



## City of Rochester, New Hampshire

Department of Building Safety  
31 Wakefield Street \* Rochester, NH 03867  
(603) 332-3508 \* Fax (603) 509-1912

### APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

\* Don  
603-682-1602 (6610)

Phone No 603-437-1200

DO NOT WRITE IN THIS SPACE

CASE NO. 2016-11

DATE FILED 3/23/16

K. G. Miller  
ZONING BOARD CLERK

Name of applicant NH SIGNS

Address 60 OLD DEERY ROAD LONDONDERRY, NH 03869

Owner of property concerned 24 DEERY ROAD REALTY HOLDINGS LLC  
(If the same as applicant, write "same")

Address 750 COLUMBUS AVENUE  
(If the same as applicant, write "same")

Location 750 COLUMBUS AVENUE

Map No. 131 Lot No. 5 Zone NMU

Description of property MEDICAL OFFICE

Proposed use or existing use affected ND

The undersigned hereby requests a variance to the terms of Article 42.29  
Section 2, B and asked that said terms be waived to permit INTERNAL  
FLUORESCENT SIGN OVER ALLOWED SF WITH ELECTRONIC MESSAGE CENTER

If applicable in this case, the undersigned also requests a waiver from the requirement to provide a certified plot plan, (see attached request sheet) Yes \_\_\_\_\_ No ✓

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.

DON BOOTH  
Signed DON BOOTH NH SIGNS  
(Applicant)

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2016-11

Date: 3-23-16

A Variance is requested by NH SIGNS

from Section 42.29 Subsection no 2.B 's

of the Zoning Ordinance to permit: INTERMEDIATELY ILLUMINATED SIGN OVER

ALLOWED SF WITH ELECTRONIC MESSAGE CENTER

at 750 COLUMBUS AVE Map 131 Lot 5 Zone NMU

Facts supporting this request:

1) The proposed use would not diminish surrounding property values because:

SEE ATTACHED LETTER ON CRITERIA

2) Granting the variance is not contrary to the public interest because: \_\_\_\_\_

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: \_\_\_\_\_

4.) Granting the variance would do substantial justice because: \_\_\_\_\_

5.) The use is not contrary to the spirit of the ordinance because: \_\_\_\_\_

Name DON BOON NH SIGNS Date: 3/22/16

### Addendum to Associates In Family Dentistry Variance Request

This request for a variance relates to Associates in Family Dentistry 750 Columbus Avenue. The site is zoned Neighborhood Mixed Use (NMU)

#### Background:

We hereby request a variance from Chapter 42 subsection 42.29n.2 (signage over 20sf) and 42.29n.2.8 (Internally Illuminated signs and Electronic Message Centers). and ask that the terms of the Zoning Ordinance be waived to permit applicant to install a new ID sign that incorporates Internal Illumination, an Electronic Message Center and area of 50.9 square feet where the code allows 20 sq ft, to replace the sign on the property. The location had a legal, non-conforming sign of approximately 50 sq. ft. that was knocked down. This sign is to replace that sign. We applied for the attached sign and were denied on 3-22-16.

#### (1) The proposed use would not diminish surrounding property values because:

This sign would not be out of place in this area. There are a number of other signs in the immediate area that are larger, are internally illuminated and incorporate message centers. Some of these are:

Name	Address	Description
Cleary Cleaners	673 Columbus Ave	Internally Illuminated with Message Center
Aroma Joes	755 Columbus Ave	Internally Illuminated
Jiffy Lube	691 Columbus Ave	Internally Illuminated with Message Center
Quick Cash	725 Columbus Ave	Internally Illuminated with Message Center
Stop and Go Deli	755 Columbus Ave	Internally Illuminated
NE Credit Union	694 Columbus Ave	Internally Illuminated with Message Center
Wild Willys	724 Columbus Ave	Externally Illuminated

Given the very commercial nature of this area, it is hard to believe that one additional well designed sign would have an effect on property values in the area. If anything, this sign is new, modest and attractive, and we suggest that, compared to the other signs in the area, it will provide a positive impact and if anything, boost the appearance of the neighborhood.

#### 2. Granting the variance is not contrary to the public interest because:

This site is on a busy road on Rte. 125 and is adjacent to the Spaulding Turnpike. Traffic heading north-west has sightlines blocked by trees and adjacent signage, and the traffic speed is around 35 mph. This area cannot be described as residential- it is populated by businesses.

