



Planning
Community Development
Zoning
Conservation Commission
Historic District Commission

Planning & Development Department
City Hall - Second Floor
31 Wakefield Street
ROCHESTER, NEW HAMPSHIRE 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: <http://www.rochesternh.net>

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OCT 20 2010

Planning Dept.

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2010-32

DATE FILED 10/19/10

C. Leno
ZONING BOARD CLERK

Phone No (603) 750-7501

Name of applicant JASON GARLAND (AGENT FOR OWNER)

Address 100 MAIN ST., STE 100, DOVER NH

Owner of property concerned ROCHESTER IND REAL ESTATE, LLC
(If the same as applicant, write "same")

Address PO Box 773, NO ANDOVER, MA 01845
(If the same as applicant, write "same")

Location 36 INDUSTRIAL WAY ^{AKA} LEE UNIT 6 ROCHESTER, NH 03867

Map No. 0230 Lot No. 0020-3606 Zone E2

Description of property COMMERCIAL CONDOMINIUM UNIT

Proposed use or existing use affected EDUCATIONAL FACILITY

The undersigned hereby requests a variance to the terms of Article _____ Section _____

and asked that said terms be waived to permit AN EDUCATIONAL USE

AS A DAY SCHOOL

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 Jason R. Garland
(Applicant)

Date 10/20/2010

CRITERION FOR VARIANCE

Case # _____ OCT 20 2010
Planning Dept.
Date: 10/20/2010

A Variance is requested by ROCHESTER IND REAL ESTATE, LLC
from Section _____ Subsection _____
of the Zoning Ordinance to permit: AN EDUCATIONAL FACILITY

at 36 INDUSTRIAL WAY Map 0230 Lot 0020 - 3606 Zone I-2

Facts supporting this request:

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

THE PROPOSED USE CURRENTLY EXISTS WITHIN
THE PARCEL

2) Granting the variance is not contrary to the public interest because: IT WOULD
NOT NEGATIVELY IMPACT THE SURROUNDING
BUSINESS

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: THE BUILDING IS
PRIMARILY OFFICE USE IN AN I-2
ZONE

4.) Granting the variance would do substantial justice because: IT PROVIDES
ECONOMIC GROWTH TO THE CITY BY BRINGING
IN A NEW BUSINESS OCCUPYING 10,000 +/- SF

5.) The use is not contrary to the spirit of the ordinance because: THERE IS
CURRENTLY SIMILAR BUSINESS OF THE SAME
NATURE WITHIN THE ZONE.

Name James H. Garland Date: 10/20/2010

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OCT 20 2013

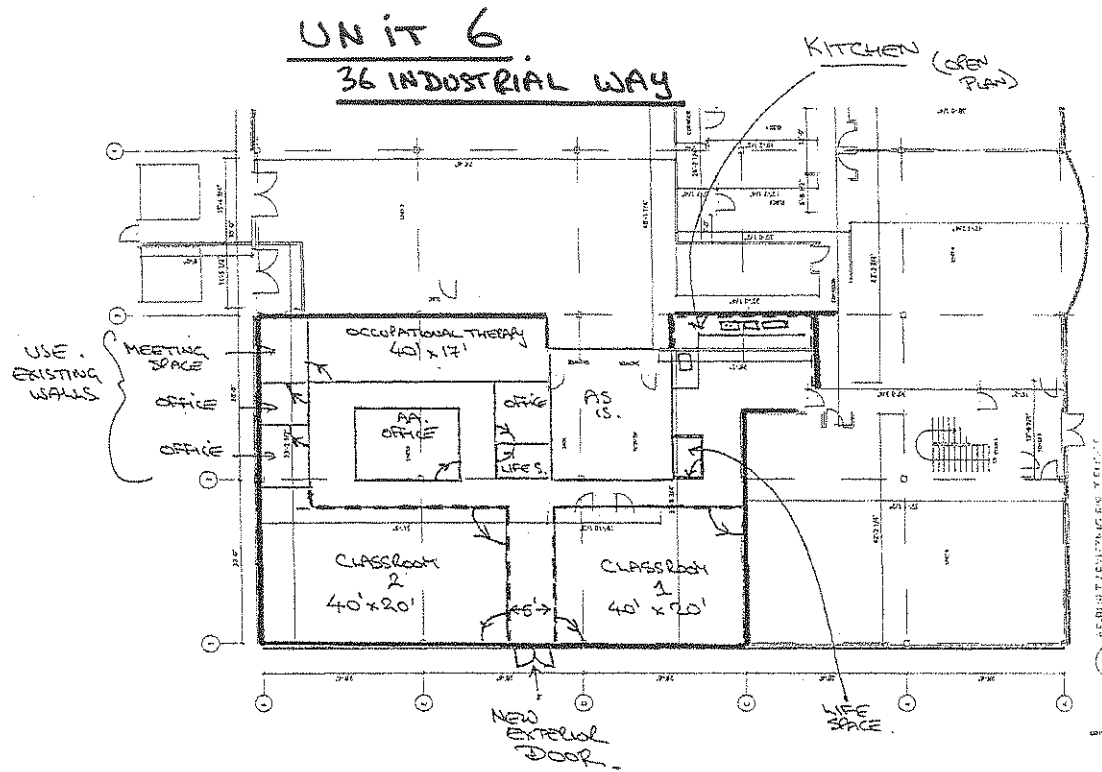
Planning Dept.

