



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Application

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2-23-54

DATE FILED 10/18/23

C91

ZONING BOARD CLERK

Applicant:

Barbara Mills

E-mail:

diamondmae06@yahoo.com

Phone:

603-978-3335

Applicant Address:

19 Kinsale Dr

Property Owner (if different):

Property Owner Address:

Variance Address:

19 Kinsale Dr.

Map Lot and Block No.

0106 - 0012 - 0002

Description of Property:

Single family home

Proposed use or existing use affected:

NO

The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section Table 19-17

and asks that said terms be waived to permit

a bedroom addition be built

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. **I understand that while presenting my case the testimony should be confined to the 5 criteria and how they pertain to my case.**

Signed:

Barbara Mills

Date:

10/6/23



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

1) Granting the variance would not be contrary to the public interest because:

I've owned the property for 20 years now and no one has ever tried to use that land because it abuts the pond and there are two entrances, not on that land, they use

2) If the variance were granted, the spirit of the ordinance would be observed because:

The land would be taken care of instead of letting it get overgrown

3) Granting the variance would do substantial justice because:

the upkeep to the land would only enhance the value of the surrounding abutters land, making the neighborhood more enjoyable.

4) If the variance were granted, the values of the surrounding properties would not be diminished because:

keeping the land cleaned would distinguish the pond boundaries, making it beautiful and adding an addition could only add value to the neighborhood.

5.) Unnecessary Hardship:

a. Owning to special **conditions of the property that distinguish it from other properties in the area**, denial of the variance would result in an unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

It is the only part of the house I can build anything on the additional bedroom entrance would come from the house into the addition.

And:

ii. The proposed use is a reasonable one because:

No one uses the land as it abuts the pond and has other entrances. I cannot build anywhere else.

b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

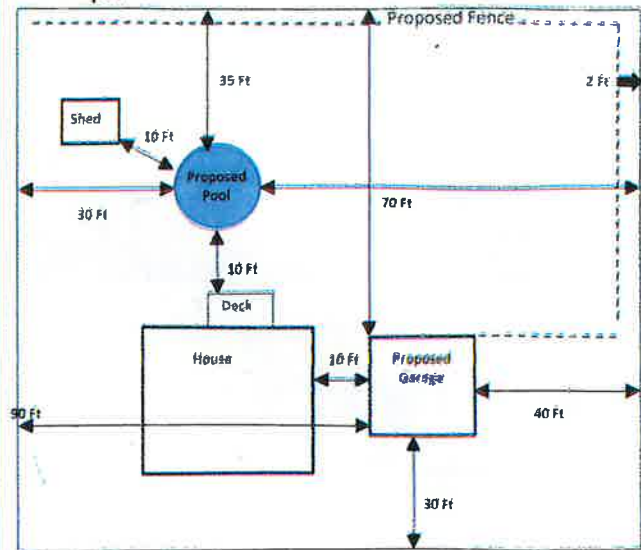
I would like an additional bedroom to accommodate my elderly mother who currently has medical issues. I want to improve her quality of life.

