things and made small improvements to the building. I understand that Wakefield Street is part of the city initiated economic revitalization program. So I feel that my request complements what that department is trying to do. I truly appreciate your sincere consideration of my request for the variance.

Thank you,

Corey MacKoul



CONNECTEXPLORE



Search

Search by Address ▾

147 Wakefield St

Search results (1)

147 Wakefield St, Roche

Workspaces ▾



map: Auto (Oblique) ▾ Dates: All ▾ < image 7 of 26 > 11/30/2012

PROPERTY LOCATION

No	Alt No	Direction/Street/City
147		WAKEFIELD ST, ROCHESTER

OWNERSHIP

Owner 1:	MACKOUL COREY &
Owner 2:	MACKOUL GARY
Owner 3:	
Street 1:	147 WAKEFIELD ST
Street 2:	

Town/City: ROCHESTER

St/Prov: NH	Cntry	Own Occ: Y	Type:
Postal: 03867-1303			

PREVIOUS OWNER

Owner 1:	LAURION ARTHUR & ELAINE -
Owner 2:	-
Street 1:	34 SILVER ST
Town/City:	ROCHESTER
St/Prov:	NH
Postal:	03867-2829

NARRATIVE DESCRIPTION

This Parcel contains .8 AC of land mainly classified as SINGLE FAM with a(n) OLD STYLE Building Built about 1906, Having Primarily ALUMINUM Exterior and ASPH SHINGLE Roof Cover, with 1 Units, 1 Baths, 1 HalfBaths, 1 3/4 Baths, 10 Rooms Total, and 6 Bdrms.

OTHER ASSESSMENTS

Code	Description/No	Amount	Com. Int
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PROPERTY FACTORS

Item	Code	Descrp	%	Item	Code	Descrp
Z R2	RESIDENC	100	U	2	CITY SEWER	
o			t	1	CITY WATER	
n			i	5	GAS	
Census:				Exmpt		
Flood Haz:						
D	RO	ROCHESTER		Topo	1	LEVEL
s				Street	1	PAVED
t				Traffic	5	HEAVY

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value
101	SINGLE FAM		0.8	*	PRIMARY A SITE		1.0	0

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description
101	148,800		0.800	42,800	191,600	
Total Card	148,800		0.800	42,800	191,600	Entered Lot Size
Total Parcel	148,800		0.800	42,800	191,600	Total Land: 0.8
Source: Market Adj Cost				72.36	/Parcel: 72.36	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	101	FV	107,600	0	.8	42,800	150,400	150,400	Year End Roll	9/8/2016
2015	101	FV	105,500	11,400	.8	42,800	159,700	159,700	Year-end	10/1/2015
2014	101	FV	105,500	11,400	.8	42,800	159,700	159,700	Year End Roll	9/29/2014
2013	101	FV	120,600	11,400	.8	57,000	189,000	189,000	Year End Roll	9/4/2013
2012	101	FV	120,600	11,400	.8	57,000	189,000	189,000	Year End Roll	9/20/2012
2011	101	FV	120,600	11,400	.8	57,000	189,000	189,000	Year End Roll	9/27/2011
2010	101	FV	120,600	11,400	.8	57,000	189,000	189,000	roll	8/26/2010
2009	101	FV	122,900	11,400	.8	57,000	191,300	191,300	Year End Roll	9/24/2009

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
LAURION ARTHUR	4342-447	1	12/1/2015	Val Lnd&Bldg	155,000	No	No	No	4	
TEJADA CARLENE	1011-487		3/6/1978			No	No	No		
BUCHANAN EDNA I	957-96	1	12/17/1974			No	No	No	4	

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
12/14/2016	E-16-483	ELECTRIC	900 CI	1/19/2017				Install wiring of
11/28/2016	M-16-454	FURNACE	23,000 CI	1/19/2017				Install oil furnac
11/2/2016	E-16-436	ELECTRIC	2,500 CI	1/19/2017				Update all fixture
12/17/2015	12460	DEMOLITI	2,000 C	3/3/2016				GARAGES
8/1/1982	215		3,100 C					ADD-ALTERATN

