

Planning & Zoning  
Community Development  
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: [www.rochesternh.net](http://www.rochesternh.net)

### NOTICE OF PUBLIC HEARING

Dear Abutter:

You are hereby notified of a **Public Hearing** to be held at **7:00 p.m.** on **Wednesday, May 11, 2011** in the City Hall Council Chambers concerning the following:

**2011-10** Application by Karen McGarghan for a special exception under Article 42.23 Section (c)(29) of the City's Zoning Ordinance to allow an open air porch to extend into the front setback up to one half of the required setback. The porch must in perpetuity remain open air and not be enclosed (i.e. it may not be enclosed with either glass or screens)

**Location:** 1 Sugar Brook Road  
Tax Map 261 Lot 33 Agricultural Zone (Cluster Development)

You are welcome to attend the public hearing and comment on the proposal. You can also submit comments by letter, fax, or email ([caroline.lewis@rochesternh.net](mailto:caroline.lewis@rochesternh.net)). The project application is available for review by the public in the Planning Department, or you can view the entire application on the City's website – [www.rochesternh.net](http://www.rochesternh.net). Click on *Boards & Commissions*, then *Zoning Board of Adjustment*, then *Zoning Board Projects*. Look under the map and lot number shown above.

Please feel free to contact this department with any questions or if you have any disability requiring special provisions for your participation.

**Office Hours are between 8:00 a.m. to 5:00 p.m. Monday through Friday.**

  
Caroline Lewis, Zoning Secretary  
cc: file



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## APPLICATION FOR SPECIAL EXCEPTION

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2011-10

DATE FILED 4-25-11

C. Lane  
ZONING BOARD CLERK

Phone No. 978-0298

Name of applicant Karen McLaughlin

Address 1 Sugar Brook Road, Rochester NH 03039  
(if same as applicant, write "same")

Owner of Property Concerned Same  
(if same as applicant, write "same")

Address \_\_\_\_\_  
(if same as applicant, write "same")

RECEIVED

APR 25 2011

Planning Dept.

Location of property 1 Sugar Brook Rd

Map No. 261 Lot No. 33 Zone A

The undersigned hereby requests a special exception as provided in

Article: 42.23 Section: (C)(29) of the Zoning Ordinance

Description of Property \_\_\_\_\_  
(give length of the lot lines) Frontage Sides Rear

Proposed use or existing use affected Farmers Porch

Signed Karen McLaughlin Date 4-22-11  
(Applicant)

APR 25 2011

Planning Dept.

(a) General Provisions

- (1) Certain uses, structures, or conditions are designed as Special Exceptions (E) in this ordinance. Upon application, the Board of Adjustment may, subject to the appropriate conditions and safeguards, grant a permit for these special exceptions and no others.
- (2) Special Exceptions, for which conformance to additional standards is required, may be permitted in their respective districts, subject to the satisfaction of the requirements and standards set forth in this Section 42.23, in addition to all other requirements of this ordinance. All such uses are hereby declared to possess such special characteristics that each shall be considered as an individual case.
- (2) The Board of Adjustment may require that a site plan for development for a proposed Special exception be submitted showing the location of all buildings, parking areas, traffic access, open spaces, landscaping, and any other pertinent information that may be necessary to determine if the proposed special exception is in harmony with the intent of this ordinance.
- (b) Considerations Governing Granting Special Exceptions: In acting upon an application for a special exception, the Board of Adjustment shall take into consideration whether:
- (1) The specific site is an appropriate location for the proposed use or structure  
YES ☒ NO ☐ Reasoning:
- (2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood  
YES ☐ NO ☒ Reasoning:
- (3) There will be undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off street parking  
YES ☐ NO ☒ Reasoning:
- (4) Adequate and appropriate facilities and utilities will be provided to insure the Proper operation of the proposed use or structure  
YES ☒ NO ☐ Reasoning:
- (5) The proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan  
YES ☒ NO ☐ Reasoning:

