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APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2010-23

DATE FILED 7-21-10

ZONING BOARD CLERK C. Lewis

Phone No 603.433.6615 x11

Name of applicant BOB MCGUIRE III

Address RYE TRUST, 1 RAYNES AVE SUITE 201, PORTSMOUTH, NH
03801

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

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

Location 68 SOUTH MAIN STREET, ROCHESTER

Map No. 120 Lot No. 324 Zone B1

Description of property ONE STORY COMMERCIAL BUILDING ON .33 AC LOT

Proposed use or existing use affected NEW THREE STORY MIXED-USE BUILDING,
8 APARTMENTS AND 1 COMMERCIAL SPACE

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

balcony in side 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 Bob McGuire III
(Applicant)

CRITERIA FOR VARIANCE

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A Variance is requested by Bob McGuire III - Rye Trust

from Section 42.17 Subsection D-Corner Lots

of the Zoning Ordinance to permit: _____



A four foot side yard setback to a projecting balcony where a twelve foot setback is required

at _____ 120 _____ Map 324 Lot B1 Zone _____

Facts supporting this request:

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

The proposed use is no greater in setback than the existing building and parking is consolidated.

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

Proposed building set close to Main Street is safer, since parking and curb cuts are moved east.

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

The proposed building is consistent in use to its neighbors, while the existing building is not.

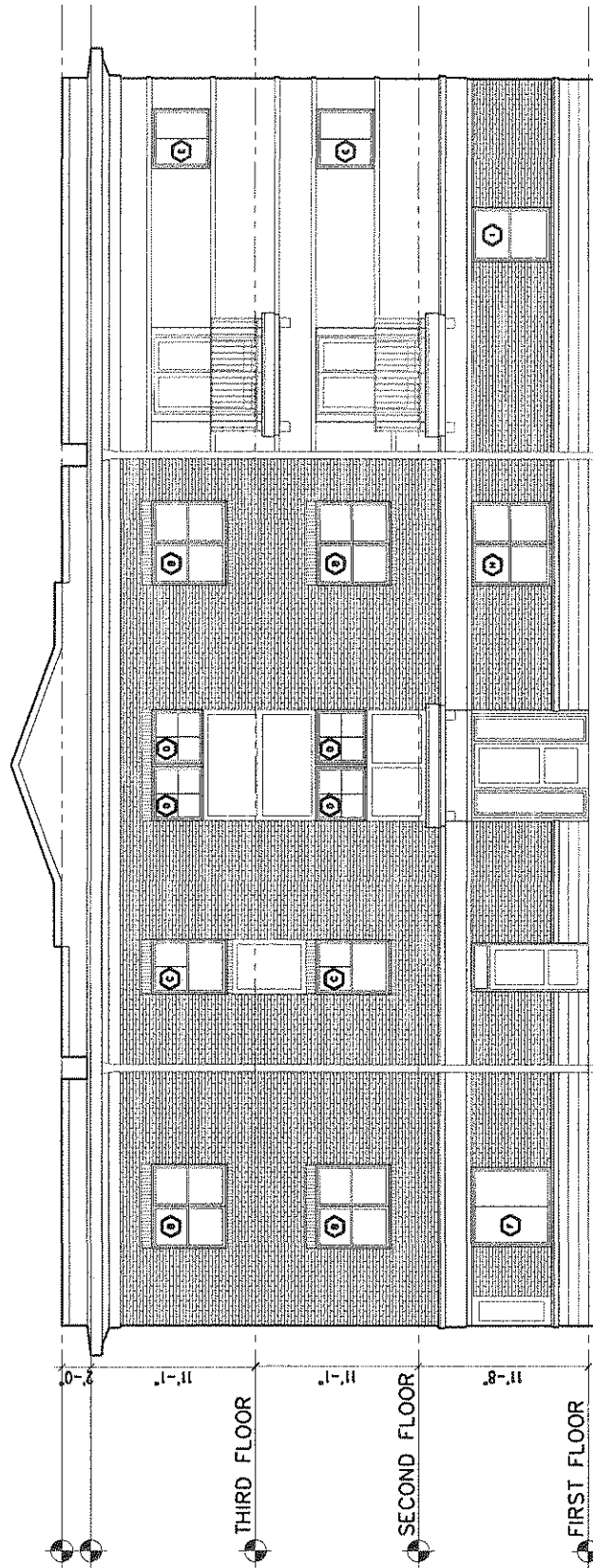
4.) Granting the variance would do substantial justice because: _____

The proposed building will be consistent in use and in scale to others in the special downtown zone.

