

# City of Rochester, New Hampshire

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

DO NOT WRITE IN THIS SPACE

# **Special Exception Application**

TO: BOARD OF ADJUSTMENT CITY OF ROCHESTER  DEC 0 5 2017  By Julian  CASE NO. 2018-1.  DATE FILED 121512017
25 MIN BOARD CEETIN
Applicant: Johannak Garneau
E-mail: Johanna garneau @ garneau tax, com Phone: 603: 969-7478
Applicant Address: 537 Silver St Rollins Ford NH 03869
Property Owner: Johanna K. Garneau
Property Owner Address: 537 Silver St Rollins Ford NH 03869
Variance Address: 24-26 Church St Gonic NH 03839
Map Lot and Block No: Was 143 Lot 10
Description of Property (give length of lot lines): See Attach norway Plains Assoc Inc.
Proposed use or existing use affected: Tax preparation & Bookkeeping Business
The undersigned hereby requests a special exception as provided in Article $42$ , Section $8-4$ of the
Zoning Ordinance to allow a Home Occupation-3 in an R2 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: Johanna Samer Date: 12/5/17

### **42.22 Special Exception Sheet**

### (a) General Provisions

- (1) Certain uses, structures, or conditions are designed as Special Exceptions (E) in this ordinance. Upon application, the Board of Adjustment may, subject to the appropriate conditions and safeguards, grant a permit for these special exceptions and no others.
- (2) Special Exceptions, for which conformance to additional standards is required, may be permitted in their respective districts, subject to the satisfaction of the requirements and standards set forth in this section 42.22, in addition to all other requirements of this ordinance. All such uses are hereby declared to possess such special characteristics that each shall be considered as an individual case.
- (3) The Board of Adjustment may require that a site plan for development for a proposed special exception be submitted showing the location of all buildings, parking areas, traffic access, open spaces, landscaping, and any other pertinent information that may be necessary to determine if the proposed special exception is in harmony with the intent of this ordinance.
- (b) <u>Considerations Governing Granting Special Exceptions</u>: In acting upon an application for a special exception, the Board of Adjustment shall take into consideration whether:

(1) The specific site is an appropriate location for the proposed use or structure .Yes No Reasoning:	
(2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood. Yes Reasoning:	
(3) There will be undue nuisance or serious hazard to pedestrian or vehicular traffic, including the and design of access ways and off street parking. Yes No Reasoning:	e location
(4) Adequate and appropriate facilities and utilities will be provided to ensure the proper operati proposed use or structure. Yes  No Reasoning:	
(5) The proposed use or structure is consistent with the spirit of the ordinance and the intent of to Master Plan. Yes   No  Reasoning:	he

Please check section 42.22 of the Zoning Ordinance for any additional specific conditions that apply to your Special Exception request.

# **42.22 Special Exception Sheet**

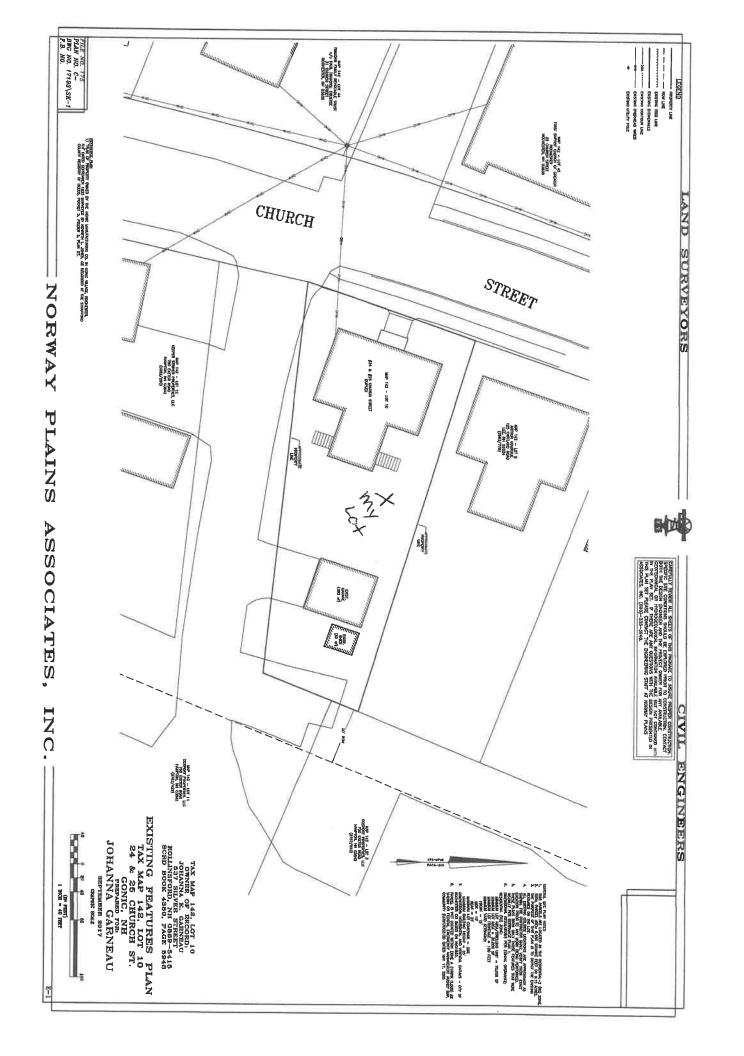
## Answer to question:

