



City of Rochester, New Hampshire

Department of Building, Zoning and Licensing Services
31 Wakefield Street * Rochester, NH 03867
(603) 332-3508

Variance Application

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER



DO NOT WRITE IN THIS SPACE

CASE NO. 2-19-18

DATE FILED 6/18/19

Julia Libby
ZONING BOARD CLERK

Applicant: RONALD DUBOIS

E-mail: EPHESIANS525@ATLANTICbb.net Phone: 603 948 2409

Applicant Address: 1 ADELIA ST ROCHESTER NH

Property Owner: RONALD + CYNTHIA DUBOIS

Property Owner Address: 1 ADELIA ST, ROCHESTER NH

Variance Address: 1 ADELIA ST, ROCHESTER NH

Map Lot and Block No: 122-22-0

Description of Property: RESIDENTIAL SINGLE FAMILY

Proposed use or existing use affected: STORAGE SHED

The undersigned hereby requests a variance to the terms of Article 2.15 ^{Table} Section 19-A and asks that said terms be waived to permit a storage shed that encroaches on the 10' setback requirement.

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: Ronald Dubois

Date: 6/18/19

Variance Criteria

1) Granting the variance would not be contrary to the public interest because:

Property has an approximate 6 foot fence around the property in the back due to a pool. The location of the shed would not affect aesthetics or anyone's property or any view. The shed will be a store bought and look nice. Such as Home Depot, etc. Measurements would be taken and the shed placed where the sketch showed it.

3) Granting the variance would do substantial justice because:

The lot is very small I can't meet setbacks the shed would be on the cement walkway around the pool, reason for the shed is that all the pool stuff can be stored in a convenient location.

4.) If the variance were granted, the values of the surrounding properties would not be diminished because:

The shed would not block anyone's view. There is high brush in back of the fence and due to the pool security (6 ft high approximate) fence no impact would be created to the two adjoining abutters (Mrs. Hirsch + Mr. Larocque).

5.) Unnecessary Hardship:

a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in an unnecessary hardship because:

i. 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 because:

SEE PHOTOS ATTACHMENT 1 & 2 (SEE SKETCH)
DUE TO THE SMALL LOT AND 20 X 40 POOL IN THE BACK SURROUNDED BY AN APPROXIMATE 6 FT HIGH FENCE CAN'T MEET THE 10 FT SETBACKS TO PUT A SMALL SHED 8' X 10' IN THE BACK KIDIE CORNER. THE SHED WOULD SIT ON THE CEMENT PAD IF I TRIED TO MEET SETBACKS. THE BEST LOCATION IS IN THE CORNER OF THE PROPERTY APPROXIMATELY 2 FEET FROM THE FENCE. THE RIGHT SIDE PART OF THE FENCE IS ON THE PROPERTY LINE. THE REAR PART OF THE FENCE HAS APPROXIMATELY 2 FEET OF PROPERTY ON THE OTHER SIDE OF IT.
And:
ii. The proposed use is a reasonable one because:
THE LOT IS SMALL, THE POOL STOPS US FROM MEETING SETBACKS AND DUE TO THE FENCE AROUND THE PROPERTY, NO ONE CAN SEE THE SHED, VIEW WILL NOT BE AFFECTED. THE ABUTTERS (BACK AND RIGHT SIDE, KAREN HIRSCH AND JASON LAROCQUE DON'T HAVE A PROBLEM WITH IT N MEETING WITH THEM.

b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

A VARIANCE IS NECESSARY TO GET THE SHED AWAY FROM THE CEMENT PATIO AROUND THE POOL. WE ARE NEW OWNERS AND A SHED WOULD BE OF GREAT BENEFIT TO GET THE POOL EQUIPMENT AWAY FROM THE BACK OF THE HOUSE AND BASEMENT

