



PLANNING & DEVELOPMENT DEPARTMENT

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

ZONING BOARD OF ADJUSTMENT NOTICE OF DECISION Case No 2012-16

July 12, 2012

2012-16 Application by Cumberland Farms, Inc. for a variance under Article 42.8 Section (c)(3) and (c)(5) of the City's Zoning Ordinance to permit the following:

a pylon sign that is too close to the front property line and larger than allowed and three total wall signs where only one wall sign is allowed

Location: 299 North Main Street
Map 115 Lot 41 Business 2 Zone

The above variance **regarding the placement and size of the pylon sign** was **GRANTED**, as presented, (the sign to be 2 feet from the front lot line where a minimum of 15 feet is required, and 106 sq. ft per side where 75 sq. ft per side is required) at the Zoning Board of Adjustment's July 11, 2012 meeting, by an affirmative vote of at least three members of the Zoning Board of Adjustment, for the following reasons:

- The variance will not be contrary to the public interest because it will not change the character of the district.
- The spirit of the ordinance is observed because it will not change the character of the district.
- If granted, the benefit to this individual applicant outweighs any harm to the community as a whole.
- The value of surrounding properties will not be diminished because it will not generate levels of noise, light, activity or traffic that are significantly different from that which currently exists.

Ralph Torr, Chair
Rochester Board of Adjustment

It is the applicant's responsibility to obtain any applicable permits from local, state, and federal agencies. Contact the City of Rochester Code Enforcement Department at 332-3508 to apply for any necessary permits and certificates. Any work completed within the thirty (30) day appeal period, explained below, is at your risk

Note: Any person affected has a right to appeal this decision. A request for a rehearing is the first step of an appeal. The request must be submitted to the Planning Department within **thirty (30) days** (calendar days starting the day after the decision is made). If a rehearing is not granted, the next step is to appeal to Superior Court within thirty (30) days. If a rehearing IS granted, it is the responsibility of the original applicant to present the case to the Zoning Board, with the same obligations and following the same procedure used when the case was first heard

cc: Building Safety Department
Assessing Department
File