ACTIVITY INFORMATION

Date	Result	By	Name
12/14/2015	DEED CHANGE	VK	VERNA
9/13/2012	OWN ADD CHG	GN	GAYE
10/22/2008	CORRECTION	NM	NANCY
9/5/2008	INTER ONLY	NM	NANCY
8/28/2008	EXT ONLY	NM	NANCY
8/13/2002	MEAS+INSPCTD	TG	THERESA

Sign: _____

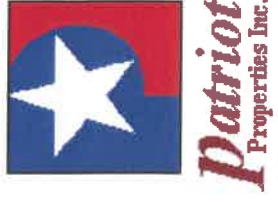
VERIFICATION OF VISIT NOT DATA

Total AC/HA: 0.80000	Total SF/SM: 34848.00	Parcel LUC: 101	SINGLE FAM	Prime NB Desc: RESIDENTIAL
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

Total: 42,750	Spl Credit	Total: 42,800
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julia



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:	

PRINT

Date	Time
08/29/17	11:42:32

LAST REV

Date	Time
02/09/17	09:10:05

PAT ACCT.

2168

TABLE 18-B SALES-SERVICE-OFFICE-INSTITUTIONAL USES 8/7/2014

Adopted by the City Council: 4-22-14
Certified by the Codes and Ordinances Committee: 8-7-14

SALES-SERVICE-OFFICE-INSTITUTIONAL USES	Residential Districts				Commercial Districts				Industrial Districts			Special		Criteria/Conditions Section Reference
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS		
Adult Day Care Center	-	-	E	E	P	P	-	P	E	-	P	-	Section 42.22	
Adult Day Care Home	-	E	E	E	P	P	-	P	-	-	P	-	Section 42.22	
Adult Oriented Establishment	-	-	-	-	-	-	-	-	-	C	-	-	Section 42.22	
Agricultural Building, Reuse of Existing	C	C	-	C	-	P	-	-	-	-	-	-	Section 42.22	
Antique Shop	-	C	P	-	P	P	P	P	-	-	-	-	Section 42.21	
Artist Studio	-	C	P	-	P	P	-	P	-	-	-	-	Section 42.21	
Bank	-	-	C	-	P	P	P	P	-	-	-	-	Section 42.21	
Convenience Store	-	C	P	-	P	E	P	P	-	-	-	-	Section 42.21	
Day Care - 1 (Day Care Residence)	P	P	P	P	P	P	-	P	-	-	P	-	Section 42.21	
Day Care - 2 (Day Care - Family)	-	E	P	E	P	P	-	P	-	-	P	-	Sections 42.20 & 42.21	
Day Care - 3 (Day Care Center)	-	-	E	E	P	P	-	P	E	-	E	-	Section 42.22	
Florist	-	-	P	-	P	-	P	P	-	-	-	-	-	
Funeral Home	-	-	C	-	P	P	-	P	-	-	P	-	-	
Gas Station	-	-	-	-	P	-	P	P	-	-	-	-	Sections 42.20 & 42.21	
Grocery Store	-	-	-	-	P	-	P	P	-	-	-	-	-	
Hospital	-	-	-	-	P	P	-	P	-	-	P	-	-	
House of Worship	-	C	C	C	P	C	-	P	-	-	P	-	Section 42.21	
Housing Unit Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	
Laundry Establishment - 1	-	C	P	-	P	-	-	P	-	-	-	-	Section 42.21	
Laundry Establishment - 2	-	-	P	-	P	-	-	P	-	-	-	-	-	
Library	-	C	P	C	P	P	-	P	-	-	-	-	Section 42.21	
Martina	-	-	-	-	-	-	-	-	-	-	-	-	-	
Museum	-	C	P	C	P	P	P	P	-	-	-	-	Section 42.21	
Office	-	-	P	-	P	P	P	P	P	P	-	-	-	
Office, Medical	-	-	C	-	P	P	P	P	C	-	P	P	Section 42.21	
Office, Professional	-	-	P	-	P	P	P	P	P	-	-	-	-	
Personal Service Establishment	-	-	P	-	P	P	P	P	-	-	-	-	-	
Retail Sales (under 5,000 square feet)	-	-	P	-	P	E	P	P	-	-	-	-	-	
Retail Sales (5,000 - 30,000 square feet)	-	-	-	-	P	-	P	P	-	-	-	-	-	
Retail Sales (over 30,000 square feet)	-	-	-	-	-	-	P	P	-	-	-	-	-	
Retail Service	-	-	-	-	-	-	P	P	-	-	-	-	-	
School, K-12	C	C	C	C	C	P	-	C	-	-	-	-	Section 42.21	
School, Other	-	C	C	C	P	P	-	P	C	-	-	-	Section 42.21	
Second Hand Shop	-	C	P	-	P	P	-	P	-	-	-	-	Section 42.21	
Service Establishment	-	-	C	-	C	-	P	C	P	-	-	-	Section 42.21	
Shelter	-	-	-	-	E	E	-	P	E	E	E	-	-	
Small Wind Energy Systems	P	P	P	P	P	P	P	P	P	P	P	P	Section 42.20	
Vehicle Sales, New	-	-	C	-	-	-	P	P	-	-	-	-	Sections 42.20 & 42.21	
Vehicle Sales, Used	-	-	C	-	-	-	P	P	-	-	-	-	Section 42.20	
Vehicle Service	-	-	-	-	P	-	P	P	P	-	-	-	-	
Yard Sale, Commercial	-	-	-	-	-	-	-	C	-	-	-	-	Sections 42.20 & 42.22	

