



Planning & Zoning
Community Development
Conservation Commission
Historic District Commission
Arts & Culture Commission

PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

MAY 14 2013

175-1
146214

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No. office 423-587-0690 ext. 142
Bob Rave cell# 865-789-1047
Email brave@charterfoods.net

DO NOT WRITE IN THIS SPACE	
CASE NO.	<u>2013-21</u>
DATE FILED	<u>5-14-13</u>
ZONING BOARD CLERK <u>C. Lewis</u>	

Name of applicant Charter Foods North LLC

Address 1111 Gateway Service Park Road, Morristown TN. 37813

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

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

Location same

Map No. portion of map 115 Lot No. 29-1 Zone B2

Description of property 280 North Main Street Rochester NH

Proposed use or existing use affected Taco Bell fast food restaurant

The undersigned hereby requests a variance to the terms of Article 42.8, Section(c)(3) and asked that said terms be waived to permit more wall signs than allowed

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 X

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 Bob Rave
(Applicant)

Continue on Page 2

MAY 14 2013

CRITERIA FOR VARIANCE

Case # _____

Date: _____

A Variance is requested by Charter Foods North LLC

from Section 42.8 Subsection (c)(3)

of the Zoning Ordinance to permit: more wall signs than allowed

at 280 North Main Street, Rochester NH Map portion of map 115 Lot 29-1 Zone B-2

Facts supporting this request:

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

Surrounding properties are commercial and the proposed signs are consistent with other signage in the area.

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

The proposed signs will enable the public to easily identify and locate the business.

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

Lack of visibility to traffic in both directions due to the angle of the building to the street

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

Reduced visibility can create confusion as to location and nature of business plus loss of business. Other businesses in the area have multiple wall signs as well.

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

The total sign square footage is less than the maximum allowed.

Name Bob Rowe Date: 5-9-2013

MAY 14 2013

Application for Variance

Submitted by: Bob Rave of Charter Foods North LLC

Phone: 865-789-1047

On Behalf of: Charter Foods North LLC (Taco Bell)

Subject Property: 280 North Main Street

Map 115 Lot 29-1 Zone B-2

Narrative:

Charter Foods North LLC is requesting a variance from the Sign portion of the Rochester Zoning Ordinance to allow more wall signs than permitted.

The overall square footage of the signs being requested is less than the allowed square footage according to the formula (street side building frontage) X 5 =(allowed square footage). The sign package is in keeping with the neighborhood, which consists of commercial properties, and in keeping with the spirit of the ordinance and is an attractive, modern sign package.

Details on all signs and building elevations are included.

There are no proposed changes to the existing on site structures that affect setbacks.

Bob Rave

Project Manager for Charter Foods North LLC.



MHF Design Consultants, Inc.

44 Stiles Road • Suite One • Salem, New Hampshire 03079
TEL (603) 893-0720 • FAX (603) 893-0733
www.mhfdesign.com

May 14, 2013

Caroline Lewis
City of Rochester Zoning Board of Adjustment
31 Wakefield Street
Rochester, NH 03867

MAY 14 2013

Re: Proposed Taco Bell Restaurant
280 North Main Street
Rochester, NH
Sub: Sign Variance Application


Dear Caroline:

On behalf of our client, Charter Foods North, LLC, we hereby submit a Sign Variance Application for the above referenced project. The proposed 1,680 square foot (sf) Taco Bell restaurant (28 seats) with drive-thru window will be developed on a parcel of land to be subdivided from the existing Home Depot parking lot which is identified by the City of Rochester, NH as Map 115, Lot 29-1 totaling approximately 17.865 acres. The proposed Taco Bell parcel will be approximately 20,629 sf. Charter Foods requests a variance from Section 42.8 (c) (3) of the Rochester Zoning Ordinance to allow six (6) wall signs where only one (1) is allowed. The aggregate area of the wall signs do not exceed what is allowed by Zoning. Attached for your review is the following information:

- 1 original and 10 copies of the completed Application for a Variance and Project Narrative;
- 11 Reduced Size Copies of the following plans:
 - Site Plan dated May 6, 2013;
 - Site Overview Plan dated May 6, 2013;
 - Sign & Graphics Plan dated May 6, 2013;
 - Floor Plan dated 5/2/13;
 - Exterior Elevations "Signs" plan dated 5/8/13
- Completed Abutters List and 2 sets of labels;
- Application Fee of \$175
- Abutters Fee of \$78.32 (22 abutters @ \$3.56/abutter)

It is our understanding that we will be scheduled for the June 12th Zoning Board of Adjustment agenda. Please confirm these dates and contact our office if you need any additional information.

