



Economic Development  
Community Development  
Planning & Zoning  
Conservation Commission

PLANNING AND DEVELOPMENT DEPARTMENT

City Hall - Second Floor  
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JUL 19 2010

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

Planning Dept.

Phone No 332-9038

DO NOT WRITE IN THIS SPACE

CASE NO. 2010-21

DATE FILED 7-19-10

ZONING BOARD CLERK C. Lewis

Name of applicant ROBERT A. & CAROL A. BROADBENT

Address 38 DEWEY STREET ROCHESTER NH 03867

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

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

Location \_\_\_\_\_

Map No. 116 Lot No. 53 Zone R1

Description of property RESIDENTIAL PROPERTY

Proposed use or existing use affected ADDING ON

The undersigned hereby requests a variance to the terms of Article 42.16  
Section 2 and asked that said terms be waived to permit a shed  
Table in the rear setback

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 Robert A. Broadbent  
(Applicant)

Date: \_\_\_\_\_ JUL 19 2010

Planning Dept.

A Variance is requested by ROBERT BROADBENTfrom Section 4216 <sup>Table</sup> Subsection 2of the Zoning Ordinance to permit: ADDITION TO STORAGE SHEDThat does not meet rear setback.at 38 Dewey St Map 116 Lot 53 Zone R1

Facts supporting this request:

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

(see attached)

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

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: \_\_\_\_\_

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

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

Name \_\_\_\_\_ Date: \_\_\_\_\_

**Criterion for Variance****1.) The Proposed use would not diminish surrounding property values because:**

The storage shed will have the same appearances as our home – i.e. vinyl siding, roofing, color and general appearance. It blends well with our house as well as surrounding homes. It is well structured and well built.

**2.) Granting the variance is not contrary to the public interest because:** This would be a repeat of number 1 plus neighborhood houses would not be affected as there are no homes near or closely bordering ours or will there ever be where the shed is now.**3.) Denial of the permit would result in an unnecessary hardship to the owner seeking it.**

An addition onto the existing shed is necessary as this structure already has water and electricity which was added years ago. This would have to be changed if the shed were moved and we would have to employ professionals to change these.

Moving the shed further into the property would:

1. We have three zones of underground lawn and garden sprinklers in our back yard. Moving the shed in or somewhere else in the yard would cause one and probably two of the zones to be dug up and rerouted. Also the lawn would then have to be repaired.
2. The water and electricity that is already to the existing outside shed would have to be rerouted.
3. Fruit trees that are centrally planted in our backyard and are prospering would now be crowded closer to the shed and would look odd.
4. The real estate value would diminish as we would not have a full back yard especially if we were to sell the property.
5. Cosmetically the back yard looks much better with the building where it is than if we moved it forward into the center.
6. Shed may be over the sewer line
7. Fire truck may not be able to reach the house in the back if it is moved, whereas now it can.
8. Moving the shed would be costly and could be a risk to the integrity of the existing building. The building can only enhance the value of our property.
9. The extra space on the rear of the shed which will have a small sliding barn door is for our 1973 MGB which we have owned for many years and pay to store it for the winter months.

**4.) Granting the variance would do substantial justice because:** By granting relief from the back property would in no way cause any harm or injustice to abutters homes, buildings or properties. In fact no homes or properties are even closely abutting this building.

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Planning Dept.

5.) **The use is not contrary to the spirit of the ordinance because:** We own the property from Dewey Street to Park Street with 140 feet across the front and back and 160 feet along the sides of the property. Approximately 23100 square feet or a little over one-half acre. We have always maintained this property improving it with a manicured lawn, flower gardens well trimmed shrubs, fruit trees and a nice large fenced in back yard. The storage shed that we are building in not backed up close to anyone's property. It is not an eyesore or a shack, but a well constructed and planned out building that will only enhance our property. It does not have any safety or dangerous issues to the neighborhood or surrounding areas.

## Narrative

The property at 38 Dewey St was bought by my dad in 1949 and has been in our family ever since then. My dad took pride in the way the house looked and I do as well. We have done extensive improvements in the last 20 years to make the house and land more valuable not only for our sake but for those around us. This includes adding on to our upstairs, removing large scraggly trees, planting numerous flower and vegetable gardens, putting in several fruit trees and adding a lawn sprinkler system to both the front and back yard to keep our lawns and gardens watered. All these things for the sake of making our property more desirable.