- (1) (Yes) I run a tax preparation and a bookkeeping office. I been in business for 35 years. I am going to tare down the existing garage and put up a new garage up. It will be 30 feet by 20 feet structure. (Attach are the plans.)
- (2) (No) It's is off the main road of Church Street. It's on the side road that leads to the Mill in which is all commercial property. If my property was located 5 more feet it would have been zone commercial. I am only busy from February 1<sup>st</sup> thru April 15<sup>th</sup> and it's by appointment only. The rest of the time it's very minimal client's coming. I am the one who works a lone most of the time. I do not have walk-ins. I am very professional and feel that I would bring good business to the area.
- (3) (No) I plan on having 6 parking spaces and there are 3 more share parking spaces along side the property. Also there are public parking on Church Street (see attach plans.) I have only one employee that works all year. She does 40 hours a week for 10 weeks and 20 hours a week for 42 weeks. I have only one secretary doing tax season for 10 weeks, but she is also my tenant. I feel I will not be a nuisance to any other properties. There is only one property that is across the street in which it is a rental property too.
- (4) (Yes) I will have all new and up to code facilities and have a bathroom in the new structure. I am tarring down the old garage and putting up a brand new one. In which I will need all permits for that.
- (5) (Yes) (See attach plans) I plan on moving into 24 Church street if I get approval.

Page 1 of 1



Back 30A			
Lestide Jost	Stretary	2nd office	20ft
Creek Lear	door	Balln Rocin	- 2 more Parking Spaces inside
dost	154	Frice Closex	Garage
30A Front Parking Space	Parking Space	Parking Space	Another Parking Space





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

DECIDENTIAL LICES		<b>Residential Districts</b>	d Districts		Comm	<b>Commercial Districts</b>	ricts	Industrial Districts	Districts	Special	<u>8</u>	Criteria/Conditions
	R1	R2	AG	NMU	DC	ဂ	푽	<u>0</u>	꼰	SH	AS	Section Reference
Apartment, Accessory (accessory use)	т	ס	ס	ס	ס	ס	ס					Section 42.21 & 42.23
Apartment, Inlaw	ס	סי	ס	ס	ס	ט	ס		٠			
Apartment, Security		ס	1	P	ס	ס	ס	ס	ס	ס	٦	Sections 42.2 & 42.23
Assisted Living Facility	-	C	C	C	ဂ	ი	ဂ	•	•	ဂ		Section 42.21
Boarding House			-	1	т	,		1	١			
Community Residence - I	1	ш	ш	1	m	т	т	1	П	ш		Section 42.22
Community Residence - II			ш		'	т	ı	1	ш	т	٠	Section 42.22
Conservation Subdivision	C	C	C		1	С	c	1	ı	٠		Sections 42.21 & 42.33
Dwelling, Apartments (Apt/ Mixed Use Bldg)	-	,	1	ס	ס	С	P	ı		٠		Section 42.21
Dwelling, Multifamily Development	-	Р	-		C	•	ס	-				Sections 42.20 & 42.22
Dwelling, Multifamily		ס	1	1	ဂ	1	ס	1	1	٠		
Dwelling, Single Family	P	ס	ס	D	ט	ס	ס	1	1	ס		
Dwelling, Three & Four Family	-	Р	-	С	С	С	ס	1	1	٠		Sections 42.21 & 42.33
Dwelling, Two Family	-	P	ס	P	ס	ט	ס	•	٠	٠		Sections 42.21 & 42.33
Flag Lots	-	С	С		'	-	ı	1	ı	ဂ		Section 42.21
Home Occupation - 1 (accessory use)	ס	P	Р	ס	ס	ס	ס	1	-	P		Section 42.24
Home Occupation - 2 (accessory use)	ס	Р	Р	ס	ס	ס	ס	1	1	ס		Sections 42.22 & 42.24
Home Occupation - 3 (accessory use)	a	m	Е	P	ס	٦	ס	-	1	m		Sections 42.22 & 42.24
Manufactured Housing Unit on own lot	1		Ъ		,	-		-	-	1		Sections 42.20 & 42.21
Nursing Home	1	,	C	•	,	C		-	-	Р		Sections 42.20 & 42.21
Outdoor Wood-Fired Hydronic Boiler	1		ס			-		-	-	1		Section 42.20
Porkchop Subdivision	-		С		•	-	٠	1	-	1		Section 42.21
Residential Facility			Е	-	1	ш		1	п	ш		Section 42.22
Senior Housing	,	ס	C	С	С	С	•	1	-	1		Section 42.21
Temporary Structure	ס	ס	סר	ס	ס	ס	ס	סי	Р	Р	ס	Section 42.20
Zero Lot Line Development	ဂ	ဂ	O		,	റ	റ	1				Section 42.33

