



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. 2-23-03

DATE FILED 1/9/23

09
ZONING BOARD CLERK

Applicant:

Beth and Bruce (deceased) Wiggins

E-mail: Bethwiggins128@gmail.com

Phone: 603-833-9821

Applicant Address: 6 Coleman St, Rochester, NH 03867

Property Owner (if different): Beth and Bruce (deceased) Wiggins

Property Owner Address: 6 Coleman St, Rochester, NH 03867

Variance Address: 6 Coleman St, Rochester, NH 03867

Map Lot and Block No: 0128-0088

Description of Property: A-1 0.54 acres, 2 bed, 2 bath single family

Proposed use or existing use affected: vacant lot into house lot

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

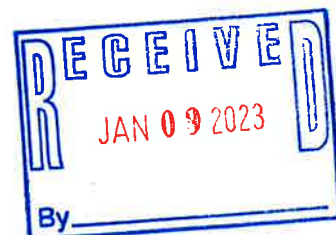
and asks that said terms be waived to permit an 80' frontage lot and a 100'

frontage lot in an A-1 zone.

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: Beth Wiggins

Date: 1-7-2023





City of Rochester, New Hampshire

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Variance Criteria

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

Public water, public sewer are already in place. Other lots ~~are~~ in the neighborhood have smaller road frontage. Buyer would like to build a 2bed, 2 bath small home on lot.

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

It would be a home and lot similar to those in the neighborhood.

3) Granting the variance would do substantial justice because:

We have lack of land and housing in NH. The attached letter is from a neighbor that is in his 80's, his current home is too big and he wants to stay in neighborhood and downsize.

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

A brand new home would be built, raising values.

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:

No unnecessary hardship is present. Allowing my lot to become less than standard 80' (see Abused Plains page for recommendation) would allow other lot to meet guidelines of 100ft. This variance will not impact neighborhood as many lots are not 100' road frontage.

And:

ii. The proposed use is a reasonable one because:

Flat, vacant lot - single family home to be built. Prime lot for housing. No zone change needs to occur. Also, this was once a lot, previous owner subdivided them to save money.

