

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. 2-24-05
DATE FILED 12/19/23
Q
ZONING BOARD CLERK

Applicant: Nikolas Moquin + Blake-Mari Watkins	
E-mail: nikmoquin@yahoo.com	Phone: 603-660-8188
Applicant Address: 1 Sunset Dr. Rochester NH 03867	
Property Owner: Nikolas Moquin + Blake-Marı Watkıns	
Property Owner Address: 1 Sunset Dr. Rochester NH 03867	
Variance Address: 1 Sunset Dr. Rochester NH 03867	15-24-51-57-51-51
Map Lot and Block No: Map#127/Block#3	
Description of Property (give length of lot lines): 0.47 acres (200	feet wide (frontage) x 100 feet long) containing Cape home + in-law
Proposed use or existing use affected: Convert existing In-Law Apar	tment into an Accessory Apartment
The undersigned hereby requests a special exception as provide	ed in section <u>275-23.2</u> of the Zoning Ordinance to
permit converting the existing in-law apartment into an accessory apartmen	nt for mid-term and long-term rent to young, respectful, professionals
The undersigned alleges that the following circumstances exist the strict terms of the Zoning Ordinance and thus constitute grows and the Soning Ordinance and thus constitute grows are supported by the Signed:	



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) <u>Considerations Governing Granting Special Exceptions:</u> 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: Per the town ordinance R-1 residential district is permitted for single-family home use with few other allowed uses. Our property is an existing Cape residential home, with an attached in-law apartment. Existing in-law apartment has separate utilities from the home, including sewage, electric (heat and utility), and a kitchen. All utilities tee off of the home (utility bills are not separate)
 - (2) The proposal is detrimental, injurious, obnoxious, or offensive to the neighborhood. Yes No Reasoning: Per the town ordinance, R-1 residential district is permitted for single-family home use with few other allowed uses. The transformation of the existing in-law apartment to an accessory apartment would still be consistent with the spirit of the ordinance. There is suitable parking within property driveway for all parties. Intended renters are to be professionals, and respectful to the neighborhood.
 - (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: There is suitable parking within the property driveway for approximately 6 cars on the paved driveway. Intention for future renters will be (1/EA) professional. Currently, cape home has (2/EA) occupants (owners) with (1/EA) car. Result of a renter would be (3/EA) cars in the driveway, only covering half of the driveway, ensuring that normal everyday living at property is not a nuisance to neighborhood.
 - (4) Adequate and appropriate facilities and utilities will be provided to ensure the proper operation of the proposed use or structure. Yes No Reasoning: Currently, the in-law property has all of the required utilities to meet the definitions / requirements for an accessory apartment within the town ordinance.
 - (5) The proposed use or structure is consistent with the spirit of the ordinance and the intent of the Master Plan. Yes No Reasoning: Per the town ordinance, R-1 residential district is permitted for single-use family home use with few other allowed uses. Per the town ordinance the primary goal of the R districts is to enhance these older residential areas through sensitive. small-scale infill construction, building renovation, redevlopement, and to foster new development in remaining open areas. We be eve our intentions are consistent with the primary goal of the R districts per town ordinance.

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

Nikolas Moquin + Blake-Mari Watkins

1 Sunset Dr, Rochester NH 03867

December 19 2023

Special Exception for Accessory Apartment

To whom it may concern,

Myself (Nikolas Moquin) and my girlfriend (Blake-Mari Watkins) are applying to convert the existing inlaw apartment at our property into an accessory apartment. We moved into Rochester at the beginning of October, 2023. We are a young couple hoping to build a life her in Rochester! Part of our vision for our life together is becoming landlords. Our intention for the conversion of the existing in-law apartment to an accessory apartment is mainly to expand the existing living situation of the in-law apartment (currently approx. 270 sq ft) and provide a separate, enclosed apartment from the existing cape home that we reside in. Currently, the vision for us is to create approx. 480 sq ft of living space to a young, professional, and respectful renter. We have been considering providing a fully furnished apartment and renting it out to a travel nurse that is working at the Frisbie Memorial Hospital (a 2 min walk from our property) for 6-month to 12-month leases. If that is something that would not work longterm, then we would look to rent to a single person wanting to live in Rochester as a long-term rental. Either way we decide to rent, we believe that our intentions would help promote the Rochester downtown area as getting another person who may not be familiar to the town (as my girlfriend and I are new here as well), and providing to the town's economy. We believe that meets the spirit of the ordinance for the R-districts. Our current driveway is plenty big for 6 cars at a time, comfortably. Currently, my girlfriend and I have a car each, and live in the cape home. Our intention is for a single occupant to have as a renter, with a 1 car maximum allowed for an occupant for every-day use (excluding the occasional friend or family member who decides to visit the renter). Based on this, we would only have, on a regular basis, 3 cars in the driveway, which would cover about half of our driveway. This would ensure, on top of renting to a potential travel nurse or young professional, that our conversion to an accessory apartment is not a nuisance to the neighborhood. The current structure of the home is suitable to meet the criteria for an accessory apartment per the town ordinance. It has all of the necessary utilities without any work required (sewer, electrical, heating, plumming, kitchen, bathroom), ensuring that the location is appropriate for our desire to convert to an accessory apartment. The in-law will be 480 sq feet (upon approval of the building permit we have submitted, which will continue through the wickets pending approval of our special exception). This is below the requirement of not exceeding 800 sq feet. The in-law will be only 1 bedroom, below the maximum requirement of 2 bedrooms. The in-law will have two egrees doors, and will not be connected to the cape home (no direct doorway between the two), as it is a separate structure (used to be a garage that was transitioned to an in-law apartment in 1980 per review of town records). Althout it is a separate structure, it is similar in architectural nature, and appears to be identical to the existing cape home, meeting the requirements for an accessory apartment. We appreciate the zoning board of adjustments consideration for getting our special exception application approved for converting the existing in-law apartment into an accessory apartment.