34,900			34,900						5.817 2004	0 40,000.	1.0	굔	PRIMARY A SITE		_	102 TWO FAMILY
Use Value Notes	J Code Fact Use \	Alt % Spec Class Land	% Appraised Value	% Infl 3	Infl 2	Infl 1 %	Neigh Mod	igh Neigh Influ	Adj Neigh	Unit Price	LT Base Factor Value	Land Type F	Unit Type 1	nits PriceUnits	No of Units	Code Description Fact
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NANCY	Z C	8/18/2006 INTER ONLY	8/1										LEVEL	Topo 1		GO GONIC
GAYE	2	9/29/2006 EXMPT OUT	9/3													Flood Haz:
FONA		4/21/2015 VETERAN ADD	4/5									!		Exmpt		Census:
VERNA	V.	5/25/2016 DEED CHANGE	5/3										NONE	- 4		
MAINC	MIN	7/11/2016 SALES VERE	7/1										CITY WATER	<b>t</b>		
NANCY	NA	10/2016 EXT ONLY	11										CITY SEWER	U 2	NC 100	R2 RESIDENC
NANCY	ZZ	12/8/2016 INTER ONLY	12										Descrip	ltem Code	cip %	Item Code Descip
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LandReason:				o No	No			3/27/1985	ω	1166-85	CHARLES	TESSIER CHARLES	ms Total, and	4 Baths, 14 Roo	Baths, 3 3/	2 Units, 0 Baths, 0 HalfBaths, 3 3/4 Baths, 14 Rooms Total, and
Keval Dist.				8	2,667 No		DNU Trust		1 4/	2972-28	DONAT,	JACQUES DONAT,	of Cover, with	H SHINGLE Ro	or and ASP	Primarily VINYL Exterior and ASPH SHINGLE Roof Cover, with
Fact Dist:	les	en Nim	II ASSOCIFUL Value	V ISL VEII	170 000 No		Val I nd&Rida	5/12/2016 V	1 ype	4380-990	DONAT H	JACOLIES	fled as TWO	or land mainly classified as TWO	AC of la	Inis Parcel contains .15 AC
ASK Map:	5948	ACCI.	A	V Tot Vor	н	-	Sale Cod		Tuno	I anal Baf	Grantor	SALES				NARRATIVE DESCRIPTION
Phor id # 3:	nancym	0.00000				7	DICTOICT	TAY				CALED				Postal: 03839-5200
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Prior Id # 3:	AST REV	_	143,800 Year End Roll	143,800 Ye	143,800			.15	7200	88,600					TS	Street 1: 26 CHURCH ST
Prior ld # 2:	12/11/1/ 15:28:30	T	125,600 Year End Roll	125,600 Ye	125,600		34,900	.15	7200	83,500				DONATH -	ACQUES [	Owner 2: TRUST % JACQUES DONAT H -
Prior ld # 1:		Οī	ar-end	125,600 Year-end	125,600			.15	7200	83,500	)2 FV	2015 102		REVOCABLE -	ONAT H F	Owner 1: JACQUES DONAT H REVOCABLE
Prior Id #3:		8	125,600 Year End Roll	125,600 Ye	125,600			.15	7200	83,500					الم	PREVIOUS OWNER
Prior Id # 2:	1		177,400 Year End Roll	177.400 Y	T		٠.		7500	135,000			æ.	Type:		Postal: 03869-5415
Prior ld # 1:		Date	Notes	Asses'd Value		ie Total Value	Land Value	Land Size	Yrd Items	Bidg Value	Use Cat	Tax Yr L	Own Occ: N		Cntry	St/Prov: NH
USER DEFINED			2-0010-0000	Parcal ID 0142-0010-0000	Par					ASSESSMENT	S ASSES	PREVIOUS			B	Twn/City: ROLLINSFORD
A Properties Inc.	- Para	be: AC	Land Unit Type: AC	/Parcel: 65.10	/Parc	d: 65.10	otal Value per SQ unit /Card: 65.10	/alue per S	lotal	ad Cost	Source: Market Adj Cost	200				Street 2:
DOLLING	Inen Date	nd: 0.15	Total Land: 0.15	1//,400		34,900	0.150		000,7	000,000		I Otal Parcel			TS	Street 1: 537 SILVER ST
7		Entered Lot Size	Entere	177,400	, ,	34,900	0.150		7,500	135,000		Total Card				Owner 3:
	GIS Ref								7770	107 000		Table				Owner 2:
>	GIS Ref													Unit#:	JOHANNA	OWNERSHIP Owner 1: GARNEAU JOHANNA K
	33027	Ecanipuo.		177,400		34,900	50		7,500	8		102	<del>'</del> #	CHURCH ST, ROCHESTER	CHURCH	24 26
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400	SSED: 177 400	TOTAL ASSESSED:		FAMILY	MULTI FAMILY	of 1	_					5	0000	0010		0142

