



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Application

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. _____

DATE FILED _____

ZONING BOARD CLERK

Applicant: _____

James Covey

E-mail: CoveyJim@yahoo.com

Phone: (603) 842-3024

Applicant Address: 6 Stacy Dr. Rochester N.H. 03867

Property Owner (if different): _____

Property Owner Address: _____

Variance Address: 6 Stacy Dr. Rochester NH 03867

Map Lot and Block No: 205-42

Description of Property: Single Family / Separate 4 car garage

Proposed use or existing use affected: assemble interior 2 Food Trucks

The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section 24.7F

and asks that said terms be waived to permit assemble 2 interior 2 Food Trucks

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. **I understand that while presenting my case the testimony should be confined to the 5 criteria and how they pertain to my case.**

Signed: _____

Jim Covey

Date: Nov 16 2021



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

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

We only do assembly. There are no parts or supplies kept outside.

2) If the variance were granted, the spirit of the ordinance would be observed because:

We work between the hours of 9:30/5:00 Mon - Fri

3) Granting the variance would do substantial justice because:

It is my only source of income. With my health issues it is best for me to work from home.

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

We keep our property clean and well maintained. Pictures of said property provided.

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:

Our house would be jeopardized due to my existing health. I need to work from home in case of emergency.

And:

ii. The proposed use is a reasonable one because:

What we do has no effect on property value. No effect on neighbors' lifestyle is expected.

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.

Our garage was pre-existing. Vehicles are neatly parked in my driveway.



City of Rochester, New Hampshire

Zoning Board of Adjustment

Request of waiver of requirement to have a Certified Plot Plan for Case # _____

I request a waiver of the requirement to have a certified plot plan for the following reasons:

- There are no objections from any abutter, and:
- Based on the information provided, the distance into the setback will not create any problems to the abutting property because: The garage on my property was pre existing
We don't do any mechanic work on property
- The property is described in its deed as being bounded, on the side for which relief is requested, by a natural feature like a: (stone wall/ row of large trees/roadway, etc.)
- The request for relief from the setback required is modest enough that the probability of a surveying error large enough to make a material difference is remote. Yes ☐ No ☒
- Information provided is based upon other surveyed parcels in the immediate vicinity and is consistent with the tax map information, so the probability of a surveying error large enough to make a material difference is remote. Yes ☐ No ☒
- The request for relief from the setback required is in a direction where any impact on the abutter is small or nonexistent and, should a large surveying error be found in the future, there is adequate land area to correct the problem through a lot-line adjustment. Yes ☐ No ☐
- Any other applicable information: _____

Check with the Planning & Development Department to see if it is necessary to fill out this form

Notes

City of Rochester, New Hampshire Zoning Board of Adjustment

I am before you today to ask for a Medical Variance. ~ 2021 has been a very difficult year medically for me and my family. I've spent close to 4 months in the hospital between Went-Douglass and Mass General. I've had Pacemaker / Defibrillator put in. I've also had 3 Ablations done. We bought this house on Stacy Drive for a few reasons. One being it had a four car garage. Two we loved the house. Three it looked like a working class neighborhood. The house was a great fit for us as a family. I could work from home. I'm NOT a mechanic. I build Food Trucks for the inside. There is minimal noise. No trash or debris laying around the property. We don't start till 9:30 and end the day no later than 5:00. No Weekends. With my health issues it is best I stay near home. Since getting the Pacemaker / Defibrillator I

Notes

has gone off 3 times since we moved here. sent me to the hospital each time. I also have a heart monitor in house. If I can not work from home it will put a terrible hardship on my family. I would not be able to work. We would lose our home. I will answer any questions you may have and clarify any concerns you have. My family and I are good neighbors and most definitely keep the property value. Our future depends on you allowing me to work from home.

I have submitted photos of the property letters from my Doctor.

