



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. 2-23-34

DATE FILED 7/19/23

CJ
ZONING BOARD CLERK

Applicant: Carol Zink-Mailloux

E-mail: Carol.z@waterstonemortgage.com Phone: 603-591-0283

Applicant Address: 150 Suncook Valley Hwy, Epsom, NH 03234

Property Owner (if different): Carol Zink-Mailloux + David Klepper

Property Owner Address: 150 Suncook Valley Hwy, Epsom, NH 03234

Variance Address: 452 + 456 Pickering Rd, Rochester, NH

Map Lot and Block No: Map 0263 Block 0005 Lot 0000

Description of Property: 1.21 acres with bungalow & mobile home

Proposed use or existing use affected: Same use but accommodating 2 families

The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section 30.25 ^{Table 19-A}

and asks that said terms be waived to permit this single large lot with 2 homes to be divided into 2 separate parcels

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: Carol Zink Date: 7/17/2023



City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

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

This will improve the properties from their current state, improving the area, and would allow for 2 families to each enjoy home ownership. All other homes in the area are single bldg on single lot.

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

This wouldn't impact the ordinance, it's just making 2 parcels each with an existing structure separate from each other. The abutting neighbor did the same + split land to add a new dwelling.

3) Granting the variance would do substantial justice because:

This would allow for a very positive outcome for the town and surrounding area and for the new homeowner once the lot is split. It would make our property conform to the neighborhood.

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

This will increase local values and aesthetics because a new home can be built to replace the current structure allowing a new family to move in and have all properties be similar in use.

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:-

This lot is different from surrounding properties because it's a large lot with 2 existing structures. If the variance isn't granted the hardship is not being able to have a home lived in by a family.

And:

ii. The proposed use is a reasonable one because:

There are already 2 existing homes, there is sufficient land for each home to sit on separately based on many of the surrounding homes and land sizes, there's already a natural divide.

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.

The inability to separate the lot into 2 separate parcels each encompassing the home sitting on it will create a hardship because it will only allow one family to live here and it diminishes homeownership for another family. The hardship is also in preventing our lot to conform with the others in the area.

Variance Request – 452 & 456 Pickering Road, Rochester, NH

We are requesting a variance because the current land size of our property is not large enough to support separating it into two separate lots because it is in the agricultural zone. We are requesting that the separation is granted by way of a variance because there are already two structures on the property, two driveways and separate utilities to the structures. There will be no changes to what already exists, except in separating the two structures into two separate lots will allow for an additional family to own and inhabit the second lot. Without the separation it will limit an additional family ownership in Rochester and won't allow for the existing structures to be rebuilt into a more suitable home for a family which will increase property values and aesthetics in the area. The two resulting lots will still be larger than many of the lots in the area and will positively impact the general look of the homes, which will have a positive impact on the other properties in that area.



452 + 456 Pickering Rd.

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 (NMI)													
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	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.



452 & 456 Pickering Road

City of Rochester, NH

1 inch = 80 Feet



www.cai-tech.com

July 24, 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	12	COTTAGE	Solar	0								
Grade	C-	AVG. (-)	Central Vac	0								
Stories	1		Nbhd Modifier									
Units	1		MH Make									
Frame	01	WOOD	MH Serial #		UNKNOWN							
Foundation	12	PIER/SLAB	Color;Mdl #;D		GRAY; MONARCH;							
Exterior Wall 1	04	VINYL	CONDO DATA									
Roof Structure	01	GABLE	Condo Main		Complex #							
Roof Cover	01	ASPH SHINGLE	Adjust Type	Code	Building #							
View	N	NONE	Condo Floor		Section #							
Interior Wall 1	01	DRYWALL	Condo Location		% Owner							
Interior Floor 1	08	AVERAGE	COST / MARKET VALUATION									
Basement Flo			Building Value New		107,831							
Bsmt Garage	0		Year Built		1952							
Finished Bsmt			Depreciation Code		G							
FBLA			Remodel Rating									
Rec Room			Year Remodeled		38							
Electric	03	TYPICAL	Depreciation %									
Insulation	02	TYPICAL	Functional Obsol		10							
Interior/Exterio	SAME	SAME	Economic Obsol		1,000							
% Heated	100.00		Trend Factor									
Heat Fuel	10	PROPANE	Special Adj									
Heat Type	07	SPACE HTRS	Condition %		62							
AC Percent	0.00		Percent Good		60,200							
Bedrooms	1		RCNLD									
Full Bath(s)	0		Dep % Ovr									
3/4 Bath(s)	1		Dep Ovr Comment									
Half Bath(s)	0		Misc Imp Ovr									
Extra Fixture(s)	0		Misc Imp Ovr Comment									
Kitchen(s)	1		Cost to Cure Ovr									
Extra Kitchen(	0		Cost to Cure Ovr Comment									
Total Rooms	3											
Fireplace(s)	0											
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
45	LEAN TO	L	1	7	8	D	AV	2012	80	4.51	0.87	200
01	SHED FRAME	L	1	8	12	C	AV	1978	50	28.15	1.00	1,400
01	SHED FRAME	L	1	8	12	D	AV	1978	50	28.15	0.87	1,200
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area		Floor Area	Eff Area	Unit Cost	Undepreciated Value					
FFL	1ST FLOOR	624	0	624	624	133.18	83,105					
WDK	WOOD DECK				191	22.55	4,307					
Ttl Gross Liv / Lease Area		624	815	624	87,412							

