



## City of Rochester, New Hampshire

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

### Variance Application

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2018-11

DATE FILED 10/22/18

Julia Libby  
ZONING BOARD CLERK

Applicant: Dave Pak

E-mail: DavePak0ms@gmail.com Phone: 603 312 0429

Applicant Address: 123 Washington St Rochester NH 03839

Property Owner: Dave Pak

Property Owner Address: 74 Bagdad Rd, Durham NH 03824

Variance Address: 248 N. Main St.

Map Lot and Block No: \_\_\_\_\_

Description of Property: \_\_\_\_\_

Proposed use or existing use affected: oral surgery office

The undersigned hereby requests a variance to the terms of Article 42.29, Section (N)(i)(A) and asks that said terms be waived to permit a sign that exceeds 6 sq ft  
in a residential zone.

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] Date: 10/22/18

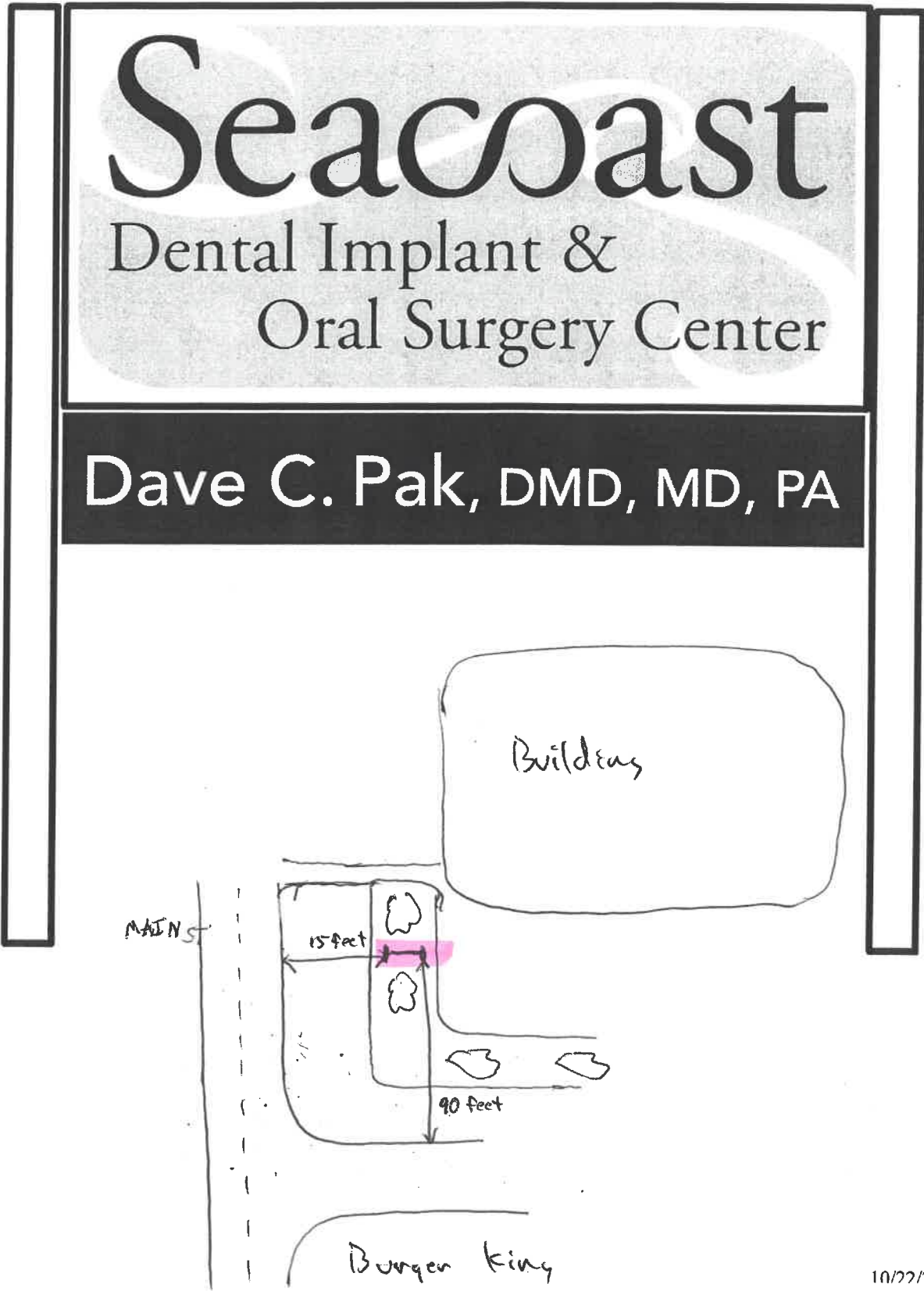
### Variance Criteria

1. There is a commercial medical/dental building already present (in addition to commercial entities surrounding this property), therefore, would not contradict the circumstances. This is also a variance request for a sign located on the business property to identify the business and show its location. The sign does not go beyond the sphere of the business. It would allow for efficient identification of the business so that patrons would not create or complicate current traffic patterns.
2. The sign is for the business, therefore, the spirit of the ordinance would be maintained.
3. A larger, professional, and more visible sign would allow for the clear identification and location of the business, prevent complications in traffic patterns, and allow the associated business to continue.
4. The sign is within the property of the current business to identify the business, therefore, have no influence on surrounding properties.