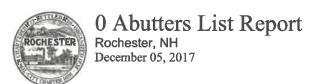
Total: 34,900 Spl Credit

Total AC/HA: 0.15000 Total SF/SM: 6534.00 Parcel LUC: 102 TWO FAMILY Prime NB Desc 2 TO 4 UNITS

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

# 24-26 Church Street





### **Subject Property:**

0142-0010-0000 Parcel Number:

CAMA Number: 0142-0010-0000

Property Address: 24 CHURCH ST

Mailing Address: GARNEAU JOHANNA K

537 SILVER ST

**ROLLINSFORD, NH 03869-5415** 

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0142-0003-0000 Parcel Number: CAMA Number:

Property Address: 10 MAIN ST

Parcel Number: 0142-0009-0000 CAMA Number: 0142-0009-0000

Property Address: 20 CHURCH ST

Parcel Number: 0142-0010-0000 CAMA Number:

Property Address: 24 CHURCH ST

0142-0010-0000

Parcel Number: 0142-0011-0000

CAMA Number: 0142-0011-0000 Property Address: 28 CHURCH ST

Parcel Number: 0142-0044-0000 CAMA Number: 0142-0044-0000

Property Address: 31 CHURCH ST

Parcel Number: 0142-0045-0000 CAMA Number: Property Address: 25 CHURCH ST

12/5/2017

0142-0045-0000

0142-0003-0000

Mailing Address: GOSPORT PROPERTIES LLC

750 EXETER RD HAMPTON, NH 03842

Mailing Address: GOURGUE ARTHUR

125 CARTLAND RD LEE, NH 03824

Mailing Address: GARNEAU JOHANNA K

537 SILVER ST

**ROLLINSFORD, NH 03869-5415** 

Mailing Address: GOSPORT PROPERTIES LLC

750 EXETER RD HAMPTON, NH 03842

Mailing Address: TIMMONS FAMILY IRREVOCABLE

TRUST %PAUL TIMMONS TRUSTEE

31 CHURCH ST

**ROCHESTER, NH 03839-5243** 

Mailing Address: FIRST BAPTIST CHURCH OF GREATER

ROCHESTER 25 CHURCH ST

**ROCHESTER, NH 03839-5243** 



### **Special Exception Application Checklist**

	It must be determined that	your proposed use is not i	permitted without a special exception.
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- Complete the application form.
- Complete the 42.22 Special Exceptions sheet, addressing the five questions. If the special exception is for a garage, you must also complete the Garage Setbacks sheet.
- ☐ A narrative touching the five criteria and explaining what you are requesting a special exception for.
- 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 be 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. A certified plot plan of your property is required by the Zoning Board. If you do not have a certified plot plan you may request a waiver (see zoning clerk)
  - o If for a garage, all appropriate information on proposed garage
- ☐ Photographs, if you have them.
- Abutter's 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. (See Zoning Clerk for current fee)
- Application fee of \$175.00. Check made payable to City of Rochester, including abutters' fees.
- One PDF form of your application packet is due as well as paper 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