Site Plan

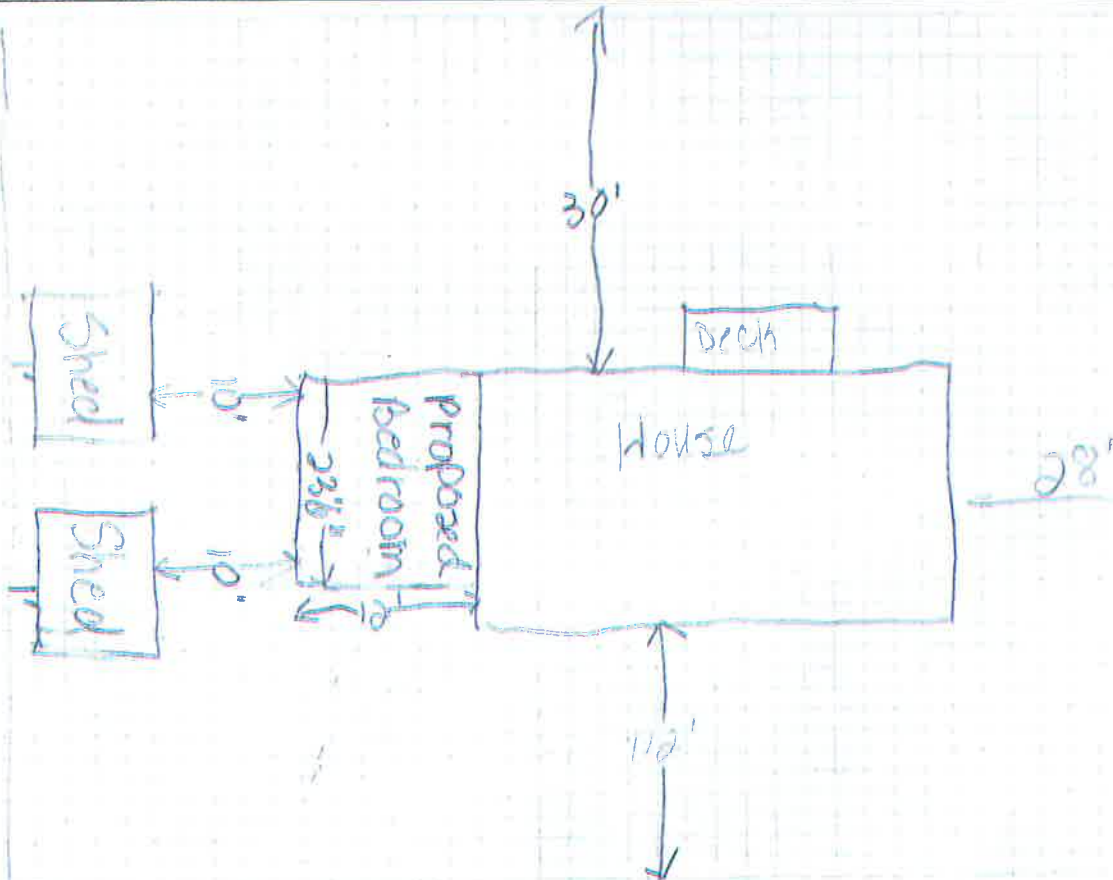
Instructions:

- 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 structures within 10' and 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 Name



