



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. 2-23-57

DATE FILED 10/18/23

091
ZONING BOARD CLERK

Applicant:

Joshua Seethan

E-mail:

J Seethan 86@gmail.com

Phone:

603 - 312-4221

Applicant Address:

49 Kinsale Dr Rochester NH 03864

Property Owner (if different):

Property Owner Address:

Variance Address:

49 Kinsale Dr Rochester

Map Lot and Block No:

Description of Property:

single family home

Proposed use or existing use affected:

residence

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

Article 11
23.2.A(20)

and asks that said terms be waived to permit

a 5' foot minimum side

setback for a 10' x 20' shed

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:

[Signature]

Date:

9-29-22



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

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

Cause no disturbance to neighborhood

does not invade anyone's public right

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

All other setbacks are met

meets the essential character of the neighborhood

3) Granting the variance would do substantial justice because:

I need a shed,
no harm adding a shed

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

Adding value to my property and the surrounding houses

5.) Unnecessary Hardship:

a. Owing 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:

Lot design is oddly shaped

And:

ii. The proposed use is a reasonable one because:

Neighbors have sheds

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.

My property is located at the end of a cul-de-sac. It has an odd shape that other neighbors don't have to deal with



City of Rochester, New Hampshire

Zoning Board of Adjustment

Request of waiver of requirement to have a Certified Plot Plan for Case # 2-23-57

I request a waiver of the requirement to have a certified plot plan for the following reasons:

- There are no objections from any abutter, and:
- Based on the information provided, the distance into the setback will not create any problems to the abutting property because: A hedge row is already abutting the location the shed will not be visible to neighbor
- The property is described in its deed as being bounded, on the side for which relief is requested, by a natural feature like a: (stone wall/ row of large trees/roadway, etc.)
Tree
- The request for relief from the setback required is modest enough that the probability of a surveying error large enough to make a material difference is remote. Yes ☒ No ☐
- Information provided is based upon other surveyed parcels in the immediate vicinity and is consistent with the tax map information, so the probability of a surveying error large enough to make a material difference is remote. Yes ☒ No ☐
- The request for relief from the setback required is in a direction where any impact on the abutter is small or nonexistent and, should a large surveying error be found in the future, there is adequate land area to correct the problem through a lot-line adjustment. Yes ☒ No ☐
- Any other applicable information: Property markers are visible and were verified in 2019 by Norway Plain Association

Check with the Planning & Development Department to see if it is necessary to fill out this form