Sincerely,
MHF Design Consultants, Inc.



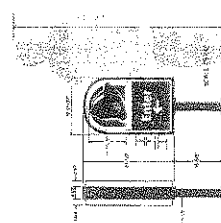
Huseyin Sevincgil, P.E.
Project Engineer

329713 - Planning Board Submittal.doc
cc: Kathleen Day – Kathleen Day Architect
Bob Rave – Charter Foods



(A) PROPOSED TACO BELL
MONUMENT SIGN
(64 SF PER SIDE)

MAY 14 2013

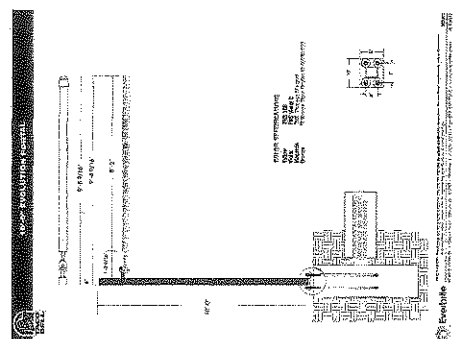


© DIRECTIONAL SIGN

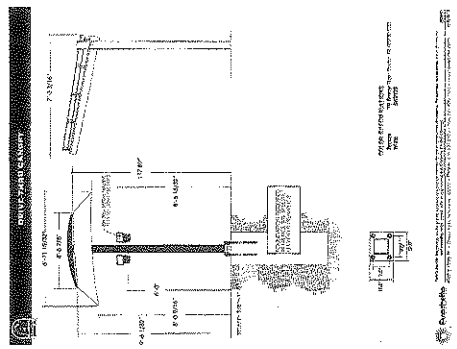
TOTAL WALL SIGN AREA
 (ONE (1) WALL SIGN WITH A MAXIMUM HORIZONTAL AREA OF 5 SQUARE FEET FOR EACH FOOT OF SIGN HEIGHT)
 FRONTAGE = 138.50
 SIGN HEIGHT = 10.00
 SIGN AREA = 1,385.00
 (MAXIMUM OF 5 WALL SIGNS TOTALING 6,925.00)

TOTAL FREESTANDING/POLE SIGN AREA
 (ONE (1) POLE SIGN, 100 SQUARE FEET (75' SQ. FT. PER SIGN) 10' SETBACK AND 30' HEIGHT)
 ALLOWED 75 SQ. FT. PER SIGN
 14.5' HEIGHT
 500.00 SQ. FT. 34.5' HEIGHT

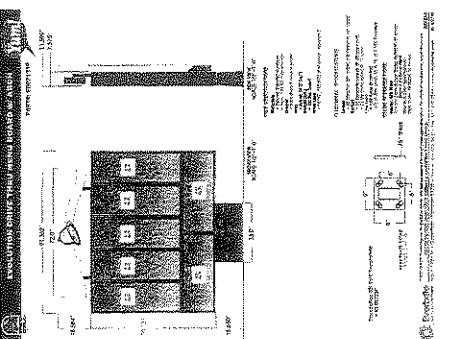
MANAGEMENT ACCORDING TO NUMBER OF SIGNS



⑦ CLEARANCE BAR



(E) CANOPY AT ORDER
CONFIRMATION BOARD (OCB)
NOT TO SCALE



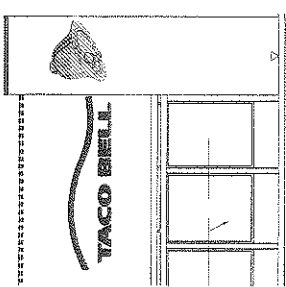
⑦ TACO BELL MENU BOARD
(INTERNALLY ILLUMINATED)



