



Economic Development
Community Development
Planning & Zoning
Conservation Commission

City Hall - Second Floor
31 Wakefield Street
Rochester, New Hampshire 03867-1917
(603) 335-1338 • Fax (603) 335-7585
E-Mail: kenn.ortmann@rochesternh.net
Web Page: http://www.rochesternh.net/

RECEIVED

JUL 19 2011

Planning Dept.

APPLICATION FOR A VARIANCE

rd 175.1

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2011-21

DATE FILED 7-20-11

ZONING BOARD CLERK C. Linn

11126

Phone No 335-5004

Name of applicant Robert Rivera

Address 85 Winkley Farm Lane

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

Address 153 North Main St
(If the same as applicant, write "same")

Location _____

Map No. 121

Lot No. 340

Zone B1

Description of property Auto Repair & Sales

Proposed use or existing use affected USE OF SOME PARKING SPACES
FOR CAR SALES

The undersigned hereby requests a variance to the terms of Article 42.1.4
Section (1) (17) and asked that said terms be waived to permit CAR SALES
IN BUSINESS 1 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 constitute grounds for a variance.

Signed [Signature]
(Applicant)

Date: 7/18/2011A Variance is requested by Robert Ruess

from Section _____ Subsection _____

of the Zoning Ordinance to permit: _____

at _____ Map _____ Lot _____ Zone _____

Facts supporting this request:

1) The proposed use would not diminish surrounding property values because: we are already an existing business. we will have the same hours of operation. This additional use will have less impact than existing use.

2) Granting the variance is not contrary to the public interest because: This accessorie use will have no negative impact on the public, because it will not change the character of the district and will not increase congestion.

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: ① property is unique because we are already a non conformance use. and this minor change will not impact the neighborhood. ② This minor change is not contrary to the purpose of the zoning ordinance. ③ will have no negative impact on my neighbors.

4.) Granting the variance would do substantial justice because: It will have no negative impact on the community and will allow an accessorie use that will help my business.

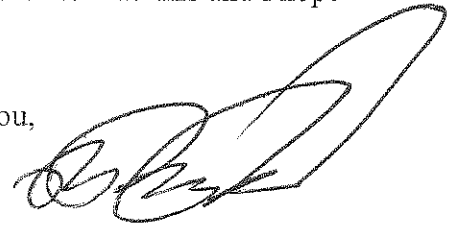
5.) The use is not contrary to the spirit of the ordinance because: This accessorie use will not increase traffic, will not impact general welfare. will not change the character of the district and is minor compare to the existing use.

Name Robert RuessDate: 7/19/2011

To whom it may concern,

I would like to propose expanding the number of available spaces granted for Rob's select car sales. Initially we were approved six space and we would like to increase this to 15 spaces if at all possible. The reason we would like to expand the number of spaces is due to the increasing demand of used cars from Rob's Select. We studied the lot and determined that there is sufficient space to fit 15 cars along with employee parking as well as the shops customer parking. As it is now, we have six cars for sale on the lot which we have control over their appearance while we have no control over the appearance of our customers cars. With this being stated we believe we can eliminate a lot of eye sores and have a very uniform lot. This would bring a sense of organization to our business therefore making it look cleaner and this would help Rochester maintain their image rather than influence it negatively. Overall, we believe this could help all parties involved because it would allow us to sell more cars, which in return would help the citizens of Rochester find a reasonably priced and reliable car. Also, previously mentioned, it could help Rochester maintain a clean image. I appreciate the time taken to read this and I hope you consider our request.

Thank you,

A handwritten signature in black ink, appearing to read 'Robert Rivard', written in a cursive style.

Robert Rivard

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JUL 22 2011

Planning Dept.



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ROCHESTER, NEW HAMPSHIRE 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: <http://www.rochesternh.net>

Planning
Community Development
Zoning
Conservation Commission
Historic District Commission