FOUNDATION LOCATION PLAN



NOT FOR MORTGAGE LOAN PURPOSES

LOCATION: 49 KINSALE DRIVE, ROCHESTER, NH

OWNER OF RECORD: JOSHUA M. SCOTTON

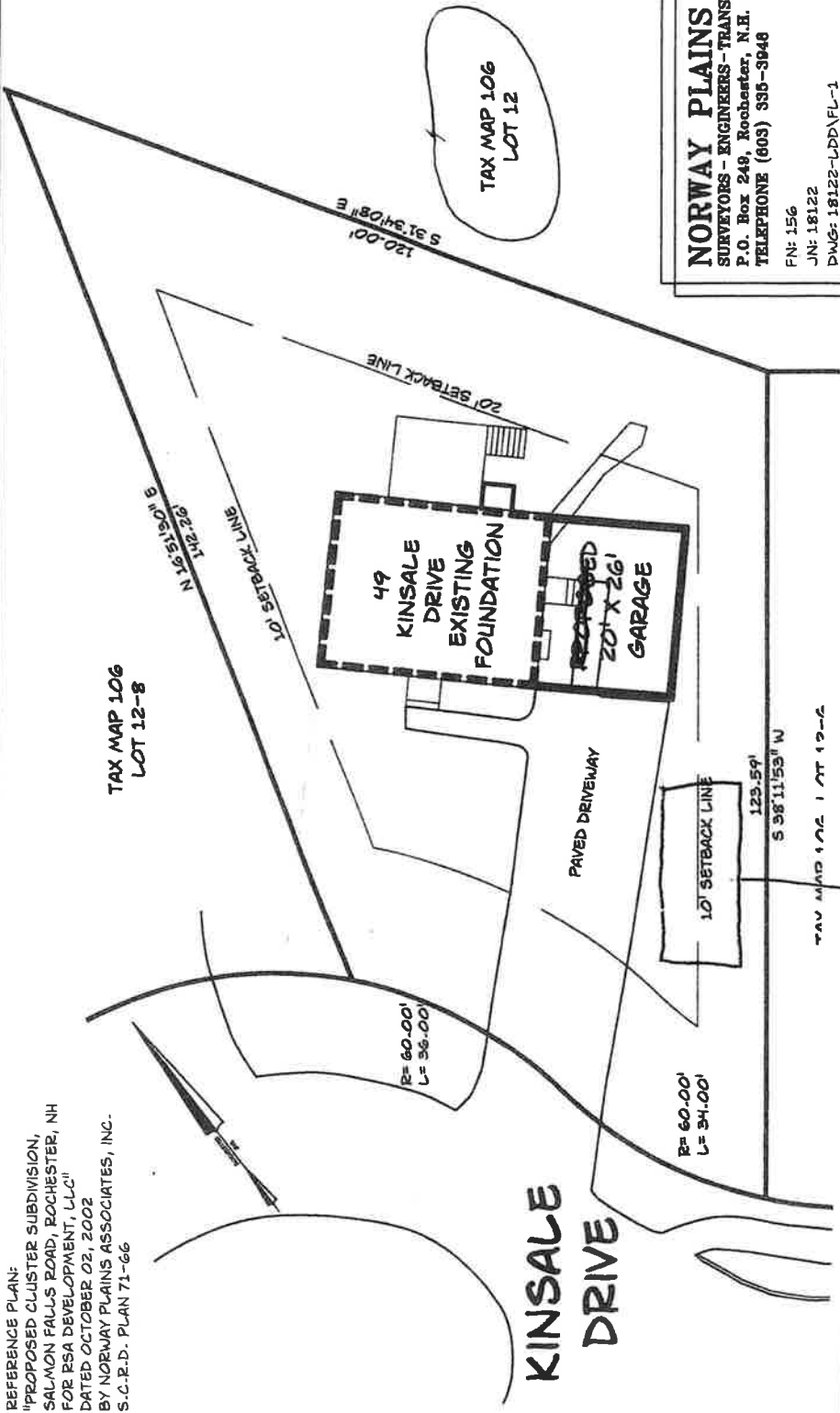
S.C.R.D. BOOK 3485, PAGE 271

TAX MAP 106, LOT 12-7

REFERENCE PLAN:

"PROPOSED CLUSTER SUBDIVISION,
SALMON FALLS ROAD, ROCHESTER, NH
FOR RSA DEVELOPMENT, LLC"
DATED OCTOBER 02, 2002
BY NORWAY PLAINS ASSOCIATES, INC.
S.C.R.D. PLAN 71-66