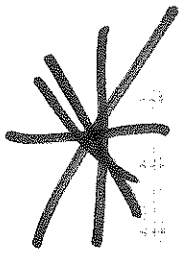
**Please check Section 42.23 (c) of the Rochester Zoning Ordinance for any additional specific conditions that apply to your Special Exception request.**

I AM REQUESTING A SPECIAL VARIANCE  
SET BACK TO BUILD AN OPEN AIR PORCH  
ON THE FRONT SIDE OF MY HOUSE

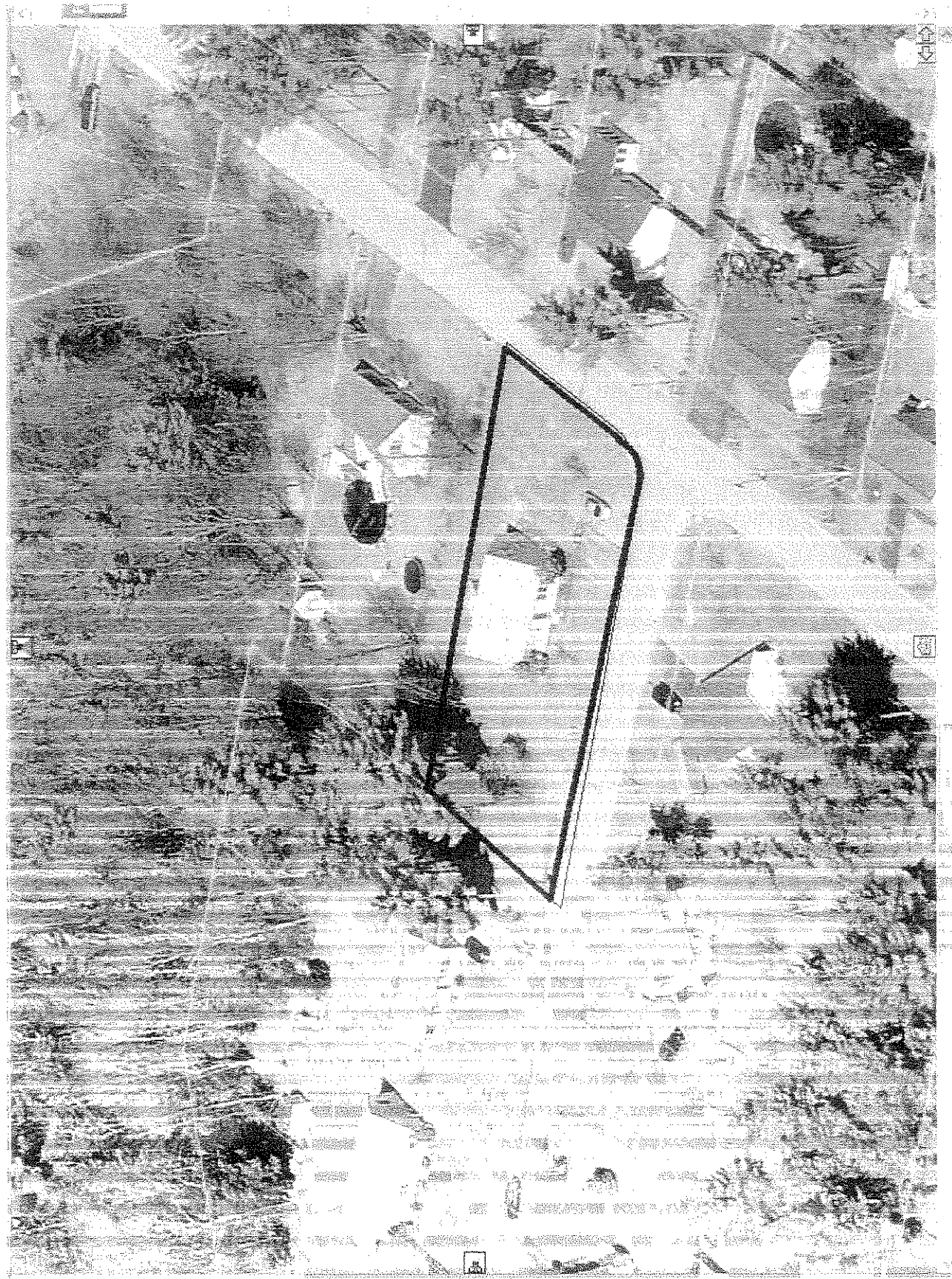
