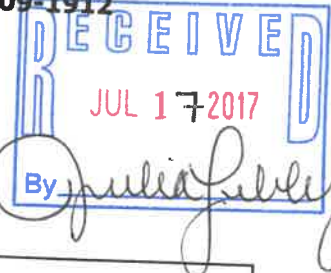




# City of Rochester, New Hampshire

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



## APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2017-03

DATE FILED July 17, 2017

ZONING BOARD CLERK

Phone No 603-332-2848

Name of applicant Monarch School of  
New England

Address 13 Monarch Way, Rochester, NH 03867

Owner of property concerned Same  
(If the same as applicant, write "same")

Address Same  
(If the same as applicant, write "same")

Location

Map No. 110 Lot No. 110 Zone R1

Description of property High School & Vocational Center

Proposed use or existing use affected Sign needs to be appropriate  
size for school directional use

The undersigned hereby requests a variance to the terms of Article 42,  
Section 29 and asked that said terms be waived to permit a sign be placed  
on 13 Monarch Way.

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.

Signed [Signature]  
(Applicant)

EMAIL: dberry@monarchschoo/ne.org

CRITERIA FOR VARIANCE

Case # 2017-03

Date: 7/17/17

A Variance is requested by Monarch School of New England  
from Section H2.29 Subsection N.L.A.  
of the Zoning Ordinance to permit: Sign for new school

at 13 Monarch Way Map 110 Lot 110 Zone

Facts supporting this request:

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

Property is zoned for school use and there are  
existing signs in the area of similar size

2) Granting the variance is not contrary to the public interest because: it will provide  
appropriate directional instruction to avoid confusion

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: Property is zoned for  
a school and we need appropriate sized signs to  
differentiate the high school & elementary school.

4.) Granting the variance would do substantial justice because: provide appropriate  
size signage for a school building

5.) The use is not contrary to the spirit of the ordinance because: property is  
designated for a school. Signage needs to be appropriate

Name Diane Bersey Date: 7-11-17

Narrative to Variance Request  
Monarch School of New England  
61 Eastern Avenue & 13 Monarch Way

The Monarch School of New England (MSNE) is requesting a variance for the size of the school signs on both its site locations located at 61 Eastern Avenue and its new high school/vocational center located just off Eastern Avenue between 105 and 107 Eastern Avenue. Eastern Avenue is a busy road as it's used as a means for East Rochester residents to cross into midtown. Delivery vehicles are common on this road due to the many businesses already established on that road. Safety of students and residents are the priority for this request.

Whereas the high school and the elementary site are located with ½ mile of each of other, it will be confusing for individuals to differentiate which entrance to enter and therefore could cause confusion as to which school to approach. MSNE intent is to have an appropriately sized sign to correctly identify its high school/vocational center and elementary school. Whereas there are other buildings such as the Emanuel Church/Day Care Center, the Legion Hall and the Baptist Church with appropriate sized signage, the MSNE signs will be similar in size.

MSNE believes the variance is not contrary to public interest as the sign will not alter the character of the neighborhood, threaten public health, safety or welfare or otherwise injure "public right". In fact, the sign will assist motorists in finding the appropriate school and entrance to the two locations while ensuring safety to motorists.

MSNE believes the spirit of the ordinance is observed and will not be outweighed by harm to the general public or to other individuals. In fact, as noted above, having two schools with differentiating and appropriate sized signage will eliminate confusion for motorists and delivery vehicles. The signs will be simple in nature, with natural granite and wood.

MSNE believes substantial justice is done and will benefit the school will not be outweighed by harm to the general public or to other individuals as it will provide appropriate visibility and directional substance. The road is a busy road and appropriate sized signage will assist motorists in finding the appropriate building.

MSNE believes the values of the surrounding properties are not diminished as the signs will be natural in nature and similar to the current signs located on Eastern Avenue. Care will be taken to ensure the signs are not obtrusive.

MSNE believes that literal enforcement of the ordinance would result in unnecessary hardship whereas the land is zoned for a school and the current requirement for size of sign will not allow the school to provide appropriate signage for safety and directional use.

distraction to traffic, and comply with Requirements by Zoning District.

- n. **Requirements by Zoning District.** The following special requirements shall apply in each respective zoning district.

**1. Residential Zoning Districts.**

- A. For permitted nonresidential uses one freestanding sign with a maximum area of 6 square feet per side plus one attached sign not to exceed 12 square feet is permitted. Height: Signs shall have a maximum height of six (6) ft.
- B. Internally illuminated signs (including neon signs and signage placed in a window) are not permitted.
- C. No sign may be illuminated between the hours of 9:00 p.m. and 7:00 a.m. with the exception of signage: a) showing property addresses; b) for residential communities; and c) for businesses and organizations during any specific hours in that time period that the businesses are open.

