

City of Rochester, New Hampshire

Department of Building, Zoning and Licensing Services

31 Wakefield Street * Rochester, NH 03867

(603) 332-3508 * Fax (603) 509-1512



APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No. (603) 285-5157

Name of applicant Suncrest Realty, LLC

Address PO Box 1224, Dover, NH 03821

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

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

Location 147-1491 North Main Street

Map No. 121 Lot No. 341 Zone NMU

Description of property 6 Unit office building

Proposed use or existing use affected 6 Unit Apartment Building

DO NOT WRITE IN THIS SPACE

CASE NO. 2018-02

DATE FILED 12/08/17

Julia
ZONING BOARD CLERK

The undersigned hereby requests a variance to the terms of Article 42.19,
Section 38 and asked that said terms be waived to permit the location be converted to

a six unit apartment building, with a lot area / dwelling of 1960^{sq} where 5,000^{sq}
is required

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 David Chen
(Applicant)

EMAIL: SuncrestRealtyNH@gmail.com

Variance Criteria

Case #: _____ Date: 12/7/2017

A Variance is requested by Suncrest Realty, LLC

from Section 42.19 Subsection B 8

of the Zoning Ordinance to permit: The conversion of the existing building from 6 offices into 6 apartments with a lot area /dwelling unit of 1960 square feet where 5,000 square feet is required.

At 147-149 North Main Street Map 121 Lot 341 zone NMU

Criteria supporting this request:

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

The area where the building is located is mixed use. Abutting the building to the north is Rochester Tire and Automotive repair facility, a 6 unit apartment building is located to the south, and multi-unit apartment buildings are located across the street. The Cocheco Riever is to the east. This use is consistent with the use of most of the buildings in the surrounding lots. Further, it has been almost vacant for the last 5 years, and has been deteriorating due to the vacancy. No changes to the exterior are planned.

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

The change in use would generate less traffic and congestion than its current use if it could be fully rented. The 4 additional apartments above the two that are permitted under the ordinance would be a minimal amount of additional apartments in the area. The apartments would be built to current building codes, including sprinklers, and provide additional moderately priced housing for Rochester. Granting the variance would not alter the characteristics of the neighborhood or threaten public health, safety or welfare.

3) Denial of the variance would result in unnecessary hardship to the owner because of the following special conditions of the property that distinguish it from other properties in the area:

The uses of the building are limited. The building is close to North Main Street, with no on-street parking directly in front of it. If the building was used as offices or commercially, customers would have to park behind the building and walk up hill to access the front doors, which has not be acceptable to prior tenants. Other than housing, there is no known use for the building. The proposed use as apartments is reasonable because almost all of the other buildings in the immediate area are apartment buildings, and there is sufficient parking for apartments behind the building.

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

It would provide an additional 6 moderately priced housing units to the downtown area of Rochester. Instead of a vacant building, the structure would be occupied. The hardship upon the owner were the variance to be denied, would not be outweighed by a benefit to the general public. The general public will be benefited by granting the variance.

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

The building already exists and no additional structures will be built. Hence, the density of buildings in the area will not be affected. Apartments are permitted in the zone and the additional 4 units will have no discernable impact on the population density in the area nor will the characteristics of the neighborhood be altered. The structure was originally a residential structure.



PLANNING & DEVELOPMENT DEPARTMENT
City Hall Annex
33 Wakefield Street,
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 330-0023
Web Site: www.rochesternh.net

Planning Board
Conservation Commission
Historic District Commission
Arts and Culture Commission

November 6, 2017

Daniel Cline
PO Box 1224
Dover, NH 03821

RE: 147-149 North Main Street
Map 121 Lot 341, Neighborhood Mixed Use Zone and Special Downtown Overlay District, also
inside Density Ring

Dear Mr. Cline,

We have reviewed your project narrative received on October 27, 2017 to convert the building to mixed use with an office and six residential units located at the above address.

Unfortunately this cannot be approved because the property cannot support this density. This property is 0.27 acres, or 11,761.2 sq ft. Per the City of Rochester Zoning Ordinance the maximum density for this property is 1 unit for each 5,000 sq ft of land area; accordingly, the property would be permitted by right to have a maximum of 2 units.

You are welcome to review the Zoning Variance criteria and consider applying for a zoning variance for the additional units. The Zoning applications are available from the Building, Zoning, and Licensing Services Dept and on the City of Rochester webpage. If the variance was granted, you would then apply for a Special Downtown application (see attached).

We highly encourage you to speak with Fire Marshal Tim Wilder at the Rochester Fire Department to generally learn what types of Life Safety / Fire codes may apply to this change of use too. He can be reached at 603- 330-7184.

Please feel free to contact us if you have any questions.

Sincerely,

Seth Creighton,
Chief Planner

Cc: Viewpermit
File

RE: 147-149 NORTH MAIN STREETAPPLICANT'S NARRATIVE**I. THE PROPERTY.**

147-149 North Main Street is owned by the Applicant, Suncrest Realty, LLC. Presently, the entire structure is vacant. Prior to it being acquired by Suncrest Realty, LLC in March, 2017, the building contained 6 office suites. The first floor consisted of 2, 3-room offices with a half bath and kitchenette, the second floor consisted of 4 offices, 2 2-room offices and 2 1-room suites.