*LEGEND: P = Permitted Use, C = Conditional Use, E = Use Allowed by Special Exception

Variance Application Checklist

- ☒ Complete the application form.
- ☒ You must complete the "Criteria for a Variance" sheet, addressing the 5 items set forth by the NH Supreme Court governing the granting of Variances.
- ☒ A narrative explaining what you are requesting the variance for.

N/A If the applicant is not the property owner, he/she must supply a note signed by the property owner stating his/her knowledge of the application being submitted to the Zoning Board of Adjustment. The property owner will receive a copy of the public hearing notice by certified mail along with the abutters.

N/A A sketch (see attached example) including the following.

- ☐ Measurements of the distances from any existing structure to the lot lines.
If the proposed structure is not attached to the building you will need the distance between buildings.
- ☐ Dimensions of the lot. *(If the variance is requesting relief from a setback regulation – The Zoning Board of Adjustment requires a certified plot plan of the property, if that is not available, you can ask for a waiver – see the secretary for details)*

N/A Photographs, if you have them.

- ☒ Abutter's list. **This information must be obtained from the Zoning Clerk in the Building, Zoning and Licensing Office from their computer. The applicant must pay the cost of the certified fee for each abutter, applicant and any other applicable person on the abutter list, including applicant (at this time the fee is \$381 each)(See Zoning Secretary for Current Fee)**

N/A If there are wetlands on the parcel, refer to the City's Ordinance Chapter 42.12 (c) for wetland buffers of 50' and 75'

N/A Prior to applying for a variance regarding wetlands, the applicant must receive all necessary State permits.

- ☒ Application fee \$175.00 (make check payable to City of Rochester). A check for the certified mail amount is also due when the application is submitted. One check is sufficient for both fees.
One Electronic (PDF) and ten (10) copies are required.

All of the above information must be completed and submitted to the Building, Zoning Department on or before the deadline date, or the application will be considered incomplete and will be postponed until the next scheduled meeting, or until all the requirements have been met.

NOTE: All applications will be allowed **one (1) postponement of the hearing on their application**, and shall notify the Building & Zoning Office in writing of their intent to postpone such hearing at **least two (2) days prior to the meeting** at which their application is to be considered. **If the applicant requests a second (2nd) postponement of the hearing, the application will be considered to have been withdrawn and the applicant must file a new application with the Board in order to receive a hearing.** The provisions of this paragraph shall not apply to any postponement requested by an applicant as a result of the inability of the Zoning Board of Adjustment to provide the applicant with a five-member board for the hearing on the application.

The applicant or their representative MUST attend the Zoning Board of Adjustment meeting to present their case, or no action will be taken.