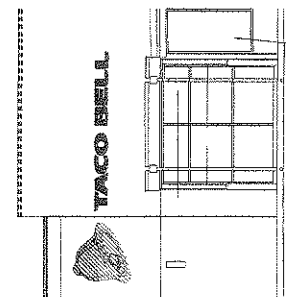
22.2 SF

©16.45 SF

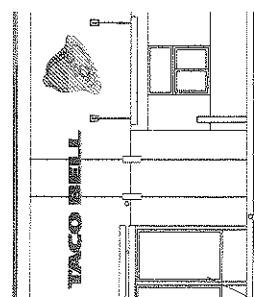
TACO BELL



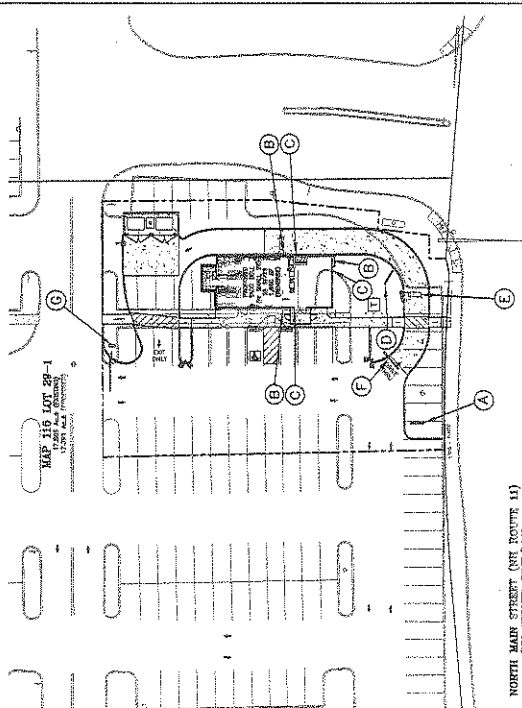
TACO BELL FRONT ELEVATION
FACING NORTH MAIN STREET



**TACO BELL ELEVATION
FACING PARKING LOT**
NOT TO SCALE



TACO BELL
DRIVE-THRU ELEVATION



NORTH MAIN STREET (NH ROUTE 11)

SIGN LOCATION PLAN

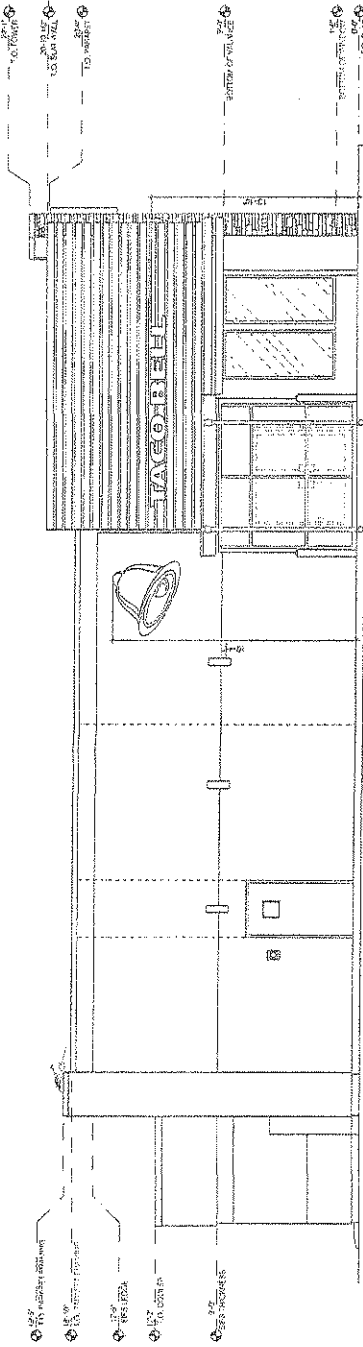
LOCATION
SCALE: 1" = 20'