The structure is located in a neighborhood Mixed Use Zone. The structure was constructed in approximately 1905 and was originally a multi-unit residential structure. There is a parking area in the rear of the structure which will accommodate 12 parking spaces and which parking area is connected to the adjacent property at 145 North Main Street which is also owned by Suncrest Realty, LLC and which contains 6 residential units.

The surrounding properties are primarily multi-family residential structures with the exception of the Rochester Tire business which abuts 147-149 North Main Street and the convenient store several lots to the south.

II. THE PROPOSAL

The Applicants propose to convert the 6 office suites into 6 residential apartments. There will be no external changes to the existing structure but a total renovation and reconfiguration of the inside of the structure.

The neighborhood Mixed Use Zone however, requires a lot size per dwelling unit of 5,000 square feet. The lot at 147-149 North Main Street is 11,761 square feet and thus, a variance is required to allow a lot area per dwelling unit of 1,960 square feet where 5,000 is required.

Included in the submission packet, is a chart showing 17 properties along North Main Street, Pine Street, and Maple Street. The chart lists the lot number as shown on the Tax Map, the lot size in square feet; the number of units per the Assessor's card; and, the square footage of lot area per dwelling unit. Of the 17 lots, only 5 have the requisite 5,000 square feet of lot area per dwelling unit.

III. ARGUMENT

The Applicant believes that the five (5) criteria necessary for the board to grant the requested variance are met by this Application.

Granting the requested variances would not be contrary to the spirit and intent of the ordinance nor would it be contrary to the public interest. As Board members are no doubt aware, the test for whether or not granting a variance would be contrary to the public interest or contrary to the spirit and intent of the ordinance is the same. If granting the variance will not substantially alter the characteristics of the neighborhood or if granting the variance will not threaten public health, safety, and welfare, then the variance should be granted. The Applicant would submit that there would be no change to the exterior of the building, which was a residential structure and thus granting the requested variance would not in any way alter the characteristics of the neighborhood. The overriding characteristic of the neighborhood is the existence of multi-family dwellings up and down North Main Street, as well as the side streets, such as Maple Street, Pine Street, Jackson Street, and Cove Court. The test for whether or not granting a variance would be contrary to the spirit and intent of the ordinance or contrary to the public interest was set forth by the New Hampshire Supreme Court in the case of Malachy Glen v. Town of Chichester, 155 NH 102 (2007).

The third criteria to be considered by the Board is whether or not the proposed use would diminish surrounding property values. As previously stated, the surrounding uses are predominantly multi-family residential with the exception of the Rochester Tire and Automotive facility to the north and a small convenience store to the south. The structure has been in poor repair and vacant for the last 5 years. During that time, the property had become distressed and it is the intent of the new owners to make no exterior changes to the building other than cosmetic improvements, but to completely renovate the interior into 6 code compliant residential units. These would be moderately priced rental units. No diminution in value of surrounding property values would result, but rather an increase in values would occur.

The fourth criteria would be whether or not granting the variance would do substantial justice. The test for whether or not substantial justice would be done requires the Board to perform a balancing test whereby the hardship upon the owner if the Application were to be denied is balanced against benefit to the general public in denying the variance. In this case, there would be no benefit to the general public in denying the variance, but rather if the variance were to be granted, the general public would be benefited because it would make available moderately priced housing in the downtown area. Were the variance to be denied, the hardship upon the owner would be substantial as the structure has not been occupied for a long period of time due to the prior owners inability to obtain tenants for the existing offices.

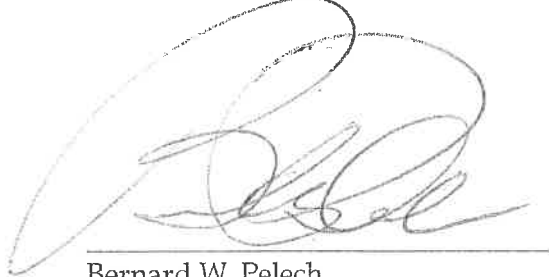
The fifth and final criteria is the hardship criteria. It is the Applicant's position that denial of a variance would result in an unnecessary hardship. There are special conditions with regard to this property. There is no on-street parking at or near 147-149 North Main Street. The structure does, however, have large parking lot to the rear, however, it is at a considerably lower grade and there is no rear entrance to the building from the parking lot. Thus, clients of the office uses would have to walk up the hill to the front of the building to access. Furthermore, this was a difficult situation if, in fact, clients of the office uses were handicapped. It is quite clear that residential units are the best use for the building. Multi-family dwellings are the predominant surrounding use. The requirement of 5,000 square feet of lot area per dwelling unit is not consistent with the area of North Main Street in which 147-149 is located. One need only to look at the Tax Map to see that most of the lots in the area are between 1/10th

and 2/10th of an acre. This equates to 4,000 to 8,000 square feet. As can be seen from the chart submitted with the Application, very few of the multi-family dwelling units in the area comply with the requirement of 5,000 square feet of lot area per dwelling unit. The proposed use is a reasonable use, one that existed in the structure previously and one that is consistent with the surrounding neighborhoods and one that is allowed by the zoning ordinance but for the lot area per dwelling unit.

IV. CONCLUSION

In conclusion, it is the Applicant's position that this Application meets the five criteria necessary for the Board to grant the variances are met by the within Application. As such, it is respectfully requested that the Board grant the variance as presented and advertised.

