



PLANNING & DEVELOPMENT DEPARTMENT

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Planning & Zoning
Community Development
Conservation Commission
Historic District Commission

**ZONING BOARD OF ADJUSTMENT
NOTICE OF DECISION
Case No 2012-05**

March 15, 2012

2012-05 Application by OCW Retail-Rochester LLC for two variances.
A variance under Article 42.8 (c)(5) of the City's Zoning Ordinance to permit an additional pole sign where one is permitted, and
A variance under Article 42.9 (b)(5)(6) of the City's Zoning Ordinance to Permit 1,432 parking spaces where 1,521 parking spaces are required.

Location: 160 Washington Street (Rochester Crossing)
Map 130 Lot 38 Business 2 Zone

The above variance **regarding parking spaces** was **GRANTED**, as presented, at the Zoning Board of Adjustment's March 14, 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 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.

Robert Gates, Acting 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
Attorney Malcolm McNeill, Jr.
File

NOD
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