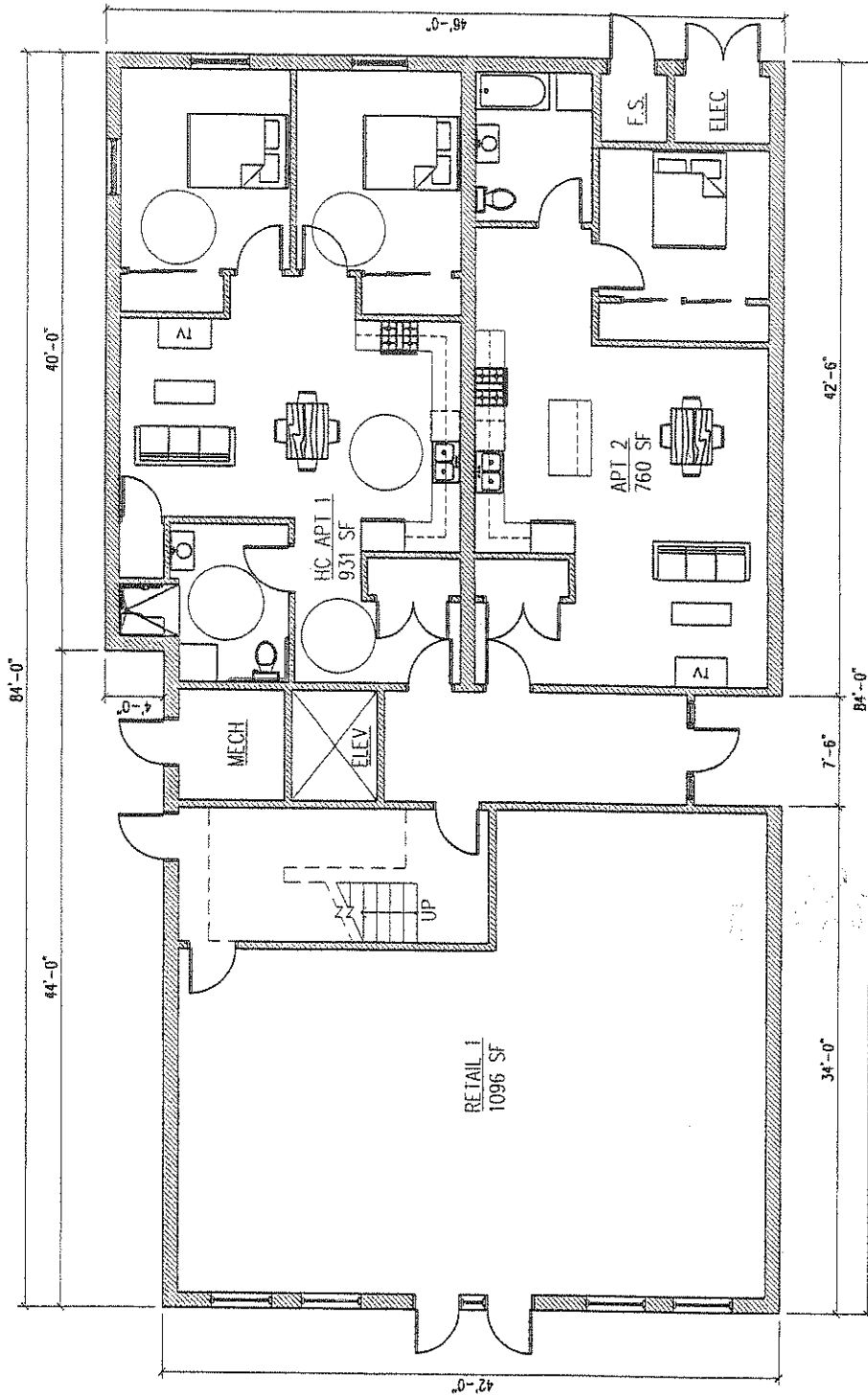
5.) The use is not contrary to the spirit of the ordinance because: _____

The proposed building is consistent with the historic district and the special downtown zone principles.