Our backyard is the focal point of our leisure time: preparing our gardens, pruning our fruit trees and working on our lawn. We have surrounded our property with a fence to keep our dog safe. We enjoy our large back yard. It will probably be a primary selling point should we ever decide to sell our house.

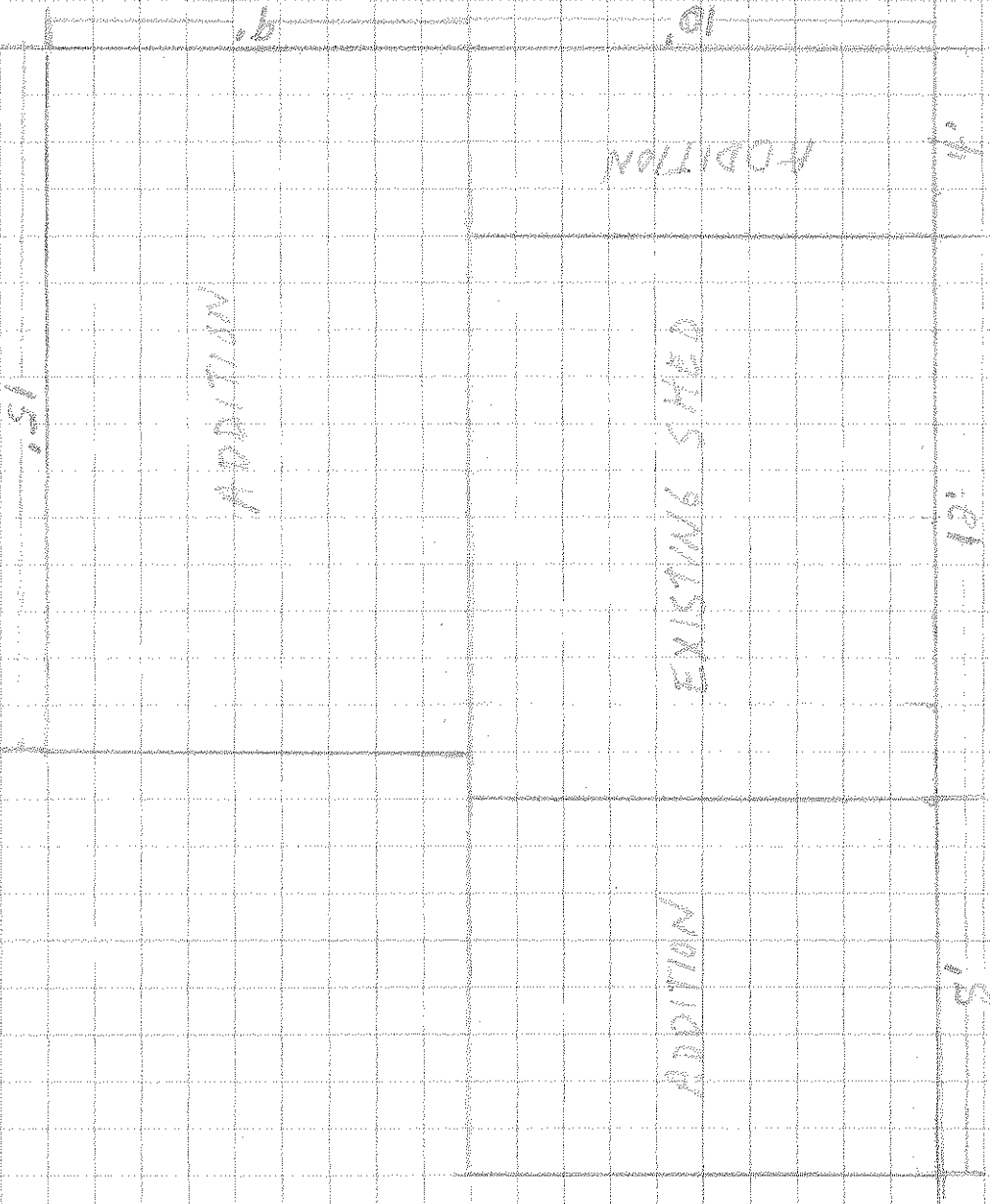
In this process we have found that we don't have enough storage area for the machines and tools that we use in the upkeep of our property. We decided that although we are on a "fixed income", we needed the extra storage space and it became necessary to take out a loan to do this project. Also, having only a small one car garage made it necessary to make a space in the rear of the new storage shed for our MGB as it is becoming increasingly expensive to store the car over the winter months.

