



City of Rochester, New Hampshire
Department of Building Safety

31 Wakefield Street * Rochester, NH 03867
(603) 332-3508 * Fax (603) 509-1912

NOTICE OF PUBLIC HEARING

Dear Abutter:

You are hereby notified of a **Public Hearing** to be held at **7:00 p.m.** on **Wednesday, October 9, 2013** in the City Hall Council Chambers concerning the following:

2013-31 – Application by Ms. Pinkham Bouasri for a variance under Article 42.8, Section (c) (5) of the City's Zoning Ordinance to allow a pole sign closer than the allowed 10' setback.

Location: 101 No. Main St
Map 121 Lot 366, Business 1/ HIS Zone

You are welcome to attend the public hearing and comment on the proposal. Be advised you will be allowed to speak at the meeting, however any paperwork will not be accepted at that time.

If you are planning to attend the meeting and have paperwork you wish to have reviewed, or if you are *not* planning to attend the meeting, you may comment by letter, fax or email (karen.grenier@rochesternh.net). However, for the Board to consider your comments they **MUST be received **NO LATER** than 12:00 noon on the Monday before the meeting (October 7, 2013).**

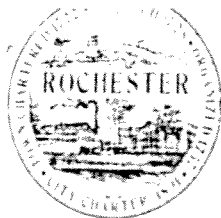
The project application is available for review by the public in the Department of Building Safety or you can view the entire application on the City's website – www.rochesternh.net. Click on *Boards & Commissions*, then *Zoning Board of Adjustment*, then *Zoning Board Projects*. Look under the map and lot number shown above.

Please feel free to contact this department with any questions or if you have any disability requiring special provisions for your participation.

Office Hours are between 8:00 a.m. to 5:00 p.m. Monday through Friday.

Karen Grenier, Building & Zoning Secretary

cc: file



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

3.56 City Hall
17.80 City Hall
Variance 195.00

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

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2013-31

DATE FILED 8/30/13

Kevin Spencer
ZONING BOARD CLERK

Phone No 978-855-8110

Name of applicant Mr. Pinkham Bouasri

Address 101 N. Main St. Apt. 1, Rochester, NH 03867

Owner of property concerned Infeng Vongsay

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

Address 101 Schanda Dr. Newmarket, NH 03857

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

Location 101 N. Main St, Rochester, NH 03867

Map No. 121

Lot No. 3dc

Zone B1/HIS

Description of property commercial 1st Fl., Residential 2nd Fl.

Proposed use or existing use affected Restaurant

*The undersigned hereby requests a variance to the terms of Article 42.8
Section (c)(5) and asked that said terms be waived to permit a pole sign closer
than the 10ft setback from the lot line

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 ☐

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 Pinkham Bouasri
(Applicant)

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2013-31

Date 8/30/30

A Variance is requested by Pinkham Bouasri

from Section 42.8 Subsection (c) (5)

of the Zoning Ordinance to permit a sign to be placed at a reduced setback to property line than the required 10' setback

at 121 Map 306 Lot B6/HIS Zone

Facts supporting this request:

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

It's a business use and it will bring value to surrounding properties and businesses, it's a gain.

2) Granting the variance is not contrary to the public interest because: We are adding food service business to the community. It is a beneficial to community and city of Rochester.

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: The area to put the sign is very limited from the building to the property line

4) Granting the variance would do substantial justice because: The public would notice our business at this location. Every business needs to have sign to advertise the service.

5) The use is not contrary to the spirit of the ordinance because: This use is the same as the previous use as a restaurant.

Name Pinkham Bouasri Date 8-30-13

August 29, 2013

Re: Variance for Papaya Thai Restaurant
at 101 North Main Street

Dear Zoning Department,

I am requesting the variance for the sign location of Papaya Thai Restaurant at 101 North Main Street, 121 Map 366 Lot B1/HIS Zone. This use is the same as the previous use as a restaurant. The sign will be replaced at the same location of the former Yo's Thai Restaurant sign, see photo of building with sign. It is important for our business to have a visibility sign to the public eyes.

It is impossible to put the new pole sign at ten feet from the property line. The area is very limited from the building to the property line. The signage application and documents have been reviewed and approved by the Historic District Commission Board members on Wednesday, August 14, 2013 meeting.

Thank you for your consideration. Please feel free to contact me at 978-805-8110 with any questions.

Sincerely,



Pinkham Bouasri

2013-31

Historic District Commission
James Campbell
Staff Coordinator Chief of Planning
Planning Department
City Hall Second Floor
31 Wakefield Street
Rochester, NH 03867-1917
(603) 335-1338 Phone
(603) 335-7585 Fax
jim.campbell@rochesternh.net



City of Rochester
Historic District Commission
CERTIFICATE OF APPROVAL

August 26, 2013

Pinkham Bouasri
101 No. Main Street Apt 1
Rochester, NH 03867

Re: Sign for 101 No. Main Street St. – Papaya Restaurant

Dear Ms. Bouasri,

I am pleased to inform you that the Historic District Commission (HDC) approved your application for the above referenced project at its meeting on Wednesday, August 14, 2013. The application is approved exactly as submitted and discussed at the meeting.

