



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

01
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-Mari Watkins

Property Owner Address: 1 Sunset Dr. Rochester NH 03867

Variance Address: 1 Sunset Dr. Rochester NH 03867

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

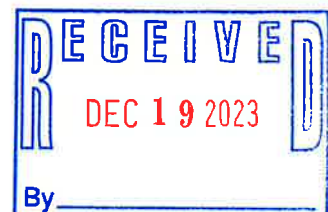
Proposed use or existing use affected: Convert existing In-Law Apartment into an Accessory Apartment

The undersigned hereby requests a special exception as provided in section 275-23.2 of the Zoning Ordinance to permit converting the existing in-law apartment into an accessory apartment for mid-term and long-term rent to young, respectful, professionals.

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: Nikolas Moquin

Date: 12/19/23





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: 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, redevelopment, and to foster new development in remaining open areas. We believe 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 in-law 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 here 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 long-term, 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, plumbing, 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 egress 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). Although 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,

Nikolas Moquin + Blake-Mari Watkins



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

ZONING

275 Attachment 1

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

	Residential Districts					Commercial Districts			Industrial Districts		Special		Criteria/Conditions
	R1	R2	AG	NMU	DC	OC	HC	GI	RI	HS	AS		
Residential Uses	E	P	P	P	P	P	P	—	—	E	—	Article 21 and 23	
Apartment, accessory (accessory use)													
Apartment, in-law	P	P	P	P	P	P	P	—	—	—	—		
Apartment, security	—	P	—	P	P	P	P	P	P	P	P	Articles 2 and 23	
Assisted living facility	—	C	C	C	C	C	C	—	—	C	—		
Boardinghouse	—	—	—	—	E	—	—	—	—	—	—	Article 21	
Community residence-1	—	E	E	—	E	E	E	—	E	E	—		
Community residence-2	—	—	E	—	—	E	—	—	E	E	—	Article 22	
Conservation subdivision	C	C	C	—	—	C	C	—	—	—	—		
Dwelling, apartments (apartment/mixed-use building)	—	—	—	P	P	C	P	—	—	—	—	Articles 21 and 33	
Dwelling, multifamily development	—	P	—	—	P	—	P	—	—	—	—	Articles 20 and 22	
Dwelling, multifamily	—	P	—	—	P	—	P	—	—	—	—		
Dwelling, single-family	P	P	P	P	—	P	P	—	—	P	—		
Dwelling, two-family	—	P	P	P	C	P	P	—	—	—	—	Articles 21 and 33	
Flag lots	—	C	C	—	—	—	—	—	—	C	—		
Home occupation-1 (accessory use)	P	P	P	P	P	P	P	—	—	P	—	Article 21	
Home occupation-2 (accessory use)	P	P	P	P	P	P	P	—	—	P	—	Article 24	
												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

(j) 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.