Respectfully submitted,

A large, stylized handwritten signature in dark ink, appearing to read 'Bernard W. Pelech', written over a horizontal line.

Bernard W. Pelech

Date: December 7, 2017

Attorney for SUGGEST REALTY, LLC

LOT AREA PER DWELLING UNIT
NEAR 147-149 NORTH MAIN STREET

<u>LOT</u>	<u>SIZE</u>	<u># UNITS</u>	<u>SQ. FT./DWELLING UNIT</u>
201	6,098	6	1,016 square feet
202	6,098	3	2,032 square feet
203	13,503	2	6,751 square feet
342	9,147	6	1,524 square feet
343	8,712	4	2,178 square feet
339	10,890	2	5,445 square feet
338	9,583	3	3,194 square feet
336	16,117	2	8,058 square feet
166	7,840	1	7,840 square feet
165	4,356	4	1,089 square feet
164	5,227	3	1,742 square feet
163	4,356	8	544.5 square feet
196	3,484	1	3,484 square feet
197	3,484	1	3,484 square feet
198	3,049	1	3,049 square feet
199	3,049	3	1,016 square feet
200	5,227	2	2,613 square feet

[illegible]

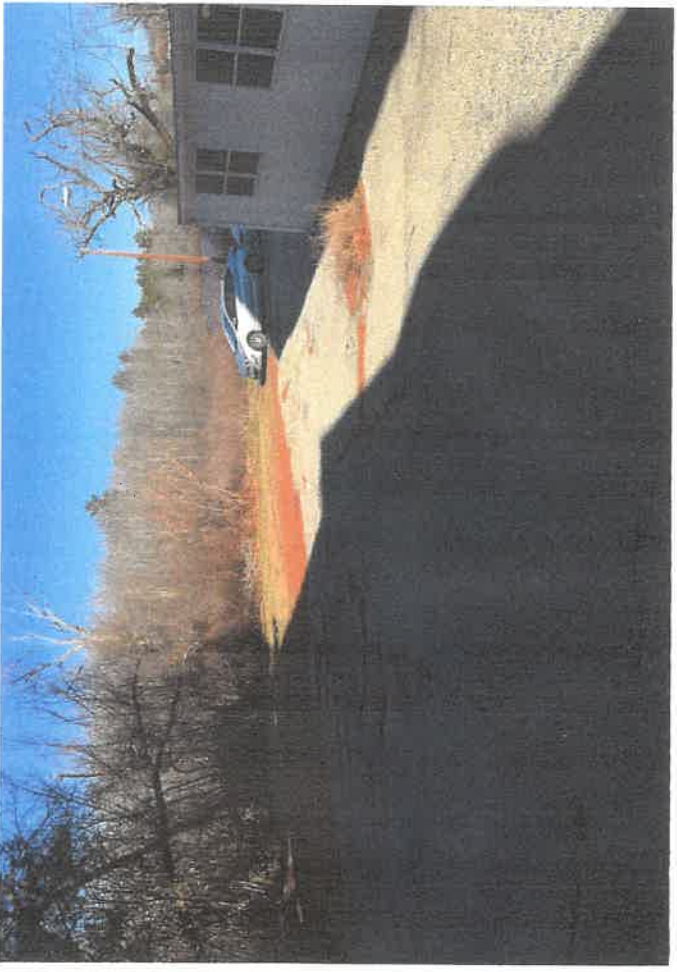
201 541

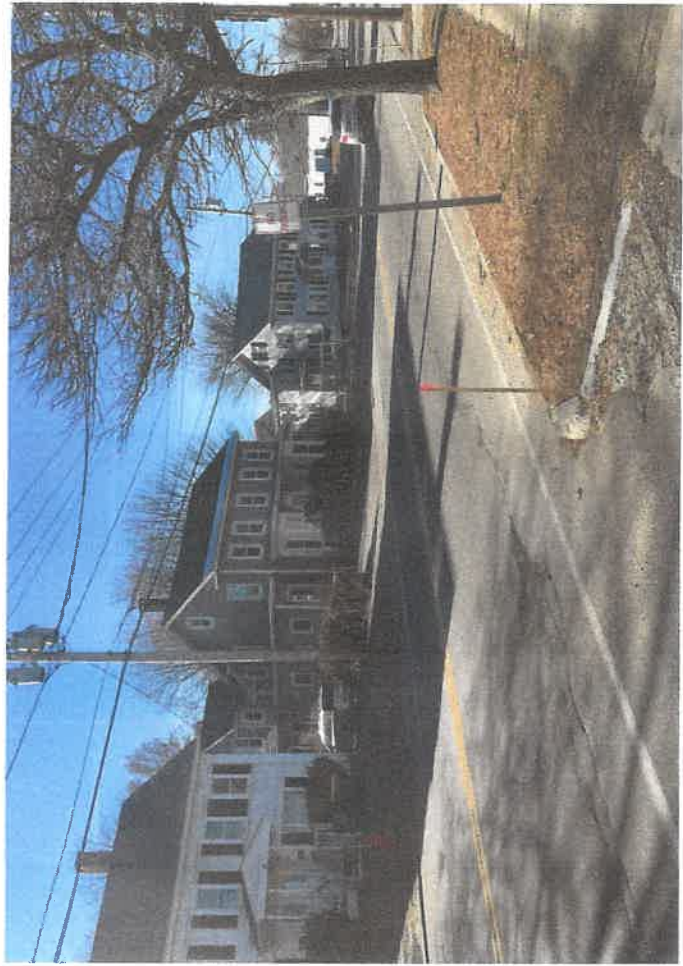
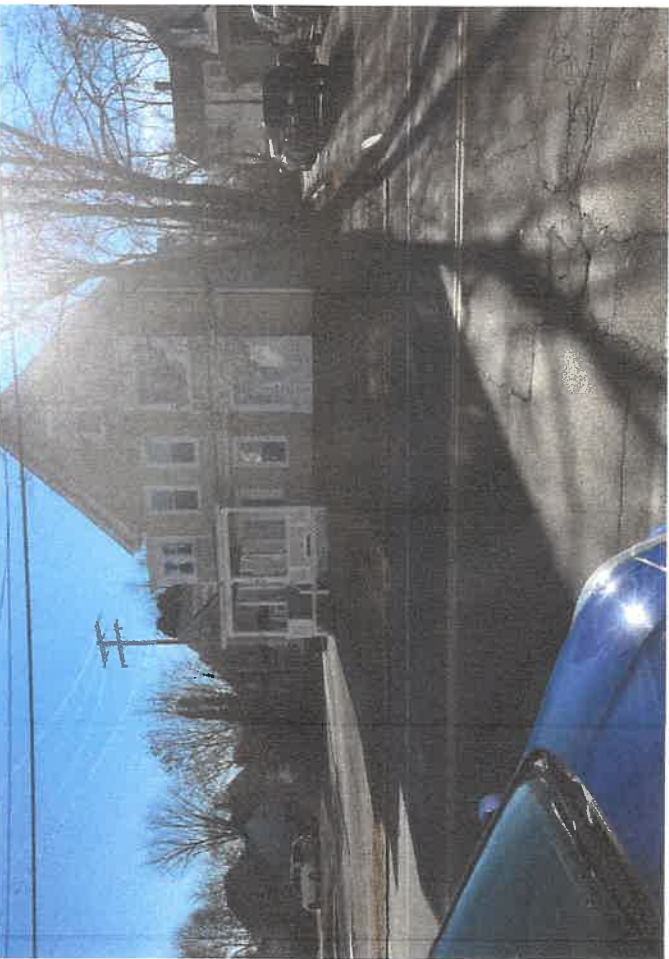
27A

EXISTING CONDITIONS
SEE PLAN

North Main St.

SCALE 1" = 30'







ISAK DESIGN, PLLC
ARCHITECTURE &
INTERIOR DESIGN
1000 20th Street, NE
Atlanta, GA 30303
www.isakdesign.com

ARCHITECT:
ISAK DESIGN, PLLC
1000 20th Street, NE
Atlanta, GA 30303
Phone: 404.525.7711
Fax: 404.525.7712
www.isakdesign.com

BUILDER:
T.M. INC.
1000 20th Street, NE
Atlanta, GA 30303
Phone: 404.525.7711
Fax: 404.525.7712
www.isakdesign.com

No.	Description	Date
1	Initial Design	08/12/2017
2	Final Design	08/12/2017
3	Construction Documents	08/12/2017
4	As-Built	08/12/2017