Thank you

Jane Covey



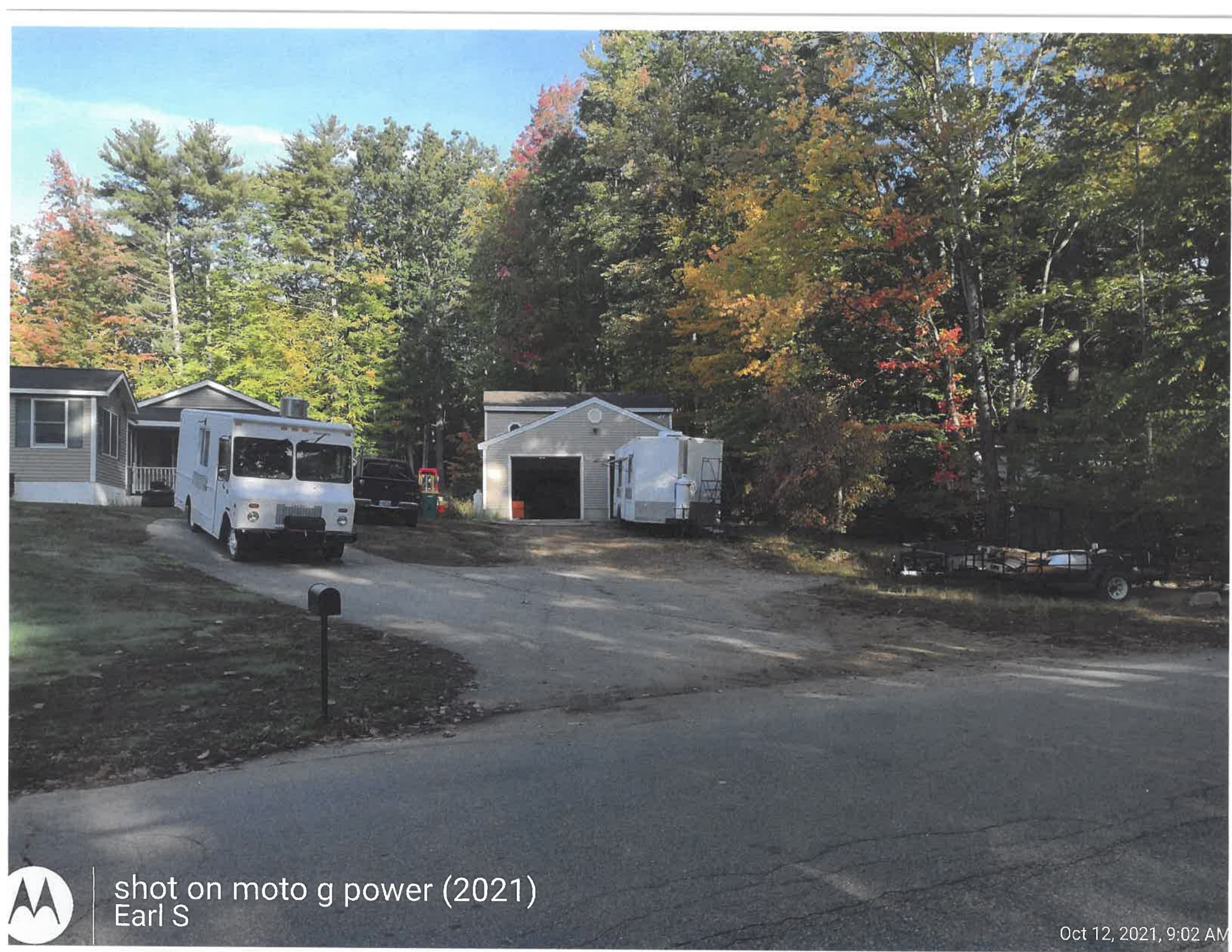
shot on moto g power (2021)
Earl S

Oct 12, 2021, 9:02 AM



shot on moto g power (2021)
Earl S

Oct 12, 2021, 10:32 AM



shot on moto g power (2021)
Earl S

Oct 12, 2021, 9:02 AM



shot on moto g power (2021)
Earl S

Oct 12, 2021, 9:03 AM

For assistance Call: 877-696-3754

Merlin@homeTM
Transmitter



ST. JUDE MEDICALTM



LTS 103M Modem
Model #6130



CID1041382



**WENTWORTH
HEALTH
PARTNERS**

WHP Cardiology
19 OLD ROLLINSFORD RD
DOVER NH 03820
Dept Phone #: 603-516-4265
Dept Fax #: 603-740-2173