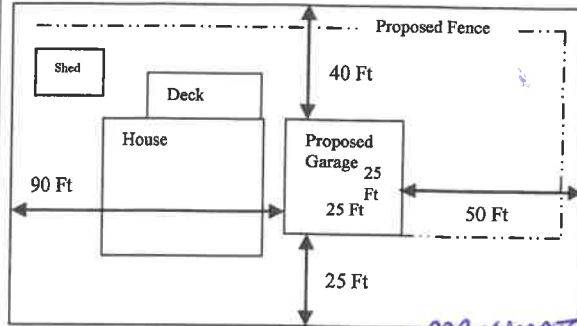
ATTACHMENT #1

Sketch Plan

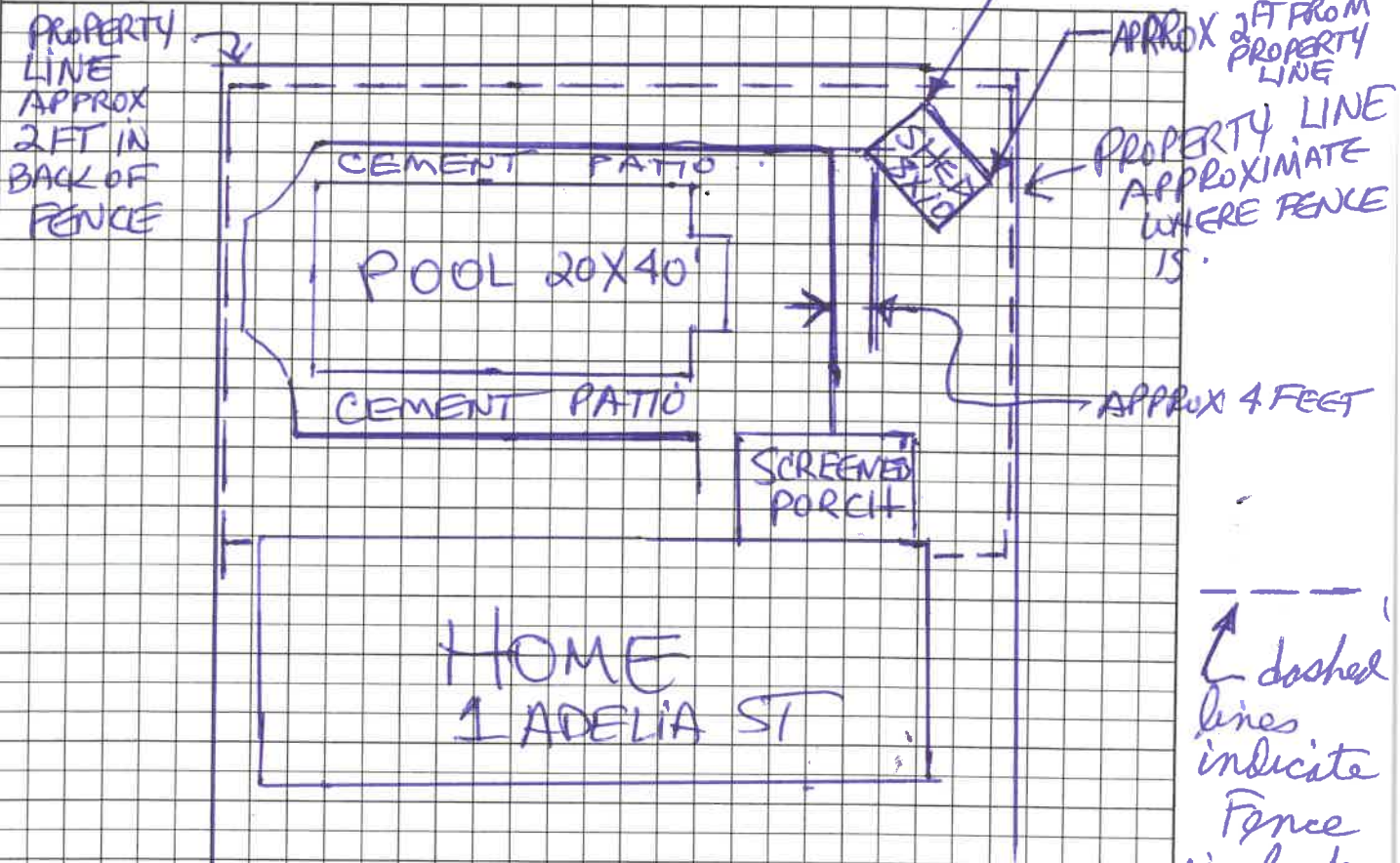
Instructions:

- 1) Show the Property lines and road(s).
- 2) Show the proposed Structure and all existing structures.
- 3) Show the Measurements from the proposed structure to all lot lines, measure straight through existing structures if needed.
- 4) Include the dimensions of the proposed structure.
- 5) If installing a fence — show the location.

Sample Plan:



SCALE 1" = 20 FEET



NOTE: This lot and all of Adelia St has not been surveyed and planning dept helped me to identify land boundaries (approximate)

Signature

Ronald Dubois

Date

6/18/19

dashed lines indicate Fence in back of property FOR POOL SECURITY AND SAFETY APPROX 6FT HIGH



ATTACHMENT #2

1 ADELIA ST
ROCHESTER NH

Rochester, NH

1 inch = 20 Feet



June 14, 2019

www.cai-tech.com



Data shown on this map 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 map.