We were unaware that adding on to our existing shed was against any ordinances as this shed was on blocks and we proceeded. Our plans include putting on the same roofing shingles and vinyl siding as our house. We planned it to enhance our property by keeping the shed compatible with the look of the house and that is why we are asking for this variance.

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## Unofficial Property Record Card - Rochester, NH

### General Property Data

Parcel ID 0116-0053-0000	Account Number 29408
Prior Parcel ID --	Property Location 36 DEWEY ST
Property Owner BROADBENT ROBERT A & CAROL A	Property Use SINGLE FAM
Mailing Address 36 DEWEY ST	Most Recent Sale Date 3/28/1994
City ROCHESTER	Legal Reference 1737-719
Mailing State NH Zip 03867-1205	Grantor BROADBENT RICHARD
Parcel Zoning R1	Sale Price 0
	Land Area 0.530 acres

### Current Property Assessment

Card 1 Value	Building Value 143,400	Yard Items Value 1,600	Land Value 52,900	Total Value 197,900
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### Building Description

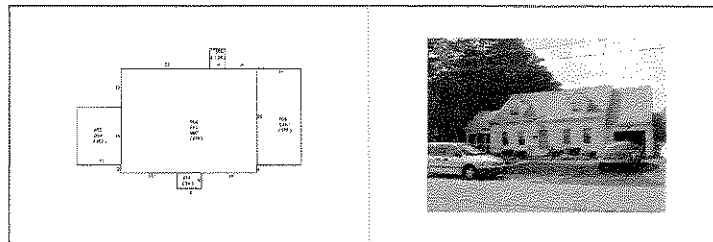
Building Style CAPE	Foundation Type CONC BLOCK	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1948	Roof Structure GABLE	Heating Type FORCED H/A
Building Grade AVG. (+)	Roof Cover ASPHALT SH	Heating Fuel OIL
Building Condition Good	Sliding VINYL	Air Conditioning 0%
Finished Area (SF) 1812.75	Interior Walls AVERAGE	# of Bsm't Garages 0
Number Rooms 6	# of Bedrooms 3	# of Full Baths 1
# of 3/4 Baths 0	# of 1/2 Baths 1	# of Other Fixtures 1