Signature

Barbara Mello

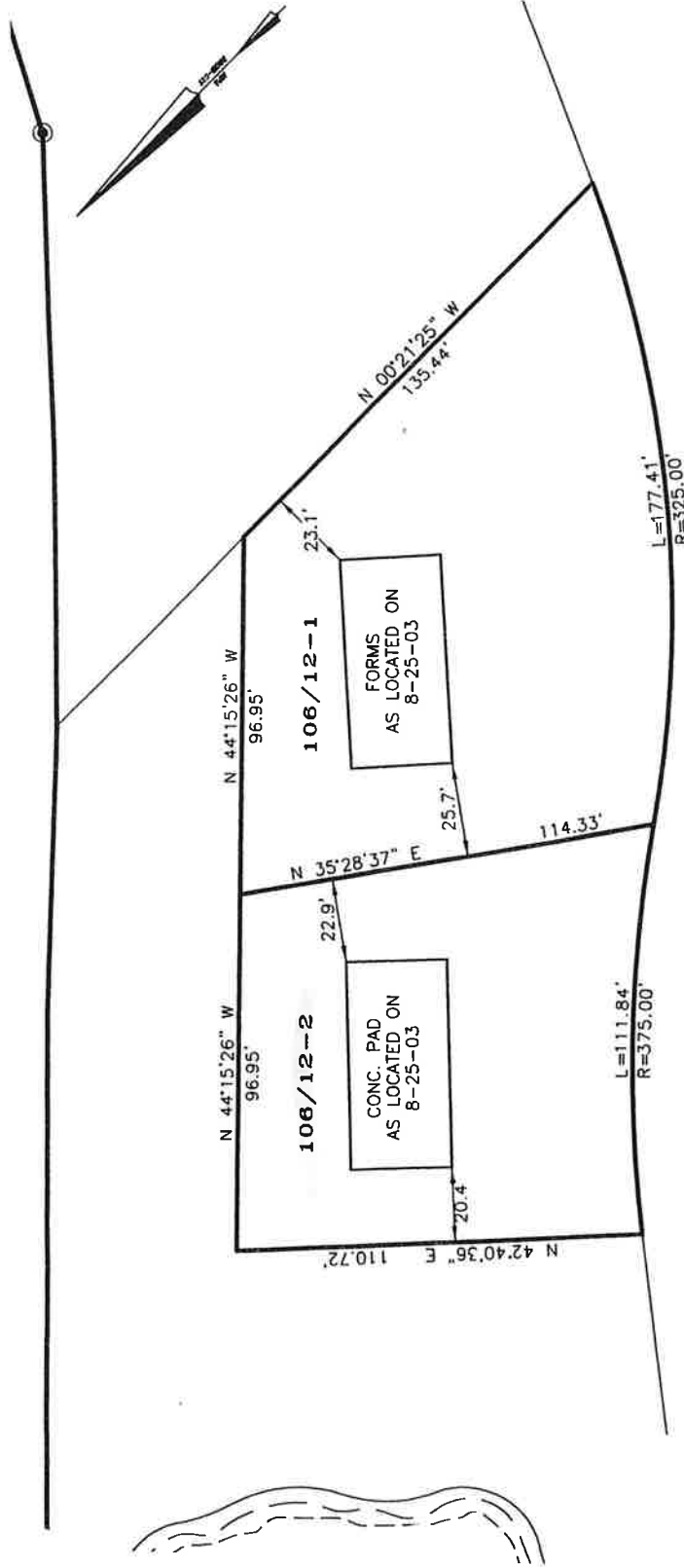
Date

Kinsale Drive
8/29/23

FOUNDATION LOCATION PLAN

NOT FOR MORTGAGE LOAN PURPOSES

LOCATION: KINSALE DRIVE, ROCHESTER, N.H. OWNER OF RECORD: EMERALD ABODE, LLC REF DEED: 2664/415 MAP & LOT No.: 106/12-1 & 2 ZONE: A



KINSALE DRIVE

REF. PLAN:

"PROPOSED CLUSTER SUBDIVISION,
SALMON FALLS RD., ROCHESTER, N.H.,
FOR RSA DEVELOPMENT, LLC"
DATED: OCT. 2002 BY
NORWAY PLAINS ASSOCIATES, INC.
PLAN No. C-1956-PCS
RECORDED: SCRD 71-66

NORWAY PLAINS ASSOCIATES, INC.
SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS
P.O. Box 249, Rochester, N.H. 03867
TELEPHONE (603) 335-3948

JN: 02149/S-2 DATE: AUG., 27, 2003
FN: 156 SCALE: 1"=40'

To My Neighbors,

I am requesting your permission to build a 12' x 23'6" bedroom addition to my current house for my elderly mother. The addition will be located on my property however I don't have the 10' setback required by the City of Rochester to build it.

As stated in the deed from Emerald Abode, we all own 1/15 share in the common areas near our homes. The deed also states I need permission from the other owners to build.

I would deeply appreciate your signature signifying permission/approval.

Thank you so much.

A. Hurst

15 Kinsale DR Rochester NH

Sidney White

35 Kinsale Dr

Nancy White

35 Kinsale Dr NH

John

32 Kinsale Dr.

Paul Jones

36 Kinsale Dr

Janice Cotter

39 Kinsale Dr.

Marv Flinn

40 KINSALE DR

Lynette Schrick

41 KINSALE DRIVE

To My Neighbors,

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Thank you so much.

Jamie Scotton 49 Kinsale Dr

LeAnn E Bumeau 51 Kinsale Drive Rochester NH

Cheryl Gardin 53 Kinsale Dr

Ray Lynch 46 Kinsale Dr.

Molly Brapeau 28 Kinsale Drive

Linda Westcott 42 Kinsale Drive

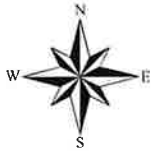
Linda Carter 45 Kinsale Dr.