Name _____ Date: _____



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GROSS BUILDING FOOTPRINT - 3688 SF

68 SOUTH MAIN
68 South Main Street
Rochester, NH

PROPOSED FIRST FLOOR PLAN
OPTION B.1

McHENRY ARCHITECTURE
4 Market Street
Portsmouth, New Hampshire

16-Nov-2010
ASHA, SHG
Scale: 1/8"=1'-0"
P

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OWNER: RYE TRUST
PROPERTY LOCATION:
68 SOUTH MAIN STREET
CITY OF ROCHESTER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE



1.33 2 NHP

DEED REFERENCE: 3549470, 1991
PLAN REFERENCE: N/A

REV. 21 MAY 2010
23 APRIL 2010

SCALE: 1"=20'



AMBT ENGINEERING, INC.
Civil Engineers & Land Surveyors

2200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7444
Tel (603) 430-9282
Fax (603) 436-2315

FE 209 PG 3 1858

NOTICE: PROPERTY CORNERS SET: 20 MAY 2010

GRAPHIC SCALE
1" = 20'

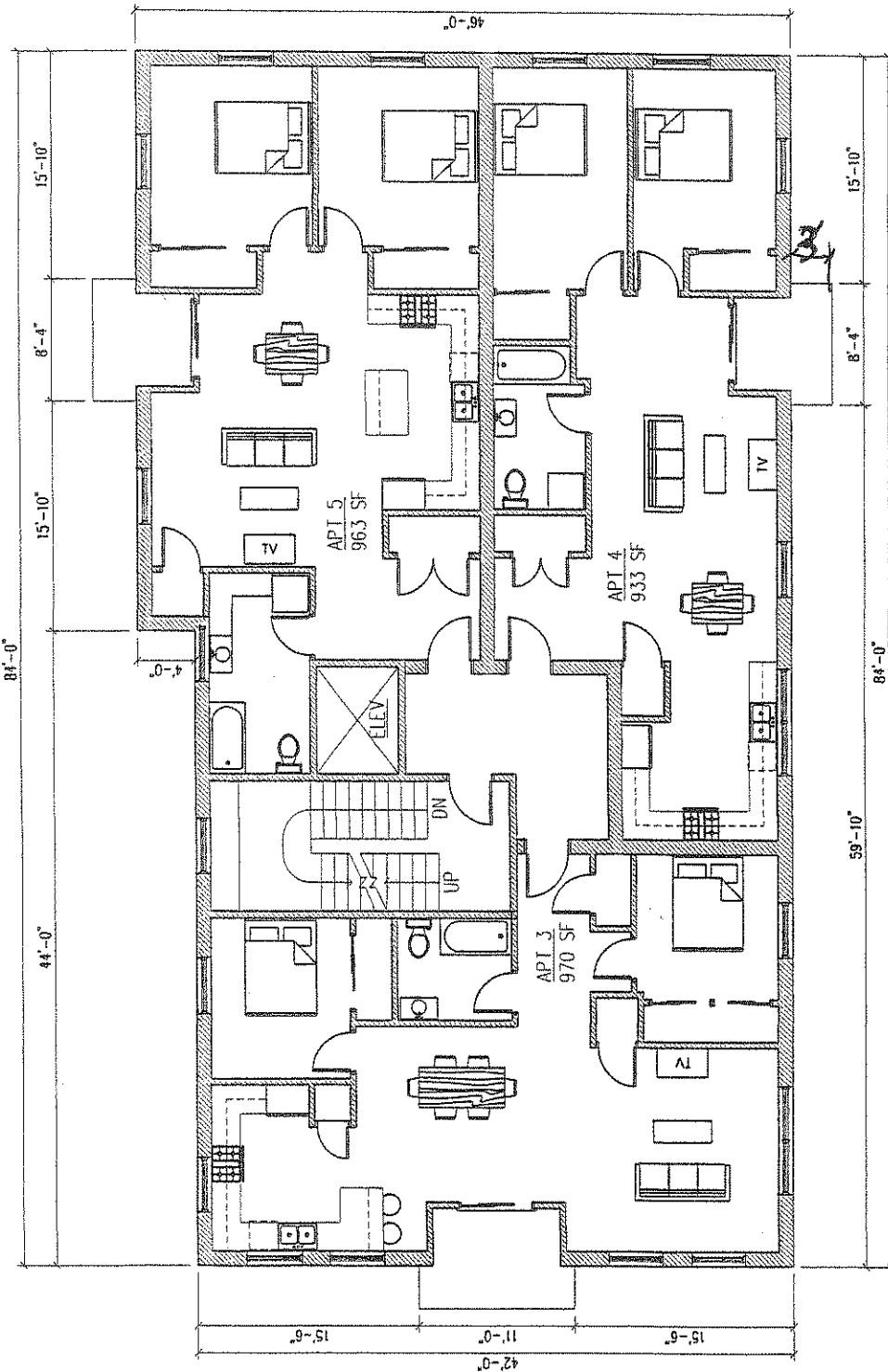
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A2