RECEIVED

APR 25 2011

Planning Dept.



I AM REQUESTING A WAIVER FOR  
I DO NOT HAVE A CERTIFIED PLOT PLAN



2011-10

# Sketch Plan

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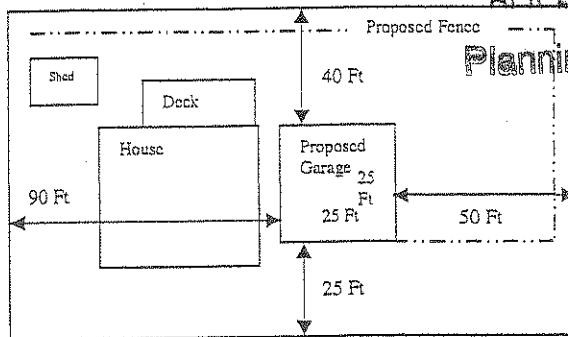
APR 25 2011

Planning Dept.

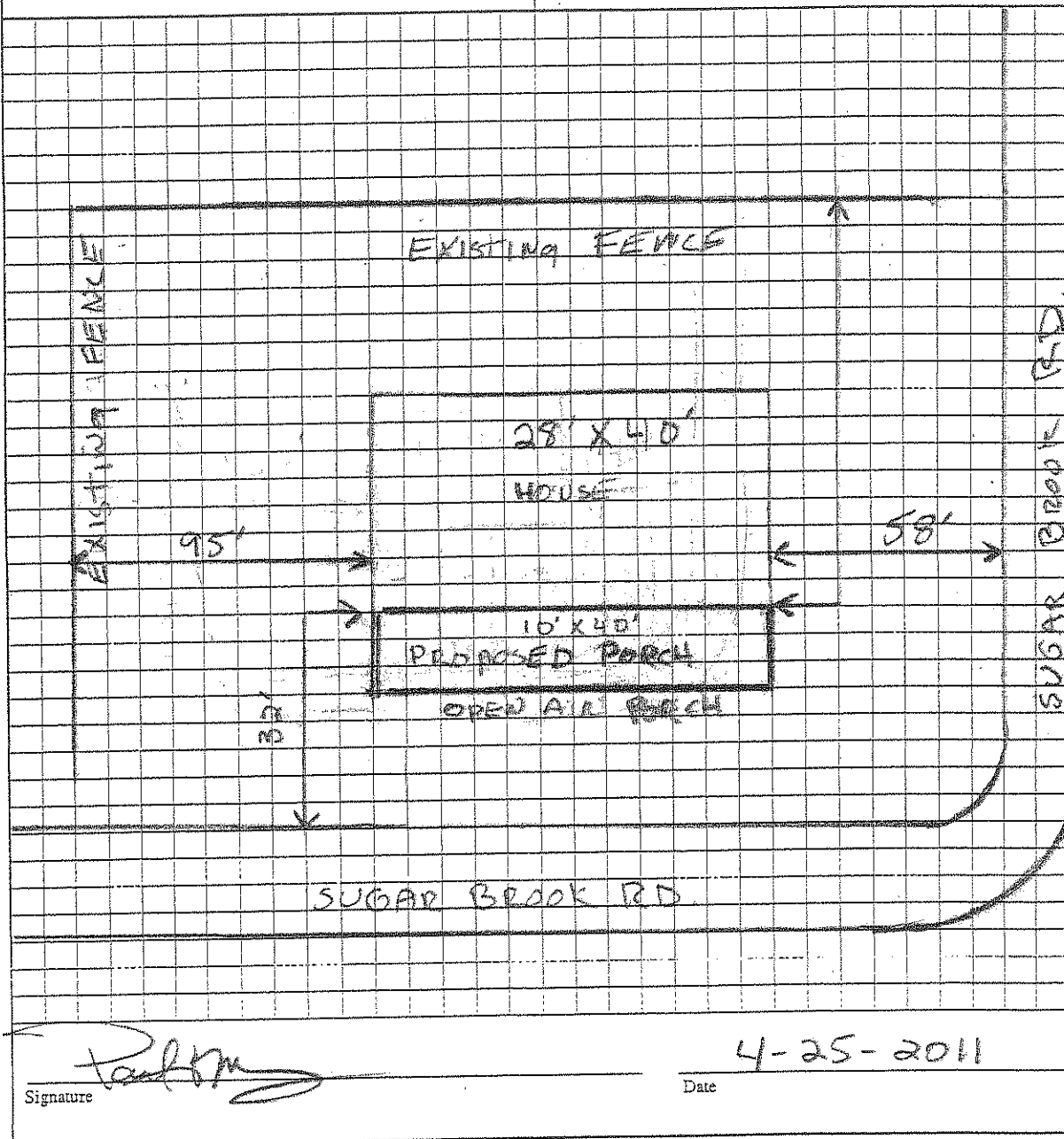
## Instructions:

- 1) Show the Property lines and road(s).
- 2) Show the proposed Structure and all existing structures.
- 3) Show the Measurements from the proposed structure to all lot lines, measure straight through existing structures if needed.
- 4) Include the dimensions of the proposed structure.
- 5) If installing a fence -- show the location.

## Sample Plan:



Street



Signature

Date

4-25-2011

## Unofficial Property Record Card - Rochester, NH

### General Property Data

Parcel ID 0261-0033-0000	Account Number 37815
Prior Parcel ID -	Property Location 1 SUGAR BROOK RD
Property Owner MCGARGHAN KAREN L	Property Use SINGLE FAM
Mailing Address 1 SUGAR BROOK RD	Most Recent Sale Date 8/27/2004
City ROCHESTER	Legal Reference 3058-142
Mailing State NH Zip 03839	Grantor LAROCHE RONALD J & MAUREEN M,
Parcel/Zoning A	Sale Price 210,000
	Land Area 0.420 acres

### Current Property Assessment

Card 1 Value	Building Value 105,800	Yard Items Value 400	Land Value 59,300	Total Value 165,500
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### Building Description

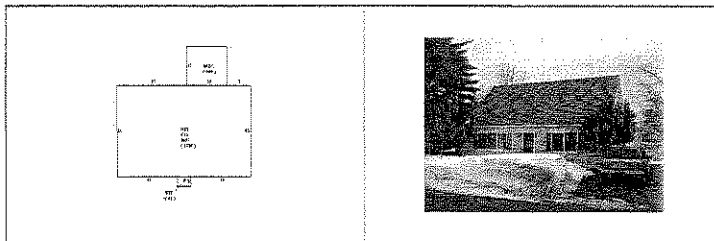
Building Style CAPE	Foundation Type CONCRETE	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1990	Roof Structure GABLE	Heating Type FORCED HW
Building Grade AVERAGE	Roof Cover ASPHALT SH	Heating Fuel GAS
Building Condition Average	Siding VINYL	Air Conditioning 0%
Finished Area (SF) 1680	Interior Walls DRYWALL	# of Bsm't Garages 0
Number Rooms 6	# of Bedrooms 3	# of Full Baths 2
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

### Legal Description

### Narrative Description of Property

This property contains 0.420 acres of land mainly classified as SINGLE FAM with a(n) CAPE style building, built about 1990, having VINYL exterior and ASPHALT SH roof cover, with 1 unit(s), 6 room(s), 3 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.