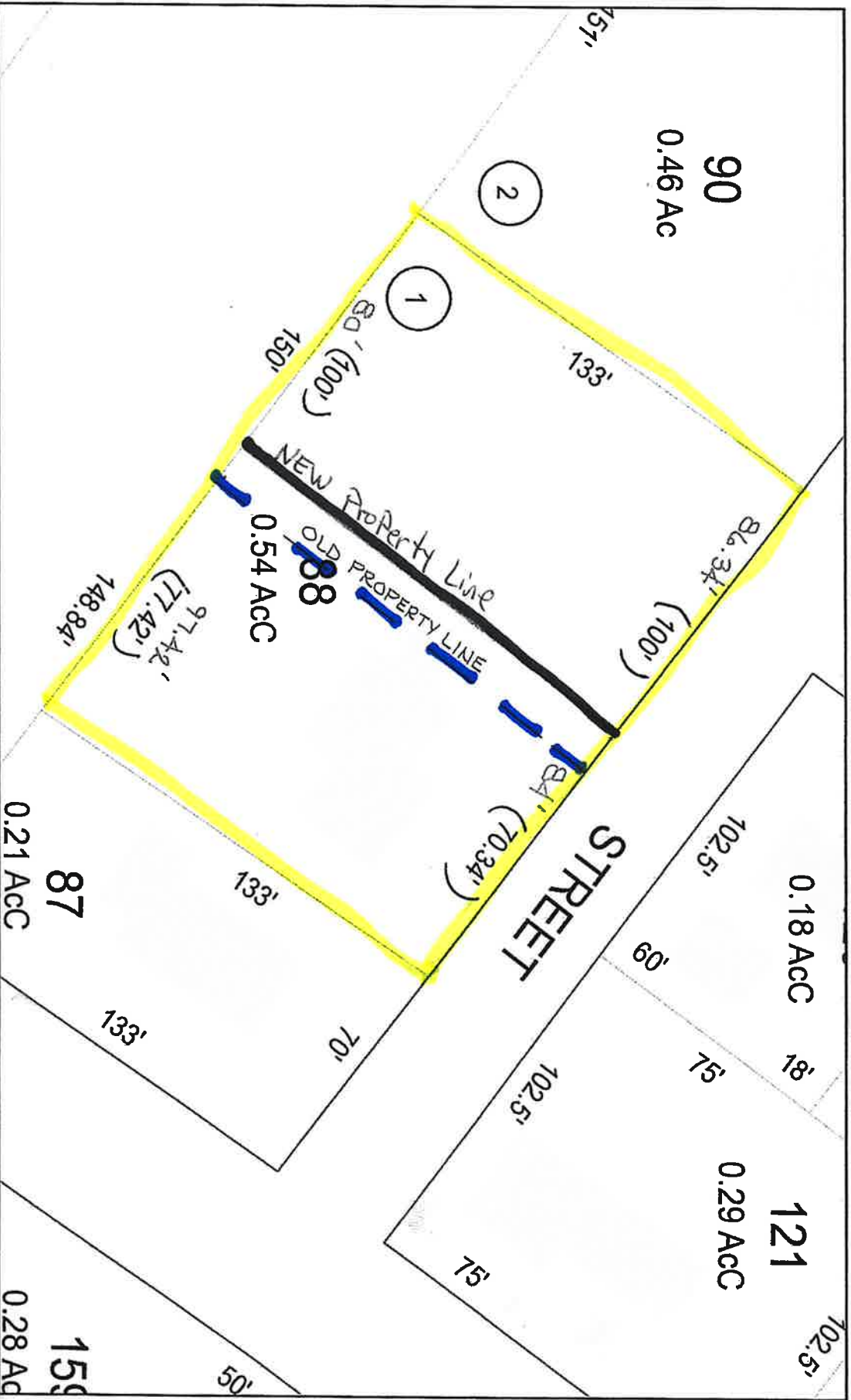
b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance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

Variance is necessary to enable Dave McAllister who has built and lived in neighborhood for 50 years, to stay in neighborhood and downsize to a smaller, new home.



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Beth Wiggins <bethwiggins128@gmail.com>

Subdivision Feasibility work - 6 Colman St. - Rochester, NH

6 messages

Randy Tetreault <rtetreault@norwayplains.com>

Thu, May 5, 2022 at 10:59 AM

To: "BethWiggins128@gmail.com" <BethWiggins128@gmail.com>

Cc: Joel Runnals <jrunnals@norwayplains.com>, Coral Jones <cjones@norwayplains.com>

Hi Beth,

We recently had time to research your situation and to look into your request for potential subdivision of your existing parcel (referenced above).

Please refer to the attached PDF when needed. You may need to follow this up with a phone conversation with me or Joel to get clear understanding of the details.

You were correct in that your parcel was once designated as two separate lots. However it appears that the former owners used a small part of that adjoining lot

to expand their existing dwelling and yard. Most likely leading to the merging of the lots as outlined in your deed (see highlighted section).

Given this information it would be our opinion that the parcels could not be "un-merged" under the current laws and regulations.

To now re-subdivide the parcel into two lots once again (similar to the attached sketch) it would require that you obtain a variance from the *Rochester Zoning Board of Appeals* to the minimum road frontage requirement of 100' per lot. Currently (and only going by this available tax map boundary measurement information not an actual survey) you have 170.34' of road frontage thus being short of the 200' total required road frontage in the R-1 Zone by just under 30'. You will note that we have shown in red a potential configuration of two lots that could potentially work. Lot size would not be an issue since your lot is .5 acres and because City water and sewer are available.

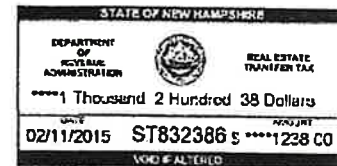
If you received favorable results in being granted a variance for frontage then you could make application to the Planning Board for subdivision.