### Legal Description

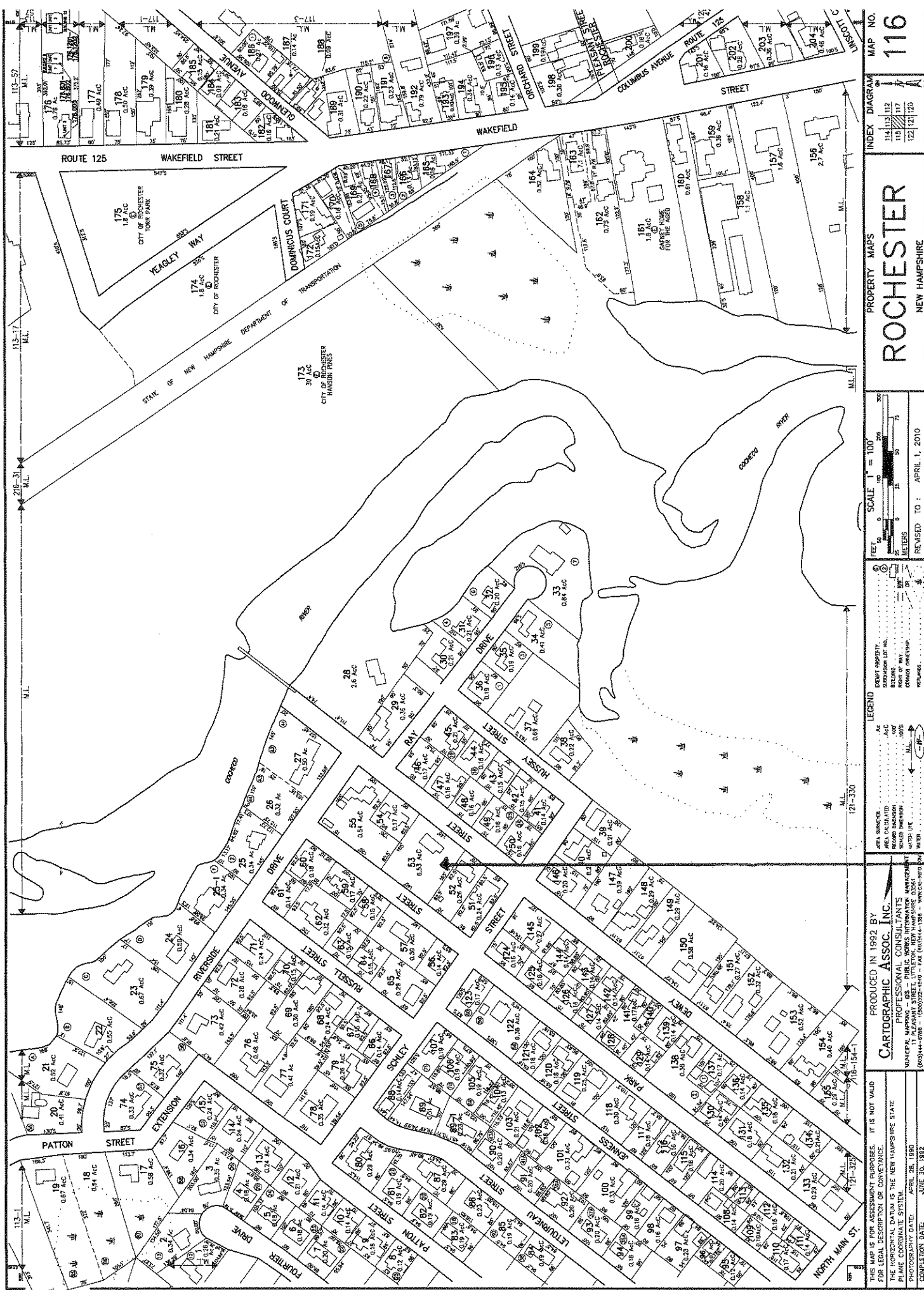
### Narrative Description of Property

This property contains 0.530 acres of land mainly classified as SINGLE FAM with a(n) CAPE style building, built about 1948, having VINYL exterior and ASPHALT SH roof cover, with 1 unit(s), 6 room(s), 3 bedroom(s), 1 bath(s), 1 half bath(s).

### Property Images



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



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE ANGLE CORRECTED SYSTEM.

PHOTOGRAPHY DATE: JUNE 28, 1980

COMPLETION DATE: APRIL 30, 1982

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AREA SERVICES	AC	AC
AREA CALCULATED	AC	
RECORD DIMENSION	1987	
SCALING DIMENSION	100%	
SCALE 1/4" = 1'-0"		
DATE 1/24/98		
WATER		

DEVELOPMENT

SUBDIVISION LOT NO.

BUILDING

MEANT OF WAY

COMMON OWNERSHIP

REMARKS

LEGEND

PROPERTY MAPS  
**ROCHESTER**  
NEW HAMPSHIRE

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**City of Rochester, NH**  
Please Print or Type

Applicant: ROBERT A & CAROL A. BROADBENT Phone 332-9038

Project Address:

38 Dewey ST. ROCHESTER NH 03867

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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
116	53	R1	ROBERT A & CAROL A. BROADBENT	38 Dewey ST. ROCHESTER NH 03867

**ABUTTING LOT OWNERS**

Map	Lot	Owner Name	Mailing Address
116	52	TRUST % C.P. KIEL ETAL KIEL CHARLES C. REVOCABLE	36 Dewey ST. ROCHESTER NH 03867
116	54	LACHANCE LINDA A.	40 Dewey ST ROCHESTER NH 03867
116	55	TRUST % TRUSTEES DUMONT LAURENT E - IRENE REVOC.	44 Dewey ST ROCHESTER NH 03867
116	47	PALMER JAMES R.	41 Dewey ST. ROCHESTER NH 03867
116	45	GONDELLA GEORGETTE C & ORR SUZANNE	39 Dewey ST. ROCHESTER NH 03867
116	49	TE - NA BLAKE TRUSTEES BLAKE FAMILY REVOC TRUST %	37 Dewey ST ROCHESTER NH 03867
116	58	BLAISDELL RICHARD T - BARBARA A	48 PARK ST ROCHESTER NH 03867
116	57	CIOTTI KAREN S.	44 PARK ST. ROCHESTER NH 03867
116	59	NACHEZ JOSEPH C DUMERGER JENNIFER L.	50 PARK ST ROCHESTER NH 03867

**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

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form and mail certified notices to abutters and other parties in a complete, accurate, and timely manner, in accordance with applicable law. 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, Patriot

Database on this date: 7/19/2010, This is page        of        pages.

Applicant or Agent: Robert A. Broadbent

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3.25