



Planning & Zoning
Community Development
Conservation Commission
Historic District Commission
Arts & Culture 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: www.rochesternh.net

Feb 17, 2013 # 365
10.16.8 # 366

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No. (781) 838-0956

DO NOT WRITE IN THIS SPACE

CASE NO. 2013-35

DATE FILED 10/16/13

[Signature]
ZONING BOARD CLERK

Name of applicant Brian Ross

Address 22 Constitution Way Rochester NH 03867

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

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

Location (same)

Map No. 256 Lot No. 61-5 Zone A

Description of property Residential - Area where shed would go
is in a non-wooded area.

Proposed use or existing use affected is to have an 8' by 12'
Shed installed.

The undersigned hereby requests a variance to the terms of Article 42.19
Section H and asked that said terms be waived to permit construction of a
shed 15 feet into the 50 foot buffer

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 [Signature]
(Applicant)

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2013-35

Date: 10-16-13

A Variance is requested by Brian Ross

from Section 42-19 Subsection M

of the Zoning Ordinance to permit: construction of a shed 15 feet into the 50 foot buffer.

at 22 Constitution Way Map 256 Lot 61-5 Zone AG

Facts supporting this request:

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

I am adding a shed to the property. Adding this shed will increase the value of my home and hopefully help increase value of surrounding homes.

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

still be a good distance from the wetlands. All other setbacks will be met.

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

is very uneven and in order to build a shed anywhere else in the backyard would require grading the property. This would cost a lot of money in materials and labor.

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

The shed will still not be close to the jurisdictional wetlands

5.) The use is not contrary to the spirit of the ordinance because: it will (the shed) not encroach or cause detriment to the wetlands.

Name Brian Ross

Date: 10-16-13

Karen Grenier

From: Ross, Brian [bross1@worchester.edu]
Sent: Wednesday, October 23, 2013 2:24 PM
To: Karen Grenier
Subject: Variance Application Narrative

I am requesting a variance so that I can install a shed on my property. The location where I would like to install the shed goes 15 feet into the 50 foot wetlands buffer zone. My plot of land is narrow and this is really the only place on my property that it is level enough to be able to install a shed. The only other place on my property that I could install this shed would require me to spend a significant amount of money in order to grade the land to make it level enough to install the shed. This shed will be an improvement to my property which will increase my property value. It is imperative that I am able to install this shed in order to store yard maintenance equipment. I appreciate your consideration in this matter and would be happy to answer any questions you may have in regards to my variance application.

Respectfully,
Brian Ross
22 Constitution way
Rochester, Nh, 03867

10-23-13P02:46 RCVD







2013-35

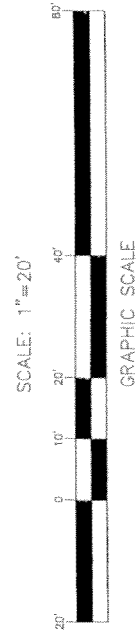
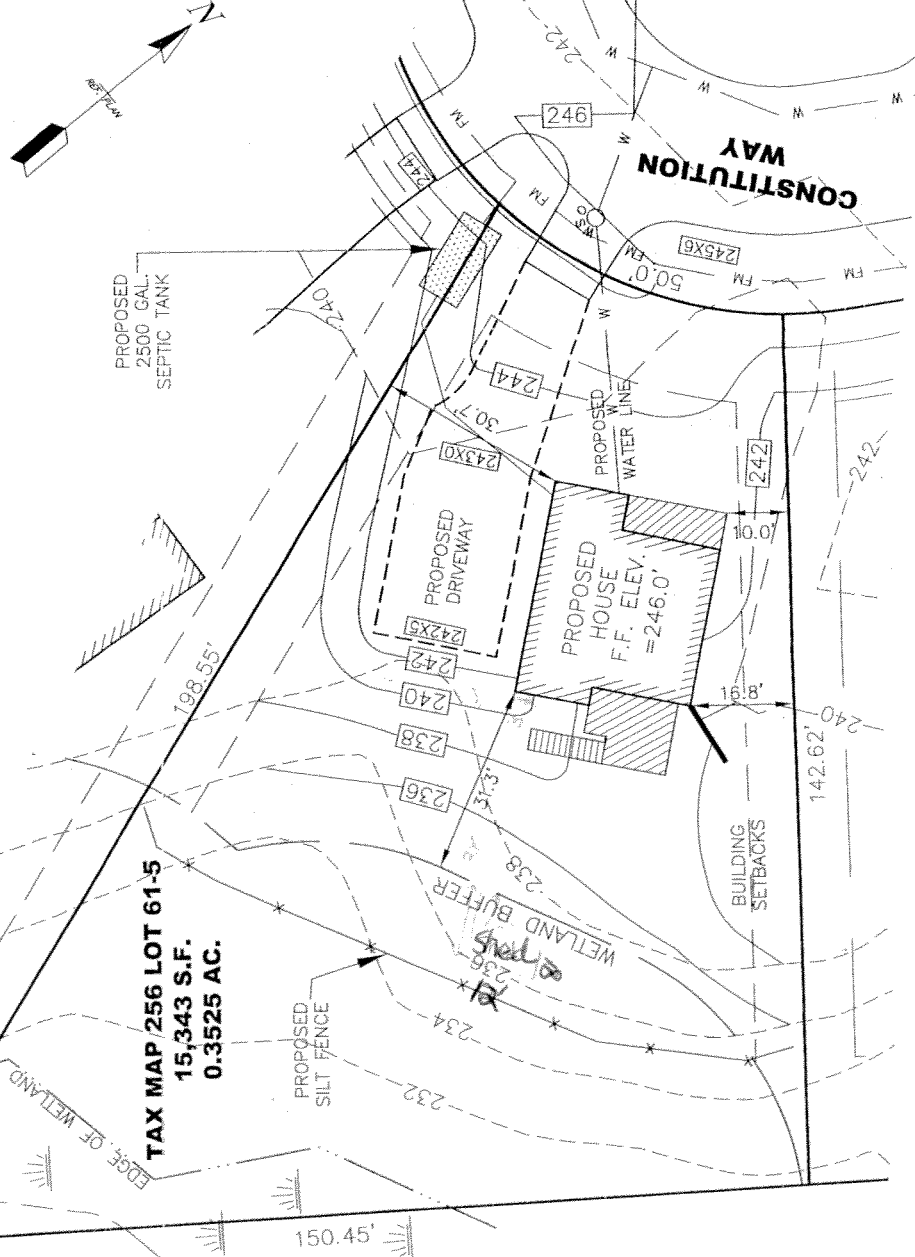