CERTIFIED BY: _____ **DATE:** _____

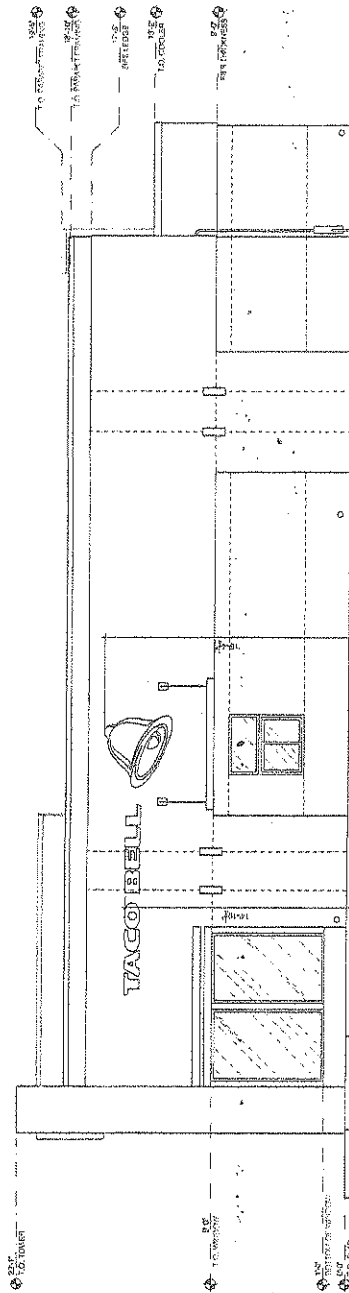
DATE: _____
MAY PROJEC _____

DATE: _____
MHF PROJECT NO. 329713 SHEET 12 OF 13

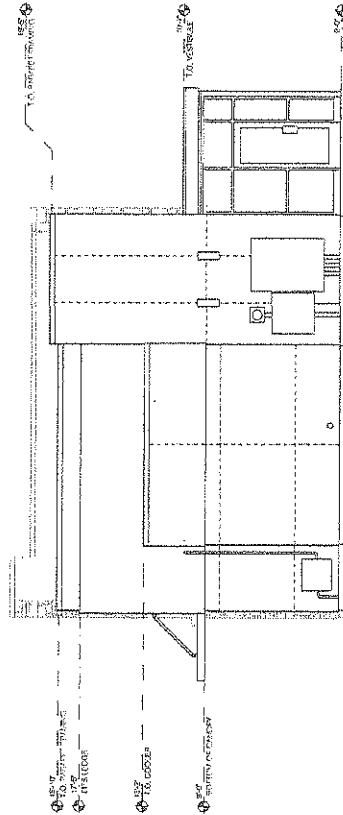
MAY 14 2013



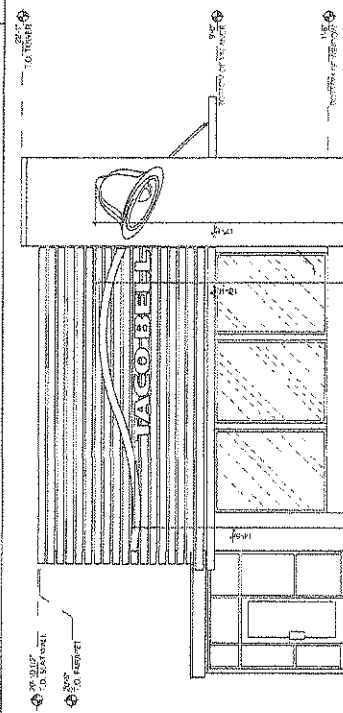
ENTRY ELEVATION 11'-0" x 10'-0" A



DRIVE-THRU ELEVATION 11'-0" x 10'-0" B



REAR ELEVATION 11'-0" x 10'-0" D



FRONT ELEVATION 11'-0" x 10'-0" C

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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CONTRACT DATE: 05/09/13
DRAWING DATE: 05/14/13
PROJECT NAME: 1111111111
SHEET NUMBER: 1111111111
SHEET TOTAL: 1111111111