Please note that this approval is valid for two years from the date of the HDC meeting. A building permit must be obtained and substantial work on the project must commence by August 14, 2015 or this approval will become null and void. Contact the City of Rochester Building Safety Department at 332-3508 for your sign permits. Also, be certain to contact me if any other changes are proposed.

Thank you for your cooperation with the review process. Please feel free to contact me with any questions or concerns. I wish you much success here in Rochester.

Sincerely,

James Campbell,
Chief of Planning

cc: Historic District Commission
Jim Grant, Director of Building Safety
Mary Ellen Humphrey, Economic Development
Michael Provost, Main Street

*"Working with our community partners to preserve and enhance
the historic architecture and cultural heritage of the city of Rochester"*

2013-31

Request of waiver of requirement to have a Certified Plot Plan for Case # 2013- 31

I request a waiver of the requirement to have a certified plot plan for the following reasons:

- There are no objections from any abutter, and:
- Based on the information provided, the distance into the setback will not create any problems to the abutting property because: it will be at the same location as the previous sign, therefore it effects the surrounding properties.
- The property is described in its deed as being bounded, on the side for which relief is requested, by a natural feature like a: (stone wall/ row of large trees/roadway, etc.)
Having street on the front and drive ways on both side, there is no other way to put the sign.
- The request for relief from the setback required is modest enough that the probability of a surveying error large enough to make a material difference is remote. Yes ☒ No ☐
- Information provided is based upon other surveyed parcels in the immediate vicinity and is consistent with the tax map information, so the probability of a surveying error large enough to make a material difference is remote. Yes ☒ No ☐
- The request for relief from the setback required is in a direction where any impact on the abutter is small or nonexistent and, should a large surveying error be found in the future, there is adequate land area to correct the problem through a lot-line adjustment. Yes ☐ No ☒
- Any other applicable information: N/A

Check with the Planning Department to see if it is necessary to fill out this form

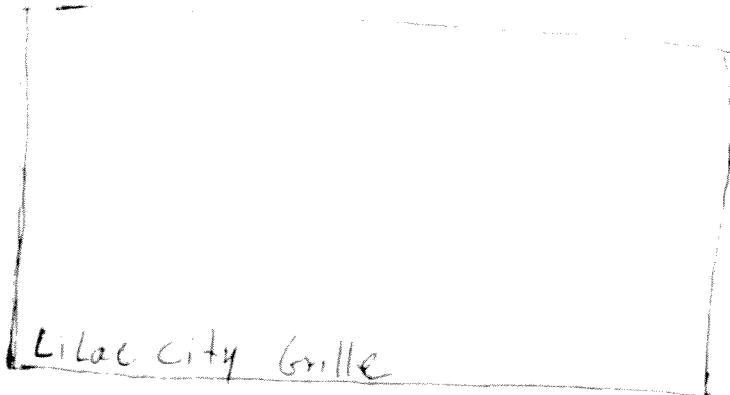
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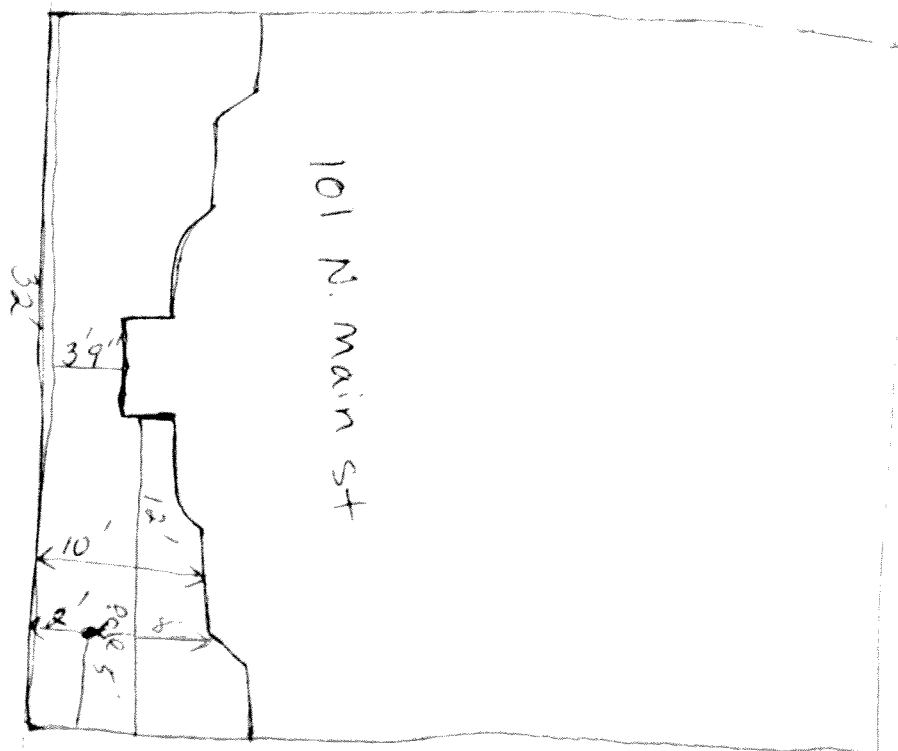
- There are no objections from any abutter, and:
- Based on the information provided, the distance into the setback will not create any problems to the abutting property because: _____

