



PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

MAR 20 2013

Planning & Zoning
Community Development
Conservation Commission
Historic District Commission
Arts & Culture Commission

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No 603-312-0607

DO NOT WRITE IN THIS SPACE

CASE NO. 2013-13

DATE FILED 3/20/13

ZONING BOARD CLERK C. Lemoine

Name of applicant Tim & Sally Fortneau

Address PO Box 1293 Rochester, NH 03866

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

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

Location 1062 Salmon Falls Rd

Map No. 241 Lot No. 9 Zone A

Description of property field with barn.

Proposed use or existing use affected Barn currently used to store tractors, lawn mowers, etc. No change proposed.

The undersigned hereby requests a variance to the terms of Article 42.6, Section (a)(1) and asked that said terms be waived to permit barn to remain on newly created lot.

If applicable in this case, the undersigned also requests a waiver from the requirement to provide a certified plot plan, (see attached request sheet) Yes _____ No _____

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 _____

(Applicant)

Continue on Page 2

CRITERIA FOR VARIANCE

Case # _____

Date: 3-20-13

A Variance is requested by Tim & Sally Fortneau

from Section 42.6 Subsection (a)(1)

of the Zoning Ordinance to permit: a barn to remain on a newly created lot as the only use.

at 1062 Salmon Falls Rd Map 241 Lot 9-2 Zone A

Facts supporting this request:

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

The existing use would not change and has been in existence for many years.

2) Granting the variance is not contrary to the public interest because: There is no effective change to current conditions.

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: Without the variance

the owner could be required to tear down the barn. This would be an unnecessary and unjust hardship.

4.) Granting the variance would do substantial justice because: The barn would be allowed to remain in place and continue to be used as it has for many, many years.

5.) The use is not contrary to the spirit of the ordinance because: There is no change of use, no negative effect on surrounding properties.

Name [Signature]

Date: 3-20-13

NARRATIVE

On April 4, 2011 the Rochester Planning Board approved a 2 lot subdivision of our property located at 1062 Salmon Falls Rd, map 241 lot 9.

In doing so, this separated one of the old existing barns from the lot with the house on it. This barn has been historically used as an "equipment shed", simply to keep tractors, lawn mowers and other farm equipment out of the weather. It is currently used for that same purpose.

One of the precedent conditions of this subdivision approval states that "a barn may not be situated on a separate lot by itself because it is an accessory use/structure."

Our options are to tear down the barn or obtain a variance for it to remain. We prefer the latter choice.

We plan to make no changes to the use, the building or the site as a result of this variance.

MAP NO. 241
 PREPARED BY: TIMOTHY & SALLY FONTNEAU
 DATE: FEBRUARY 2011
 SCALE: 1"=40'

THE PURPOSE OF THIS PLAN IS TO SUBMIT THE SUBDIVISION OF LOT 9 INTO TWO LOTS.

NOTES:

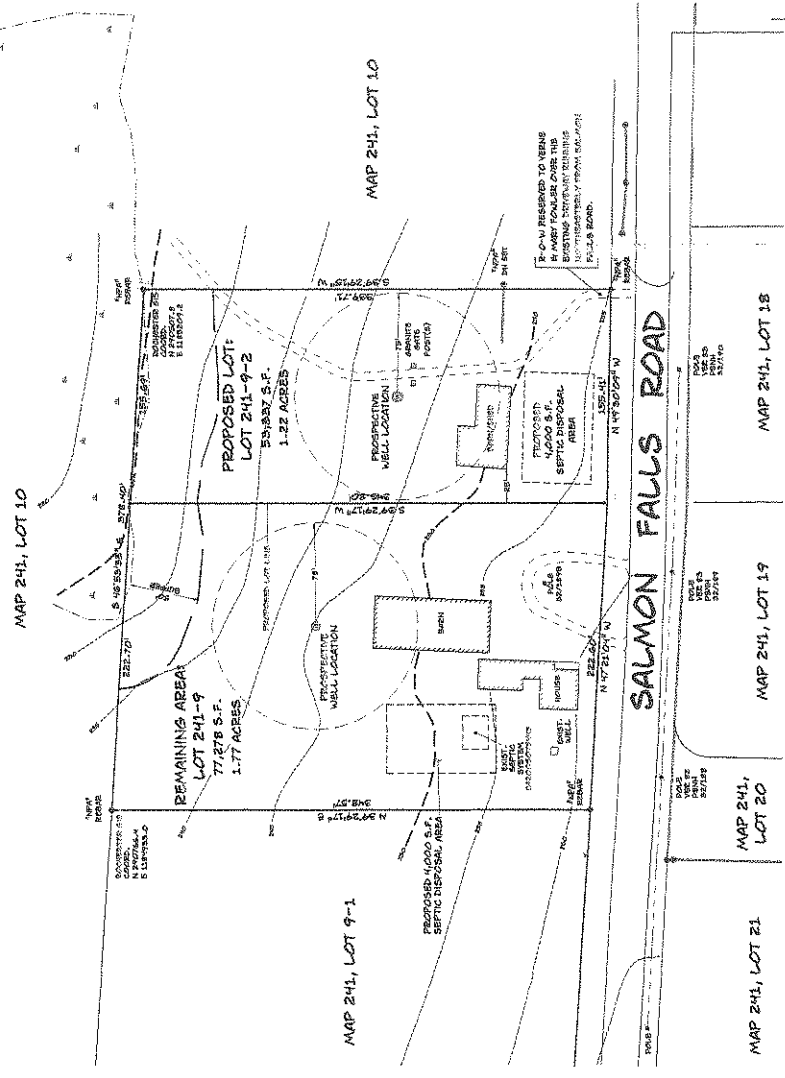
1. THE PURPOSE OF THIS PLAN IS TO SUBMIT THE SUBDIVISION OF LOT 9 INTO TWO LOTS.
2. TOTAL PARCEL AREA: 120,415 S.F. (2.78 ACRES)
3. PARCEL IS ZONED AGRICULTURAL.
4. MINIMUM LOT REQUIREMENTS:
 LOT SIZE = 40,000 SF
 FRONTAGE = 150'
5. BUILDING SETBACKS:
 RY = 30'
 SY = 25'
 RY = 50'
6. THE LOTS SHALL BE SERVICED BY ON-LOT WELLS AND SEPTIC SYSTEMS.
7. THE PROPOSED LOT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP DATED 7/16/1982, COMMUNITY PANEL 380150-0010 B.
8. FOR MORE INFORMATION ABOUT THIS SUBDIVISION, CONTACT THE ROCHESTER PLANNING DEPARTMENT, CITY HALL, 51 WAKEFIELD STREET, ROCHESTER, NH 03867. (603) 335-3345
9. THIS SUBDIVISION IS APPROVED WITH THE CONDITION THAT MOBILE HOMES NOT BE PLACED ON EITHER LOT.

APPROVED FOR RECORD:
 ROCHESTER PLANNING BOARD

TAX MAP 241, LOT 9
 OWNER OF RECORD:
 WALNUT GROVE PROPERTIES, LLC
 P.O. BOX 1393
 ROCHESTER, N.H.
 BK 3033 PG 528

SUBDIVISION OF LAND
 SALMON FALLS ROAD
 TAX MAP 241, LOT 9
 ROCHESTER, NH
 PREPARED FOR
 TIMOTHY & SALLY FONTNEAU
 FEBRUARY 2011
 1"=40'

GRAPHIC SCALE
 1"=40'
 0 20 40 60 80 100
 (in feet)
 1:4000 = 1"=100'



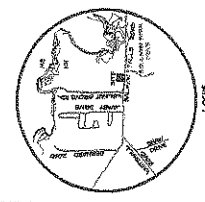
I HEREBY CERTIFY THAT THIS PLAN, PREPARED IN THE MY DIRECTION, IS THE RESULT OF A SURVEY MADE ON THE GROUND AS PER RECORD DESCRIPTIONS AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE PLAN COULD BE SUBJECT TO DISCREPANCY.