TACO BELL
RESTAURANT
1111111111

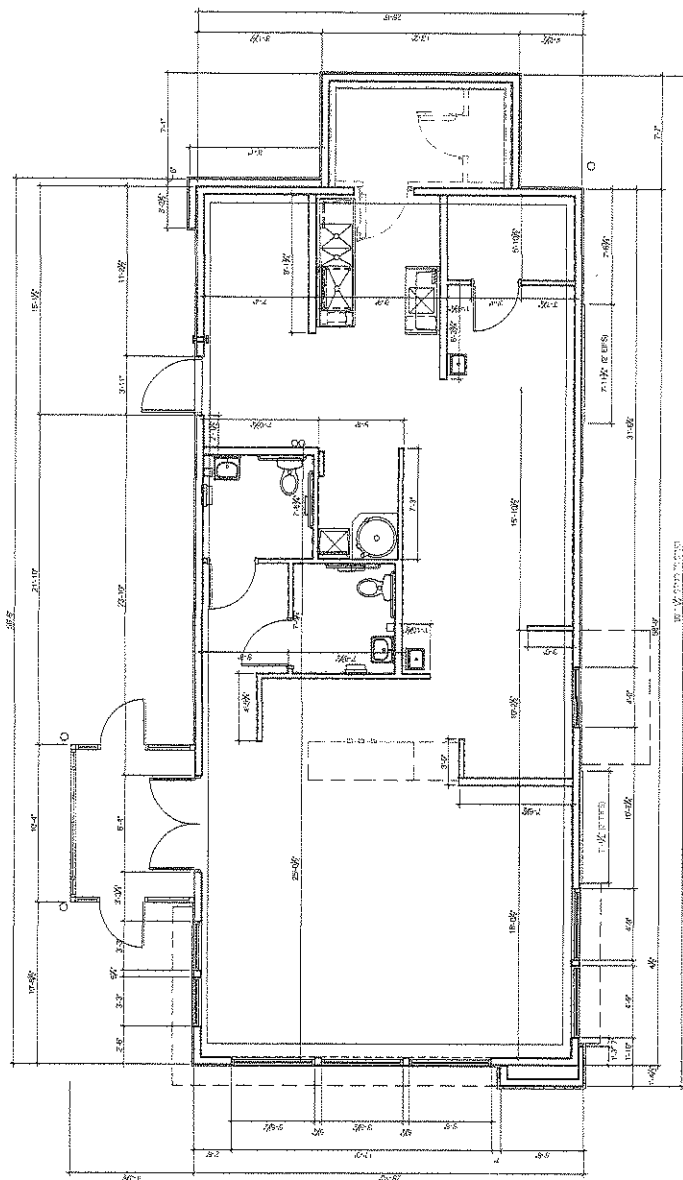


EXTERIOR
ELEVATIONS

signs

1111111111

ROUGH OPENINGS ARE NOT
NECESSARILY TO STUD.
SEE DETAILS ON SHEET AS.1
FOR R.O. LOCATIONS.



FLOOR PLAN

Scale: 1/4" = 1'-0"

Legend:

- 1. CONCRETE FLOOR
- 2. CARPET FLOOR
- 3. POLISHED FLOOR
- 4. PAINTED WALL
- 5. PLASTER WALL
- 6. BRICK WALL
- 7. GLASS WALL
- 8. METAL WALL
- 9. WOOD WALL
- 10. GLASS DOOR
- 11. WOOD DOOR
- 12. METAL DOOR
- 13. GLASS PARTITION
- 14. WOOD PARTITION
- 15. METAL PARTITION
- 16. GLASS STAIRCASE
- 17. WOOD STAIRCASE
- 18. METAL STAIRCASE
- 19. GLASS RAILING
- 20. WOOD RAILING
- 21. METAL RAILING
- 22. GLASS ELEVATOR
- 23. WOOD ELEVATOR
- 24. METAL ELEVATOR
- 25. GLASS ENTRANCE
- 26. WOOD ENTRANCE
- 27. METAL ENTRANCE
- 28. GLASS EXIT
- 29. WOOD EXIT
- 30. METAL EXIT

ABUTTER LIST

City of Rochester, NH
Please Print or Type

MAY 14 2013

Charter Foods North, LLC

Applicant: c/o MHF Design Consultants, Inc.

