



PLANNING, DEVELOPMENT AND ZONING DEPARTMENT

City Hall – Second Floor
31 Wakefield Street
ROCHESTER, NH 03867-1917
(603) 335-1338

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JUN 22 2011

Planning Dept.

City Planning
Community Development
Economic Development
Zoning Development

APPLICATION FOR VARIANCE
TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

175
11/15/82

DO NOT WRITE IN THIS SPACE

CASE NO.

2011-19

DATE FILED

6-22-11

Phone No. (603) 817-8254

C. Lewis
ZONING BOARD CLERK

Name of Applicant Kevin Uitts

Address 91 Strafford Road; Rochester, NH 03867

Owner of property concerned SAME

(if same as applicant write "same")

Address SAME

(if same as applicant write "same")

Location of property 91 Strafford Road

Map No. 248 Lot No. 21 Zone A

Description of property 500'+/- 64'+/- & 186'+/- 495'+/-
(give length of frontage, side lines rear lines)

Proposed use or existing use affected Building a single-family home closer than to the rear lot line than what is required by the ordinance.

The undersigned hereby requests a variance to the terms of Article 42.16 Section Table 2

And asks that said terms be waived to permit a single-family home with deck 35-feet from the rear lot line where 50-feet is required.

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 constitutes grounds for a variance The shape of the lot is not conducive to the placement of this home in a manner that takes advantage of southern exposure for passive solar opportunities.

Signed

[Signature]
(As Agent for the Applicant)

CRITERION FOR VARIANCE

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Planning Dept.

CASE #

DATE

A variance is request by Kevin Uitts

from Section 42.16

subsection Table 2

of the Zoning Ordinance to permit: a single family home with deck 35-feet from the rear lot line where 50-feet is required.

at 91 Strafford Road

Map 248

Lot 21

Zone A

Facts supporting this request:

1.) The proposed use would not diminish surrounding property values because: The use is consistent with other properties; also note the existing home on the property is only about 18-feet from the rear lot line, so the new building will actually be nearly twice the distance.

2.) Granting the variance would be of benefit to the public interest because: The owner will be doing away with an existing non-conforming use (i.e., a single-family home and an unattached apartment over the existing garage) and the new home, while not completely meeting the required rear setback, will be twice the distance from the lot line as the existing home.

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances that distinguish it from other properties similarly zoned: The triangular shape of the lot coupled with the proximity of a heavily traveled state road makes it difficult to build a home in a location that meets the setback.

4.) Granting the variance would do substantial justice because: the owner would be able to build a reasonable home in the most desirable location on the lot while bringing the lot closer to conforming with the required rear setback.

5.) The use is not contrary to the spirit of the ordinance because: Rear setbacks are designed to create reasonable buffers between homes on adjacent lots. In this case, the home on the lot to the rear of this tract is over 400-feet away from the proposed home.

(As Agent for the Applicant)

6/22/11

Date

NORWAY PLAINS ASSOCIATES, INC.

SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS

31 Mooney Street
Alton, New Hampshire 03809
Alton Office (603) 875-3948
E-MAIL: anickless@norwayplains.com
WEB: www.norwayplains.com

2 Continental Boulevard (03867) P. O. Box 249
Rochester, New Hampshire 03866-0249
Telephone (603) 335-3948
NH (800) 479-3948
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June 22, 2011

Mr. Ralph Torr, Chair
Zoning Board of Adjustment
Planning, Development & Zoning
31 Wakefield Street
Rochester, NH 03867

Re: Kevin Uitts - Map 248, Lot 21 - 91 Strafford Road/Rte. 202A

Dear Ralph:

On behalf of the above referenced applicant, we hereby submit application and supporting data for a variance to the terms of Article 42.16, Table 2 and ask that the terms of said section be waived to allow a single-family home with deck 35-feet from the rear lot line where 50-feet is required.