The proposed sign makes it easier for the public to find the doctors' offices and, and as such improves traffic safety when approaching this busy location for the following reasons:

- The sign would be lost among the prevalent landscape and the other signage in the area if it were restricted to the smaller size; in any event, the proposed sign is marginally smaller than the sign that was there

- External illumination is less effective than internal illumination, especially when surrounding signs are internally illuminated. It benefits the public interest to have well lit, clear signs as this increases the time that motorists have to make driving decisions.
- Improved driver awareness is created by signs that are clearly readable and are visible from a distance that allows drivers adequate time to take actions like for example indicating, moving to the correct lane or slowing in an orderly fashion. This sign has been designed to accomplish that without being overbearing or aggressive.
- The public has an interest in understanding the services offered by this facility. This is aided by the message center.

3. Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property:

The location is closer to the Spaulding Turnpike than most other nearby businesses. The entrance to the building is set back off the road, and is difficult to see as it is oriented sideways on the lot.

The parking lot is in front of the building, and these two factors make it difficult to locate it. Thus, the visual presence of the building is minimized to passersby, in contrast to other buildings such as the Chiropractor or Quick Cash, both nearby businesses. Sightlines to the building itself are very restricted, and an adequate sign is needed to promote the business and to ensure its success.

In addition, a larger better lit more visible sign will improve driver reaction time and improve safety. A large sign is warranted to give adequate notice to motorists of the building and the services offered.

The investment in a dentist's office is enormous; signage is very important to attracting new customers.

4. Granting the variance would do substantial justice because:

The Dentist that owns the building has invested a significant amount in the business, and continues to invest in it. He will provide an essential local service. He has to generate a certain amount of business to ensure the success of this location, and he is convinced that the sign at the size and in the format requested is essential to the initial and ongoing success of the operation.

The public has an interest in understanding the services offered by this facility. This is aided by the message center and the size and illumination of the sign. The older type of message board signs are difficult to change in windy or icy conditions, and the track system is prone to failure- the letters fall out from time to time. LED signs are changed from inside the building, and can be regulated to change at limited intervals if needed. This improves the safety of employees and passersby

5. The use is not contrary to the spirit of the ordinance because:

The area to the West of the Spaulding on 125 is Zoned Highway Commercial- it is fundamentally no different in use appearance or form to the area to the east, where this property is located- which happens to be zoned Neighborhood Mixed use. If the property was in HC, the sign requested would be allowed. In fact, in a tacit nod to this, many businesses in the NM zone have been allowed signs similar to that requested by this owner.

We submit that there is no evidence that this well thought out design would negatively impact surrounding property values and that the proposal is reasonable and not overly aggressive. In the justice test, there is no benefit to the public that would outweigh the hardship on the application if the variance(s) were denied.

# ABUTTER LIST

City of Rochester, NH  
Please Print or Type

Applicant: NH SIGNS Phone 603-437-1200

Project Address: 750 COLUMBUS AVENUE

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

## LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
131	5	NMU	24 DERRY ROAD REALTY HOLDINGS LLC	750 COLUMBUS AVE ROCHESTER, NH

## ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
		SEE ATTACHED LIST	

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the City of Rochester Assessing Office computer - Assess Pro (located in the Revenue Bldg at 19 Wakefield Street)

on this date: 3/11/16, This is page 1 of 1 pages.

Applicant or Agent: [Signature]

February 23, 2016

City of Rochester, NH  
Department of Building Zoning and Licensing Services  
31 Wakefield Street  
Rochester, NH 03867

**RE: 26 Derry Road Realty Holdings LLC**  
**Associates in Family Dentistry**

To whom it may concern:

This letter is provided to give authorization for NH Signs to act as our agent for permitting. This project involves replacing the existing Street sign that was damaged over the Winter..

Should you have questions or need additional information, please feel free to contact me at Dr. Rabeh Ebeed 603-799-4336

Rabeh Ebeed

A handwritten signature in black ink, appearing to be 'Rabeh Ebeed', written over a horizontal line.