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: APRIL 23, 1999 COMPLETION DATE: JUNE 30, 1992	PRODUCED IN 1992 BY <b>CARTOGRAPHIC ASSOC. INC.</b> PROFESSIONAL CONSULTANTS MUNICIPAL MAPS/PGS. 621 - PUBLIC WORKS/UTILITY MANAGEMENT 11 PLEASANT STREET, LITTLETON, NEW HAMPSHIRE 03561 (603) 444-8786 - (603) 444-8787 - FAX (603) 444-1295 - WWW.CAI-INFO.COM	<b>LEGEND</b> AREA SURVEYED AREA EXCLUDED RECORD OVERLAP SEALED INTERVIEW MATCH LINE WATER AC 100' 100' 100' M.L. M.L. M.L.	 REVISION TO: APRIL 1, 2010	FEET 0 20 40 60 80 METERS 0 20 40 60 80	INDEX DIAGRAM 259-38 259-39 259-40 259-41 259-42 259-43 259-44 259-45 259-73	PROPERTY MAPS	MAP NO.
						<b>ROCHESTER</b>	<b>261</b>

## ZONING BOARD CASE COMMENT SHEET

Case # 2011-10

Department of Planning & Development  
Director Comments

None.

Signed

KATH L. DA

Date

4/29/11

City Manager Comments

None

Signed

Robert M. Stettin

Date

4-29-11



City of Rochester, New Hampshire

DEPARTMENT OF CODE ENFORCEMENT  
31 Wakefield Street • Rochester, NH 03867  
(603) 332-3508 • Fax (603) 332-8601

Code Office Denial of a Building Permit or Use

Name of Applicant Karen McGarhan  
Location 1 Sugar Brook Road  
Map 261 Lot 33 Block — Zone A (Cluster Development)  
Date Denied 4-25-2011

Your application for a building permit / use has been denied due to a violation of

Article 42.16 <sup>TABLE</sup> Section 2 Subsection \_\_\_\_\_ of the Rochester

Zoning Ordinance adopted March 3, 1986, and / or a violation of Article \_\_\_\_\_

Section \_\_\_\_\_ Subsection \_\_\_\_\_ of the ICC Building Code, 2000  
edition.

The exact reason for this denial is: THE PROPOSED PORCH WOULD  
NOT MEET THE REQUIRED ~~50~~ FRONT SETBACK.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notice: You may make application to the Zoning Board of Adjustment for an  
Appeal of an Administrative Decision, a Variance, or a Special Exception.

[Signature]  
Building Inspector

4-27-2011  
Date

Zoning Board Case # 2011-10

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APR 25 2011

Applicant: \_\_\_\_\_ Phone \_\_\_\_\_

Project Address: \_\_\_\_\_

Planning Dept.

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
261	33		Karen McFarhan	1 Sugar Brook Rd Conic 0303

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
261	34	MICHAEL & ANGELA JOHNSON	5 Sugar Brook Rd - Conic NH 0303
261	32	Cathy Libbey	2 Sugar Brook Rd. Conic NH
261	69	DONNA BISSON	34 Stillwater Circle Conic NH
261	70	DOROTHY TARRAPURELLI	32 STILLWATER CIRCLE CONIC NH
261	72	BOB & JAMIE LAVIE	29 STILLWATER CIRCLE CONIC NH
261	73	BRUCE MONTVILLE	PO BOX 2120 HAMPTON NH 03043

pd  
2303  
1648

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

3.29  
1  
23.03

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

on this date: 4-25-2011, This is page \_\_\_\_ of \_\_\_\_ pages.

Applicant or Agent: Karen McFarhan