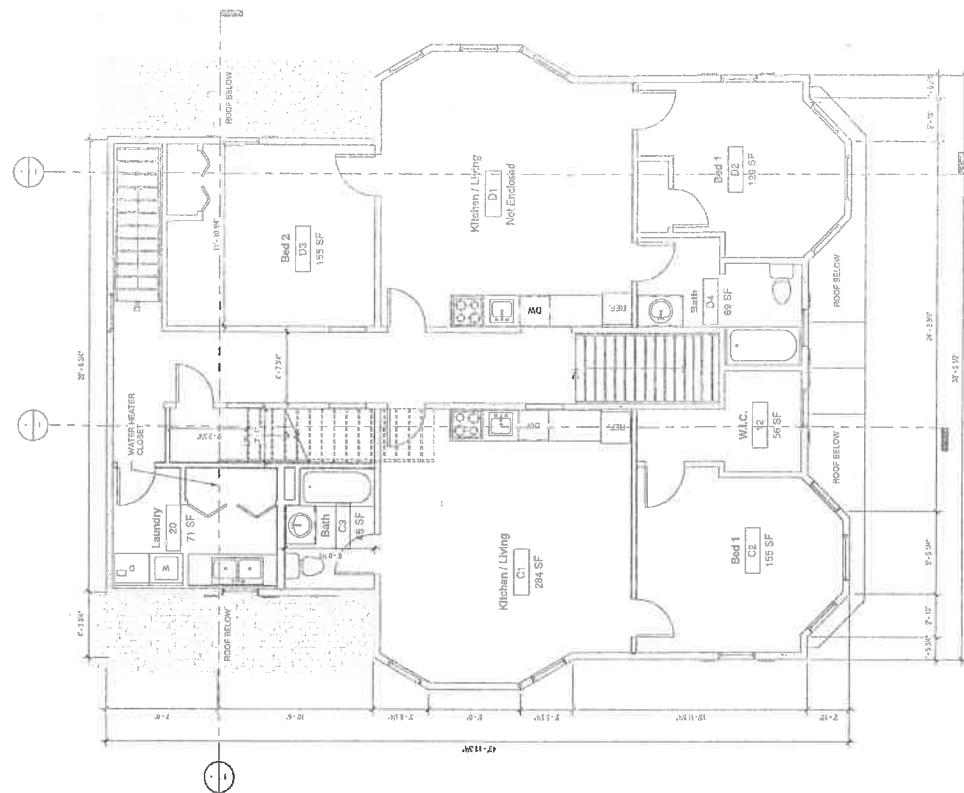
RENOVATION
148 N. MAIN STREET

FLOOR PLANS

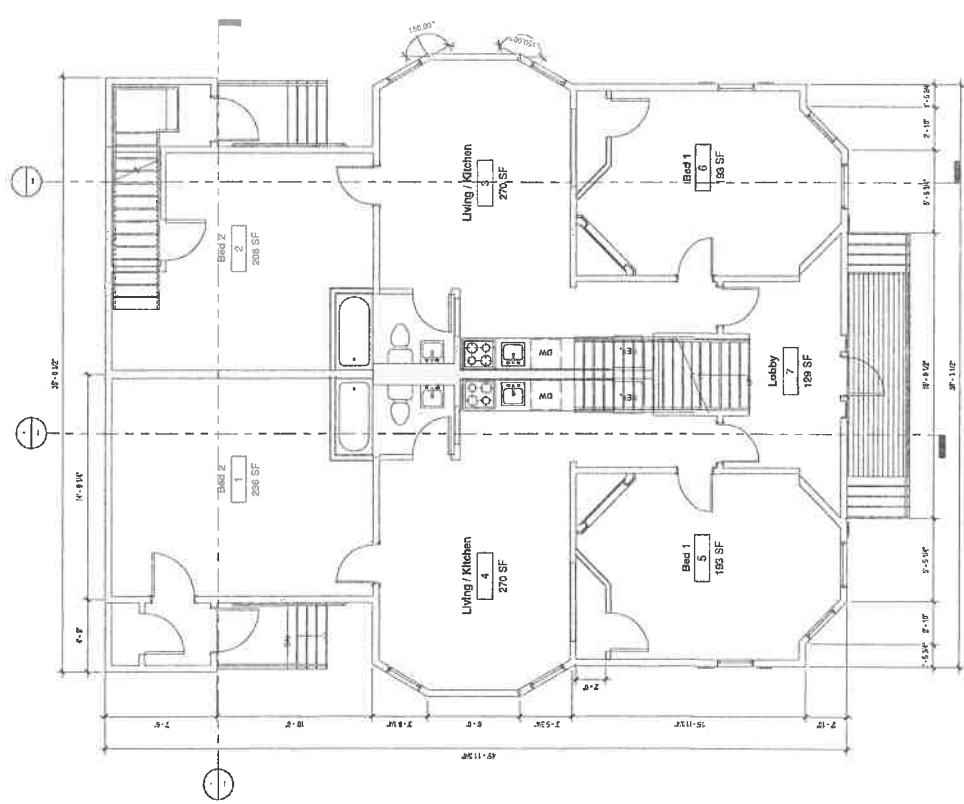
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Date: 08/12/2017
Author: [Name]
Checker: [Name]

A1.01

Scale: 1/4" = 1'-0"



2 PROPOSED FLOOR PLAN - LEVEL 2
SCALE: 1/4" = 1'-0"



1 PROPOSED FLOOR PLAN - LEVEL 1
SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION
PERMIT SET ONLY



ISAM DESIGN, PLLC
ARCHITECTURE &
URBAN DESIGN
(603) 869-4711
