



PLANNING, DEVELOPMENT AND ZONING DEPARTMENT

City Hall – Second Floor
31 Wakefield Street
ROCHESTER, NH 03867-1917
(603) 335-1338

City Planning
Community Development
Economic Development
Zoning Development

APPLICATION FOR VARIANCE
TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DEC 26 2012

DO NOT WRITE IN THIS SPACE

CASE NO. _____

DATE FILED _____

Phone No. (603)340-2541

ZONING BOARD CLERK

Name of Applicant Mark Murphy

Address 158 Knowles Pond Rd.; Northfield, NH 03276

Owner of property concerned Jean P. Taylor
(if same as applicant write "same")

Address P.O. Box 1084; Rochester, NH 03866-1084
(if same as applicant write "same")

Location of property 201 Highland Street

Map No. 106 Lot No. 3 Zone A

Description of property 498' 667' 390'
(give length of frontage, side lines rear lines)

Proposed use or existing use affected Commercial use (mini-storage buildings)

The undersigned hereby requests a variance to the terms of Article 42.14-Table 1 Section (E)(2)

And asks that said terms be waived to permit Mini-storage buildings in the Agricultural 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 constitutes grounds for a variance The subject lot
is located on a major State highway and is definitely more suited to a commercial/industrial use than
any of the uses allowed in the Agricultural zone.

Signed _____

(As Agent for the Applicant)

CRITERION FOR VARIANCE

CASE # _____

DATE _____

A variance is request by Mark Murphy

from Section 42.14 subsection Table 1 (E)(2)

of the Zoning Ordinance to permit: mini-storage buildings in the Agricultural Zone.

at 201 Highland Street Map 106 Lot 3 Zone A

Facts supporting this request:

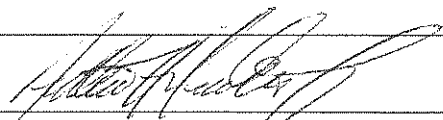
1.) The proposed use would not diminish surrounding property values because: The proposed use is more in line with the location of the property, i.e., on a major State highway; property directly across the street is zoned Industrial-1!

2.) Granting the variance would be of benefit to the public interest because: The variances requested will not be contrary to the public interest; if granted, the relief requested will not threaten the health, safety or welfare of the general public.

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances that distinguish it from other properties similarly zoned: As stated in #1, the location of this property makes it more suitable for a commercial or light industrial use rather than an agricultural use.

4.) Granting the variance would do substantial justice because: It will allow the lot to be developed in a manner that is best suited for its prime location.

5.) The use is not contrary to the spirit of the ordinance because: the ordinance favors commercial development along the major highways, including this area as the property directly across the street from this parcel is zoned Industrial.


(As Agent for the Applicant)

12/26/12

Date

NORWAY PLAINS ASSOCIATES, INC.

SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS

31 Mooney Street
Alton, New Hampshire 03809
Alton Office (603) 875-3948
E-MAIL: anickless@norwayplains.com
WEB: www.norwayplains.com

2 Continental Boulevard (03867) P. O. Box 249
Rochester, New Hampshire 03866-0249
Telephone (603) 335-3948
NH (800) 479-3948
Fax (603) 332-0098

December 26, 2012

Councilor Ralph Torr, Chair
Rochester Zoning Board of Adjustment
31 Wakefield Street
Rochester, NH 03867

Re: Mark Murphy - 201 Highland Street - Tax Map 106, Lot 3

Dear Councilor Torr:

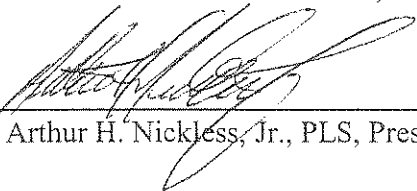
On behalf of Mark Murphy, the applicant, and Jean Taylor, the lot owner, we hereby submit application and supporting data in support of a variance for the above referenced lot. Specifically, we request that the Board grant relief from the requirements of the Aricultural zone by allowing mini-storage buildings to be constructed on the site. I have attached a conceptual sketch showing how the site might be developed for this use. Final layout, etc. would be worked out with the Planning Board during the site review process.

The address of the property (201 Highland Street) is a bit misleading as to the actual location of the property. In actuality, the lot is located northwest of the Eastern Avenue/Highland Street intersection where the street is commonly referred to as the Rte. 202 By-Pass. Property across the street from this lot is zoned Industrial. The applicant believes the land is much more suited for commercial use given its location on a major state highway.

Thank you for your consideration.

Sincerely,

NORWAY PLAINS ASSOCIATES, INC.

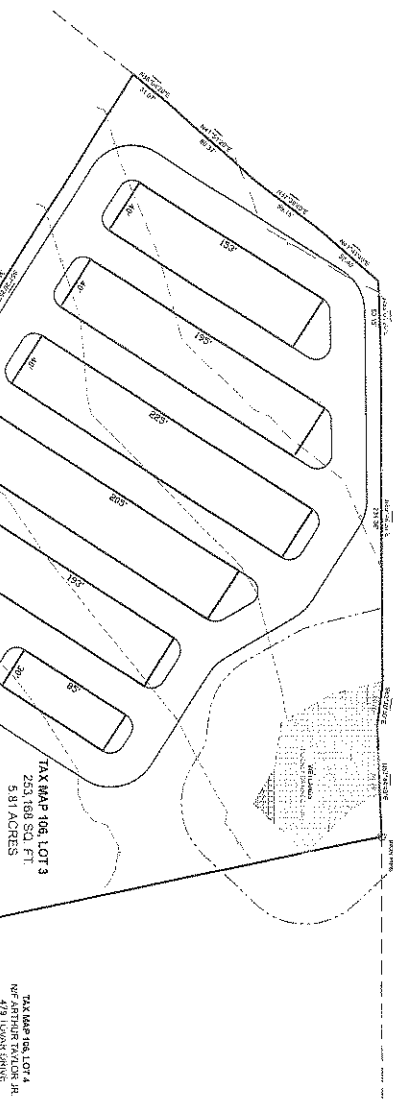
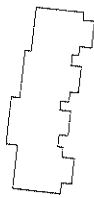
By: 
Arthur H. Nickless, Jr., PLS, President