Obviously that part would require us to perform a new standard survey and subdivision plan. I do not believe that work would be needed at the ZBA level

although some sort of sketch/plan would be needed for that application process as well.

I understand this is a bit of info to digest so please take time reviewing it and as I stated above do feel free to call Joel or myself to discuss it further.

Return to:
Bruce A. Wiggins and Beth A. Wiggins
6 Coleman Street
Rochester, NH 03867



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That I, **Nancy L. Kendall**, single, of 24 State Street Apt 1, Augusta ME 04330, for consideration paid grant to **Bruce A. Wiggins and Beth A. Wiggins**, husband and wife, of 6 Schultz Street, Rochester NH 03867, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:

A certain tract or parcel of land with the buildings and improvements thereon, in the City of Rochester, County of Strafford and State of New Hampshire, situate on the southwesterly side or Coleman street at the Northerly corner of land now or formerly of Philip Cassily; thence running in a Southwesterly direction a distance of 133.12 feet, more or less, to an iron pin at land now or formerly of Irving Mann; thence turning and running in a Northwesterly direction along said Mann land a distance of 77.42 feet, more or less, to an iron pin at other land of the Grantors herein; thence continuing to run in a Northwesterly direction along land now or formerly of O'Donnell a distance of 100 feet, more or less, to a point; thence turning and running in a Northeasterly direction a distance of 133 feet, more or less, to the Southwesterly side of Coleman Street; thence turning and running along said Coleman Street in a Southeasterly direction a distance of 170.34 feet, more or less, to the point of beginning.

These lots are shown as Lot #88 and Lot #89 on Map 128 of the City of Rochester Tax Records. The lots referred to herein are hereby combined into one single lot by the creation and recording of this deed. All lot lines which have been located at the juncture of these lots are hereby abandoned.

These lots which are combined cannot be sold individually and will be considered as one lot under the City ordinances. Any proposed future subdivision of the newly combined lot must be carried out in accordance with the City of Rochester Subdivision Regulations.

Meaning and intending to describe and convey the same premises conveyed to Nancy L. Kendall by virtue of deed of Alvin J. Kendall and Nancy L. Kendall dated September 12, 2002 and recorded in the Strafford County Registry of Deeds at Book 2579, Page 109. Nancy L. Kendall is the surviving joint tenant of Alvin J. Kendall who died June 12, 2011, see Death Certificate recorded herewith.

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-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	—	—	25	5'	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	30%	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.