5. Hardship would be caused by the lack of the requested signage because no clear and visible identification of the business would be present. Unnecessary hardship would carry over to the business, the employees and their families, and other businesses that support the business.
  - a. The signage is specific to this property.
  - b. Clear and visible signage is reasonable for any business to identify and locate the business. Please refer to surrounding businesses with signage, especially Burger King which is next door.
  - c. There would clearly be an unnecessary hardship without clear and visible signage owning up to the special condition of the property, which has been recognized to be used as commercial property.

## **Request for Sign Variance on the Property of 248 N. Main St, Rochester NH**

This is a variance request for a larger, visible, clear, and professional sign. The sign is an important element of any business as it serves to identify and locate the business. The presence of the desired sign would prevent and attenuate any traffic to the appropriate property and identify and locate the business entity. Because the sign will be situated on the business property as an identifying mark, it neither contradicts public interest nor affects the values of the surrounding properties. The presence of the sign would in fact be in-line with public interest as it would easily identify the business entity for patrons and other businesses and promote more efficient traffic in the immediate areas as seekers of the business would not have to repeatedly navigate the surrounding properties or streets. The lack of an adequate sign could cause unnecessary hardship to the business, consequently, affecting the employees and their families and other businesses that support this health care business.

**3' x 6' double sided post and panel**  
**Carved & painted HDU(High density urethane**  
**w/ 1' x 6' dibond d/f name rider**