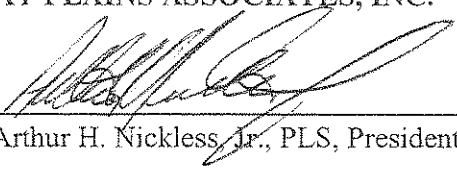
The subject tract is located at 91 Strafford Road just beyond the city's water treatment facility. There is currently a single-family home on the property as well as a garage with an apartment overhead. According to Mr. Uitts, he was informed by the city after purchasing the property that the apartment was never legally established and he has since stopped renting it.

The applicant is proposing to demolish the existing buildings and build a new home at the easterly end of the lot. In working out the details with him, we determined that in order for him to maximize southern exposure and locate as far away from Rte. 202A as possible, a variance would be needed. As you will note when you review the attached plan, the while the new home and deck will only be 35-feet from the rear lot line at it's closest point, the existing home is only 17.9-feet from the lot line. Therefore, even though relief is being sought, the new home will be located nearly twice as far from the lot line than the existing home.

We look forward to discussing this matter with the ZBA and thank you for your consideration.

Sincerely,

NORWAY PLAINS ASSOCIATES, INC.

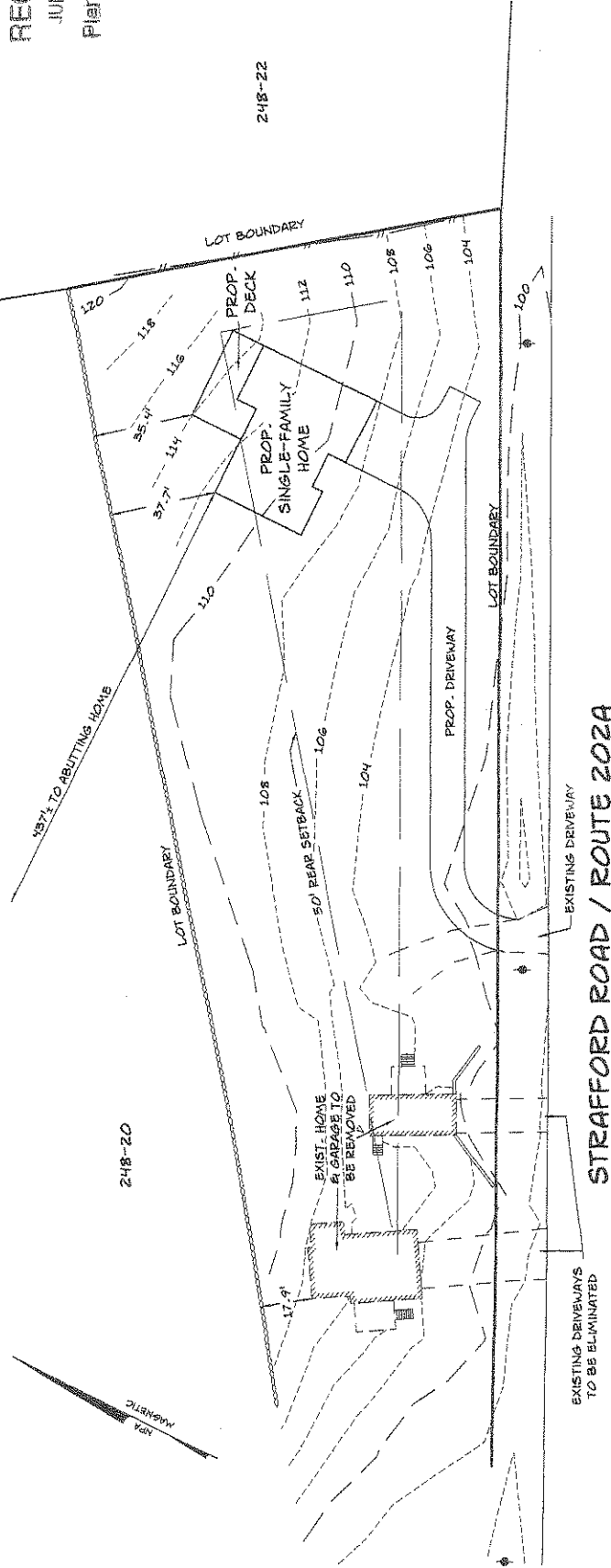
By: 
Arthur H. Nickless, Jr., PLS, President

cc: Kevin Uitts

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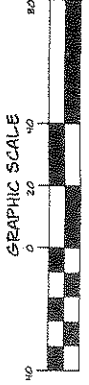
248-16

