



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. 2-24-08

DATE FILED 2/21/24

C91

ZONING BOARD CLERK

Applicant:
Kevin Coppinger

E-mail: kpcoppinger@comcast.net Phone: 603.661.6908

Applicant Address: 60 Stillwater Circle, Rochester, NH 03839

Property Owner (if different): _____

Property Owner Address: 60 Stillwater Circle, Rochester, NH 03839

Variance Address: 60 Stillwater Circle, Rochester, NH 03839

Map Lot and Block No: tax map 261 Lot 57

Description of Property: single family residence

Proposed use or existing use affected: add garage

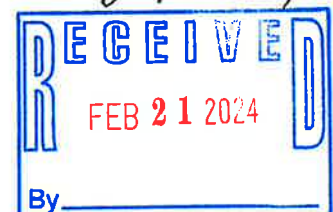
The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section 5.4

and asks that said terms be waived to permit building of garage

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: K. Coppinger

Date: 2-16-24





City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

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

The property line starts so far back from the pavement that passersby will presume it meets setback as it will not provide a sense of non-conformity.

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

The spirit of the ordinance is to create uniformity along the roadway & building placement. There are at least 4 other homes within the subdivision that already have encroachment, thus the requested accessory structure will conform.

3) Granting the variance would do substantial justice because:

Granting the variance will not detract from public value, where as denial will negatively impact me as the homeowner.

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

Surrounding neighbors are supportive and do not indicate that they have any issue with the placement. Additionally, having a structure for vehicle and storage and other items will create a more aesthetically pleasing view for abutters.

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:

If the garage was set 20' back, it would render the side yard useless for any other aspect. It would impact my septic system placement and create an unreasonable situation regarding the use of the property and may cause crowding with abutters.

And:

ii. The proposed use is a reasonable one because:

It is reasonable to want a garage and it is also reasonable for me to create one that is slightly larger than the size allowed by special exception.

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.

Having a garage will benefit myself, my neighbors and the community as a whole and the lot shape, boundary line location and the location of the house and septic within the lot create a scenario with limited placement options.

Kevin Coppinger
60 Stillwater Circle
Rochester, NH 03839
603.661.6908

I am requesting a variance to build a garage on my property at 60 Stillwater Circle in Rochester, NH. Currently setbacks prohibit me from placing a garage on my property. The public interest for having a setback for accessory structures is so that there is no overcrowding and there is a sense of context for the placement of the garage in relationship to the roadway. In this case my property line starts so far back from the edge of the pavement, that to the public passing by on the road they will not know where those boundary markers are and therefore will presume that the structure meets setbacks and will provide conformity. If the garage was set twenty feet back, it would render the side yard useless for anything else. Furthermore, it would impact my septic system placement and create an unreasonable situation regarding the use of my property. It also may create a crowding situation along shared property boundaries with neighbors. Having the garage will benefit myself, my neighbors and the community as a whole and the lot shape, boundary line and location of the house and septic within the lot create a scenario with limited placement options. The spirit of the ordinance is to create uniformity along the roadway and building placement. There are multiple other homes within the subdivision (1 Stillwater, 6 Stillwater, 50 Stillwater, 1 Sugar Brook, 29 Sugar Brook) that already have this encroachment and I will be consistent with those. Granting this variance will not detract from the public value, whereas denial will negatively impact me. My neighbors are supportive and do not indicate that they have issues with the placement. Additionally, having the structure to store my vehicle and other stuff will create a more aesthetically pleasing view for my abutters.

ZONING

275 Attachment 6

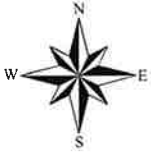
City of Rochester

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

Residential Districts	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 (NMIU)													
All uses	6,000	60	— ²	—	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	—	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.