Sincerely,



Plot Plan - ADU Approx. Location, Entries/Exits, and designated parking SPot

ZONING

275 Attachment I

City of Rochester

Table 18-A Residential Uses [Amended 4-4-2017; 3-5-2019; 5-7-2019]

LEGEND
P = Permitted Use
C = Conditional Use
E = Use Allowed by Special Exception

								Industrial	trial			
	_	Residential Districts	1 Districts		Comm	Commercial Districts	itricts	Districts	icts	Special	cial	Criteria/Conditions
Residential Uses	R1	R2	AG	NMU	DC	0C	НС	GI	RI	HS	AS	Reference
Apartment, accessory (accessory use)	ш	Ъ	Ъ	Д	Ъ	Д	Ь	1	I	E	1	Article 21 and 23
Apartment, in-law	Ъ	Ъ	Ъ	Ь	Ъ	Ъ	Ь	1	Ĭ		1	
Apartment, security	Į	Ь	E	Ъ	Ь	Ь	Ь	Ь	P	Р	Ь	Articles 2 and 23
Assisted living facility	I	၁	C	C	C	C	C	1	ĵ	C	Ę	Article 21
Boardinghouse	Ĭ	1	1	1	E	1	1	1	1	ĺ	Ţ	
Community residence-1	Į	口	E	ι	E	E	권	1	E	E		Article 22
Community residence-2	I	1	E	Ĩ	ĵ	Е	ľ	1	E	E	ţ	Article 22
Conservation subdivision	Э	Э	С	ï	Ĩ	С	C	1	Ĩ	Ĭ	1	Articles 21 and 33
Dwelling, apartments (apartment/mixed-use building)	j,	1	ľ	Ь	Ъ	C	Ь	Į.	T	Ĩ		Article 21
Dwelling, multifamily development	Í	Ь	1	1	Ф	1	Ь	1	1	Ĵ	Į.	Articles 20 and 22
Dwelling, multifamily	į	Ь	1	Ť	Ь	1	Ь	1	ì	l	ļ	
Dwelling, single-family	Ъ	J	Ь	ď	Ĺ	Ъ	Ь	Ţ	Ĭ	P		
Dwelling, two-family	Ì	P	Р	ď	C	P	Ь	1	Ĩ	Ī	Ţ	Articles 21 and 33
Flag lots	Ĺ	C	C	1	1	1		1	1	ပ		Article 21
Home occupation-1 (accessory use)	Ъ	Ъ	Ч	Д	Д	പ	Ь	f)	Ť	Ъ	[Article 24
Home occupation-2 (accessory use)	Ь	Д.	<u>م</u>	Ъ	Д	Д	Д	10	Ĩ	Ь		Articles 22 and 24