Member  
Rabeh Ebeed  
750 Columbus Avenue  
Rochester, NH 03867

## Unofficial Property Record Card - Rochester, NH

## General Property Data

Parcel ID 0131-0005-0000	Account Number 27490
Prior Parcel ID --	
Property Owner 26 DERRY ROAD REALTY HOLDINGS LLC	Property Location 750 COLUMBUS AVE
Mailing Address 750 COLUMBUS AVE	Property Use MED OFFICE
	Most Recent Sale Date 12/9/2011
City ROCHESTER	Legal Reference 3975-995
Mailing State NH Zip 03867-3925	Grantor TOUSIGNANT PAUL T,
ParcelZoning NMU	Sale Price 330,000
	Land Area 0.870 acres

## Current Property Assessment

Card 1 Value	Building Value 449,300	Yard Items Value 17,300	Land Value 89,300	Total Value 555,900
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## Building Description

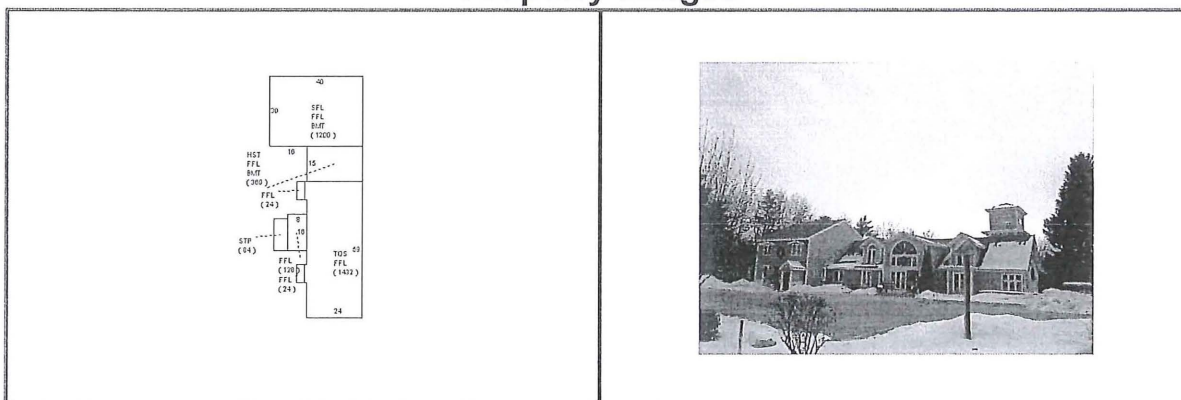
Building Style MED OFFICE	Foundation Type CONCRETE	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1988	Roof Structure GABLE	Heating Type FORCED W/A
Building Grade FAIR	Roof Cover ASPH SHINGLE	Heating Fuel GAS
Building Condition Average	Siding CLAPBOARD	Air Conditioning 100%
Finished Area (SF) 5622	Interior Walls AVERAGE	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 4	# of Other Fixtures 0

## Legal Description

## Narrative Description of Property

This property contains 0.870 acres of land mainly classified as MED OFFICE with a(n) MED OFFICE style building, built about 1988 , having CLAPBOARD exterior and ASPH SHINGLE roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 4 half bath(s).

## Property Images



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

Below is a chart found in 42.29 n. 2 that states that the sign in NMU is limited to 20' sq ft.

<b>Dimensional standards are as follows: Zoning District</b>	<b>Maximum Area (in square feet)</b>	<b>Maximum Height (in feet)</b>
Highway Commercial	75'	30'
General Industrial		
Hospital		
Granite Ridge Development		
Airport	50'	20'
Recycling Industrial		
Downtown Commercial	25'	15'
Neighborhood Mixed Use Office Commercial	20'	8'