(l) 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

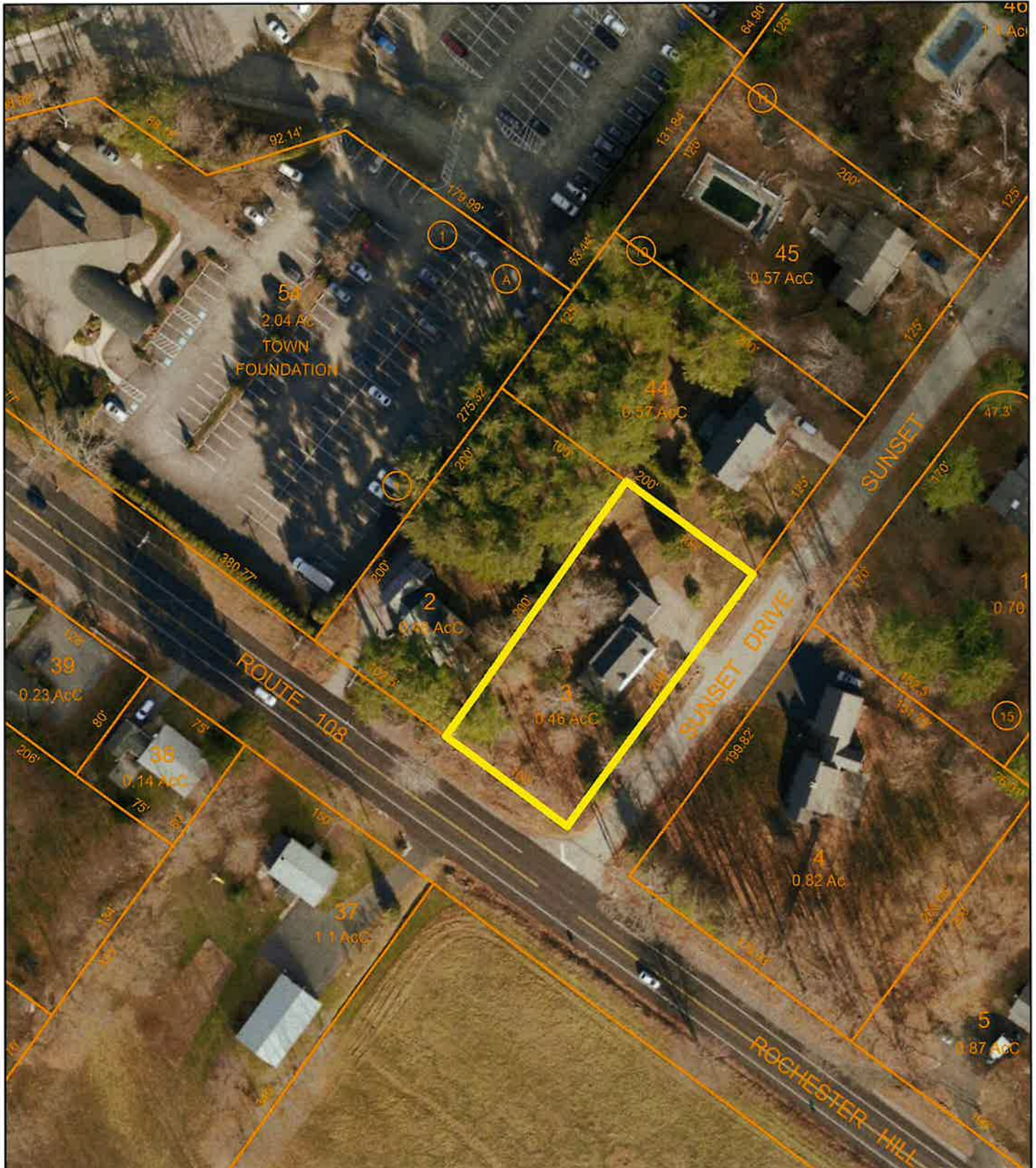
City of Rochester, NH

1 inch = 88 Feet



www.cai-tech.com

December 21, 2023



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.

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)								
Element	Cd	Description	Element	Cd	Description							
Style	04	CAPE	Solar	0								
Grade	C+	AVG. (+)	Central Vac	0								
Stories	1.75		Nbhd Modifier									
Units	1		MH Make									
Frame	01	WOOD	MH Serial #		WHITE;							
Foundation	01	CONCRETE	Color,Mdl #;D									
Exterior Wall 1	04	VINYL										
Roof Structure	01	GABLE										
Roof Cover	01	ASPH SHINGLE										
View	N	NONE										
Interior Wall 1	06	AVERAGE										
Interior Floor 1	08	AVERAGE										
Basement Flo	12	CONCRETE										
Bsmt Garage	0											
Finished Bsmt												
FBLA												
Rec Room	442											
Electric	03	TYPICAL										
Insulation	02	TYPICAL										
Interior/Exterior	INF	INF										
% Heated	100.00											
Heat Fuel	02	GAS										
Heat Type	01	FORCED W/A										
AC Percent	0.00											
Bedrooms	4											
Full Bath(s)	1											
3/4 Bath(s)	1											
Half Bath(s)	1											
Extra Fixture(s)	2											
Kitchen(s)	1											
Extra Kitchen(1											
Total Rooms	12											
Fireplace(s)	1											
W/S Flues	0											
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
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value						
BMT	BASEMENT	0	884	221	25.17	22,246						
CRL	CRAWL SPACE UNDER DWELLI	0	300	0	0.00	0						
EFF	ENCL PORCH	0	250	0	75.52	18,880						
FFL	1ST FLOOR	1,484	1,484	1,484	100.66	149,384						
PAT	PATIO	0	96	0	8.14	781						
SLB	CONCRETE SLAB	0	300	0	5.14	1,542						
STG	FRAME SHED BULKHEAD/FRAM	0	25	0	31.74	794						
STP	STOOP	0	24	0	17.87	429						
TQS	3/4 STORY	663	884	663	75.50	66,739						
WDK	WOOD DECK	0	206	0	22.55	4,645						
Totl Gross Liv / Lease Area		2,147	4,453	2,368		265,440						

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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