If you have any questions with any of these requirements, please call Karen Grenier 603-332-3976 or e-mail at karen.grenier@rochesternh.net


Applicant Signature & Date

EMAIL: Corey.MacKort@gmail.com

ROCHESTER ZONING BOARD OF ADJUSTMENT

VARIANCE & SPECIAL EXCEPTION CRITERIA

2. **Variances.** The board may authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if it determines that all of the following conditions are met:
- A. The variance will not be contrary to the public interest;
 - B. The spirit of the ordinance is observed;
 - C. Substantial justice is done;
 - D. The values of surrounding properties are not diminished; and
 - E. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
- i. For purposes of this condition, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
 - (a) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
 - (b) The proposed use is a reasonable one.
 - ii. If the criteria in subparagraph i, above, are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

Notwithstanding Section 2., above, the board may grant a variance from the terms of a zoning ordinance without finding a hardship arising from the condition of a premises subject to the ordinance, when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises, provided that:

- A. Any variance granted under this paragraph shall be in harmony with the general purpose and intent of the zoning ordinance.
 - B. In granting any variance pursuant to this paragraph, the zoning board of adjustment may provide, in a finding included in the variance, that the variance shall survive only so long as the particular person has a continuing need to use the premises.
3. **Special Exceptions.** The board grants special exceptions for particular uses and activities as listed in the Tables of Uses in Section 18-Use Regulations and as articulated in Section 22-Special Exceptions.
- The board shall grant a special exception only if it reasonably determines that *all of the following base criteria are met* (in addition to those criteria and conditions included for specific uses in Section 22):
- A. **Location.** The specific site is an appropriate location for the proposed use or structure;
 - B. **Neighborhood.** The proposed use would not be detrimental, injurious, obnoxious, or offensive to the neighborhood;
 - C. **Traffic.** The proposed use would not create an undue hazard or nuisance to vehicular or pedestrian traffic;
 - D. **Public Facilities.** Adequate and appropriate facilities and utilities would be provided to ensure the proper operation of the proposed use or structure; and,
 - E. **Master Plan.** The proposed use or structure is consistent with the spirit of this chapter and the intent of the Master Plan.

Requirements for Granting a Variance: A Suggested Approach

THE APPLICANT MUST ESTABLISH ALL OF THE FOLLOWING.

Requirement	Explanation
1. The variance is not contrary to the public interest.	The proposed use must not conflict with the explicit or implicit purpose of the ordinance, and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights."
2. The spirit of the ordinance is observed.	
3. Substantial justice is done.	
4. The values of surrounding properties are not diminished.	Expert testimony on this question is not conclusive, but cannot be ignored. The board may also consider other evidence of the effect on property values, including personal knowledge of the members themselves.
<p>5. Literal enforcement of the ordinance would result in unnecessary hardship. Unnecessary hardship means:</p> <p><i>Because of</i> special conditions of the property that distinguish it from other properties in the area:</p> <p>(a) There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property; <i>and</i></p> <p>(b) The proposed use is a reasonable one.</p> <p><i>Alternatively</i>, unnecessary hardship means that, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance.</p>	<p>The applicant must establish that the property is burdened by the zoning restriction in a manner that is distinct from other similarly situated property.</p> <p>(a) Determine the purpose of the zoning restriction in question. The applicant must establish that, because of the special conditions of the property, the restriction as applied to the property does not serve that purpose in a "fair and substantial" way.</p> <p>(b) The applicant must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood.</p> <p>As an alternative to (a) and (b) above, the applicant can satisfy the unnecessary hardship requirement by establishing that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.</p>



0 Abutters List Report

Rochester, NH
August 23, 2017

Subject Property:

Parcel Number: 0113-0055-0000
CAMA Number: 0113-0055-0000
Property Address: 147 WAKEFIELD ST

Mailing Address: MACKOUL COREY & MACKOUL GARY
147 WAKEFIELD ST
ROCHESTER, NH 03867-1303

Abutters:

Parcel Number: 0113-0054-0000
CAMA Number: 0113-0054-0000
Property Address: 149 WAKEFIELD ST

Mailing Address: SARSON DAVID A
149 WAKEFIELD ST
ROCHESTER, NH 03867-1303

Parcel Number: 0113-0056-0000
CAMA Number: 0113-0056-0000
Property Address: 145 WAKEFIELD ST

Mailing Address: PATTERSON SCOTT & JENNIFER
145 WAKEFIELD ST APT 1
ROCHESTER, NH 03867-1318

Parcel Number: 0117-0002-0001
CAMA Number: 0117-0002-0001
Property Address: 73 ALLEN ST

Mailing Address: DESCO INDUSTRIES INC
1 COLGATE WAY
CANTON, MA 02021-1558



www.cai-tech.com

8/23/2017

Data shown on this report is provided for planning 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.

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