- The property is described in its deed as being bounded, on the side for which relief is requested, by a natural feature like a: (stone wall/ row of large trees/roadway, etc.)

- The request for relief from the setback required is modest enough that the probability of a surveying error large enough to make a material difference is remote. Yes _____ No _____
- Information provided is based upon other surveyed parcels in the immediate vicinity and is consistent with the tax map information, so the probability of a surveying error large enough to make a material difference is remote. Yes _____ No _____
- The request for relief from the setback required is in a direction where any impact on the abutter is small or nonexistent and, should a large surveying error be found in the future, there is adequate land area to correct the problem through a lot-line adjustment. Yes _____ No _____
- Any other applicable information: _____



Drive way



101 N. main st

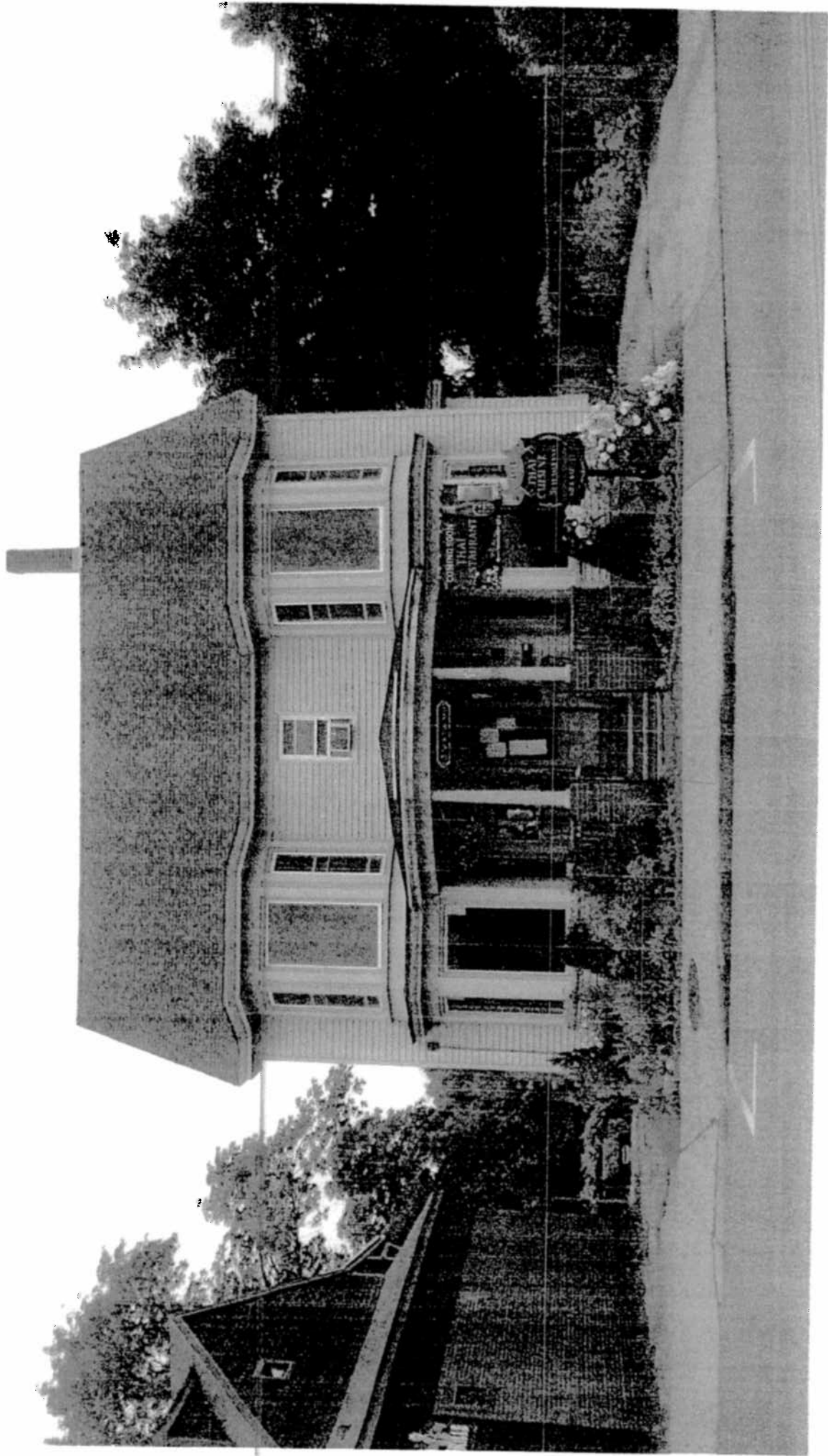
Drive way



North main Street

Side walk





MAP BLOCK LOT2 LOT3 LOT4 LOT5 LOT6 LOT7 LOT8 LOT9 LOT10 LOT11 LOT12 LOT13 LOT14 LOT15 LOT16 LOT17 LOT18 LOT19 LOT20 LOT21 LOT22 LOT23 LOT24 LOT25 LOT26 LOT27 LOT28 LOT29 LOT30 LOT31 LOT32 LOT33 LOT34 LOT35 LOT36 LOT37 LOT38 LOT39 LOT40 LOT41 LOT42 LOT43 LOT44 LOT45 LOT46 LOT47 LOT48 LOT49 LOT50 LOT51 LOT52 LOT53 LOT54 LOT55 LOT56 LOT57 LOT58 LOT59 LOT60 LOT61 LOT62 LOT63 LOT64 LOT65 LOT66 LOT67 LOT68 LOT69 LOT70 LOT71 LOT72 LOT73 LOT74 LOT75 LOT76 LOT77 LOT78 LOT79 LOT80 LOT81 LOT82 LOT83 LOT84 LOT85 LOT86 LOT87 LOT88 LOT89 LOT90 LOT91 LOT92 LOT93 LOT94 LOT95 LOT96 LOT97 LOT98 LOT99 LOT100



Patriot Properties Inc.

USER DEFINED
Prior id # 1
Prior id # 2
Prior id # 3
Prior id # 1
Prior id # 2
Prior id # 3
Prior id # 1
Prior id # 2
Prior id # 3
ASR Map
Fact Dist