NOC@isamdesign.com
www.isamdesign.com

ARCHITECT:
Isam Design, PLLC
35 Oak Street, Suite 202
Durham, NH 03824
Phone: (603) 869-4711
Fax: (603) 869-4712
www.isamdesign.com

BUILDER:
T.M. McNamee Construction
45 Sullivan Farm Road
Durham, NH 03824
Phone: (603) 333-8888
www.tmmcconstruction.com

No.	Description	Rev.
1	Foundation	1.0
2	Foundation	1.0
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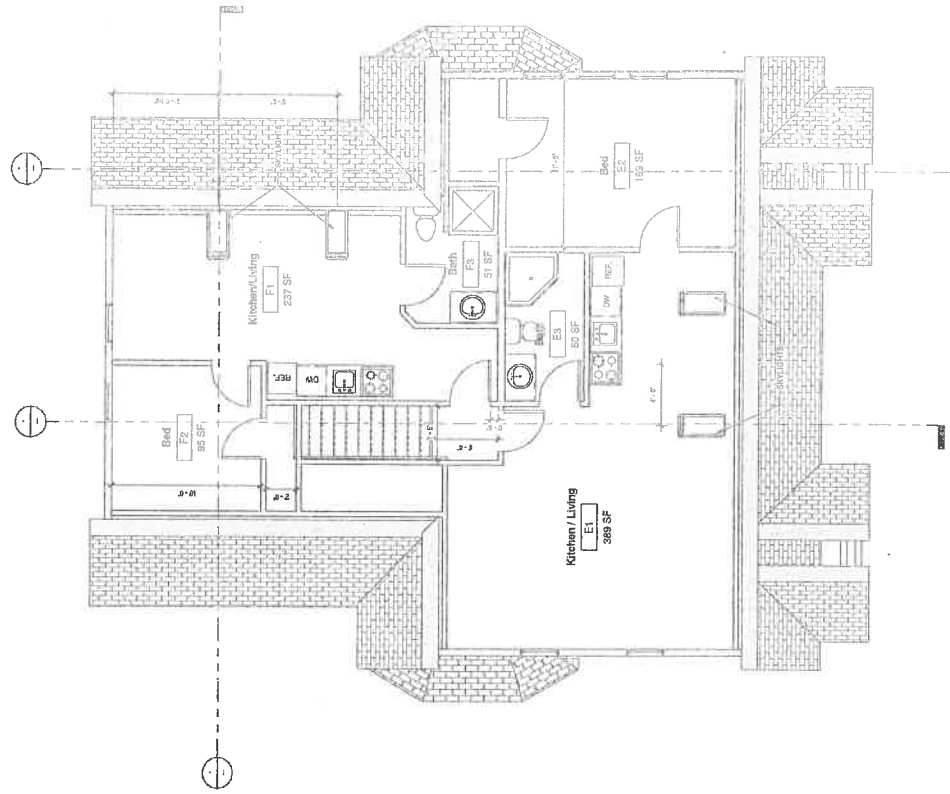
RENOVATION
148 N. MAIN STREET