1/14/2022

To Whom It May Concern,

James Covey has been under my care for the past year. He has asked that we share his medical condition with you. He suffers from cardiomyopathy, congestive heart failure and frequent arrhythmias. If you need records from our office, we are happy to provide these.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Webster', followed by a long horizontal line extending to the right.

Dr. Webster

**WENTWORTH
HEALTH
PARTNERS**

WHP Cardiology
19 OLD ROLLINSFORD RD
DOVER NH 03820
Dept Phone #: 603-516-4265
Dept Fax #: 603-740-2173

January 14, 2022

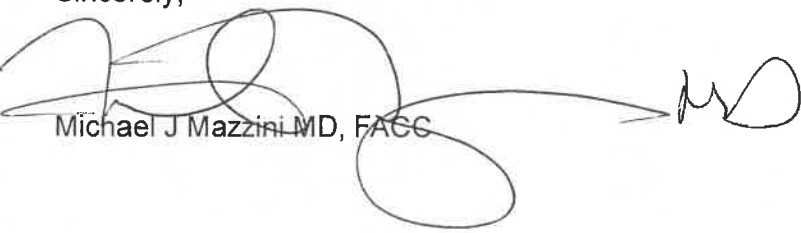
James A. Covey "Jim"
6 Stacy Drive
Rochester NH 03867

Patient: **James A Covey**
MR Number: **332802**
Date of Birth: **3/10/1963**
Date of Visit: **1/14/2022**

To Whom it May Concern:

Mr. Covey is under my care for multiple cardiac conditions. He is seeking a variance to operate a business form his home. I believe this is medically necessary.

Sincerely,



Michael J Mazzini MD, FACC

**WENTWORTH
HEALTH
PARTNERS**

WHP Durham Health Center
36 MADBURY RD
DURHAM NH 03825
Dept Phone #: 603-868-5080
Dept Fax #: 603-868-7440

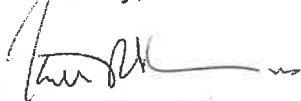
Patient: **James A Covey**
Date of Birth: **3/10/1963**
Today's **1/18/2022**
Date:

To Whom it May Concern:

James Covey is a primary care patient of mine. He suffers from multiple serious medical conditions for which he has ongoing treatment with specialists such as cardiology and gastroenterology as well as conditions treated by me, his primary care physician. These include: .Cardiomyopathy with chronic systolic congestive heart failure, Ventricular flutter which has required ablation procedures and an implantable cardiac defibrillator, nonalcoholic liver cirrhosis and fatty liver disease, obstructive sleep apnea, gastroesophageal reflux disease, anxiety disorder with panic attacks, umbilical and bilateral inguinal hernias and low back pain with radiculitis.

If you have any questions or concerns, please don't hesitate to call.

Sincerely,



Kenneth R. Shuman, MD

§ 275-24.7 Prohibited home occupations.

The following occupations/activities shall not be considered home occupations:

A.

Bed-and-breakfast.

B.

Contractor's storage yard.

C.

Funeral home.

D.

Kennels or stables, commercial.

E.

Nursing home.

F.

Any vehicle or other heavy equipment repair.

G.

Restaurant.

H.

Retail sales operation (except as noted above).

I.

Veterinary clinic.

J.

Commercial yard sales (except for barn sales as noted above).