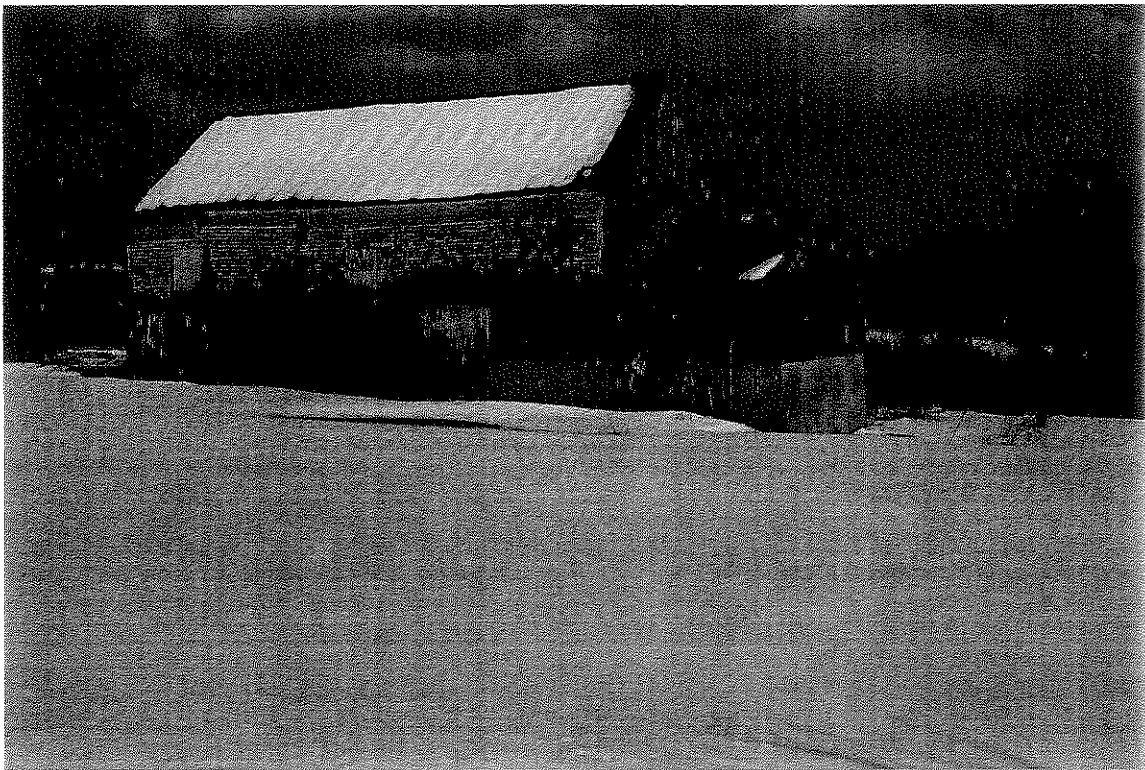
ARTHUR H. NICKLESS, JR., L.L.S. DATE:

SUBDIVISION APPROVAL
 WHETHER OR NOT OTHERWISE EXPRESSLY RELATED
 ON THIS SUBDIVISION PLAN, THE SUBDIVISION APPROVAL IS
 GRANTED BY THE CITY OF ROCHESTER, NEW HAMPSHIRE, IN
 CONFORMANCE WITH THE PROVISIONS, REGULATIONS,
 AND SPECIFICATIONS OF THE CITY OF ROCHESTER LAND SUBDIVISION
 REGULATIONS, AS AMENDED OR AS MAY LATER BE AMENDED, IN EFFECT ON
 THE DATE OF APPROVAL UNLESS OR EXCEPT INsofar AS EXPRESSLY
 WAIVED IN ANY PARTICULAR, BELOW. NON-ADHERENCE MAY RESULT IN A
 REVOCATION OF APPROVAL. ANY VARIATION FROM THE ATTACHED PLAN WILL
 REQUIRE A RESUBMISSION FROM SUB-DIVISION APPROVAL.

NORWAY PLAINS ASSOCIATES, INC.