9

19

19

19

WDK (171 sf)

26

11

10

5

5

5

WDK (20 sf)

4

4

5

24

FFL (624 sf)

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)											
Element	Cd	Description	Element	Cd	Description										
Style	11	MFD SINGLEWIDE	Solar	0											
Grade	D	FAIR	Central Vac	0											
Stories	1		Nbhd Modifier												
Units	1		MH Make												
Frame	01	WOOD	MH Serial #												
Foundation	12	PIER/SLAB	Color;Mdl #;D		YELLOW & WHITE;										
Exterior Wall 1	03	ALUMINUM	CONDO DATA												
Roof Structure	41	MH MINIMAL													
Roof Cover	05	MH METAL	Condo Main												
View	N	NONE	Adjust Type	Code	Building #										
Interior Wall 1	06	AVERAGE	Condo Floor		Section #										
Interior Floor 1	08	AVERAGE	Condo Location		% Owner										
Basement Flo			COST / MARKET VALUATION												
Bsmt Garage	0		Building Value New		78,765										
Finished Bsmt			Year Built		1971										
FBLA			Depreciation Code		A										
Rec Room			Remodel Rating												
Electric	03	TYPICAL	Year Remodeled		70										
Insulation	02	TYPICAL	Depreciation %												
Interior/Exterio	SAME	SAME	Functional Obsol		10										
% Heated	100.00		Economic Obsol		1,000										
Heat Fuel	01	OIL	Trend Factor												
Heat Type	01	FORCED W/A	Special Adj												
AC Percent	0.00		Condition %		30										
Bedrooms	3		Percent Good		21,300										
Full Bath(s)	1		RCNLD												
3/4 Bath(s)	0		Dep % Ovr												
Half Bath(s)	0		Dep Ovr Comment												
Extra Fixture(s)	0		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
13	PATIO CONC	L	1	12	20		C	AV			2012	80	7.22	1.00	1,400
01	SHED FRAME	L	1	8	10		D	AV			2000	70	28.15	0.87	1,400
BUILDING SUB-AREA SUMMARY SECTION															
Code	Description		Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value								
FFL	1ST FLOOR		1,032	1,032	1,032	66.24	68,364								
WDK	WOOD DECK		0	52	0	18.96	986								
Totl Gross Liv / Lease Area			1,032	1,084	1,032	69,350									

6 WDKs
(36 sq)

9

6

6

9

10

FFL
(240 sq)

10

10

24

24

32

12

FFL
(792 sq)

4

17

4 WDKs
(16 sq)

Owner1	Owner2	BillingAddress	City State Zip
LAURION FAMILY 2018 REV TRUST	LAURION MARC D & TOBI L	27 WAYSIDE DR	WAKEFIELD, NH 03872-4762
POLITO ANTHONY JOSEPH	ROMANO LAUREN	444 PICKERING RD	ROCHESTER, NH 03867
SCRUTON JASON A &	CARROLL KATHERINE L	20 FARMSTEAD RD	FARMINGTON, NH 03835
KLEPPER ZINK MAILLOUX REV)	TRUST % KLEPPER DAVID J JR &	150 SUNCOOK VALLEY HWY	EPSOM, NH 03234-4236
BOSTON & MAINE RAILROAD	% CSX TRANSPORTATION	500 WATER ST J-910	JACKSONVILLE, FL 32202