ZONING
275 Attachment 6
City of Rochester

Table 19-A Dimensional Standards – Residential Districts
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

	Lots			Setbacks			Other			Standards, Notes and References			
	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Minimum Lot Area/Dwelling Unit (square feet)	Minimum Front (feet)	Maximum Front (feet)	Minimum Side (feet)	Minimum Rear (feet)	Maximum Building Footprint	Maximum Lot Coverage	Maximum Number of Stories	Minimum Building Height (feet)	Maximum Building Height (feet)	A "—" means there is no dimensional standard for this item
Residential Districts													
Residential-1 (R1)													
Single-family	10,000	100	—	10		10	20	30%	35%			35	See Article 19, Dimensional Standards
All other uses	10,000	100	—	10		10	20	30%	35%			35	
Residential-2 (R2)													
Single-family	6,000	60	—	10		8	20	30%	35%			35	See Article 19, Dimensional Standards
Two-family	9,000	80	—	10		8	20	30%	45%			35	See Article 19, Dimensional Standards
Three- and four-family	12,000 and 15,000	80	—	15		10	25	30%	60%			35	See Article 19, Dimensional Standards
Five- or more family	30,000	100	5,000 or 7,500	15		10	25	30%	60%			35	See Article 19, Dimensional Standards
All other uses	9,000	80	—	10		8	20	30%	35%			35	
Neighborhood Mixed Use (NMU)													
All uses	6,000	60	— ²	—	25	5 ¹	20		90%	3	20	20	See Article 19, Dimensional Standards
Agricultural (AG)													
Single-family, conventional subdivision, municipal water and sewer	20,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Single-family, conventional subdivision, municipal water or sewer	30,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Single-family, conventional subdivision, neither municipal water nor sewer	45,000	150	—	20		10	20	30%	35%			35	See Article 19, Dimensional Standards
Two-family	150% of single	150	—	20		10	20	30%	40%			—	See Article 19, Dimensional Standards
Single-family dwelling - conservation subdivision	6,000	60	—	20		10	20		35%			35	See Article 33, Conservation Subdivisions
All other uses	45,000	150	5,000 or 7,500	20		10	20		40%			35	

NOTES:
 Note 1: For lots that adjoin a residential district, the side setback on the side adjoining the residential district shall be the larger of the required side setback in the subject commercial zone or the adjoining residential zone.
 Note 2: For lots without both water and sewer, 10,000 square feet of lot area is required per additional dwelling unit beyond one.



19 Kinsale Drive

City of Rochester, NH

1 inch = 48 Feet



www.cai-tech.com

October 20, 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.

CURRENT OWNER			UTILITIES		TOPO		ZONING		CURRENT ASSESSMENT			VISION								
MILLS KELLY D & BARBARA L 19 KINSALE DR ROCHESTER NH 03868-8542			0	CITY WATER R	0	LEVEL	A	AGRICULTURAL	Description	LUC Co	Prior Assessed	Current Assesse								
			0	CITY SEWER		NEIGHBORHOOD		NHBD NAME	BLDG	105	114,100	114,100								
			0	PROPANE		1305		AVG TO GD NORTH M	LAND	105	53,300	53,300								
			UTL/ST / TRAF		EXEMPTIONS				OB	105	900	900								
			0	CITY WTR PBO		Year	Code	Description												
			0	PAVED		2023	V2	VETERAN 1												
			0	LIGHT																
			LEGAL DESCRIPTION																	
SALES INFORMATION- GRANTEE			BOOK/PAGE		SALE DATE		SALE PRICE		SALE CODE		PREVIOUS ASSESSMENTS (HISTORY)									
MILLS KELLY D & BARBARA L EMERALD ABODE LLC			2907	981	11-07-2003	173,933	02		Year	Descri	Prior Assesse	Year	Descri	Prior Assesse						
			0	0	01-01-1900	0	99		2020	BLDG	114,100	2021	BLDG	114,100						
										LAND	53,300		LAND	53,300						
										OB	1,000		OB	900						
			Total		Total		Total		Total		Total									
			168,400		168,300		168,300		168,300		168,300									
BUILDING NOTES																				
MARLETTE/SCHULT SER #ACT030606AB DOM																				
8-29-03																				
BUILDING PERMIT RECORD																				
Issue Date	Permit Id	Description	Price	Insp Date	% C	Stat	Notes													
10-03-2003	1110	ELECTRIC	1,500	01-20-2004	100	CI														
08-01-2003	819	NEW MOBIL	59,000	01-20-2004	100	CI														
							VISIT / CHANGE HISTORY													
		Date		Id	Purpost/Result		Notes													
				NM	INTER ONLY		Q;													
				NM	EXT ONLY		Q;													
				GN	VETERAN ADD															
				VW	OWN ADD CHG															
				VW	OWN ADD CHG															
				GN	SALES VERF.															
				TH	INTER ONLY		Permit #: 819													
LAND LINE VALUATION SECTION																				
B	LUC	Description	LandU	Land Type	Loc Adj	UnitPric	Size Adj	Cond	Nbhd	Nb Adj	Inf1	Inf1 Adj	Inf2	Inf2 Adj	Inf3	Inf3 Adj	Adj UnitPrice	Appraised Value	Assessed Value	Notes
1	1050	MFG OWN L	0.260	PRIMARY	P	1.000	60,000.	3.41923	1.00	1305	1.000						205,152	53,300	53,300	