Land Use 1010
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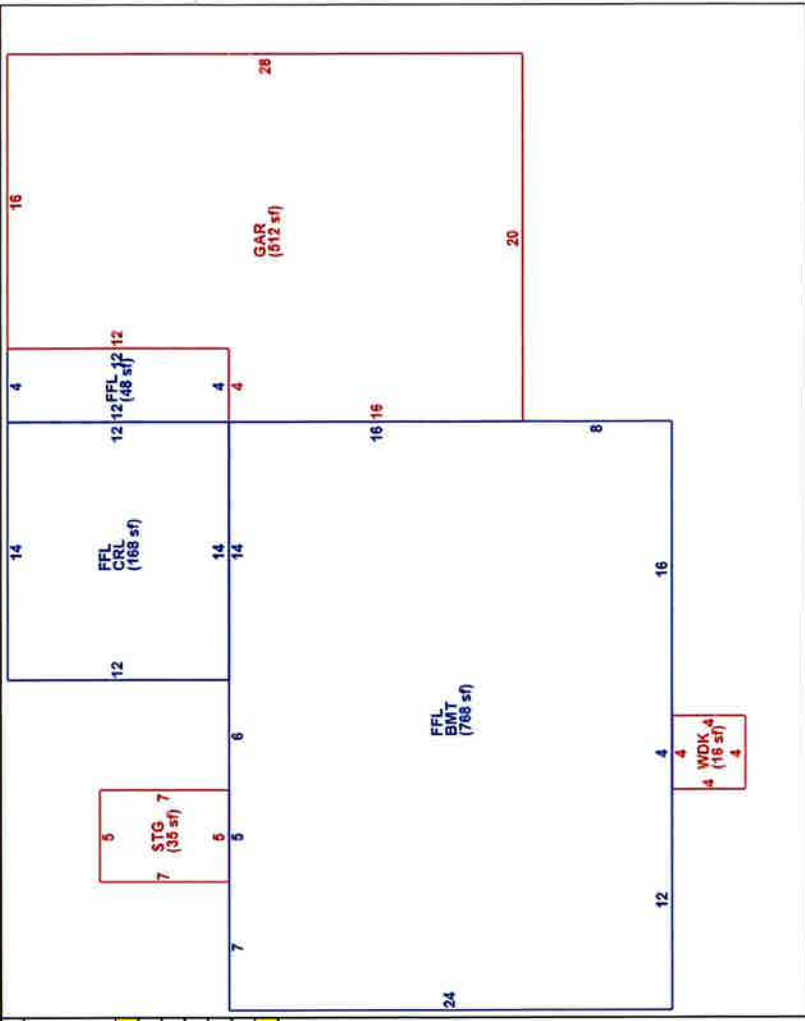
Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Model	01	Residential	Half Bath Rati		
Style	01	RANCH	Extra Fixture(s)	0	
Grade	D+	FAIR (+)	Extra Fix Ratin		
Stories	1				
Units	1				
Residential Unit	1				
Comm Units	0				
Exterior Wall 1	04	VINYL			
Exterior Wall 2					
2nd Ext Wall %	0				
Roof Structure	01	GABLE			
Roof Cover	01	ASPH SHINGLE			
Interior Wall 1	06	AVERAGE			
Interior Wall 2					
2nd Int Wall %	0				
Interior Floor 1	08	AVERAGE			
Interior Floor 2					
Basement Floor					
% Heated	13	DIRT			
Heat Fuel	100.00				
Heat Type	01	OIL			
2nd Heat Type	01	FORCED W/A			
2nd % Heated	0.00				
# Heat Systems	1.00				
AC Percent	0.00				
Bedrooms	2				
Full Bath(s)	1				
Bath Rating	A	SAME			
3/4 Bath(s)	1				
3/4 Bath Rating	G	SUPERIOR			
Half Bath(s)	0				
Half Bath Ratin	0				
Extra Fixture(s)	0				

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

BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value						
BMT	BASEMENT	0	768	192	25.88	19,876						
CRL	CRAWL SPACE UNDER DWELLI	0	168	0	0.00	0						
FFL	1ST FLOOR	984	984	984	103.52	101,862						
GAR	GARAGE	0	512	0	24.54	12,564						
STG	FRAME SHED BULKHEAD/FRAM	0	35	0	26.83	939						
WDK	WOOD DECK	0	16	0	22.55	361						
Ttl Gross Liv / Lease Area		984	2,483	1,176		135,602						