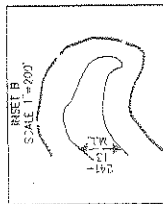
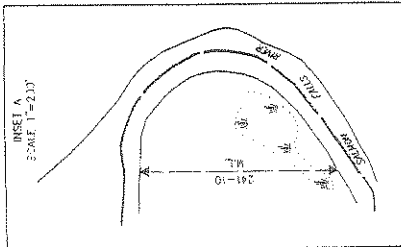


THIS MAP, 241
 PLAN NO. 050224-2
 DATE: FEBRUARY 2011
 1"=40'



BERWICK, MAINE

BERWICK, MAINE



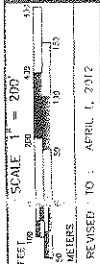
PROPERTY MAPS

ROCHESTER

NEW HAMPSHIRE

24

INDEX DIAGRAM MAP



SCALE 1" = 200'

REVISION TO: APRIL 1, 2012

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Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0241-0000-0000
Prior Parcel ID --
Property Owner FONTNEAU SALLY & TIMOTHY

Mailing Address P O BOX 1203

City ROCHESTER

Mailing State NH Zip 03866-1203

Parcel/Zoning A

Account Number 36076

Property Location 1062 SALMON FALLS RD

Property Use TWO FAMILY

Most Recent Sale Date 8/8/2008

Legal Reference 3415-286

Grantor WALNUT GROVE PROPERTIES LLC,

Sale Price 302,800

Land Area 3.000 acres

Current Property Assessment

Card 1 Value

Building Value 95,800

Yard Items Value 5,500

Land Value 67,000

Total Value 175,300

Building Description

Building Style DUPLEX
of Living Units 2
Year Built 1929
Building Grade A/G, (+)
Building Condition Good
Finished Area (SF) 1970.5
Number Rooms 9
of 3/4 Baths 0

Foundation Type BRICK/STONE
Frame Type WOOD
Roof Structure GABLE
Roof Cover ASPHALT SH
Siding CLAPBOARD
Interior Walls DRYWALL
of Bedrooms 5
of 1/2 Baths 0

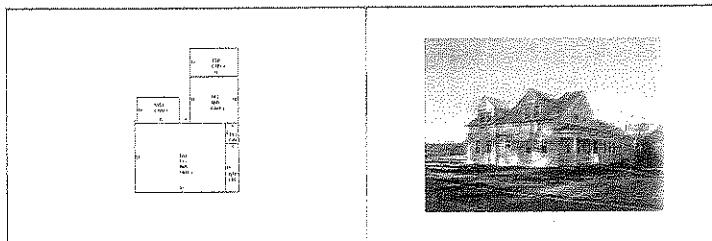
Flooring Type AVERAGE
Basement Floor DIRT
Heating Type FORCED HW
Heating Fuel GAS
Air Conditioning 0%
of Bmnt Garages 0
of Full Baths 2
of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 3.000 acres of land mainly classified as TWO FAMILY with a(n) DUPLEX style building, built about 1929, having CLAPBOARD exterior and ASPHALT SH roof cover, with 2 unit(s), 9 room(s), 5 bedroom(s), 2 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.



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NOTICE OF EXTENSION

April 3, 2013

Timothy & Sally Fontneau
PO Box 1293
Rochester, NH 03866

Re: Extension to meet precedent conditions on approved 2 – Lot subdivision.
Case # 241 – 9 – A – 11

Dear applicant:

This is to inform you that the Rochester Planning Board at its April 1, 2013 meeting **APPROVED** your application referenced above.

The new extension date is July 4, 2013 as requested.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Jim Campbell
Chief of Planning

cc: File

City of Rochester, NH
Please Print or Type

Applicant: Tim & Sally Fonthear Phone 603-312-0607

Project Address: 1062 Salmon Falls Rd Rochester, NH 03868

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
241	9	A	Tim & Sally Fonthear	PO Box 1293 Rochester, NH 03866

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
241	9-1	Walnut Grove Properties	PO Box 1293 Rochester, NH 03866
241	10	Fowler, Mary T Revocable	996 Salmon Falls Rd Rochester 03868
241	18	Cydon, John T. + Lynda L.	1069 Salmon Falls Rd Rochester, NH 03868
241	19	Garman, Aaron + Babylon, Katy	1063 Salmon Falls Rd Rochester, NH 03868
241	20	Fowler, Philip + Cynthia	1094 Salmon Falls Rd Rochester, NH 03868

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. 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: _____, This is page ____ of ____ pages.

Applicant or Agent: _____

Planning Staff Verification: _____ Date: _____