Re: Variance for 36 Industrial Way, Unit 6, Rochester, NH

We hereby respectfully request a Use Variance for the above referenced property. The nature of the use would allow Spurwink Services, a non-profit organization, to operate a day school for children with special needs. We believe the use is consistent with other uses currently operating within the Park and shall have no impact on the neighboring businesses.

OCT 20 2010

Planning Dept.



Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0230-0020-3606	Account Number 27759
Prior Parcel ID ~	
Property Owner ROCHESTER IND REAL ESTATE LLC	Property Location 36 INDUSTRIAL WAY
% SUTTON MGMT COMPANY INC	Property Use COMM CONDO
Mailing Address P O BOX 773	Most Recent Sale Date 3/6/2003
	Legal Reference 2596-106
City NO ANDOVER	Grantor CABLETRON SYSTEMS INC % ACCTS,
Mailing State MA Zip 01845	Sale Price 1,250,001
Parcel/Zoning I2	Land Area 0.000 acres

Current Property Assessment

Card 1 Value	Building Value 198,800	Yard Items Value 0	Land Value 0	Total Value 198,800
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Building Description

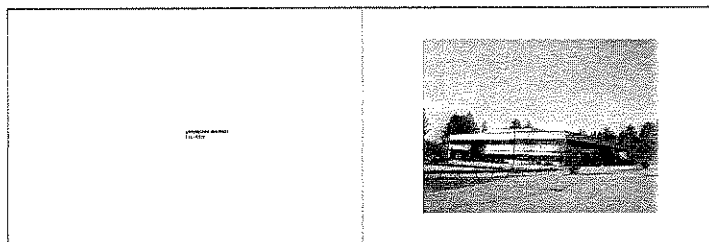
Building Style OFFICE CONDO	Foundation Type CONCRETE	Flooring Type AVERAGE
# of Living Units 1	Frame Type FIRE RESIST	Basement Floor N/A
Year Built 1990	Roof Structure FLAT	Heating Type FORCED H/A
Building Grade AVG. (+)	Roof Cover MEMBRANE	Heating Fuel GAS
Building Condition Average	Siding METAL SANDW	Air Conditioning 100%
Finished Area (SF) 5376	Interior Walls AVERAGE	# of Bsm't 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 0.000 acres of land mainly classified as COMM CONDO with a(n) OFFICE CONDO style building, built about 1990, having METAL SANDW exterior and MEMBRANE roof cover, with 1 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.

Applicant: JASON GARLAND Phone (603) 750-7581 OCT 20 2010
Planning Dept.

Project Address:
36 INDUSTRIAL WAY ~~THE~~ UNIT 6 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
0230	0020	I-2	36 INDUSTRIAL WAY, LLC	PO Box 773 NC ANDOVER, MA 01845

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
230	20-1	LP Gas Equipment % Eastern Propane Gas	PO Box 1800 Rochester NH 03866-1800
230	20-2	LP Gas Equipment % Eastern Propane Gas	P.O. Box 1800 Rochester NH 03866-1800
230	19	Luars Heating Systems % Jora Harwe	20 Industrial Way Rochester NH 03866
230	21	Stephen P. Noble + Amy L. Noble	325 Sampson Rd. Rochester NH 03867
221	24	Maurice M. Brock Trust	P.O. Box 2005, Rochester NH 03866-2005

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 Patriot Database (located in the Revenue Bldg at 19 Wakefield Street)

on this date: OCT 20th, 2010, This is page 1 of 1 pages.

Applicant or Agent: Jason A. Garland Staff Verification: _____