



City of Rochester, New Hampshire

Zoning Board of Adjustment

Special Exception Application

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2-22-36

DATE FILED 11/8/22

C91
ZONING BOARD CLERK

Applicant: James Higginbottom

E-mail: jhigginbottom@gmail.com

Phone: 603-326-8882

Applicant Address: 5 Estes Rd Rochester, NH 03839

Property Owner: James Higginbottom

Property Owner Address: 5 Estes Rd Rochester, NH 03839

Variance Address: 5 Estes Rd Rochester, NH 03839

Map Lot and Block No: M: 0251 B: 0172 L: 0000

Description of Property (give length of lot lines): 11.08 acres, see attached

Proposed use or existing use affected: Agriculture-Animal Care-Land Oriented Uses.

The undersigned hereby requests a special exception as provided in section 18E of the Zoning Ordinance to permit Agriculture-Animal Care-Land Oriented Uses.

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 Special Exception.

Signed: 

Date: 11/16/22



City of Rochester, New Hampshire

Zoning Board of Adjustment

275.22 Special Exception Sheet

(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 275.22, 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.
- (3) 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: The property is just outside of the agricultural zone and fits other criterias for agricultural use such that an exception should be granted.

(2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood. Yes ☐ ☒ No
Reasoning: The use conforms to other properties nearby.

(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: Pedestrian and vehicular traffic will be unaffected.

(4) Adequate and appropriate facilities and utilities will be provided to ensure the proper operation of the proposed use or structure. ☒ Yes ☐ No Reasoning: The property already includes a barn.

(5) The proposed use or structure is consistent with the spirit of the ordinance and the intent of the Master Plan. ☒ Yes ☐ No Reasoning: This will help preserve the rural character of the outlying areas of the city.

Please check section 275.22 of the Zoning Ordinance for any additional specific conditions that apply to your Special Exception request.

ZONING

275 Attachment 5

City of Rochester

Table 18-E Agriculture-Animal Care-Land Oriented Uses

LEGEND

P = Permitted Use

C = Conditional Use

E = Use Allowed by Special Exception

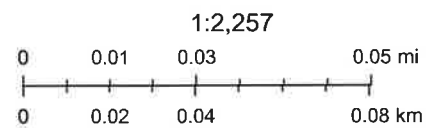
Agriculture-Animal Care-Land Oriented Uses	Residential Districts				Commercial Districts				Industrial Districts		Special		Criteria/Conditions Reference
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	
Cemetery	—	—	—	E	—	E	—	—	—	—	P	—	Article 22
Earth, sand and gravel excavation/processing	—	—	—	E	—	E	E	C	—	E	—	—	Articles 20 and 22
Fair	—	—	—	—	—	—	—	—	—	—	—	—	Article 2
Farm	E	—	—	P	—	E	—	E	—	E	—	E	Articles 20 and 22
Farm, crops	E	E	—	P	—	P	—	P	P	P	—	P	Articles 20 and 22
Farmer's market (temporary)	—	—	P	—	P	P	P	P	P	P	P	P	Article 2
Kennel (commercial)	—	—	—	E	—	E	—	E	E	E	—	—	Article 22
Kennel (private)	—	—	—	E	—	—	—	—	—	—	—	—	Article 22
Landscaping materials	—	—	—	C	C	—	—	C	P	C	—	—	
Plant nursery	—	—	C	P	C	P	P	P	—	P	—	—	
Roadside farm stand	—	—	C	P	P	P	E	E	—	E	—	—	Article 22
Stable, commercial	—	—	—	P	—	E	—	E	—	P	—	—	Articles 20 and 22
Veterinary clinic	—	—	C	E	—	P	P	P	C	P	—	—	Articles 20 and 22

5 Estes Road



11/16/2022, 10:17:47 AM

 Tax Parcels
Parcel Info



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Parcel ID 0251/0172/0000/1

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Model	01	Residential	Half Bath Rati		
Style	19	PARTIAL BERM	Extra Fixture(s)	2	
Grade	C+	AVG. (+)	Extra Fix Ratin	A	
Stories	1.75				
Units	1				
Residential Unit	1				
Comm Units	1				
Exterior Wall 1	02	CLAPBOARD			
Exterior Wall 2	08	BRICK VNR			
2nd Ext Wall %	5				
Roof Structure	01	GABLE			
Roof Cover	01	ASPH SHINGLE			
Interior Wall 1	06	AVERAGE			
Interior Wall 2	0				
2nd Int Wall %	08	AVERAGE			
Interior Floor 1					
Interior Floor 2					
Basement Floor					
% Heated	100.00				
Heat Fuel	10				
Heat Type	03				
2nd Heat Type	06				
2nd % Heated	2.00				
# Heat Systems	1.00				
AC Percent	0.00				
Bedrooms	4				
Full Bath(s)	1				
Bath Rating	A				
3/4 Bath(s)	2				
3/4 Bath Rating	A				
Half Bath(s)	0				
Half Bath Ratin					
Extra Fixture(s)	2				