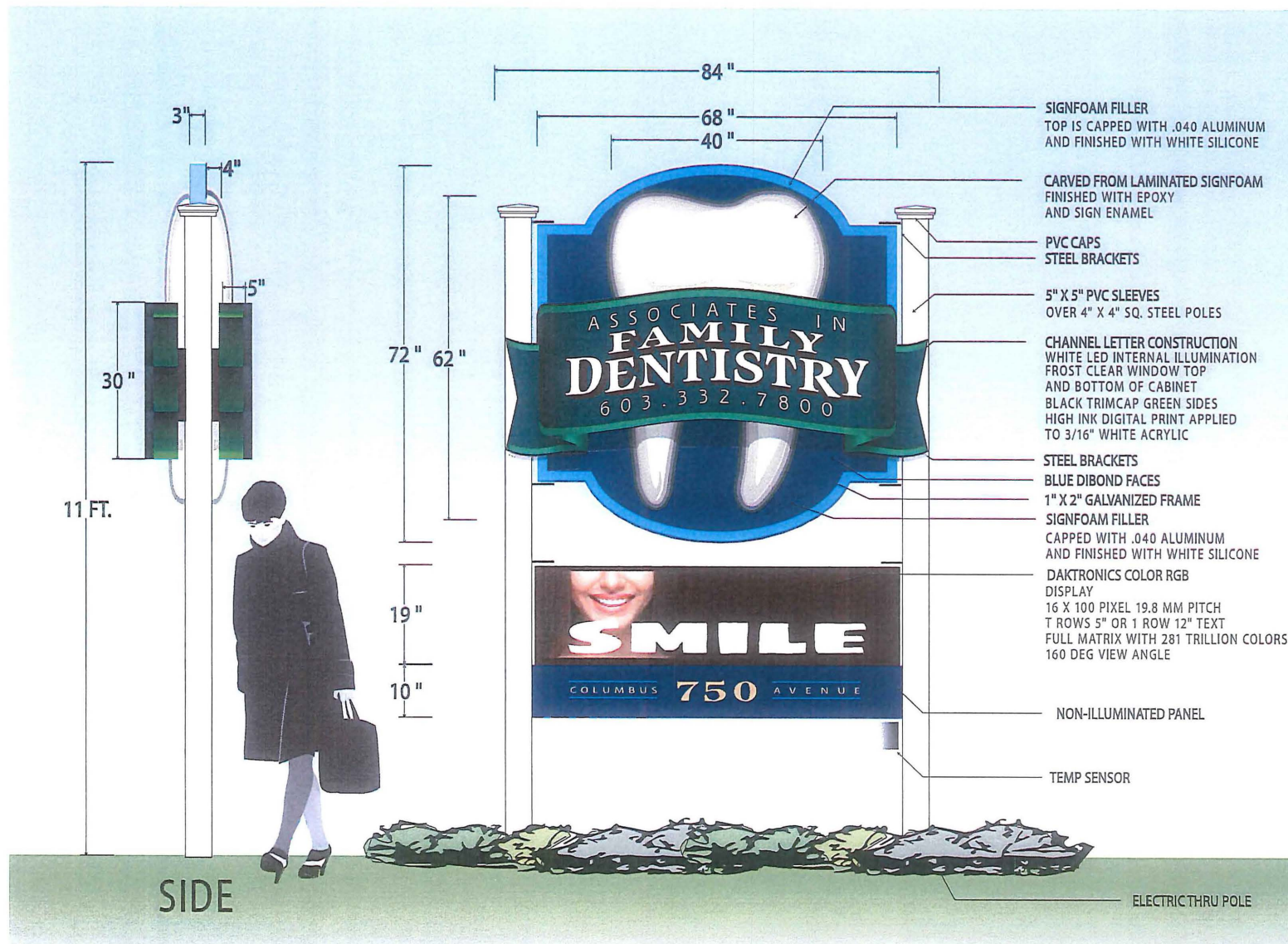
A sign that uses internal illumination is not permitted within the NMU zoning district.

**42.29 n 2 K - Specific Zoning Districts.** Internally illuminated signs are permitted only in the Highway Commercial, Downtown Commercial, Granite Ridge Development, and Industrial Districts.

Under 42.29 n. 2. K states that Electronic message signs are not permitted in the NMU zoning district.

Sign	Residential Districts				Commercial Districts			Industrial District		Special		
R1	R2	NMU	AG	DC	OC	HC	GRD	GI	RI	HS	AS	
Canopy	N	N	P	N	P	P	P	P	P	P	P	
Changeable Copy	N	N	P	N	P	P	P	P	P	P	P	
Electronic Message	N	N	N	N	N	N	P	P	P	N	N	
Freestanding Pole	P	P	P	P	P	P	P	P	P	P	P	
Interior Window	P	P	P	P	P	P	P	P	P	P	P	
Marquee	N	N	P	P	P	P	P	P	P	P	P	
Portable	N	N	P	N	P	N	N	N	N	N	N	
Projecting	P	P	P	P	P	P	P	P	P	P	P	
Wall	P	P	P	P	P	P	P	P	P	P	P	
Window	P	P	P	P	P	P	P	P	P	P	P	

Jim Grant  
City of Rochester, NH  
Building, Zoning, and Licensing Services



72" X 84" = 42 SQ. FT.  
 19" X 68" = 8.9 SQ. FT.  
 TOTAL = 50.9 SQ. FT.