275-23.2**Standards for specific accessory uses.**

- **A.** The following standards shall apply to these specific accessory uses, activities, structures, and situations wherever they are allowed:
- (a) It is permitted where and as specified in the Tables of Uses (by right or by special exception). However, if the accessory dwelling is detached from the single-family dwelling, it must be approved by a special exception;
- **(b)** It is accessory to a single-family dwelling only and if detached from the single-family dwelling it is similar in architectural style;
- (c) It must be two bedrooms or less;
- (d) It may not exceed 800 square feet;
- (e) It may be either part of the single-family dwelling or in a separate building, such as above a garage; if it is part of the single-family dwelling, an interior door shall be provided between the principal dwelling unit and the accessory dwelling unit; [Amended 3-5-2019]
- (f) There may be only one per lot;
- (g) The owner of the property must occupy one of the dwelling units and the owner must demonstrate that one of the dwelling units is his/her principal place of residence;
- (h) At least one parking space must be provided for the unit;
- (i) Where municipal sewer service is not provided, the septic system shall meet NHDES requirements for the combined system demand for total occupancy of the property; and
- (i) It is exempt from site plan review but a letter of intent must be submitted to the Building Inspector to ensure that the above conditions are met.
- (k) If it is a security apartment, it shall not exceed 800 square feet and it shall be attached to or located with an allowed commercial, office or industrial use. Such unit may be occupied by the business owner, family member or employee whose purpose is to provide security and/or protection of the business premises. This use shall require site plan review.
- (I) If it is a caretaker apartment it shall be attached to or located with an allowed residential or nonresidential use and it shall be occupied by the owner, family member or employee of the principal use and the gross floor area does not exceed 800 square feet. This use shall require site plan review.





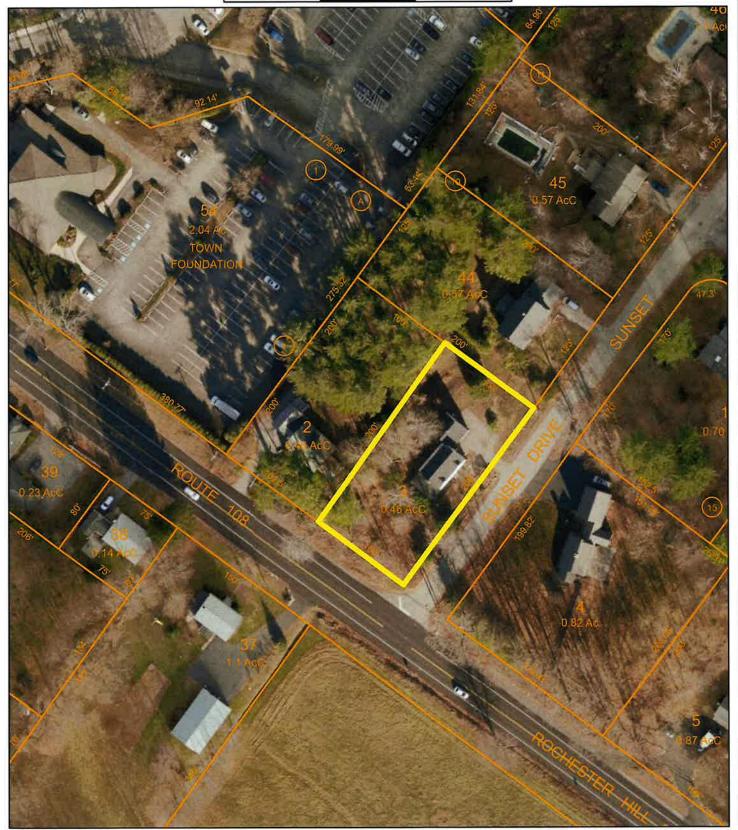
1 Sunset Drive

City of Rochester, NH 1 inch = 88 Feet



www.cai-tech.com

December 21, 2023 0 88 176 264



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Property Location 1 SUNSET DR Vision ID 4509	DR.		Par	Parcel ID	0127/	0127/ 0003/ 0000/	//0000			OØ	Card # 1 Sec # 1	ਰ ਰ	Account # Bldg # 1		4509	Land Print	Land Use 1010 Print Date 6/4/29	1010 6/4/2023 8:30:55 PM	0:55 PM
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Owner1, Owner2, BillingAddress, City State Zip
WATKINS BLAKE-MARI, MOQUIN NIKOLAS CHRISTOPHER, 1 SUNSET DR, "ROCHESTER, NH 03867"
HALLORAN RACHEL,, 32 ROCHESTER HILL RD, "ROCHESTER, NH 03867"
BROWN RONALD J & CAROL A,, 33 ROCHESTER HILL RD, "ROCHESTER, NH 03867-3214"
SMITH NICHOLAS L & SAMANTHA R,, 3 SUNSET DR, "ROCHESTER, NH 03867-3222"
TYROL ELISABETH C TRUST, TYROL ELISABETH C TRUSTEE, 1 DARTMOUTH LN, "ROCHESTER, NH 03867"
GAGNE R P & PL REV LIV TRUST &, NADEAU GABRIELLE M,53 ROCHESTER HILL RD, "ROCHESTER, NH 03867"

JUDSON BOBBY R & SHERRY A, HELTON DANIEL J, 2 SUNSET DR , "ROCHESTER, NH 03867"

Abutter's List from Zoning Clerk