**2. Nonresidential Zoning Districts**

- A. **Baseline.** The following advertising signage is permitted for one nonresidential use occupying a single building in commercial and industrial zoning districts (except as otherwise indicated in this article). Additional allowances beyond these limitations or other restrictions for various situations are shown in the subsequent subsections.
- B. **Freestanding signs.** Only one free standing sign shall be permitted on a lot even if there is more than one building or use on that lot. No part of any free standing sign shall be located within 5 feet of any property line.

**Dimensional standards can be found on the following page.**



Company:  
Monarch School  
13 Monarch Way

Type: Freestanding  
Quantity: 1  
Overall Size: 60" w X 50" h  
Sides: Double  
Style: Flat or V-Carved w/ Reader  
Substrate:

Production Notes:
7"x7" Granite Posts

Installed:



Job Description: Freestanding Sign

Date: 7.10.17

Proof #: 02

This is an original, unpublished drawing owned by Sundance Sign Company. This drawing is protected under the U.S. Copyright laws. It is being submitted for your viewing only, and is NOT to be shown to anyone outside of your organization. Any use, reproduction, copying or exhibiting this drawing without express written consent of Sundance Sign Company will constitute your agreement to incur all expenses involved with the creation of this drawing, and all legal costs to acquire those costs if required.

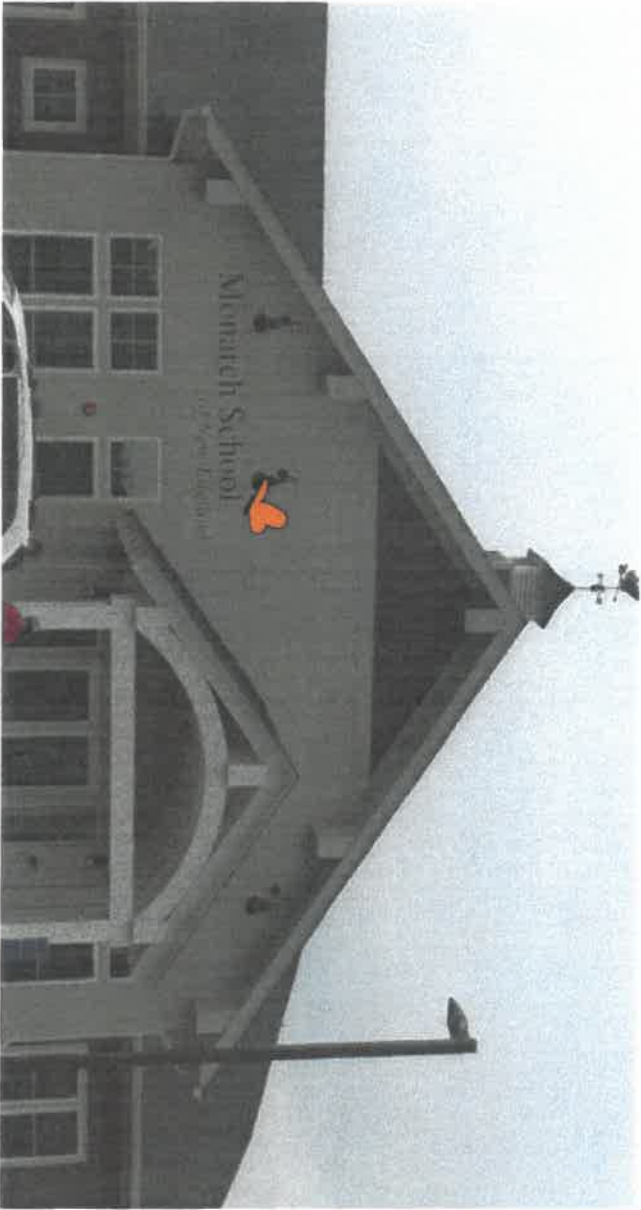


Company:  
Monarch School

Type: Freestanding  
Quantity: 1  
Overall Size: Estimated 144"  
Sides: Single  
Style: Dimensional Letters  
Substrate: PVC

Production Notes:

Installed:



Monarch School  
of New England

## Variance Application Checklist

- ☒ Complete the application form.
- ☒ You must complete the "Criteria for a Variance" sheet, addressing the 5 items set forth by the NH Supreme Court governing the granting of Variances.
- ☒ A narrative explaining what you are requesting the variance for.
- ☐ If the applicant is not the property owner, he/she must supply a note signed by the property owner stating his/her knowledge of the application being submitted to the Zoning Board of Adjustment. The property owner will receive a copy of the public hearing notice by certified mail along with the abutters.
- ☒ A sketch (see attached example) including the following.
  - ☐ Measurements of the distances from any existing structure to the lot lines. If the proposed structure is not attached to the building you will need the distance between buildings.
  - ☐ Dimensions of the lot. *(If the variance is requesting relief from a setback regulation – The Zoning Board of Adjustment requires a certified plot plan of the property, if that is not available, you can ask for a waiver – see the secretary for details)*
- ☒ Photographs, if you have them.
- ☒ Abutter's list. This information must be obtained from the Zoning Clerk in the Building, Zoning and Licensing Office from their computer. The applicant must pay the cost of the certified fee for each abutter, applicant and any other applicable person on the abutter list, including applicant (at this time the fee is \$\_\_\_\_\_ each)(See Zoning Secretary for Current Fee )
- ☐ If there are wetlands on the parcel, refer to the City's Ordinance Chapter 42.12 (c) for wetland buffers of 50' and 75'
- ☐ Prior to applying for a variance regarding wetlands, the applicant must receive all necessary State permits.
- ☒ Application fee \$175.00 (make check payable to City of Rochester). A check for the certified mail amount is also due when the application is submitted. One check is sufficient for both fees. One Electronic (PDF) and ten (10) copies are required.

All of the above information must be completed and submitted to the Building, Zoning Department on or before the deadline date, or the application will be considered incomplete and will be postponed until the next scheduled meeting, or until all the requirements have been met.

NOTE: All applications will be allowed **one (1) postponement of the hearing on their application**, and shall notify the Building & Zoning Office in writing of their intent to postpone such hearing at **least two (2) days prior to the meeting** at which their application is to be considered. **If the applicant requests a second (2<sup>nd</sup>) postponement of the hearing, the application will be considered to have been withdrawn and the applicant must file a new application with the Board in order to receive a hearing.** The provisions of this paragraph shall not apply to any postponement requested by an applicant as a result of the inability of the Zoning Board of Adjustment to provide the applicant with a five-member board for the hearing on the application.

**The applicant or their representative MUST attend the Zoning Board of Adjustment meeting to present their case, or no action will be taken.**

If you have any questions with any of these requirements, please call Karen Grenier  
603-332-3976 or e-mail at [karen.grenier@rochesternh.net](mailto:karen.grenier@rochesternh.net)

  
Applicant Signature & Date

EMAIL: [dhessey@monarchschoolne.org](mailto:dhessey@monarchschoolne.org)





# 0 Abutters List Report

Rochester, NH  
July 19, 2017

## Subject Property:

Parcel Number: 0110-0110-000  
CAMA Number:  
Property Address: 13 Monarchway

Mailing Address:

## Abutters:

Parcel Number: 0110-0006-0000  
CAMA Number: 0110-0006-0000  
Property Address: 108 EASTERN AVE

Mailing Address: ROBERTS FREDERICK J JR & DONNA  
REV LIVING TRUST % ROBERTS  
108 EASTERN AVE  
ROCHESTER, NH 03867-2001

Parcel Number: 0110-0105-0000  
CAMA Number: 0110-0105-0000  
Property Address: 107 EASTERN AVE

Mailing Address: LANZILLO ANGELO J  
107 EASTERN AVE  
ROCHESTER, NH 03867-2007

Parcel Number: 0110-0106-0000  
CAMA Number: 0110-0106-0000  
Property Address: 105 EASTERN AVE

Mailing Address: ZOMBECK FRANCIS M  
105 EASTERN AVE  
ROCHESTER, NH 03867-2007

Parcel Number: 0110-0107-0000  
CAMA Number: 0110-0107-0000  
Property Address: 99 EASTERN AVE

Mailing Address: ADAMS JEFFREY G & EILEEN F  
99 EASTERN AVE  
ROCHESTER, NH 03867-2005

Parcel Number: 0110-0108-0000  
CAMA Number: 0110-0108-0000  
Property Address: 95 EASTERN AVE

Mailing Address: DOCKSTADER JAMES R & MELISSA L  
95 EASTERN AVE  
ROCHESTER, NH 03867-2005

Parcel Number: 0111-0007-0000  
CAMA Number: 0111-0007-0000  
Property Address: 91 EASTERN AVE

Mailing Address: GROSKY NATHANIEL C & SHELLEY B  
91 EASTERN AVE  
ROCHESTER, NH 03867-2005

Parcel Number: 0111-0008-0000  
CAMA Number: 0111-0008-0000  
Property Address: 87 EASTERN AVE

Mailing Address: KEYES ELIZABETH A  
87 EASTERN AVE  
ROCHESTER, NH 03867-2005

Parcel Number: 0111-0047-0000  
CAMA Number: 0111-0047-0000  
Property Address: 514 PORTLAND ST

Mailing Address: LIBERSKY KAREN  
514 PORTLAND ST  
ROCHESTER, NH 03867-2447

Parcel Number: 0111-0048-0000  
CAMA Number: 0111-0048-0000  
Property Address: 518 PORTLAND ST

Mailing Address: JACOBS HAROLD & JOSEPHINE TRUST  
% JACOBS HAROLD L &  
518 PORTLAND ST  
ROCHESTER, NH 03867-2447



www.cai-tech.com

7/19/2017

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Page 1 of 1

