



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 2013-20**

May 10, 2013

2013-20 Application by Berry Surveying & Engineering for a variance under Article 42.9 Section B (5) of the City's Zoning Ordinance to permit parking to be based on the Site Regulations and not the Zoning Ordinance.

Location: Milton Road
Map 210 Lot 48 & 50, Business 2 Zone

The above variance was **GRANTED** as presented, at the Zoning Board of Adjustment's May 8, 2013 meeting, by an affirmative vote of at least three members of the Zoning Board of Adjustment contingent upon the following:

1. Site plan and lot line revision approvals

Note: Relief is restricted to reconfigured Lot 48

The variance was granted for the following reasons:

- The variance is not contrary to the public interest because will not negatively impact health and the general welfare
- The spirit of the ordinance is observed because it will not reduce safety from fires, panic, and other dangers
- 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 be visible from the road



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