May 27, 2011

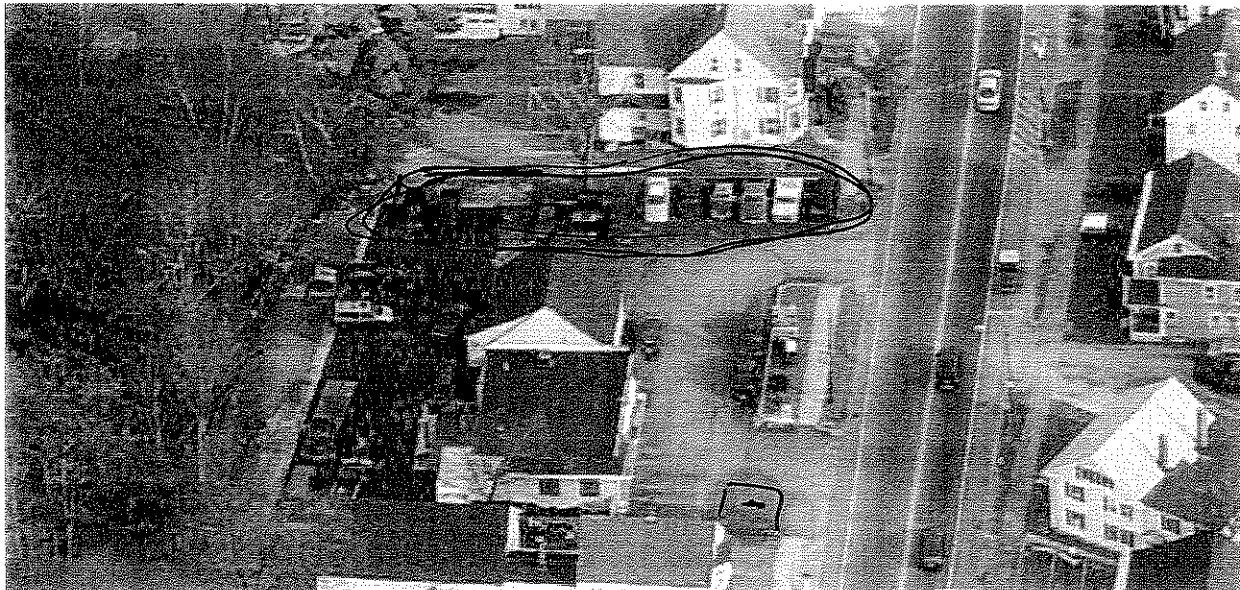
Mr. Robert Rivard
Rochester Tire and Auto
152 North Main Street
Rochester, NH 03867
Via Certified Mail

RECEIVED
JUL 22 2011
Planning Dept.

Re: Violation of condition of variance

Dear Mr. Rivard,

It was brought to my attention recently that a number of vehicles have been offered for sale at Rochester Tire and Auto in a manner counter to the conditions of the variance that was granted for the property. The first picture below shows the area allowed to display vehicles for sale. The second photograph, taken May 17, 2011, shows at least nine vehicles for sale.



Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0121-0340-0000	Account Number 27301
Prior Parcel ID -	Property Location 153 NO MAIN ST
Property Owner RIVARD ROBERT R	Property Use AUTO REPAIR
Mailing Address 85 WINKLEY FARM LN	Most Recent Sale Date 5/30/2002
City ROCHESTER	Legal Reference 2617-540
Mailing State NH Zip 03867	Grantor MURTAGH LILIAN % COLIN REALTY,
Parcel/Zoning B1	Sale Price 185,000
	Land Area 0.960 acres

Current Property Assessment

Card 1 Value	Building Value 137,000	Yard Items Value 5,100	Land Value 39,800	Total Value 231,900
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Building Description

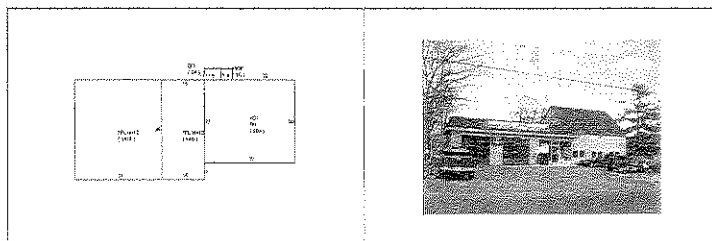
Building Style SVC GARAGE	Foundation Type CONCRETE	Flooring Type CONCRETE
# of Living Units 1	Frame Type WOOD	Basement Floor N/A
Year Built 1940	Roof Structure FLAT	Heating Type FORCED H/A
Building Grade AVERAGE	Roof Cover TAR+GRAVEL	Heating Fuel GAS
Building Condition Average	Siding CORREG STL	Air Conditioning 20%
Finished Area (SF) 2016	Interior Walls AVERAGE	# of Bsmt 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