cc: Mark Murphy

SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS

P.O. Box 249, Rochester, N.H. 03866-0249

TAX MAP 106 LOT 11
NORWAY PLAINS ASSOC
200 CONVENT ROAD
ROCHESTER, N.H. 03866-1121



TAX MAP 106 LOT 3
253,160 SQ. FT.
5.81 ACRES

TAX MAP 106 LOT 4
N.F. TAYLOR TRUST
SAN JOSE, CA 95122-4008

TAX MAP 106 LOT 2
N.F. TAYLOR TRUST
40 TEMPLE ST.
ROCHESTER, N.H. 03866

TAX MAP 106 LOT 1
N.F. TAYLOR TRUST
40 TEMPLE ST.
ROCHESTER, N.H. 03866

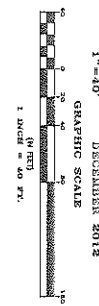
TAX MAP 106 LOT 12
N.F. TAYLOR TRUST
PO BOX 1884
ROCHESTER, N.H. 03866-1884



DEC 26 2012

CONCEPTUAL SITE PLAN
HIGHLAND ST./ROUTE 202 BY-PASS
ROCHESTER, N.H.

PREPARED FOR
MARK MURPHY
ON LAND OWNED BY
JEAN P. TAYLOR
DECEMBER 2012



FILE NO.
PLAN NO.
DTC NO.
P.B. NO.

NORWAY PLAINS ASSOCIATES, INC.

Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID	0406-0003-0000	Account Number	19754
Prior Parcel ID	--	Property Location	201 HIGHLAND ST
Property Owner	TAYLOR JEAN P	Property Use	DEV RES LAND
Mailing Address	P O BOX 1084	Most Recent Sale Date	3/14/2012
City	ROCHESTER	Legal Reference	4001-S78
Mailing State	NH	Zip	03866-1084
Parcel Zoning	A	Grantor	S&N NORTHWOOD REALTY ASSOC LLC,
		Sale Price	114,533
		Land Area	5.810 acres

Current Property Assessment

Card 1 Value	Building Value 0	Yard Items Value 0	Land Value 78,300	Total Value 78,300
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Building Description

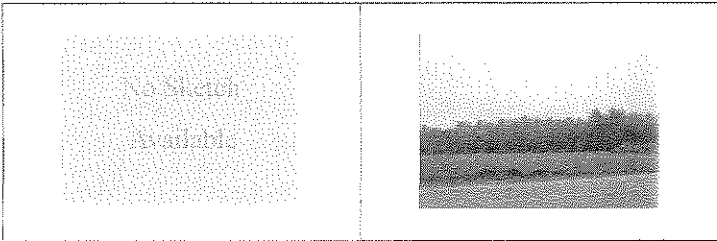
Building Style	N/A	Foundation Type	N/A	Flooring Type	N/A
# of Living Units	N/A	Frame Type	N/A	Basement Floor	N/A
Year Built	N/A	Roof Structure	N/A	Heating Type	N/A
Building Grade	N/A	Roof Cover	N/A	Heating Fuel	N/A
Building Condition	N/A	Siding	N/A	Air Conditioning	0%
Finished Area (SF)	N/A	Interior Walls	N/A	# of Bsmt Garages	0
Number Rooms	0	# of Bedrooms	0	# of Full Baths	0
# of 3/4 Baths	0	# of 1/2 Baths	0	# of Other Fixtures	0

Legal Description

Narrative Description of Property

This property contains 5.810 acres of land mainly classified as DEV RES LAND with a(n) N/A style building, built about N/A, having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



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

ABUTTER LIST
 City of Rochester, NH
 Please Print or Type

WPAZ (121)

Applicant: Mark Murphy **Phone:** 340-2541

Project Address: 201 Highland Street

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
106	3	A	Mark Murphy (applicant) Jean P. Taylor	158 Knowles Pond Rd.; Northfield, NH 03276 P.O. Box 1084; Rochester, NH 03866-1084

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
106	1 & 2	Norbert Therrien Revocable Trust, Craig Therrien Trustee & Tana Properties L.P.	40 Temple Street; Nashua, NH 03060
106	4	Arthur Taylor, Jr.	479 Tovar Drive; San Jose, CA 95123-4948
106	11	Woodland Green Condo Association	c/o Executive Properties; 108A Wakefield St.; Rochester, NH 03867
110	12	Jean P. Taylor Revocable Trust	P.O. Box 1084; Rochester, NH 03866-1084

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address
Arthur Nickless/Norway Plains Assoc., Inc.	P.O. Box 249; Rochester, NH 03866-0249

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the City of Rochester Assessing Office computer – Assess Pro (located in the Revenue Bldg at 19 Wakefield Street)

on this date: 12/28/12, This is page 1 of 1 pages.

Applicant or Agent: 

Planning Staff Verification: _____ Date: _____