60 OLD DERRY ROAD  
 LONDONDERRY, NH 03060  
 PH 603.437.1200  
 FAX 603.437.1222

[www.nhsigns.com](http://www.nhsigns.com)

- DESIGN
- MANUFACTURE
- INSTALL
- SERVICE



#### NAME

CLIENT: ASSOCIATES IN  
 FAMILY DENTISTRY  
 LOCATION ROCHESTER, NH  
 DATE 12 03 15

DESIGNER CFC  
 ACCT. REP BILL CLARK  
 REVISION NOTES BY  
 1 12 29 15 .  
 2 02 12 16 .  
 3 02 16 16 .  
 4 02 23 16  
 5 03 22 16 SQ. FT. ONLY

☒ DESIGN APPROVED  
 BY \_\_\_\_\_ DATE / / 16

#### INSTALLATION NOTES

#### PRODUCTION NOTES

#### SPECIAL ORDER

Please Note: It is the customers responsibility to provide  
 primary electrical service (including ground wiring)  
 directly from panel box, to within six feet of sign(s).  
 Installation to comply with N.E.C.600

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NH SIGNS OWNS THE COPYRIGHT ON ALL ORIGINAL DESIGNS;  
 NO REUSE OR REPRODUCTION OF ANY DESIGN OR IMAGE IS  
 PERMITTED WITHOUT THE WRITTEN PERMISSION OF NH SIGNS.  
 NH SIGNS RECORDS PURSUES COPYRIGHT INFRINGEMENTS

( ONE ) DOUBLE SIDED INTERNALLY-EXTERNALLY ILLUMINATED SIGN

upper sign

42 SF + OR -

lower sign

6 1/2 SF + OR -

TOTAL

48 1/2 SF + OR -

DAMAGED EXISTING SIGN



62' x 80'  
6.6 SF

42 SF



NMV - AREA PHOTO'S



Associates In Family Dentistry

Bontic Rd

125

**PROPOSED  
SIGN AREA**



# 0 Abutters List Report

Rochester, NH  
March 11, 2016

Postage  
7 X 3.94 = 27.58  
Variance 175.00  
202.58

## Subject Property:

Parcel Number: 0131-0005-0000  
CAMA Number: 0131-0005-0000  
Property Address: 750 COLUMBUS AVE

Mailing Address: 26 DERRY ROAD REALTY HOLDINGS  
LLC  
750 COLUMBUS AVE  
ROCHESTER, NH 03867-3925

## Abutters:

Parcel Number: 0131-0004-0000  
CAMA Number: 0131-0004-0000  
Property Address: 742 COLUMBUS AVE

Mailing Address: ~~CITY OF ROCHESTER~~  
~~31 WAKEFIELD ST~~  
~~ROCHESTER, NH~~

Parcel Number: 0131-0008-0000  
CAMA Number: 0131-0008-0000  
Property Address: 0 CEDARBROOK AVE

Mailing Address: CEDARBROOK VILLAGE CONDO ASSOC  
  
14A CEDARBROOK VILL  
ROCHESTER, NH 03867

Parcel Number: 0132-0037-0000  
CAMA Number: 0132-0037-0000  
Property Address: 41 OLD DOVER RD

Mailing Address: 41 OLD DOVER ROAD LLC  
41 OLD DOVER RD  
ROCHESTER, NH 03867-3445

Parcel Number: 0137-0001-0000  
CAMA Number: 0137-0001-0000  
Property Address: 754 COLUMBUS AVE

Mailing Address: JOHNSON JOSEPH L  
P O BOX 1701  
ROCHESTER, NH 03866-1701

Parcel Number: 0137-0002-0000  
CAMA Number: 0137-0002-0000  
Property Address: 760 COLUMBUS AVE

Mailing Address: NORTHERN UTILITIES INC % UNITIL  
NORTHERN UTILITIES  
6 LIBERTY LANE WEST ACCOUNTS  
PAYABLE  
HAMPTON, NH 03842

Parcel Number: 0137-0038-0000  
CAMA Number: 0137-0038-0000  
Property Address: 755 COLUMBUS AVE

Mailing Address: 53 DEERWOOD HOLLOW LLC %  
SCHNEIDER CATHIE  
742 SHORE DR  
LACONIA, NH 03246-2955

Don Booth  
NH Signs



www.cai-tech.com

3/11/2016

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Abutters List Report - Rochester, NH