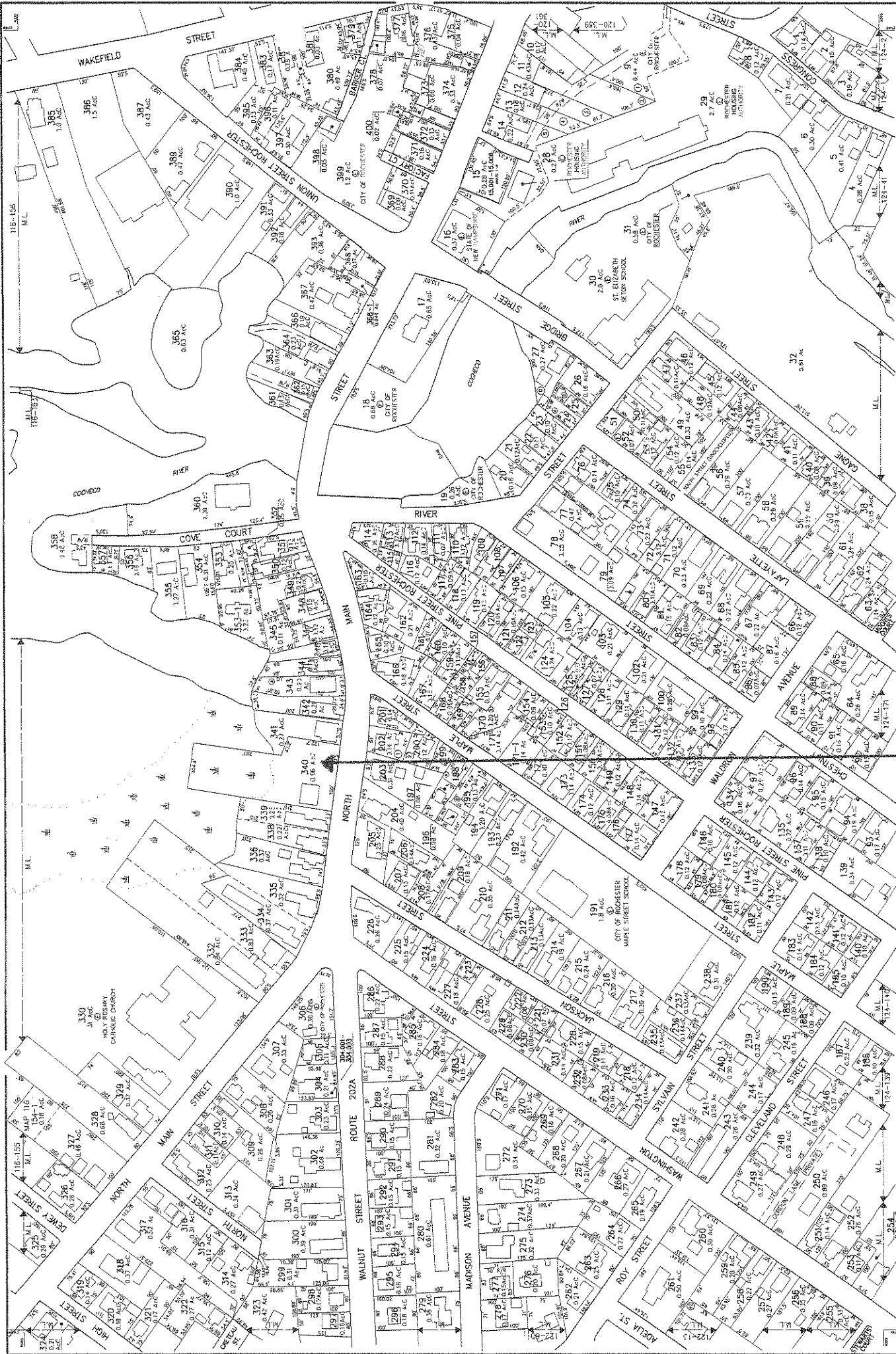
Narrative Description of Property

This property contains 0.960 acres of land mainly classified as AUTO REPAIR with a(n) SVC GARAGE style building, built about 1940 , having CORREG STL exterior and TAR+GRAVEL 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.



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE. THE VERTICAL DATA IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM. PHOTOGRAPHY DATE: APRIL 28, 1990 COMPLETION DATE: JUNE 30, 1992		PRODUCED IN 1992 BY CARTOGRAPHIC ASSOC. INC. PROFESSIONAL CONSULTANTS PUBLIC WORKS INTERNATIONAL 11 PLEASANT STREET, LITTLETON, NEW HAMPSHIRE 03042 (603) 444-7700 (CONTRACT) (603) 444-7700 (FAX) (603) 444-7700 (TELETYPE)		LEGEND NEW BASED ON AERIAL PHOTOGRAPHY RECORD PHOTOGRAPHY ZONED PHOTOGRAPHY NOTED PHOTOGRAPHY NEW BASED ON AERIAL PHOTOGRAPHY RECORD PHOTOGRAPHY ZONED PHOTOGRAPHY NOTED PHOTOGRAPHY		SCALE 1" = 100' 0 25 50 75 100 FEET 0 25 50 75 100 METERS REVISED TO: APRIL 1, 2011		PROPERTY MAPS ROCHESTER NEW HAMPSHIRE		INDEX 115 116 117 121 122 123 124 125		MAP NO. 121	
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ABUTTER LIST

City of Rochester, NH

Please Print or Type

Applicant:

Robert Ricard

Phone (603) 335-5004

Project Address:

153 North Main St. Roch

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
121	340	B1	Robert & Brenda Ricard	85 Winkley Farm Lane Roch

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Water Property Owner Mailing Address (NOT property location)
*121	341	MICHAEL & WILLIAM WATSON	PO BOX 15 03866-0015 Roch NH
*121	336	ROMAN CATHOLIC Parish	PO BOX 340 02105-0310 MANCHESTER NH
*121	283	GEORGE & DONNA SNYDER	152 NORTH MAIN ST Roch 03867
*121	204	ROBERT A FORCEN SR	77 GOVERNORS RD Roch 03867
*121	205	SCOTT & LINDA KOTBE	13 CHESTNUT HILL RD 03835
*121	202	ALFRED & MINDY HOLT	148 WINTHAM ST Roch 03867
*121	339	Robert & Brenda Ricard	85 Winkley Farm Lane Roch NH

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 Assessing Office computer - Assess Pro (located in the Revenue Bldg at 19 Wakefield Street)

on this date: 7/22/2011 This is page 1 of 1 pages.

Applicant or Agent:

Robert Ricard

Staff Verification: 7/22/11 cee