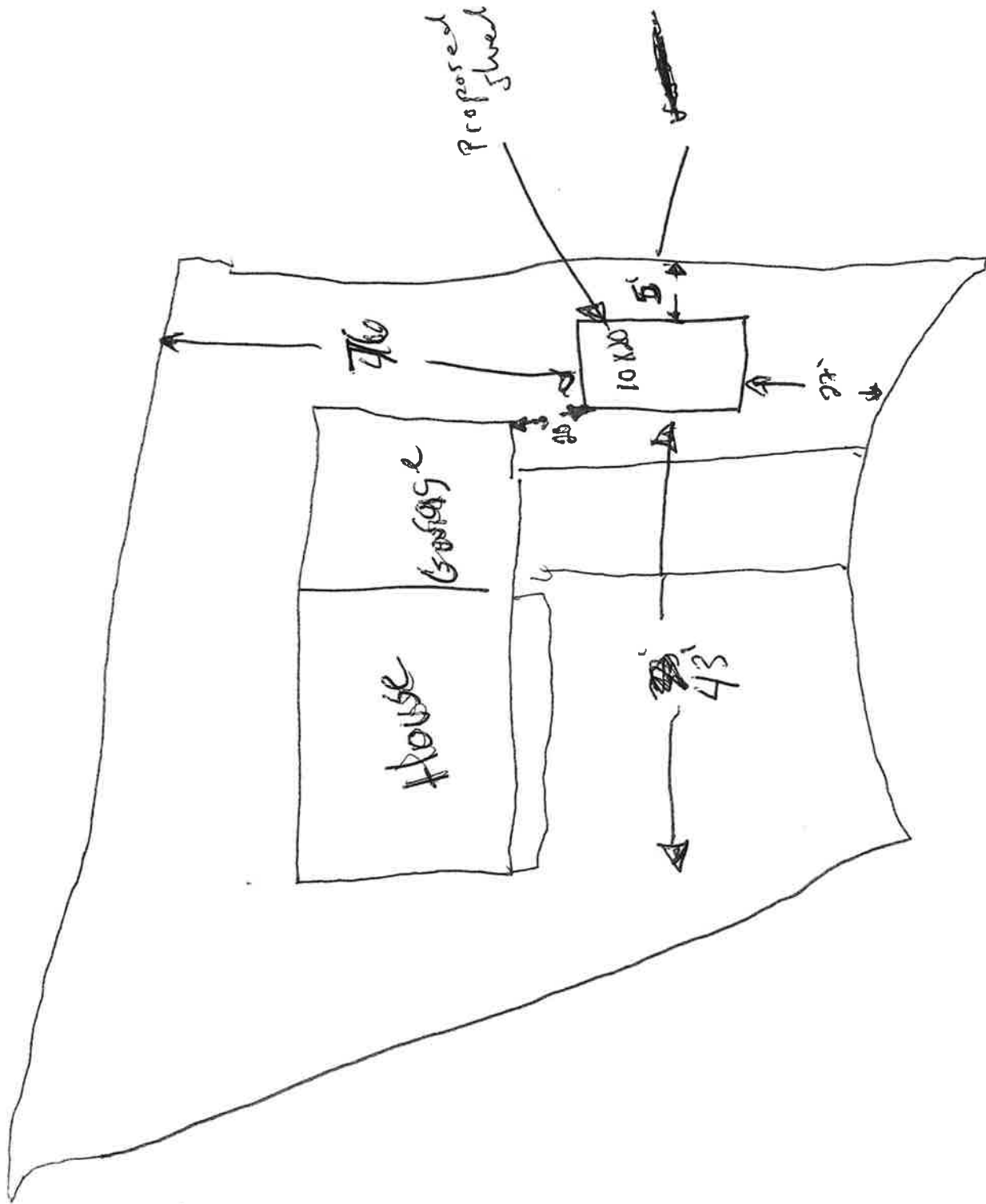
ZONE: AGRICULTURAL (A)
BUILDING SETBACKS:
FY= 20', SY= 10', RY= 20'



NORWAY PLAINS ASSOCIATES, INC.
SURVEYORS - ENGINEERS - TRANSPORTATION PLANNERS
P.O. Box 248, Rochester, N.H. 03867
TELEPHONE (603) 935-3948

FN: 156
JN: 18122
DWG: 18122-LDD\FL-1
DATE: 08-21-18
SCALE: 1" = 20'

Proposed Shed
10' x wide
20' long



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:

(20) Shed. In any zoning district, the minimum side and rear setbacks shall be the lesser of 10 feet or the ordinary setback for a single-story outdoor storage shed which is:

(a) Two hundred square feet or less in floor area;

(b) Not situated on a permanent foundation; and

(c) Used in connection with a dwelling of four or fewer dwelling units.