FLOOR PLANS

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Date: 09.12.2017
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Author: [blank]
Checked by: [blank]

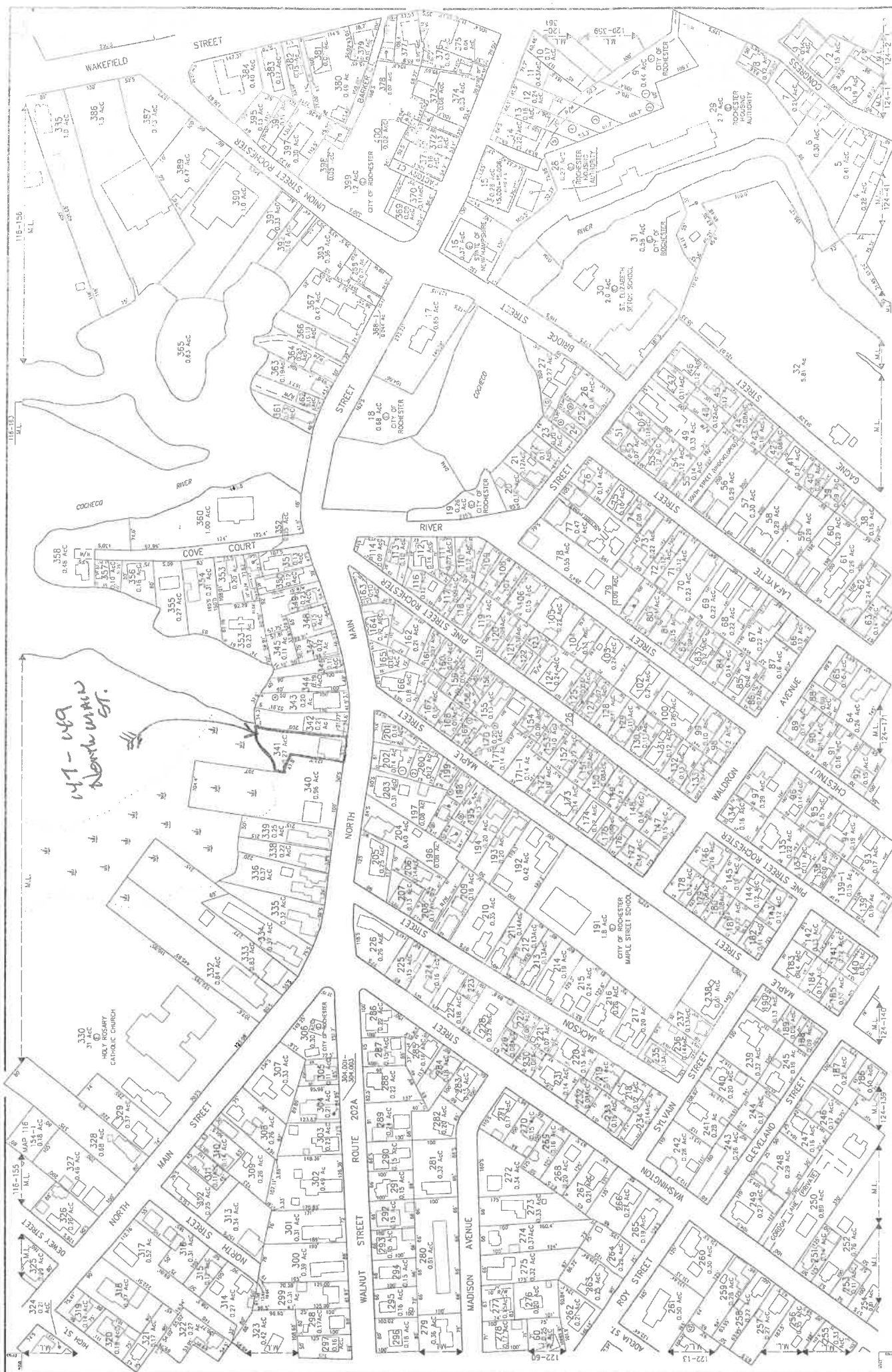
A1.02

Scale: 1/4" = 1'-0"



1 PROPOSED ATTIC PLAN
SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION
PERMIT SET ONLY



INDEX DIAGRAM

MAP NO. 121

PROPERTY MAPS

ROCHESTER

NEW HAMPSHIRE

SCALE 1" = 100'

