

Continue on Page 2

(Page 2)
CRITERIA FOR VARIANCE
Case # $\frac{2016-30}{107100}$
Date: 0.7.10
A Variance is requested by JUNITER Kellen GLOQ
from Section <u>42</u> . Subsection <u>Table 18-B</u>
of the Zoning Ordinance to permit: <u>Car Salls in the</u>
Downtown Commercial Zone
at 90 north Main Street Map 121 Lot 17 Zone DTC
Facts supporting this request:
1) The proposed use would not diminish surrounding property values because:
See attached
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:
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Criteria for variance:

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

The cars parked on the lot will not change the character of the surroudings. The business that directly abutts the property is a municipal parking lot. The proposed used car business will blend with the already present municipal lot.

2) granting the variance is not contrary to the public interest because:

The public will be minimally affected by the change of use because each business that has been at the 90 North Main Street location has required customers to park in the lot (therefore multiple cars parked in the lot). The surrounding businesses have foot traffic as well as car traffic therefore my business will blend with the traffic and customer flow.

Noise will not be an issue as I will not be performing car repairs or maintenance on site. The cars will be tastefully displayed on the lot for sale with attractive matching price stickers professionally made and attached to the car windshields. Smoking will not be permitted in the building or outside of the building.

The outside of the building itself will not be changed therefore will be keeping it's historic brick appeal. The landscaping will be maintained and improved upon. My plan is to add lilac bushes to the already existing shrubs that surround the front of the building. The grass will be maintained and seeded if need be.

The lot and front walkway will be kept clean and in good repair at all times.

The existing historic sign on the property will be used to advertise for my business and will display my business name: Lilac City Motors.

Snow removal will be accomplished by setting aside as many car spots as needed to plow the snow into. In the event of a winter with large snowfall amounts the snow will be trucked off site.

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

I have looked at several other properties not only in Rochester but in the surrounding towns extending into Northwood NH and none of them offer what is needed in order to make a car sales business successful.

DEGEIVED OCT 11 2016

The property has been vacant for a significant length of time and as of this writing no other inquiries have happened.

The property is in a location with steady traffic. The four way intersection provides the opportunity for potential customers to look at the cars I have for sale while safely stopped at the traffic light.

90 North Main Street is unique for the car sales business. The property has a small building with a huge amount of parking. Most of the properties I have researched have much higher rents to do most of them having a garage, multiple offices and a much larger lot and most not paved.

a) a garage isn't needed as I will have a contract with a local garage to do all inspections and the needed repairs to the cars will be completed before I bring them on the lot for sale.

b) only three offices are needed as employees will be; my business/sales manager, a part-time secretary and myself (business owner).

c) 30 cars are what I feel is managable with enough room for customer and employee parking and also to allow room to place the light snow that isn't trucked of site. The cars I sell will be in the \$8,000 to \$15,000 range.

d) A paved lot is very important not only for the ease of plowing and lot maintenance but also for keeping the cars clean and ease of moving cars especially during the Spring time when rain and melting snow can be an issue.

The building requires little to no maintenance due to it's brick exterior and already well landscaped lot. More money can be put into the quality of the vehicles sold.

The appearance of the building, parking lot and landscaping is in line with the cars I am looking to display for sale and the customers I wish to attract.

This location has a police presence passing by twenty four hours which adds to the safety of the building and vehicles.

4) Granting the variance would do substantial justice beacuse:

The business would generate revenue for the town. The business will employ two full time employees, one part time employee and several part time drivers. I will also bring a significant amount of business to several local garages and auto transport companies as well as auto reconditioners. Many events can be held onsite for public support. Fundraisers for local charities and families as well as school trips, sports teams and downtown and park festivals. Large events will bring in customers from the surrounding towns which will mean increased M

revenue for other local businesses.

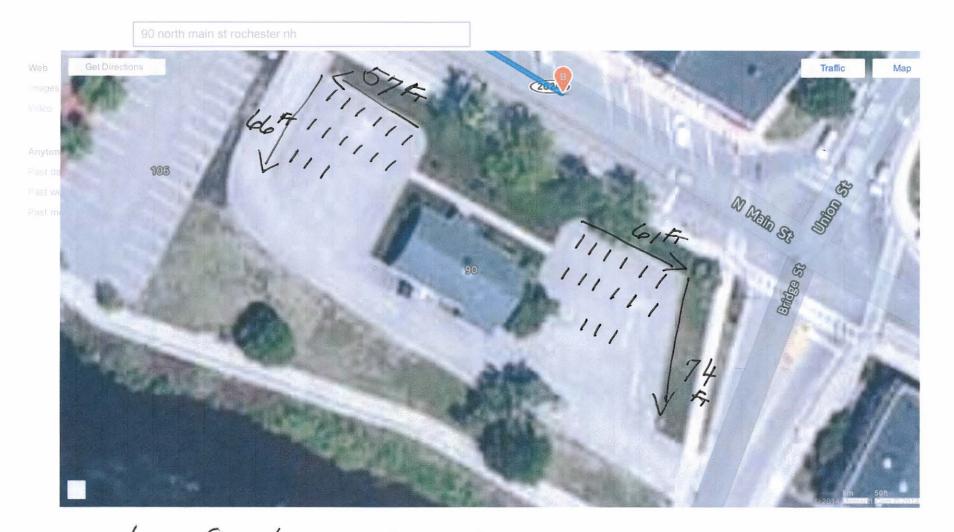
5) The use is not contrary to the spirit of the ordinance because:

Advertising for this business will be on the sign that is already on the property and was used by the former real estate business and is accepted by the historic department. Customers can park in the lot and therefore will not be changing any parking on Main street or in the municipal lot. Any business that is in the 90 North Main Street location will require cars on the lot and depending on the business the amount of cars may be close to the same as what I am proposing to sell. No changes are being made to the building therefore the historic significance of the propoerty will be unaltered. There is already a municipal lot abutting the property therefore it is already an area where cars are parked hence the look of the area will remain the same.

"car services" are permited on the zoning chart for this property which is defined as cleaning, servicing and maintenance. When the building was purchased in 1980 by the Fosters Daily Democrat it was Larochells's Garage and Gas Station. That business offered car repairs. I will be only selling cars that have already been serviced and inspected by a local garage therefore not doing "car services" as is permitted in this location. I will NOT be fixing cars therefore not adding to noise, unsightly appearance of cars waiting for repairs or fluids in the lot.

This is in essence a "retail" business. The products to be sold are vehicles and kept on the lot outside rather than articles for sale inside. Either way the product(s) for sale must meet certain criteria ie; clean product and surroundings, in good working order, free of defects that keep it from being sold, pleasant atmosphere to look at item(s), high integrity of staff and quality product(s) to continue good word of mouth for the business and the community.





LEFT SIDE LOT 15 CARS - 8.5 & 22 FT PER CAR WITH 6 FOOT BUFFER LANE RIGHT SIDE LOT 15 CARS - 8.5 × 27 FT PER CAR WITH 10 FOOT BUFFER LANE

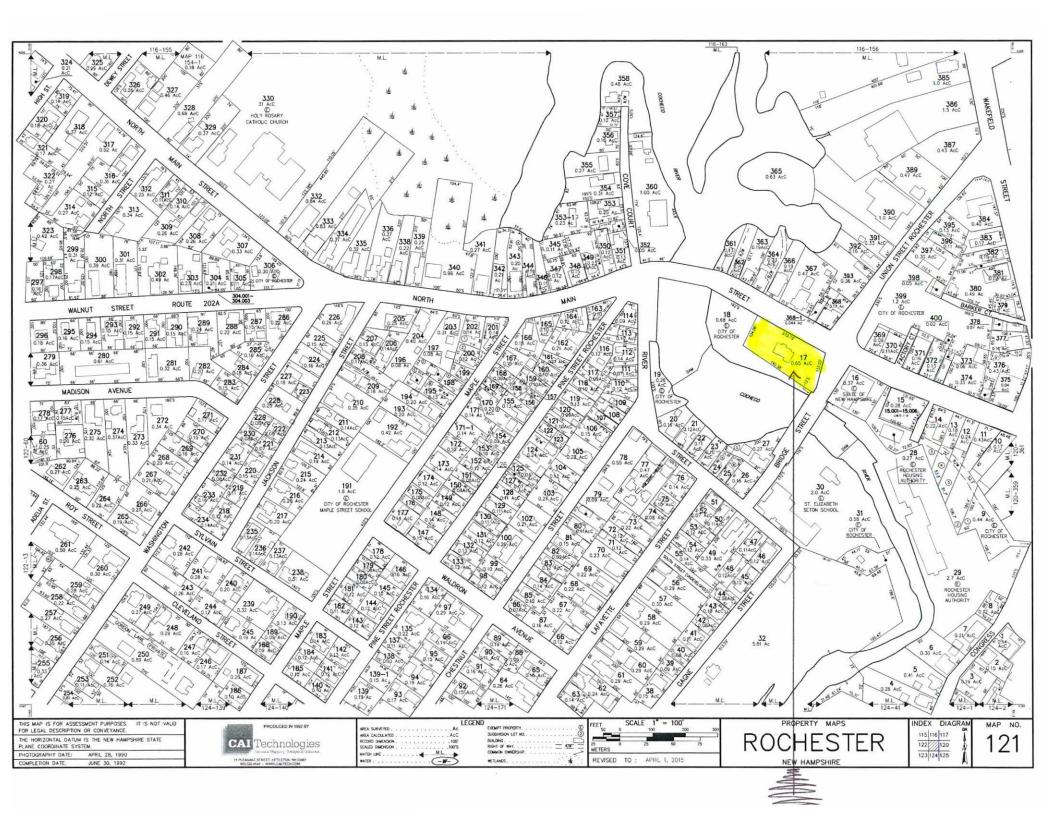


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90 NO MAIN ST-SITE PLAN





0 Abutters List Report

Rochester, NH September 28, 2016

Subject Property:

Variance - 175.00 8×3.76 - 30.08 205.08

Parcel Number:	0121-0017-0000
CAMA Number:	0121-0017-0000
Property Address:	90 NO MAIN ST

Mailing Address: NINETY NORTH MAIN LLC % ROBERT FOSTER 11 MOSES CARR RD ROLLINSFORD, NH 03869-5108

Abutters:

Parcel Number:	0121-0016-0000
CAMA Number:	0121-0016-0000
Property Address:	70 NO MAIN ST
Parcel Number:	0121-0018-0000
CAMA Number:	0121-0018-0000
Property Address:	106 NO MAIN ST
Parcel Number:	0121-0029-0000
CAMA Number:	0121-0029-0000
Property Address:	6 BRIDGE ST
Parcel Number:	0121-0366-0000
CAMA Number:	0121-0366-0000
Property Address:	101 NO MAIN ST
Parcel Number:	0121-0367-0000
CAMA Number:	0121-0367-0000
Property Address:	95 NO MAIN ST
Parcel Number:	0121-0368-0000
CAMA Number:	0121-0368-0000
Property Address:	6 UNION ST
Parcel Number:	0121-0399-0000
CAMA Number:	0121-0399-0000
Property Address:	6 BARKER CT
Parcel Number:	0121-0399-0000
CAMA Number:	0121-0399-000A
Property Address:	0 FACTORY CT

Mailing Address:	STATE OF NEW HAMPSHIRE % BUREAU OF COURTS 25 CAPITOL ST RM 420 CONCORD, NH 03301-4931
Mailing Address:	GITY OF ROCHESTER 31 WAKEFIELD ST ROCHESTER, NH 03867-1916
Mailing Address:	ROCHESTER HOUSING AUTHORITY 77 OLDE FARM LN ROCHESTER, NH 03867-0000
Mailing Address:	VONGSAY LLC 101 SCHANDA DR NEWMARKET, NH 03857
Mailing Address:	BERNIER GERMAINE J REV LIVING TRUST % BERNIER GERMAINE J & 95 NO MAIN ST ROCHESTER, NH 03867-1924
Mailing Address:	M K REALTY TRUST P O BOX 1443 ROCHESTER, NH 03866-1443
Mailing Address:	CITY OF ROCHESTER 31 WAREFIELD ST ROCHESTER, NH
Mailing Address:	ABACUS RESTAURANT CORP DBA REVOLUTION 61 NORTH MAIN ST ROCHESTER, NH 03867



www.cai-tech.com

Data shown on this report 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 report.



Rochester, NH 03867

Rochester Main Street Program is a non-profit volunteer organization devoted to the preservation, growth and vitality of downtown Rochester. Participate-Volunteer-Donate

October 3, 2016

RE: Proposed use of former Fosters building at 90 North Main Street as Used Car Dealership/Sales

This letter is submitted on behalf of the Board of Directors and volunteers of Rochester Main Street, a volunteer non-profit organization dedicated to the revitalization of downtown Rochester into a vibrant and active arts, dining, entertainment and shopping district. Whenever a vacancy opens in the downtown district it presents an opportunity to move the downtown forward as described in the vision of the Master Plan for the City of Rochester. This proposal is not consistent with the vision of a vibrant and active downtown Main Street District. We urge that the Planning Department, Planning Board, and Zoning Board of Adjustment consider very carefully before granting a request for variance that would be a large step backwards for the citizens and visitors to downtown.

The proposed use is also not compatible to the surrounding businesses in the area which are walkable retail, professional and food service oriented. This proposed use should be located outside of the downtown district.

The property is located alongside the Rochester Riverwalk, which has seen a renewed interest in final development of the Riverwalk plan as a passive urban recreational area.

The property is located within the Downtown Rochester National Register Historic District and adjacent to the historic Stone Arch Bridge. As the property appears to be over 50 years old it is now eligible for listing as a contributing structure within the district, evocative of the commercial architectural style of its period, and would be eligible for tax credit projects.

It is also not the highest and best use of a property which overlooks the city's waterfront area. A use should be considered which would significantly add to the tax base and benefit the general welfare of the citizens of Rochester, not detract.

Lastly, the proposed use of the property at 90 North Main Street does not meet any of the primary or secondary strategies approved and adopted by the Rochester Main Street Board of Directors in their work to revitalize downtown Rochester: Primary- Arts/Dining, Entertainment & Nightlife/Family Friendly/ Attracting Millennials, and Secondary: Elder Friendly/Tourism/Diversity/and Professional Services.

Thank you for your consideration in this important matter regarding the future of downtown.

Sincerely,

Michael Provost, CMSM Executive Director, Rochester Main Street