2013-35

REFERENCE PLAN

1. "SUBDIVISION PLAN, LITTLE QUARRY AT THE VILLAGE OF CLARK BROOK, TAX MAP 256 LOTS 61 AND 66, OLD DOVER ROAD (ROUTE 16B), ROCHESTER, NH," DATED DECEMBER 8, 2004, PREPARED BY DOUCET SURVEY, INC. RECORDED AT THE S.C.R.D. AS PLAN NO. 84-63, 64, 65, AND 66.

TAX MAP 256 LOT 61-5
15,343 S.F.
0.3525 AC.



SCALE: 1"=20'

DATE	DESCRIPTION	BY	REV
2/26/2009	REVISED NORTH ARROW	TPH	A.

NOTES

1. OWNER OF RECORD:

CBDA DEVELOPMENT, LLC
 33 SO. COMERCIAL ST.
 MANCHESTER, N.H.
 BK:3676 PG:464

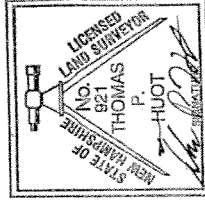
2. THE SUBJECT PARCEL IS ZONED PUD #4. THE SETBACKS ARE AS FOLLOWS:

FRONT = 15'
 REAR = 20'
 SIDE = 8'

3. THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF THE PROPOSED HOUSE.

4. THIS OFFICE HAS NOT LOCATED ANY UNDERGROUND UTILITIES, ALWAYS CALL DIG SAFE PRIOR TO ANY EXCAVATION ACTIVITIES.

5. THE BOUNDARY INFORMATION SHOWN WAS TAKEN FROM THE REFERENCE PLAN.



TAX MAP 256 LOT 61-5

PROPOSED PLOT PLAN

PREPARED FOR &

ARES STRUCTURES, LLC
CONSTITUTION WAY
ROCHESTER, NEW HAMPSHIRE

SCALE: 1" = 20'	FEBRUARY 19, 2009	SHEET 1 OF 1
DRAWN: P.D.S.	CHECKED: TPH	PG: 1166-01

Bedford Design Consultants Inc.
ENGINEERS AND SURVEYORS

177 East Industrial Park Drive, Manchester, NH 03109
 Telephone: (603) 622-5533 Fax: (603) 622-4740
 www.bedforddesign.com

2012.25



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE. THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM. PHOTOGRAPHY DATE: JUNE 28, 1990. COMPLETION DATE: JUNE 30, 1992.		PRODUCED BY 1992 BY CAI Technologies 17 PLAZA STREET, LITTLETON, CO 80120 303.755.6000 FAX 303.755.6001		AREA WORKED: 100% AREA CALCULATED: 100% BEFORE DIMENSION: 100% SCALED DIMENSION: 100% SCALED DIMENSION: 100% M.F.D.		LEGEND COURT PROPERTY SUBDIVISION LOT BUILDING CONCRETE DRIVE CONCRETE DRIVE METERS		SCALE 1" = 200' FEET METERS REVISED TO: APRIL 1, 2001		PROPERTY MAPS ROCHESTER NEW HAMPSHIRE		INDEX DIAGRAM 256 MAP NO.	
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0' Abutters List Report

Town of Rochester, NH
October 23, 2013

Subject Property:

✓ Parcel Number: 0256-0061-0005
CAMA Number: 0256-0061-0005
Property Address: 22 CONSTITUTION WAY

Mailing Address: ROSS BRIAN JAY
22 CONSTITUTION WAY
ROCHESTER, NH 03867-5252

Abutters:

✓ Parcel Number: 0256-0059-0000
CAMA Number: 0256-0059-0000
Property Address: 425 OLD DOVER RD

Mailing Address: SPURLING JOANNE M REVOCABLE
TRUST % SPURLING JOANNE M
49 KIPLING ROCK RD
ROCHESTER, NH 03867-4658

✓ Parcel Number: 0256-0061-0004
CAMA Number: 0256-0061-0004
Property Address: 20 CONSTITUTION WAY

Mailing Address: CBDA DEVELOPMENT LLC
1662 ELM ST
MANCHESTER, NH 03101

✓ Parcel Number: 0256-0061-0006
CAMA Number: 0256-0061-0006
Property Address: 24 CONSTITUTION WAY

Mailing Address: CBDA DEVELOPMENT LLC
1662 ELM ST
MANCHESTER, NH 03101

✓ Parcel Number: 0256-0061-0027
CAMA Number: 0256-0061-0027
Property Address: 0 CONSTITUTION WAY

Mailing Address: CBDA DEVELOPMENT LLC
1662 ELM ST
MANCHESTER, NH 03101

Klg
10/23/2013

10/23/13


www.cai-tech.com

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