6 Coleman Street

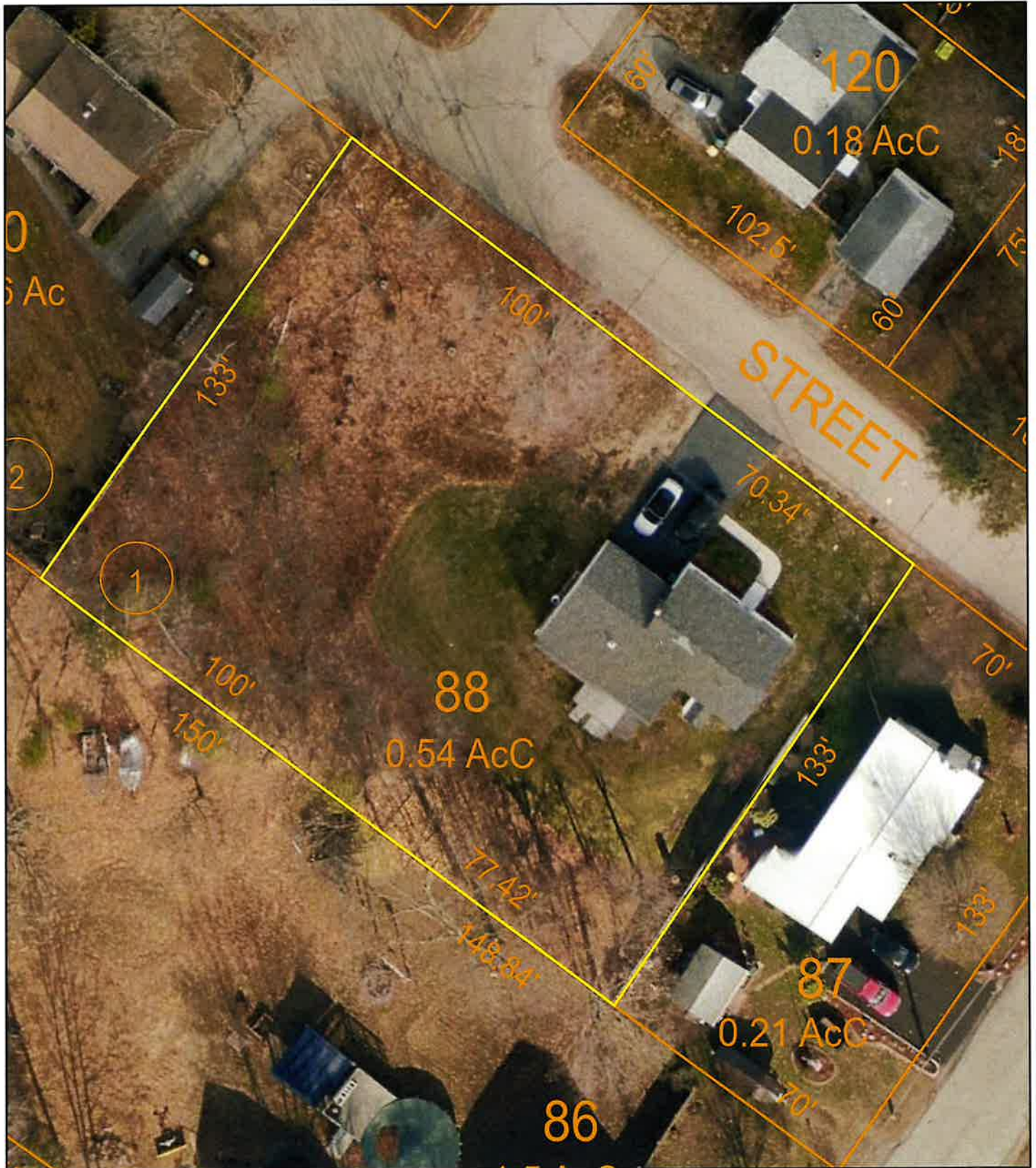
City of Rochester, NH

1 inch = 48 Feet



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January 9, 2023



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Owner1	Owner2	BillingAddress	City State Zip
LUTHER RONALD J & DONNA M		47 HARDING ST	ROCHESTER, NH 03867-3726
CASSILY MARIE ANITA REV TRUST%	CASSILY MARIE ANITA TRUSTEE	45 HARDING ST	ROCHESTER, NH 03867
KARCHER BIRT CHRISTINE A		70 RICHARDSON ST	ROCHESTER, NH 03867-3520
GALLOP CARRIE L		14 COLEMAN ST	ROCHESTER, NH 03867-3506
WEEKS JAMES B & VIRGINIA D		43 HARDING ST	ROCHESTER, NH 03867-3724
MORGANTI KIMBERLY D		69 RICHARDSON ST	ROCHESTER, NH 03867
WIGGINS BRUCE A & BETH A		6 COLEMAN ST	ROCHESTER, NH 03867-3506