ZONING

275 Attachment 6

City of Rochester

Table 19-A Dimensional Standards - Residential Districts
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

	Lots			Setbacks				Other			Standards, Notes and References		
	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Minimum Lot Area/ Dwelling Unit (square feet)	Minimum Front (feet)	Maximum Front (feet)	Minimum Side (feet)	Minimum Rear (feet)	Maximum Building Footprint	Maximum Lot Coverage	Maximum Number of Stories	Minimum Building Height (feet)	Maximum Building Height (feet)	A "—" means there is no dimensional standard for this item
Residential Districts													
Residential-1 (R1)													
Single-family	10,000	100	—	10	—	10	20	30%	35%			35	See Article 19, Dimensional Standards
All other uses	10,000	100	—	10		10	20	30%	35%			35	
Residential-2 (R2)													
Single-family	6,000	60	—	10		8	20	30%	35%			35	See Article 19, Dimensional Standards
Two-family	9,000	80	—	10		8	20	30%	45%			35	See Article 19, Dimensional Standards
Three- and four-family	12,000 and 15,000	80	—	15		10	25	30%	60%			35	See Article 19, Dimensional Standards
Five- or more family	30,000	100	5,000 or 7,500	15		10	25	30%	60%			35	See Article 19, Dimensional Standards
All other uses	9,000	80	—	10		8	20	30%	35%			35	
Neighborhood Mixed Use (NMU)													
All uses	6,000	60	— ²	—	25	5'	20		90%	3	20	20	See Article 19, Dimensional Standards
Agricultural (AG)													
Single-family, conventional subdivision, municipal water and sewer	20,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Single-family, conventional subdivision, municipal water or sewer	30,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Single-family, conventional subdivision, neither municipal water nor sewer	45,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Two-family	150% of single	150	—	20		10	20	30%	40%			—	See Article 19, Dimensional Standards
Single-family dwelling - conservation subdivision	6,000	60	—	20		10	20	30%	35%			35	See Article 33, Conservation Subdivisions
All other uses	45,000	150	5,000 or 7,500	20		10	20		40%			35	

NOTES:

Note 1: For lots that adjoin a residential district, the side setback on the side adjoining the residential district shall be the larger of the required side setback in the subject commercial zone or the adjoining residential zone.

Note 2: For lots without both water and sewer, 10,000 square feet of lot area is required per additional dwelling unit beyond one.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
1		ADELIA ST, ROCHESTER

OWNERSHIP

Owner 1:	DUBOIS RONALD & CYNTHIA
Owner 2:	
Owner 3:	
Street 1:	1 ADELIA ST
Street 2:	

Twn/City:	ROCHESTER
St/Prov:	NH
Postal:	03867-1802

PREVIOUS OWNER

Owner 1:	GRAVEL RAYMOND O & CORINNE A -
Owner 2:	
Street 1:	60 MIDDLE RD #3208
Twn/City:	DOVER
St/Prov:	NH
Postal:	03820-4146

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value
101	134,100	6,200	0.190	35,900	176,200
Total Card	134,100	6,200	0.190	35,900	176,200
Total Parcel	134,100	6,200	0.190	35,900	176,200
Source:	Market Adj Cost	Total Value per SQ unit /Card:	148.32	/Parcel:	148.32

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2017	101	FV	122,100	5100	.19	35,900	163,100	163,100	Year End Roll	9/19/2018
2018	101	FV	122,100	5100	.19	35,900	163,100	163,100	Year End Roll	9/7/2017
2016	101	FV	108,400	5100	.19	35,900	149,400	149,400	Year End Roll	9/8/2016
2015	101	FV	108,400	5100	.19	35,900	149,400	149,400	Year-end	10/1/2015
2014	101	FV	108,400	5100	.19	35,900	149,400	149,400	Year End Roll	9/29/2014
2013	101	FV	108,000	5100	.19	47,900	161,000	161,000	Year End Roll	9/4/2013
2012	101	FV	108,000	5100	.19	47,900	161,000	161,000	Year End Roll	9/20/2012
2011	101	FV	108,000	5100	.19	47,900	161,000	161,000	Year End Roll	9/27/2011

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
GRAVEL RAYMOND	4623-655	1	12/13/2018	205,933	No	4			SALES CONC
GRAVEL RAYMOND	694-7	1	9/16/1958		No	4			OldDeed Date

Legal Description

Entered Lot Size

Total Land: 0.19

Land Unit Type: AC

Parcel ID 0122-0022-0000

Pat Acct.