So Main Street

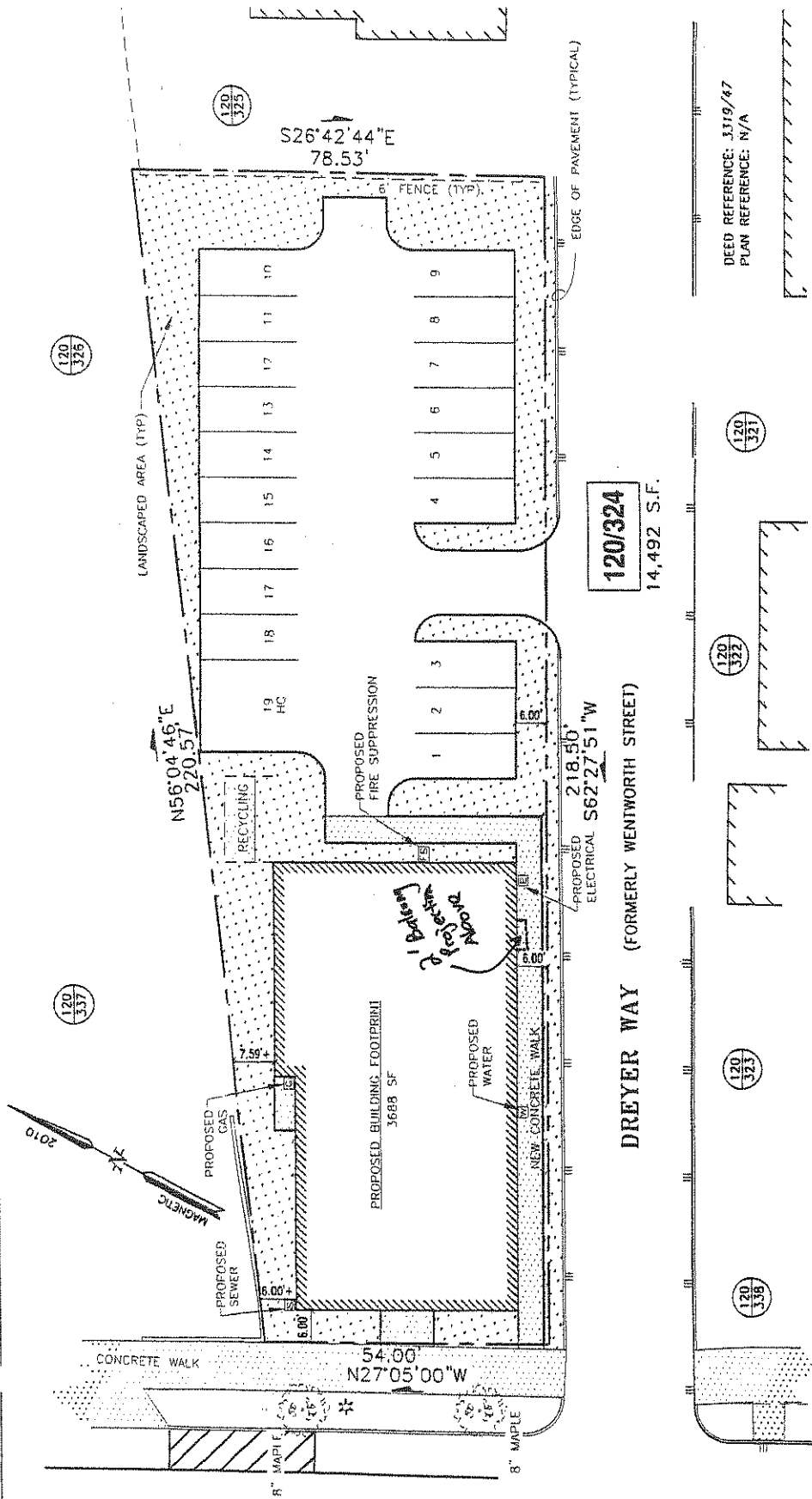
McHENRY ARCHITECTURE
4 Market Street
Portsmouth, New Hampshire