CURRENT OWNER			UTILITIES		TOPO		ZONING		CURRENT ASSESSMENT			VISION								
COVEY JAMES & LISA 6 STACY DR ROCHESTER NH 03867-5133			0 CITY WATER R	0	ABV ST	A AGRICULTURAL	NHBD NAME	Description	LUC Co	Prior Assessed	Current Assesse	ROCHESTER, NH 								
			0 NONE		NEIGHBORHOOD				BLDG	105	166,800		166,800							
			0 NONE		1301	MANUFACTURED & F			LAND	105	51,000		51,000							
			UTL/ ST / TRAF		EXEMPTIONS				OB	105	60,200		60,200							
			0 SEPTIC		Year	Code	Description													
			0 PAVED																	
			0 LIGHT																	
LEGAL DESCRIPTION																				
SALES INFORMATION- GRANTEE			BOOK/PAGE	SALE DATE	SALE PRICE	SALE CODE		PREVIOUS ASSESSMENTS (HISTORY)												
COVEY JAMES & LISA			4921 556	06-16-2021	293,533	02		Year	Descr	Prior Assesse	Year	Total								
FIELD WILLIAM S & DONNA L			1175 695	06-27-1985	0	99		2020	BLDG	78,900	2021	278,000								
SANBORN ROBERT G & ANITA M			1037 405	07-27-1979	0	99			LAND	51,000										
BIRCHWOOD ROCH CORP			0 0	01-01-1900	0	99			OB	51,800										
BUILDING NOTES											Total	181,700	Total	181,700	Total	278,000				
HOLIDAY COTTAGE SE											APPAISED VALUE SUMMARY									
R#STD-PA-487015486											Appraised Building Value (Card)					166,800				
											Appraised Extra Feature Value (Bldg)					0				
											Appraised Outbuilding Value (Bldg)					60,200				
											Appraised Land Value (Bldg)					51,000				
											Total Appraised Parcel Value					278,000				
											Valuation Method					C				
BUILDING PERMIT RECORD											VISIT / CHANGE HISTORY									
Issue Date	Permit Id	Description	Price	Insp Date	% C	Stat	Notes					Date	Id	Purpost/Result	Notes					
12-03-2010	10-1419	PORCH	3,000	01-09-2012	100	CE	COVER DECK & REPL ROOF;					08-16-2021	LA	OWN ADD CHG	PER USPS RE					
08-31-2010	10-954	PORCH	3,000	04-14-2011	100	C						06-23-2021	TL	DEED CHANGE	PER USPS RE					
04-14-2006	06-456	ELECTRIC	150	12-21-2006	100	CE						06-22-2021	LA	OWN ADD CHG	PER USPS RE					
11-23-2004	1591	PORCH	1,000	03-22-2005	100	C						05-28-2021	NM	CORRECTION	CORRECTED					
11-08-2002	1277	ADDITION	1,500	09-26-2003	100	C						04-19-2012	VS	DEED CHANGE						
11-09-2001	1066	GARAGE	4,000	03-20-2003	100	C	ATTACHED;					01-09-2012	TH	EXT ONLY	Permit #: 10-14					
12-04-1998	1198	GARAGE	12,000		100	C	RG1 28X36;					04-14-2011	NM	MEAS+INSPECTD	Permit #: 10-95					
10-01-1994	1099	POOL	11,600		100	C														
04-18-1988	88-332	ROOFING	4,960		100	C														
07-01-1986	86-782	FENCE	1,490		100	C														
04-01-1986	86-133	ADDITION	1,800		100	C	20X24 GARAGE;													
LAND LINE VALUATION SECTION																				
B LUC	Description	LandU	Land Type	Loc Adj	UnitPric	Size Adj	Cond	Nbhd	Nb Adj	Inf1	Inf1 Adj	Inf2	Inf2 Adj	Inf3	Inf3 Adj	Adj UnitPrice	Appraised Value	Assessed Value	Notes	
1 1050	MFG OWN L	0.520	PRIMARY	P	1,000	55,000	1.78462	1.00	1301	1,000						98,153	51,000	51,000		
Total Card Land Units											0.52 AC	Parcel Total Land Area		0.52 AC	Total Land Value					51,000