Reval Dist
Year
LndReason
BldReason

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Value	Land Value	Land Size	Land Area	Total Value
114	36,586		14,535	0.032	51,221	
326	179,114		70,965	0.158	250,079	

Total Card	215,800	85,500	301,300	0.190	Enter Lot Size
Total Parcel	215,800	85,500	301,300	0.190	Total Land: 0.19
Source: Market Adj Cost	Total Value per SQ unit: Card: 73.67 / Parcel: 73.67				

PREVIOUS ASSESSMENT

Tax Yr	Use	Code	Blg Value	Yrd Value	Land Value	Total Value	Assessed Value	Notes	Date
2013	031	FV	215,800	0	85,500	301,300	301,300	Year End Roll	9/4/2013
2012	031	FV	215,800	0	85,500	301,300	301,300	Year End Roll	9/20/2012
2011	031	FV	215,800	0	85,500	301,300	301,300	Year End Roll	9/27/2011
2010	031	FV	217,600	0	85,500	303,100	303,100	roll	8/26/2010
2009	031	FV	217,600	0	95,000	312,600	312,600	Year End Roll	8/24/2009
2008	031	FV	220,000	0	95,000	315,000	315,000		8/25/2008
2007	031	FV	220,000	0	95,000	315,000	315,000	Year End Roll	9/26/2007
2006	031	FV	220,000	0	95,000	315,000	315,000	Year End Roll	9/14/2006

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Price	V	Tst	Verf	Assoc PCL Value	Notes
McKENNA JAMES M	3095-374	1	11/2/2004	270,000	No	No	No	4	
STRAFFORD GUIDA	2622-794	1	11/7/2002	215,000	No	No	No	5	
HILCO PROPERTY	1604-703	3/3/1992	Val Lnd&Blg	120,000	No	No	No	4	
HILCO INC	1586-715	12/10/1991			No	No	No		
FIRST NH BANK	1576-516	9/26/1991			No	No	No	4	
SRA ASSOCIATES	1490-276	6	1/16/1990	225,000	No	No	No	4	
SRA ASSOCIATES	1389-636	2	6/6/1988	240,000	No	No	No	4	
WARSHAW STEVEN	1256-326	2	9/5/1986	21,750	No	No	No	4	

TAX-DISTRICT

Parcel ID	0121-0366-0000
Year	2013
Assessed Value	301,300
Land Value	85,500
Yard Value	0
Building Value	215,800
Land Area	0.190
Land Size	0.190
Yard Area	0.032
Yard Size	0.158
Land Use	031
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