PROPOSED SECOND AND THIRD FLOOR PLANS
OPTION B.1

68 SOUTH MAIN
68 South Main Street
Rochester, NH

Dreyer Way

SOUTH MAIN STREET



NOTE:
REFERENCED PLAN "PROPERTY STAKEOUT SKETCH"
BY AMBIT ENGINEERING, INC. DATED MAY 21,
2010 REV.

PROPERTY OWNER: RYE TRUST
1 RAYNES AVE, SUITE 201
PORTSMOUTH, NH 03801

68 SOUTH MAIN STREET
68 South Main Street
Rochester, NH

PRELIMINARY SITE PLAN

McHENRY ARCHITECTURE
4 Market Street
Portsmouth, New Hampshire

ST

Scale: AS NOTED

P



Z010-16

7/7/2010 12:31 PM

Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0120-0324-0000	Account Number 27204
Prior Parcel ID -	Property Location 68 SO MAIN ST
Property Owner RYE TRUST % HYDER EDWARD A & MITCHELL A TRUSTEES	Property Use RETAIL/SVC
Mailing Address 1 RAYNES AVE	Most Recent Sale Date 12/21/2005
City PORTSMOUTH	Legal Reference 3319-47
Mailing State NH Zip 03105	Grantor HYDER MITCHELL A & EDWARD A JR,
Parcel Zoning B1	Sale Price 2,657
	Land Area 0.300 acres

Current Property Assessment

Card 1 Value	Building Value 188,200	Yard Items Value 5,300	Land Value 143,700	Total Value 338,200
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Building Description

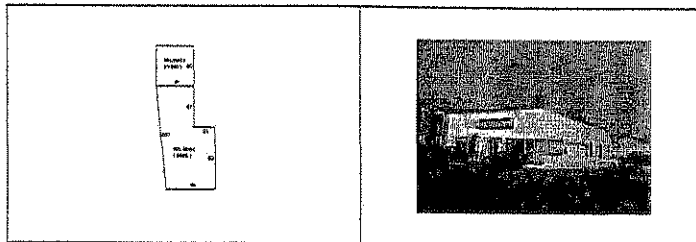
Building Style RETAIL	Foundation Type CONCRETE	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor N/A
Year Built 1949	Roof Structure FLAT	Heating Type UNIT HTRS
Building Grade AVERAGE	Roof Cover ROLLED	Heating Fuel GAS
Building Condition Fair	Siding CONC BLOCK	Air Conditioning 0%
Finished Area (SF) 5895	Interior Walls AVERAGE	# of Bent Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 1	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.300 acres of land mainly classified as RETAIL/SVC with a(n) RETAIL style building, built about 1949, having CONC BLOCK exterior and ROLLED roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 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.

City of Rochester, NH
Please Print or Type

Applicant: BOB McGUIRE III - RYE TRUST Phone 603.433.6615

Project Address: 68 So Main St Rochester NH 03867

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
120	324	B1	BOB McGUIRE III	1 RAYNES AVE, #201 PORTSMOUTH, NH 03801

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Mailing Address
120	337	Indian Head Properties % Cass	Po Box 183699 Columbus OH 43218
120	326	Rochester Lodge of Elks # 1393	Po Box 1393 Rochester NH 03866
120	328	Gilman Professional BLDG LLC	74 So Main St Rochester NH 03867
120	325	David R Lemieux	Po Box 1163 Rochester NH 03866
120	322	Mark R Stetson	Po Box 340 Andover NH 03216
120	321	Northern New England	Po Box 1509 Bangor Me 04402
120	342-1	Emily Cross House LLC	69 So Main St Rochester NH 03867
120	342	City of Rochester	31 Wakefield St Rochester NH 03866
120	204	Realty Income Corp	1655 Boston RD Wilbraham, MA 01095
120	323	Anthi Delintsiotis	126 Swain RD Barrington NH 03825

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
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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: 7/22/10, This is page of pages.

Applicant or Agent: Bob McGuire III