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



6 Stacy Drive

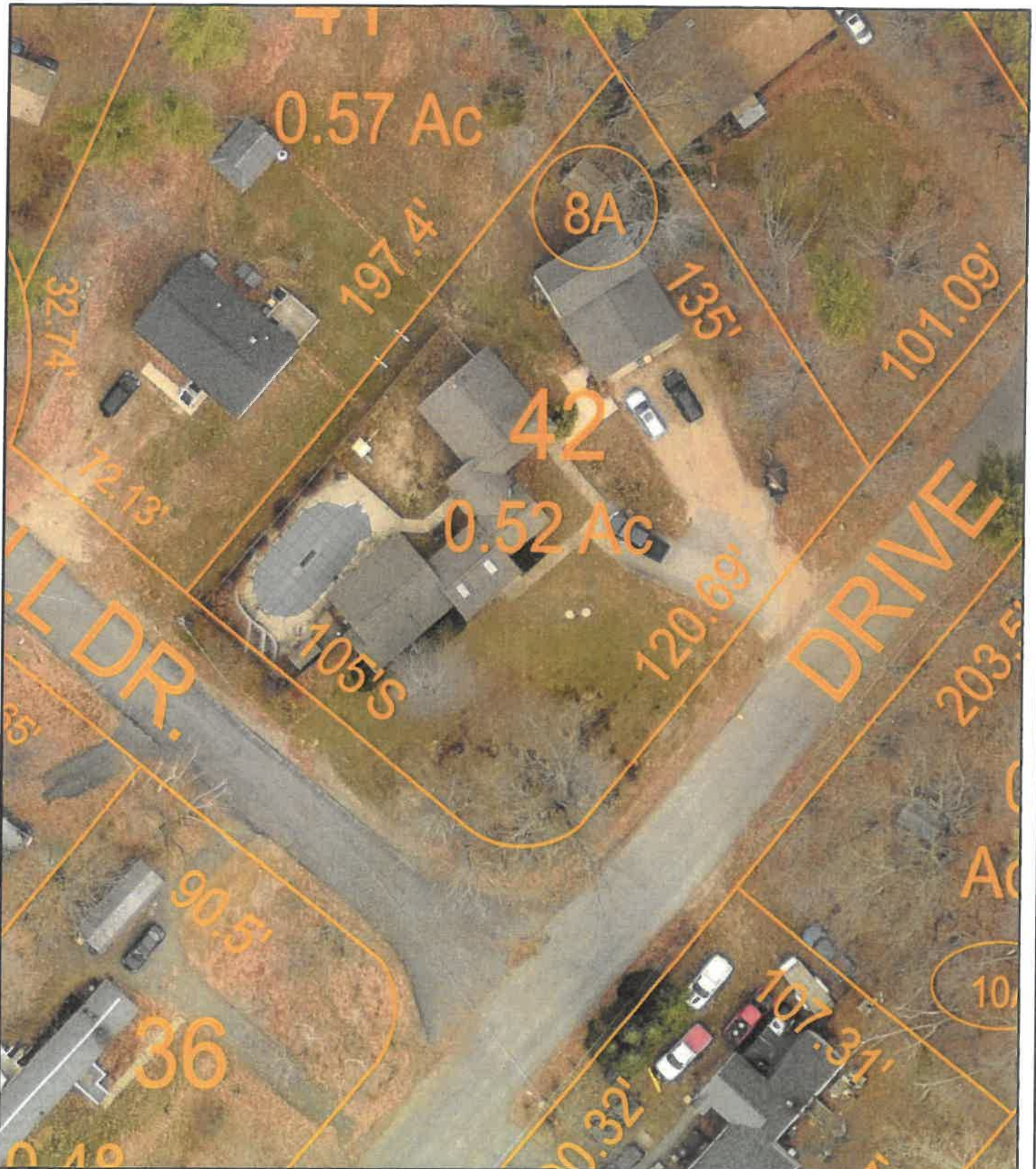
Rochester, NH

1 inch = 40 Feet



January 21, 2022

www.cai-tech.com



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