248-17

248-18

ZONING SKETCH
91 STRAFFORD ROAD/RTE. 202A
TAX MAP 248, LOT 21
ROCHESTER, NH

PREPARED FOR
KEVIN UTTIS
1"=40'
JUNE, 2011



TAX MAP 248, LOT 21
OWNER OF RECORD:
KEVIN UTTIS
91 STRAFFORD ROAD
ROCHESTER, NH 03867
BK-2818, PG-636

NOTES:

1. TOTAL PARCEL AREA: MAP 248, LOT 21: 1.23AC.
3. PARCEL IS ZONED AGRICULTURAL.
4. MINIMUM LOT REQUIREMENTS:
LOT SIZE = 40,000 SF.
FRONTAGE = 150'
BUILDING SETBACKS: FY= 35', SY= 25', RY= 50'

FILE NO. 358
DWG. NO. 10152\ZBA-1
F.B. NO.

Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0248-0021-0000	Account Number 36302
Prior Parcel ID -	Property Location 91 STRAFFORD RD
Property Owner WITTS KEVIN	Property Use SINGLE FAM
Mailing Address 91 STRAFFORD RD	Most Recent Sale Date 7/30/2003
City ROCHESTER	Legal Reference 2816-636
Mailing State NH Zip 03867-4106	Grantor BARKER JAMES G II & AALES AJ.
Parcel Zoning A	Sale Price 173,000
	Land Area 1.200 acres

Current Property Assessment

Card 1 Value	Building Value 47,400	Yard Items Value 0	Lend Value 60,700	Total Value 106,100
Total Parcel Value	Building Value 85,700	Xtra Features Value 0	Land Value 60,700	Total Value 146,400

Building Description

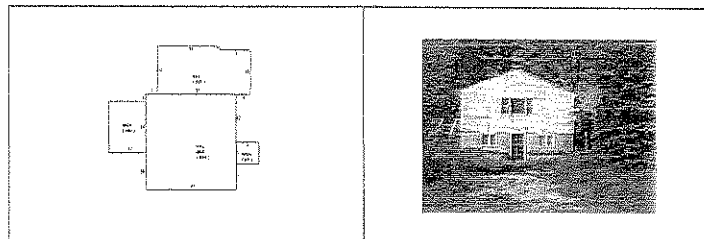
Building Style RANCH	Foundation Type CONC BLOCK	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1948	Roof Structure GABLE	Heating Type FORCED HW
Building Grade A/G. (-)	Roof Cover ASPHALT SH	Heating Fuel OIL
Building Condition Average	Siding CLAPBOARD	Air Conditioning 0%
Finished Area (SF) 941	Interior Walls AVERAGE	# of Bsmr Garages 0
Number Rooms 3	# of Bedrooms 1	# of Full Baths 1
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 1.200 acres of land mainly classified as SINGLE FAM with a(n) RANCH style building, built about 1948 , having CLAPBOARD exterior and ASPHALT SH roof cover, with 1 unit(s), 3 room(s), 1 bedroom(s), 1 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

ABUTTER LIST

City of Rochester, NH
Please Print or Type

RECEIVED

JUN 22 2011

Applicant: Kevin Uitts Phone: 817-8254 **Planning Dept.**

Project Address: 91 Strafford Road

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	Owner Name	Mailing Address
248	21	Kevin Uitts	91 Strafford Rd.; Rochester, NH 03867

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Mailing Address
248	16	City of Rochester	
248	17	City of Rochester	
248	18	Wesley H. & Andrea M. French	6515 15 th . St. E Lot B5; Sarasota, FL 34243
248	20	Michael & Muriel Sanborn	105 Strafford Rd.; Rochester, NH 03867
248	22	Scott & Diana Erbach	83 Strafford Rd.; 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
Norway Plains Assoc., Inc.	P.O. Box 249; Rochester, NH 03866-0249

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: June 22, 2011, This is page 1 of 1 pages.

Applicant or Agent: 