LEGEND

AREA SURVEYED

AREA CALCULATED

SCALE DIAGONAL

WATER

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



Warranty Deed

We, **Michael J. Watson**, individually and as Manager of **Watson Properties, L.L.C.** and **William P. Watson**, individually and as Member of **Watson Properties, L.L.C.**, a New Hampshire Limited Liability company of PO Box 15, Rochester, New Hampshire 03866 for consideration paid, grants to **Suncrest Realty, LLC** of PO Box 1224, Dover, New Hampshire 03821, with **WARRANTY COVENANTS**,

A certain tract or parcel of land with the buildings thereon situate in the City of Rochester, County of Strafford and State of New Hampshire, on the Northeasterly side of North Main Street, so-called, formerly known as Elm Street, bounded and described as follows:

Southwesterly by said North Main Street; then Northwesterly by land of Colin Realty Company, for land of John Mee; then Northeasterly by the Cove or March at high water mark; then Southeasterly by land of George Potvin, formerly known as the Schoolhouse Lot.

Meaning and intending to convey the same premises conveyed to Michael J. Watson and William P. Watson and Watson Properties, LLC, by deed from Robert P. and Polly D. Meader dated July 14, 2005 and recorded with the Strafford Registry of Deeds on July 18, 2005 at Book 3223, Page 854.

This property does not constitute homestead property.

Witness my/our hand(s) this 1 day of March, 2017

Watson Properties, L.L.C.

[Signature]
Michael J. Watson, individually and as Manager

State of New Hampshire

County of Strafford

On the 1 day of March, 2017, before me, personally appeared, Michael J. Watson, individually and as Manager of Watson Properties, L.L.C. to me known or proven to be the party/parties executing the foregoing instrument, and he/she/they acknowledged said instrument, by him/her/they executed, to be his/her/their free act and deed.

My Commission Expires:



[Signature]
Notary Public:

Printed/Typed Name

SEAL

Witness my/our hand(s) this 24 day of February, 2017

Watson Properties, L.L.C.

[Signature]
William P. Watson, individually and as Member

State of New Hampshire

County of Hillsborough

On the 28 day of February, 2017, before me, personally appeared, William P. Watson, individually and as Member of Watson Properties, L.L.C., to me known or proven to be the party/parties executing the foregoing instrument, and he/she/they acknowledged said instrument, by him/her/they executed, to be his/her/their free act and deed.

My Commission Expires: October 26, 2021

SEAL



[Signature]
Notary Public:

Rebecca Paquette
Printed/Typed Name

**City of Rochester**

Tax Collector

Rochester, New Hampshire

OFFICE HOURS - Monday thru Friday 8 a.m. to 5 p.m.

2017**PROPERTY TAX BILL****Customer Copy**

Keep this portion for your records

Customer SUNCREST REALTY LLC			Location 147 149 NO MAIN ST			
Bill Date 06/13/2017	Bill Number 11412	Parcel 0121-0341-0000		Tax Year 2017	Interest Begins 07/14/2017	
Unpaid Taxes are Subject to		State School Tax	Local School Tax	County Tax	City Tax	Tax Rate *
Interest at 12%		After 07/13/2017		1.230	6.630	1.500
		4.770	14.130			
Valuations		Tax Rate Per 1000				
LAND	86,100	* BASED ON 1/2 OF PRIOR YEAR TAX RATE				
CURRENT USE	0					
BUILDINGS	180,500					
Exemptions		JULY BILL 3,767.00				
ELDERLY	0	LESS VETERANS CREDIT .00				
BLIND	0	LESS PREPAYMENTS .00				
DISABLED	0					
Taxable Valuation		Total Due This Bill				
NET	266,600	\$3,767.00				
Previous Unpaid Taxes Due - Includes Interest Thru 07/13/2017						Total Previous Unpaid Taxes Due
Year	Date	Balance	Interest			
						\$0.00