49 Kinsale Drive

City of Rochester, NH

1 inch = 48 Feet



www.cai-tech.com

October 23, 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												
SCOTTON FAMILY REV LIVING TRUS SCOTTON JOSHUA M TRUSTEE 49 KINSALE DR ROCHESTER NH 03868			0	CITY WATER R	0	LEVEL	A	AGRICULTURAL	Description BLDG LAND	LUC Co 101 101	Prior Assessed 193,500 53,100	Current Assesse 202,200 53,100												
			0	GAS		NEIGHBORHOOD		NHBD NAME																
			0	CITY SEWER	1305			AVG TO GD NORTH M																
			0	UTL/ST/TRAF				EXEMPTIONS																
			0	CITY WTR PBO		Year	Code	Description																
			0	PAVED					LEGAL DESCRIPTION															
			0	LIGHT																				
SALES INFORMATION-GRANTEE			BOOK/PAGE	SALE DATE	SALE PRICE	SALE CODE			PREVIOUS ASSESSMENTS (HISTORY)															
SCOTTON FAMILY REV LIVING TRUST SCOTTON JOSHUA M COCARUS JOHN A & CRYSTELE 99 TEN ROD ROAD DEVELOPMENT RSA DEVELOPMENT LLC			5100	795	03-18-2023	0			38	Year	Descri	Year	Prior Assesse	Year	Descri	Prior Assesse								
			3485	271	01-22-2007	229,000			02								2020	BLDG	2021	BLDG	193,500	2022	BLDG	193,500
			3027	707	07-01-2004	204,200			02									LAND		LAND	53,100		LAND	53,100
			2988	657	04-27-2004	65,000			01															
			2895	326	11-07-2003	780,000			21															
			Total		246,400	Total		246,600	Total					246,600	Total		246,600							
BUILDING NOTES																								
Appraised Building Value (Card)																	202,200							
Appraised Extra Feature Value (Bldg)																	0							
Appraised Outbuilding Value (Bldg)																	0							
Appraised Land Value (Bldg)																	53,100							
Total Appraised Parcel Value																	255,300							
Valuation Method																	C							
BUILDING PERMIT RECORD																								
Issue Date	Permit Id	Description	Price	Insp Date	% C	Stat	Notes																	
12-06-2022	BLDG-22-365	PORCH	13,000	04-28-2023	100	CE	Farmers porch - attached front porch with overhang. Por Garage addition adding <6 outlets, <3 exterior lights and 20' X 24' Attached garage finished to exterior of house;																	
07-17-2019	E-19-320	ELECTRIC	500	11-04-2019	100	CE																		
10-16-2018	B-18-801	GARAGE	9,000	03-28-2019	100	CE																		
05-11-2004	484	RES BLDG	80,000	10-20-2004	100	CI																		
LAND LINE VALUATION SECTION																								
B	LUC	Description	LandU	Land Type	Loc Adj	UnitPric	Size Adj	Cond	Nbhd	Nb Adj	Inf11	Adj	Inf12	Adj	Inf13	Adj	UnitPrice	Appraised Value	Assessed Value	Notes				
1	1010	SINGLE FA	0.230	PRIMARY	P	1,000	60,000.	3.84565	1.00	1305	1,000						230,742	53,100	53,100					
Total Card Land Units																	0.23	AC	Parcel Total Land Area	0.23	AC	Total Land Value		53,100

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description		
Style	04	CAPE	Solar	0			
Grade	C	AVERAGE	Central Vac	0			
Stories	1.75		Nbrhd Modifier	P	INFERIOR		
Units	1		MH Make				
Frame	01	WOOD	MH Serial #				
Foundation	01	CONCRETE	Color;Mdl #;D		BEIGE;		
Exterior Wall 1	04	VINYL					
Roof Structure	01	GABLE					
Roof Cover	01	ASPH SHINGLE					
View	N	NONE					
Interior Wall 1	01	DRYWALL					
Interior Floor 1	08	AVERAGE					
Basement Flo	12	CONCRETE					
Bsmt Garage	0						
Finished Bsmt	424						
FBLA							
Rec Room							
Electric	02	GOOD					
Insulation	02	TYPICAL					
Interior/Exterio	SAME	SAME					
% Heated	100.00						
Heat Fuel	01	OIL					
Heat Type	03	FORCED H/W					
AC Percent	0.00						
Bedrooms	3						
Full Bath(s)	2						
3/4 Bath(s)	0						
Half Bath(s)	1						
Extra Fixture(s)	1						
Kitchen(s)	1						
Extra Kitchen(	0						
Total Rooms	6						
Fireplace(s)	0						
W.S.Floors	1						

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
29	A/G R'D POO	L	1	1	18	C	AV	2019	100	0.00	1.00	0

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value
BMT	BASEMENT	0	832	208	25.38	21,116
FFL	1ST FLOOR	832	832	832	101.52	84,465
GAR	GARAGE	0	480	0	24.45	11,736
OFF	OPEN PORCH	0	256	0	40.53	10,376
TQS	3/4 STORY	624	832	624	76.14	63,349
WDK	WOOD DECK	0	168	0	22.55	3,788

Ttl Gross Liv / Lease Area		1,456	3,400	1,664	194,830
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Owner1	Owner2	BillingAddress	City State Zip
SCOTTON FAMILY REV LIVING TRUST	SCOTTON JOSHUA M TRUSTEE	49 KINSALE DR	ROCHESTER, NH 03868
LYNCH RAYMOND &	KAYLOR KRISTAL	46 KINSALE DR	ROCHESTER, NH 03868-8542
BRUNEAU LEEANN E		51 KINSALE DR	ROCHESTER, NH 03868
CARTER LINDA J & JOHN H		45 KINSALE DR	ROCHESTER, NH 03868-8542