3725

Leona

3725

PROPERTY FACTORS

Item	Code	Desc	%	Item	Code	Desc
Z	R1	RESIDENC	100	U	2	CITY SEWER
o				t	1	CITY WATER
n				i	4	NONE
		Census:				Exmpt
		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	No of Units	Depth / Price/Units
101	SINGLE FAM		0.19	

NARRATIVE DESCRIPTION

This Parcel contains .19 AC of land mainly classified as SINGLE FAM with a(n) RANCH Building Built about 1959, Having Primarily VINYL Exterior and ASPH SHINGLE Roof Cover, with 1 Units, 1 Baths, 0 HalfBaths, 0 3/4 Baths, 7 Rooms Total, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Description/No	Amount	Com. Int

BUILDING PERMITS

Date	Number	Desc	Amount	C/O	Last Visit	Fed Code	F. Desc	Comment
4/1/1996	301	ADDITION	2,000 C					IGP
8/1/1995	839	POOL	18,000 C					

ACTIVITY INFORMATION

Date	Result	By	Name
6/24/2019	OWN ADD CHG	LA	LEONA
1/2/2019	SALES VERF.	NM	NANCY
12/28/2018	OWN ADD CHG	DM	DARCY
12/24/2018	CORRECTION	NM	NANCY
12/18/2018	VETERAN OUT	DM	DARCY
12/18/2018	EXMPT OUT	DM	DARCY
12/18/2018	DEED CHANGE	DM	DARCY
3/10/2016	EXMPT ADD	VK	VERNA
11/27/2012	VETERAN ADD	GN	GAYE

VERIFICATION OF VISIT

Sign:	VERIFICATION OF VISIT	NOT DATA
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n				i	4	NONE
		Census:				Exmpt
		Flood Haz:				
D	RO	ROCHESTER		Topo	1	LEVEL
s				Street	1	PAVED
t				Traffic	2	LIGHT

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2016	101	FV								



Abutters List Report

Rochester, NH
June 18, 2019

7 x \$4.00 = \$28.00

Subject Property:

Parcel Number: 0122-0022-0000
CAMA Number: 0122-0022-0000
Property Address: 1 ADELIA ST

Mailing Address: DUBOIS RONALD & CYNTHIA
90 LILY POND RD
SOMERSWORTH, NH 03878-2015

Abutters:

Parcel Number: 0121-0261-0000
CAMA Number: 0121-0261-0000
Property Address: 2 ROY ST

Mailing Address: TAYLOR MAXWELL J & GRAVEL
KIMBERLY A
2 ROY ST
ROCHESTER, NH 03867-1819

Parcel Number: 0122-0013-0000
CAMA Number: 0122-0013-0000
Property Address: 2 ADELIA ST

Mailing Address: CONNEELY TERRY W & CHRISTINA M
2 ADELIA ST
ROCHESTER, NH 03867

Parcel Number: 0122-0020-0000
CAMA Number: 0122-0020-0000
Property Address: 1 GERARD ST

Mailing Address: ROBERG JAMES G
1 GERARD ST
ROCHESTER, NH 03867-1805

Parcel Number: 0122-0021-0000
CAMA Number: 0122-0021-0000
Property Address: 3 ADELIA ST

Mailing Address: LABRECQUE GERARD N & LABRECQUE
DONALD R
11 WASHINGTON ST
ROCHESTER, NH 03867

Parcel Number: 0122-0023-0000
CAMA Number: 0122-0023-0000
Property Address: 4 ROY ST

Mailing Address: LAROCQUE JASON
4 ROY ST
ROCHESTER, NH 03867-1821

Parcel Number: 0122-0024-0000
CAMA Number: 0122-0024-0000
Property Address: 2 GLORIA ST

Mailing Address: HIRSCH KAREN
2 GLORIA ST
ROCHESTER, NH 03867-1806



www.cai-tech.com

6/18/2019

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.

Page 1 of 1

June 19th deadline
July 10th meeting

Variance Application Checklist

- ☒ Completed application form
- ☒ Completed "Criteria for a Variance" sheet, addressing the five items set forth by the New Hampshire Supreme Court governing the granting of Variances.
- ☐ A narrative touching on the five criteria and explaining what you are requesting a 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.
- ☒ A sketch 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)
- ☒ Photographs, if you have them.
- ☒ Abutters list. **This information must be obtained from the Zoning Clerk in the Building, Zoning, and Licensing Office. 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.** (See Zoning Clerk for current fee)
- ☒ **N/A** If there are wetlands on the parcel, refer to the City's Ordinance Chapter 42.12 © 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). Check is made payable to City of Rochester, including abutters' fees.
- ☒ One PDF form of your application packet is due as well as 10 paper copies.

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 postponement of the hearing in their application, and shall notify the Building, Zoning, and Licensing office in writing of their intent to postpone hearing at least two days prior to the meeting at which their application is to be considered. If the applicant requests a second 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 contact the Zoning Clerk, Julia Libby.

Phone: (603)332-3976

E-mail: julia.libby@rochesternh.net