60 Stillwater Circle

City of Rochester, NH

1 inch = 60 Feet



www.cai-tech.com

February 21, 2024



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				
COPPINGER FAMILY REV TRUST		0 CITY WATER R	0 LEVEL	A AGRICULTURAL		NHBG NAME		LUC Co		Current Assesse				
COPPINGER KEVIN & KAREN		0 CITY WTR PBO	NEIGHBORHOOD		NHBG NAME		1304		101		180,300			
60 STILLWATER CIR		0 GAS	1304		AVG TO GD SOUTH M		OB		101		62,100			
		UTL/ST / TRAF		EXEMPTIONS				101		3,600				
		0 SEPTIC	Year	Code	Description									
		0 PAVED												
		0 LIGHT												
ROCHESTER NH 03839		LEGAL DESCRIPTION												



SALES INFORMATION - GRANTEE				BOOK/PAGE	SALE DATE	SALE PRICE	SALE CODE	PREVIOUS ASSESSMENTS (HISTORY)			
COPPINGER FAMILY REV TRUST	5139	789	09-25-2023	0	38			Year	Descri	Prior Assesse	Year
COPPINGER KEVIN & KAREN	5052	174	07-25-2022	0	02			2020	BLDG	172,800	2021
GOODWIN DANIEL A & DARCI	5052	171	07-14-2022	0	54				LAND	62,100	2022
GOODWIN DANIEL A & DARCI	4574	760	05-21-2018	229,000	38				OB	3,600	
GOODWIN CHRISTINE M LIVING REV	4140	536	06-21-2013	2,667	44						
Total				238,300				238,300			
Total				238,300				246,000			

BUILDING NOTES				APPRAISED VALUE SUMMARY				
12/13/22 - DAF, ADD REC RM= FIN BMT= EST PER MLS L&P 7/12/23 - HMVM, P/U OFF S.D. LOT #59				Appraised Building Value (Card)				180,300
				Appraised Extra Feature Value (Bldg)				0
				Appraised Outbuilding Value (Bldg)				3,600
				Appraised Land Value (Bldg)				62,100
				Total Appraised Parcel Value				246,000

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)								
Element	Cd	Description	Element	Cd	Description							
Style	01	RANCH	Solar	0								
Grade	C	AVERAGE	Central Vac	0								
Stories	1		Nbhd Modifier									
Units	1		MH Make									
Frame	01	WOOD	MH Serial #		GRAY;							
Foundation	01	CONCRETE	Color,Mdl #;D									
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	12	CONCRETE	COST / MARKET VALUATION									
Bsmt Garage	0		Building Value New		225,332							
Finished Bsmt			Year Built		2000							
FBLA	1000		Depreciation Code		A							
Rec Room	02	GOOD	Remodel Rating									
Electric	02	TYPICAL	Year Remodeled		20							
Insulation	02	SAME	Depreciation %									
Interior/Exterio	100.00		Functional Obsol		1.000							
% Heated	02	GAS	Economic Obsol									
Heat Fuel	03	FORCED H/W	Trend Factor									
Heat Type	0.00		Special Adj									
AC Percent	3		Condition %		80							
Bedrooms	1		Percent Good		180,300							
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	5		Cost to Cure Ovr Comment									
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
01	SHED FRAME	L	1	10	14	B	AV	2013	80	28.15	1.15	3,600
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value						
BMT	BASEMENT	0	1,232	1,232	308	28.99	35,712					
FFL	1ST FLOOR	1,232	1,232	1,232	1,232	115.95	142,850					
OPF	OPEN PORCH	0	48	0	0	46.41	2,228					
WDK	WOOD DECK	0	120	0	0	22.55	2,706					
Ttl Gross Liv / Lease Area		1,232	2,632	1,540				183,496				

12

10

WDK
(120 sf)

10

12

12

14

18

90

28

28

44

90

OFF
(48 sf)

6

8

FFL
BMT
(1,232 sf)

28

Owner1	Owner2	BillingAddress	City State Zip
MURPHY RAYMOND J		388 ALEWIVE RD	KENNEBUNK, ME 04043-6013
CITY OF ROCHESTER		31 WAKEFIELD ST	ROCHESTER, NH 03867-1916
CONSTABLE NICOLE & JONATHAN		57 STILLWATER CIR	ROCHESTER, NH 03839
COPPINGER FAMILY REV TRUST	COPPINGER KEVIN & KAREN	60 STILLWATER CIR	ROCHESTER, NH 03839
BRYANT ANDREA	CUTHBERT DAVID	61 STILLWATER CIR	ROCHESTER, NH 03839
MURPHY SANDRA K		25 ECHO BROOK RD	ROCHESTER, NH 03839
GADWAY FAMILY TRUST	GADWAY DONNA J & RODERICK J	55 STILLWATER CIR	ROCHESTER, NH 03839
LIGSAY RUBEN G & SHEILA C		26 ECHO BROOK RD	ROCHESTER, NH 03839