IMPORTANT TAXPAYER INFORMATION LOCATED ON BACK OF BILL

PAYMENTS MUST BE POSTMARKED BY JULY 13, 2017

TO AVOID FINANCE CHARGES. WE ACCEPT

MASTER CARD, VISA, DISCOVER- A 2.95% FEE APPLIES

IF IN BANKRUPTCY PLEASE SEE REVERSE SIDE

PROPERTY LOCATION MAP 0122
No Alt No Direction/Street/City
4 ROY ST, ROCHESTER Unit #:
OWNERSHIP
Owner 1: ROY JACQUELINE T %
Street 1: P O BOX 1292
Twn/City: ROCHESTER Cntry Own Occ: N
S/P: Prov: NH Postal: 03866-1292
ACTIVITY INFORMATION
Date Result By Name
4/17/2017 OWN ADD CHG DM DARCY
1/14/2007 OWN ADD CHG VB VERNA
PROPERTY FACTORS
Item Code Descip % Item Code Descip
Z R1 RESIDENCE 100 U 2 CITY SEW
o t 1 CITY WAT
n i 4 NONE
Exempt:
CONDO INFORMATION
Location: Phys Cond: Avg-Good
Ttl Units: Functional:
Floor: Economic:
% Own: Special:
Name: Override:
IN PROCESS APPRAISAL SUMMARY
Use Code Building Value Yard Items Land Size Land Value Total Value
101 124,700 3,000 0.210 36,100 163,800
DEPRECIATION
Phys Cond: Avg-Good
Functional:
Economic:
Special:
Override:
TOTAL: 44%
BATH FEATURES
Full Bath: 1 Rating: SAME
A Bath: Rating:
3/4 Bath: Rating:
A 3QBth Rating:
1/2 Bath: 1 Rating: SAME
A HBth: Rating:
Othr Fix: Rating:
OTHER FEATURES
Kits: 1 Rating: SAME
A Kits: Rating:
Fpl: 1 Rating:
WSFlue: Rating:
REMODELING
Exterior:
Interior:
Additions:
Kitchen:
Baths:
Plumbing:
Electric:
Heating:
General:
Print Date/Time
12/12/17 14:33:03
Total Assessed
163,800
150,600
SALES INFORMATION
Grantor Legal Ref Type Date Nat Desc Sale Price V Tst Verif
FOURNIER JAMES 3456-817 1 10/31/2006 Val Lnd&Bldg 190,000 No 4
CAVALLARO ALEXA 1947-497 8/26/1997 Val Lnd&Bldg 87,000 No 4
SPEC FEATURES/YARD ITEMS
Code Description A Y/S Qty Size/Dim Qual Con Year Unit Price D/S Dep LUC Fact NB Fa
12 WOOD DECK Y 1 426 C AV 2000 7.98 T 30 101 1,150
30 A/G SO POOL Y 1 12X32 B AV 2002 0.00 T 60 101 1,150
12 WOOD DECK Y 1 5X12 C AV 2002 14.57 T 30 101 1,150
Total Yard Items: 3,000 Total Special Features:
More: N
LAND SECTION
Code Description Fact Units Depth/Pt/Uni Unit Type Land Type Factor Base Price Adj NBC N-INF N-Mod Inf1 1 % Inf2 % Inf3 % Appraised Alt Clas % Spec J Fact Use Value Notes
101 SINGLE FAM 0.21 PRIMARY A SITE 1.0 0 45,000 3,821 1150
Total AC/Ha: 0.21000 Total SF/SM: 9147.60 Parcel LUC: 101 SINGLE FAM Prime NB Desc: RESIDENTIAL
Disclaimer: This information is believed to be correct but is subject to change and is not warranted. Database: AssessPro
Total: 36,113 Spl Credit: deem Total: 36,100 More: N 2018



8. Density Rings. The density rings are shown on the Official City of Rochester Zoning Map that is adopted as part of this Ordinance and only apply to multi-family dwellings/developments. The rings are defined as follows:

The minimum lot area per dwelling unit within a one (1) mile radius of the center of Rochester, shall be 5,000 square feet. The minimum lot are per dwelling unit outside of the one (1) mile radius of the center of Rochester, shall be 7,500 square feet.

The minimum lot area per dwelling unit within a one-half ($\frac{1}{2}$) mile radius of the center of Gonic and East Rochester, shall be 5,000 square feet. The minimum lot are per dwelling unit outside of the one-half ($\frac{1}{2}$) mile radius of the center of Gonic and East Rochester, shall be 7,500 square feet.

Any lot that is partially within the radius of a density ring shall be treated as if it were entirely within the radius of the density ring.



0 Abutters List Report

Rochester, NH
December 06, 2017

Subject Property:

Parcel Number: 0121-0341-0000
CAMA Number: 0121-0341-0000
Property Address: 147 NO MAIN ST

Mailing Address: SUNCREST REALTY LLC
P O BOX 1224
DOVER, NH 03821-1224

Abutters:

Parcel Number: 0121-0201-0000
CAMA Number: 0121-0201-0000
Property Address: 144 NO MAIN ST

Mailing Address: 144 NORTH MAIN ST REALTY TRUST %
CRAIG J DUPERE TRUSTEE
253 PRESCOTT RD
EPPING, NH 03042

Parcel Number: 0121-0202-0000
CAMA Number: 0121-0202-0000
Property Address: 148 NO MAIN ST

Mailing Address: HOLT ALFRED C & MINDY SUE
148 NO MAIN ST
ROCHESTER, NH 03867-1218

Parcel Number: 0121-0330-0000
CAMA Number: 0121-0330-0000
Property Address: 189 NO MAIN ST

Mailing Address: ROMAN CATHOLIC BISHOP % FINANCE
& REAL ESTATE OFFICE
153 ASH ST
MANCHESTER, NH 03104-4396

Parcel Number: 0121-0340-0000
CAMA Number: 0121-0340-0000
Property Address: 153 NO MAIN ST

Mailing Address: RIVARD ROBERT R
153 NO MAIN ST
ROCHESTER, NH 03867

Parcel Number: 0121-0341-0000
CAMA Number: 0121-0341-0000
Property Address: 147 NO MAIN ST

Mailing Address: SUNCREST REALTY LLC
P O BOX 1224
DOVER, NH 03821-1224

Parcel Number: 0121-0342-0000
CAMA Number: 0121-0342-0000
Property Address: 145 NO MAIN ST

Mailing Address: SUNCREST REALTY LLC
P O BOX 1224
DOVER, NH 03821

\$ 22.86



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12/6/2017

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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.
- ☐ 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)
- ☐ If there are wetlands on the parcel, refer to the City's Ordinance Chapter 42.12 © for wetland buffers of 50' and 75'.
- ☐ 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 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