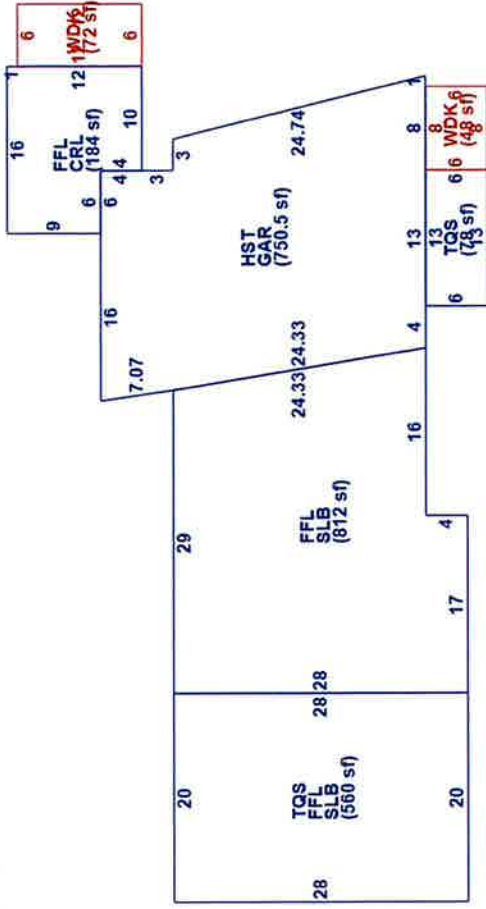
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Qty	Dim 1	Dim 2	Grade	Condition	Yr Blt	% Gd	Unit Price	Grade Adj.	Appr. Value
46	FLAT BARN	L	1	20	36	C	AV	1990	60	24.45	1.00	10,600

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value
CRL	CRAWL SPACE UNDER DWELLI		0	184	0.00	0
FFL	1ST FLOOR		1,556	1,556	87.96	136,861
GAR	GARAGE		0	751	28.71	21,561
HST	HALF STORY		376	751	44.04	33,072
SLB	CONCRETE SLAB		0	1,372	5.08	6,970
TQS	3/4 STORY		479	638	66.04	42,131
UNFIN	UNFINISHED AREA ADJ		-62	-62	0	-5,453
WDK	WOOD DECK		0	120	22.55	2,706
Totl Gross Liv / Lease Area		2,349	5,310	2,349		237,848

UNFIN
(-62 sf)



Owner1	Owner2	BillingAddress	City State Zip
WILLIFORD ALAN W & LAURA Y		23 ESTES RD	ROCHESTER, NH 03839-5413
MOREAU RICHARD A & DEBBIE M		34 MISTY LN	ROCHESTER, NH 03867
SMITH RANDY JR & STEPHANIE		41 MISTY LN	ROCHESTER, NH 03839-5431
BOSCO FAMILY REV TRUST %	BOSCO JOHN F &)	129 OAK ST	ROCHESTER, NH 03839-5420
OWEN KORI KRISTINE & ELLEN		17 ESTES RD	ROCHESTER, NH 03839-5413
DUVAL NANCY-L		29 DARBY LN	ROCHESTER, NH 03839-5405
HIGGINBOTTOM JAMES		5 ESTES RD	ROCHESTER, NH 03839
GARVIN SHAUN D & CANDIDA G		28 MISTY LN	ROCHESTER, NH 03839-5431
MCGUIRE GROUP LLC		P O BOX 988	DOVER, NH 03821-0988
BURK KRISTAL R		18 MISTY LN	ROCHESTER, NH 03839-5431
BOUDREAU JOSEPH V		2 DRY HILL RD	ROCHESTER, NH 03839-5407
GOSSELIN ALFRED LEO		1 DRY HILL RD	ROCHESTER, NH 03839-5408
SARGENT TRAVIS &	METHOT-SARGENT MELISSA	25 DARBY LN	ROCHESTER, NH 03839-5405
CORMIER ERIC & HEATHER M		9 ESTES RD	ROCHESTER, NH 03839-5413
CLARK DAVID & MARGARET		22 MISTY LN	ROCHESTER, NH 03839
BRIGGS ROBERT E & CYNTHIA S		23 DARBY LN	ROCHESTER, NH 03839-5405