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)				
Element	Cd	Description	Element	Cd	Description			
Style	22	MFD DOUBLEWID	Solar	0				
Grade	C+	AVG. (+)	Central Vac	0				
Stories	1		Nbhd Modifier					
Units	1		MH Make	078	MARLETTE			
Frame	01	WOOD	MH Serial #		ACT030606AB			
Foundation	12	PIER/SLAB	Color;Mdl #;D		IVORY; SCHULT; 0			
Exterior Wall 1	04	VINYL	CONDO DATA					
Roof Structure	01	GABLE	Condo Main		Complex #			
Roof Cover	01	ASPH SHINGLE						
View	N	NONE	Adjust Type	Code	Building #			
Interior Wall 1	01	DRYWALL	Condo Floor		Section #			
Interior Floor 1	08	AVERAGE	Condo Location		% Owner			
Basement Flo			COST / MARKET VALUATION					
Bsmt Garage	0		Building Value New		172,812			
Finished Bsmt			Year Built		2003			
FBLA			Depreciation Code		A			
Rec Room			Remodel Rating					
Electric	02	GOOD	Year Remodeled		34			
Insulation	02	TYPICAL	Depreciation %					
Interior/Exterior	SAME	SAME	Functional Obsol		1,000			
% Heated	100.00		Economic Obsol					
Heat Fuel	10	PROPANE	Trend Factor					
Heat Type	01	FORCED W/A	Special Adj					
AC Percent	0.00		Condition %		66			
Bedrooms	3		Percent Good		114,100			
Full Bath(s)	1		RCNLD					
3/4 Bath(s)	1		Dep % Ovr					
Half Bath(s)	0		Dep Ovr Comment					
Extra Fixture(s)	1		Misc Imp Ovr					
Kitchen(s)	1		Misc Imp Ovr Comment					
Extra Kitchen	0		Cost to Cure Ovr					
Total Rooms	6		Cost to Cure Ovr Comment					
Fireplace(s)	0		OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)					
WS Flues	0		Code	Description	L/B	Qty	Dim 1	
							Dim 2	
							Grade	
							Condition	
							Yr Blt	
							% Gd	
							Unit Price	
							Grade Adj.	
							Appr. Value	
02	SHED MTLV	L	1	8	10	D	AV	
							2004	
							70	
							19.20	
							0.87	
							900	
BUILDING SUB-AREA SUMMARY SECTION								
Code	Description		Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value	
FFL	1ST FLOOR		1,470	1,470	1,470	101.08	148,586	
OFF	OPEN PORCH		0	42	0	53.95	2,266	
WDK	WOOD DECK		0	80	0	28.50	2,280	
Ttl Gross Liv / Lease Area			1,470	1,592	1,470		153,132	

10

8

WDK (80 sf)

8

10

10

10

30

16

27

27

10

5

5

5

5

10

28

10

FFL (1,470 sf)

Owner1	Owner2	BillingAddr	City	State	Zip
RUSSELL ROBERT & KA	15 KINSALE ROCHESTER, NH	03868-8542			
MILLS KELLY D & BARB	19 KINSALE ROCHESTER, NH	03868-8542			
OPEN SPACE COMMO	INA				00000