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.**





# 248 No Main St



04/29/2017



# 248 North Main Street

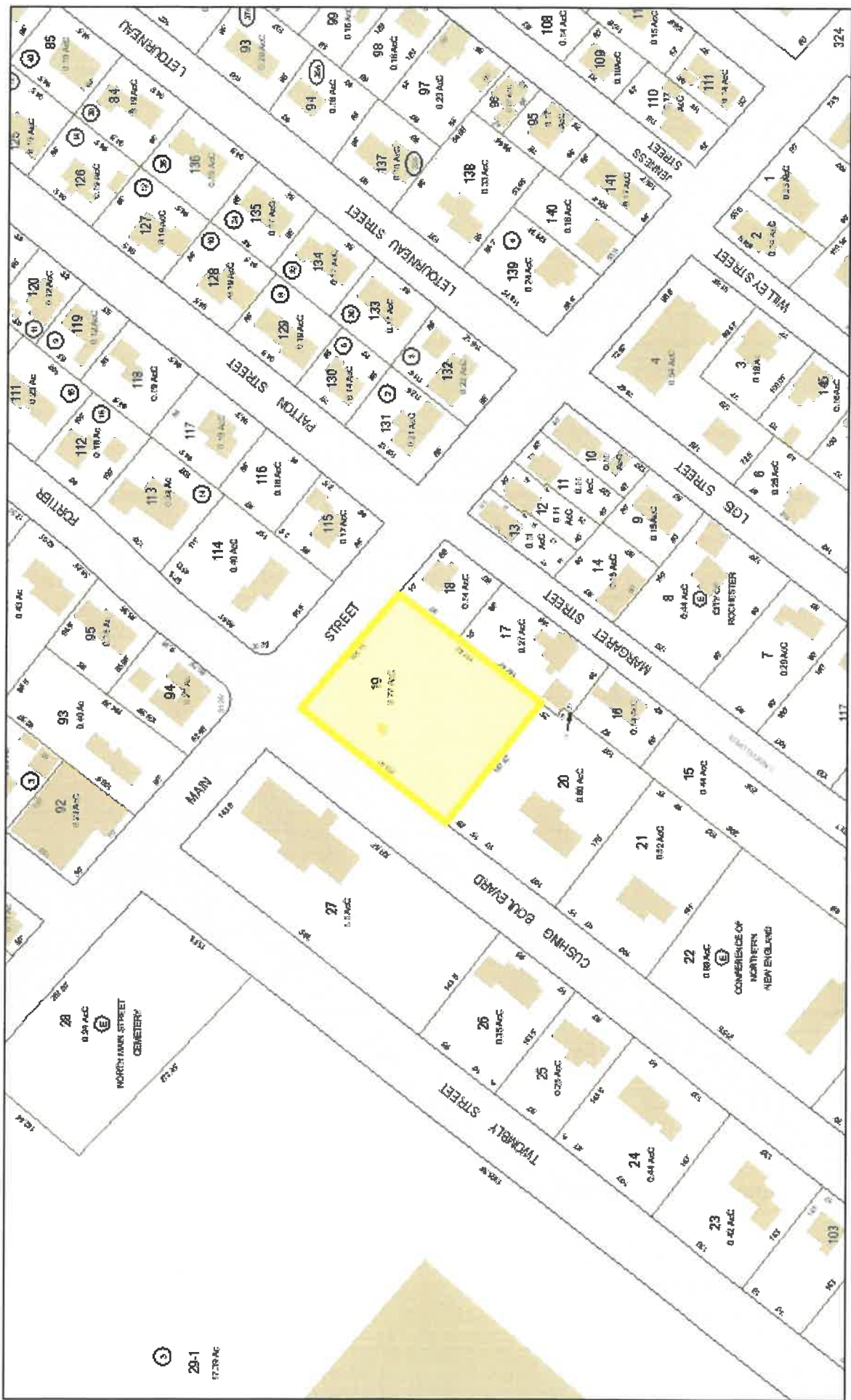
Rochester, NH

October 25, 2018

1 inch = 150 Feet



[www.cai-tech.com](http://www.cai-tech.com)



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# Abutters List Report

Rochester, NH  
October 22, 2018

## Subject Property:

Parcel Number: 0115-0019-0000  
CAMA Number: 0115-0019-0000  
Property Address: 248 NO MAIN ST

Mailing Address: EMERALD KNIGHT PROPERTIES LLC  
P O BOX 604  
DURHAM, NH 03824-0604

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## Abutters:

Parcel Number: 0115-0017-0000  
CAMA Number: 0115-0017-0000  
Property Address: 1 MARGARET ST

Mailing Address: HATCH ZACHARY T  
1 MARGARET ST  
ROCHESTER, NH 03867-1011

Parcel Number: 0115-0018-0000  
CAMA Number: 0115-0018-0000  
Property Address: 236 NO MAIN ST

Mailing Address: Warburton Family Rev Trust %  
Warburton Cecil H & Edwina C  
202 Milton Rd  
Rochester, NH 03868-8712

Parcel Number: 0115-0019-0000  
CAMA Number: 0115-0019-0000  
Property Address: 248 NO MAIN ST

Mailing Address: EMERALD KNIGHT PROPERTIES LLC  
P O BOX 604  
DURHAM, NH 03824-0604

Parcel Number: 0115-0020-0000  
CAMA Number: 0115-0020-0000  
Property Address: 14 CUSHING BLVD

Mailing Address: MURPHY LEON & SAMANTHA  
14 CUSHING BLVD  
ROCHESTER, NH 03867-1012

Parcel Number: 0115-0027-0000  
CAMA Number: 0115-0027-0000  
Property Address: 250 NO MAIN ST

Mailing Address: BURGER KING CORPORATION % RYAN  
P O BOX 460189  
HOUSTON, TX 77056-8189

Parcel Number: 0115-0094-0000  
CAMA Number: 0115-0094-0000  
Property Address: 255 NO MAIN ST

Mailing Address: ROY PETER J  
255 NO MAIN ST APT A  
ROCHESTER, NH 03867-1132

Parcel Number: 0115-0114-0000  
CAMA Number: 0115-0114-0000  
Property Address: 253 NO MAIN ST

Mailing Address: LAVERDIERE BEATRICE  
253 NO MAIN ST  
ROCHESTER, NH 03867-1110

Parcel Number: 0115-0115-0000  
CAMA Number: 0115-0115-0000  
Property Address: 251 NO MAIN ST

Mailing Address: POISSON EDDIE P & PATRICIA A  
251 NO MAIN ST  
ROCHESTER, NH 03867-1110



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