Phone: (603) 893-0720

Project Address: 280 North Main Street, Rochester, NH

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
			SEE ATTACHED ABUTTERS LIST	

ABUTTING LOT OWNERS

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

SEE ATTACHED ABUTTERS LIST	

pd
78,32
1#6213

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: June 14, 2013, This is page 1 of 3 pages.

Applicant or Agent: [Signature]

Planning Staff Verification: _____ Date: _____

ABUTTERS & NOTIFICATION L.L.

For

CHARTER NORTH
280 NORTH MAIN STREET
MAP 115 LOT 29-1
ROCHESTER, NH
MHF # 329713
AS OF 5/3/13 5/14/13

MAY 14 2013

MAP/LOT #

NAME & ADDRESS

✓ 115/29-1 (SUBJECT PARCEL)	HOME DEPOT U.S.A., INC. 2455 PACES FERRY ROAD NW ATLANTA, GA 30339 ATTN: LEGAL DEPARTMENT
✓ 115/23	JEFFREY LASSOR 29 CUSHING BLVD ROCHESTER, NH 03867
✓ 115/24	DAVID & CAROL PETRUSEWICZ 23 CUSHING BLVD ROCHESTER, NH 03867
✓ 115/25	ANDRE J. & RITA A. THERRIEN, TRUSTEES THERRIEN LIVING TRUST 19 CUSHING BLVD ROCHESTER, NH 03867
✓ 115/26	MARY LEE KANEHL 15 PITKIN STREET MANCHESTER, CT 06040
✓ 115/27	BURGER KING CORPORATION C/O FACILITY IQ MS 1205 P.O. BOX 2440 SPOKANE, WA 99210-2440
✓ 115/28	NO. MAIN STREET CEMETERY ASSOCIATION 31 WAKEFIELD STREET ROCHESTER, NH 03867
✓ 115/29	HANNAFORD BROTHERS, CO. ATTN: REAL ESTATE P.O. BOX 1000 MS-6000 PORTLAND, ME 04104
✓ 115/41	VSH REALTY, INC. V0653 100 CROSSING BLVD. FRAMINGHAM, MA 01702
✓ 115/42	MACHRIE, LLC C/O COLLEY MCCOY P.O. BOX 6300 AMHERST, NH 03031

ABUTTERS & NOTIFICATION LIS.

For
CHARTER NORTH
280 NORTH MAIN STREET
MAP 115 LOT 29-1
ROCHESTER, NH
MHF # 329713
AS OF 5/3/13

MAY 14 2013

✓ 115/43	HARALAMPOS SIDIROPOULOS 1180 MAIN STREET TEWKSBURY, MA 01876
✓ 115/55	WILLIAM L. ELWELL 281 NORTH MAIN STREET ROCHESTER, NH 03867
✓ 115/56	SIGRID LEA PATRIQUIN 177 MASON ROAD MILTON, NH 03851
✓ 122/93 ✓ 122/94	PUBLIC SERVICE OF NH C/O TAX ACCOUNTING P.O. BOX 3430 MANCHESTER, NH 03105
✓ 122/98	LISA M. & STEVEN W. PATCH 32 TWOMBLY STREET ROCHESTER, NH 03867
✓ 122/99	MAXINE L. JODRIE TIMOTHY JACOBS 30 TWOMBLY STREET ROCHESTER, NH 03867
✓ 122/100	FRANCES L. & BETTY L. JEWELL 28 TWOMBLY STREET ROCHESTER, NH 03867
✓ 122/101	SILVIA A. BROOKS 45 CUSHING BLVD ROCHESTER, NH 03867
✓ 122/102	ROBERT W. BEZANSON BARBARA A. ABBOTT 37 CUSHING BLVD. ROCHESTER, NH 03867
✓ 122/103	JESSICA L. NADEAU 33 CUSHING BLVD. ROCHESTER, NH 03867

ENGINEER/SURVEYOR

MHF DESIGN CONSULTANTS, INC.
44 STILES ROAD, SUITE ONE
SALEM, NH 03079

APPLICANT

CHARTER FOODS NORTH
1111 GATEWAY SERVICE PARK ROAD
MORRISTOWN, TN 37813