



# City of Rochester, New Hampshire

## Zoning Board of Adjustment

### Variance Application

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2-23-13

DATE FILED 4/13/23

C91  
ZONING BOARD CLERK

Applicant:

Johnny Lam

E-mail: dynasty2889@gmail.com

Phone: 603.866.1392

Applicant Address: 24 Signal Street

Property Owner (if different): Same

Property Owner Address: Same

Variance Address: 24 Signal Street

Map Lot and Block No: Downtown Commercial

Description of Property: Establishment with various businesses including Dynasty Restaurant

Proposed use or existing use affected: Update and upgrade current signage on property

The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section 29-14 <sup>810</sup>

and asks that said terms be waived to permit The square footage of the EMC is 25 Square Feet which will become the total area of this sign.

This plan also includes the submittal of a Conditional Use Permit (CUP) for an additional sign with a maximum area of 24 square feet.

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. **I understand that while presenting my case the testimony should be confined to the 5 criteria and how they pertain to my case.**

Signed: Courtney Bazarian

Date: 4/4/23





# City of Rochester, New Hampshire

## Zoning Board of Adjustment

### Variance Criteria

1) Granting the variance would not be contrary to the public interest because:

This variance will not only bring more

business to the surrounding area and thus increasing the economic welfare for this business and surrounding business, it is an enhancement to the current signage on the property increasing curb appeal for the city.

2) If the variance were granted, the spirit of the ordinance would be observed because:

The variance would still ensure that the fundamental purpose of the ordinance

is upheld while allowing for reasonable and necessary modifications to be made.

3) Granting the variance would do substantial justice because:

Granting the variance permit application would do substantial justice

because it would allow the applicant to make necessary improvements or changes to their property as well as allowing the applicant to utilize their property more effectively and efficiently to enhance the surrounding community

4.) If the variance were granted, the values of the surrounding properties would not be diminished because:

The proposed change would have a positive impact on the local economy by attracting more customers to the business.

This would, in turn, result in increased revenue and job opportunities for the community. Such a positive economic would likely have a positive

impact on the value of surrounding properties as well as an enhancing the curb appeal to the surrounding area.

5.) Unnecessary Hardship:

a. Owing to special **conditions of the property that distinguish it from other properties in the area**, denial of the variance would result in an unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

The signage currently on the property is run down and nonconforming, so not being able to update and upgrade this

signage will result in hardship for businesses on this property.

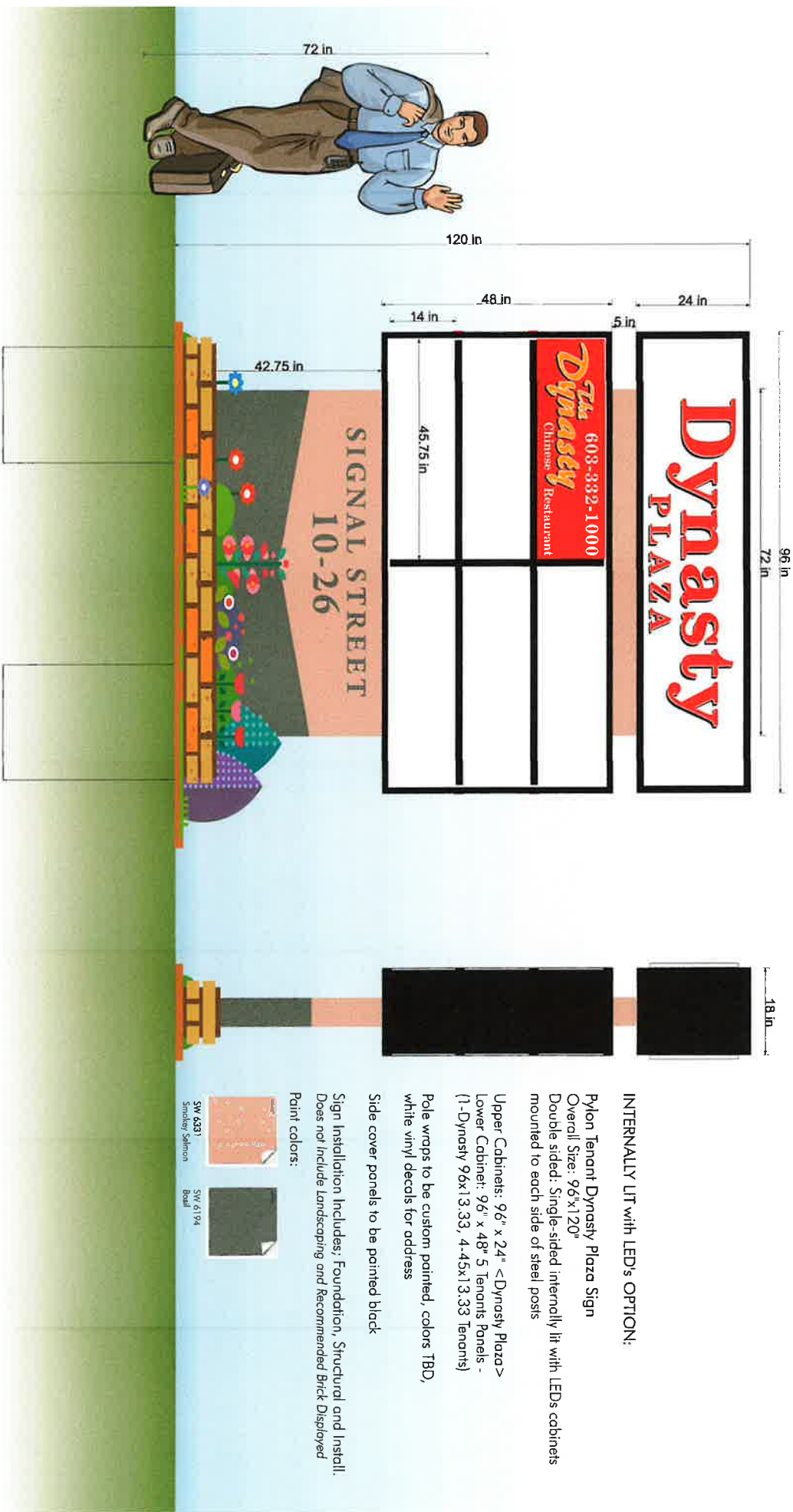
And:

ii. The proposed use is a reasonable one because:

The changes being proposed enhance the current signage allowing businesses in and around dynasty plaza is reasonable as it will increase business, property value and curb appeal to this area.

b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

The current signage is nonconforming and is in need of repairs and updated. The proposed changes will enhance the value of the business on the property as well as surrounding properties.



**INTERNALLY LT with LED's OPTION:**

**Pylon Tenant Dynasty Plaza Sign**

**Overall Size: 96"x120"**

**Double sided: Single-sided internally lit with LED's cabinets mounted to each side of steel posts**

**Upper Cabinets: 96" x 24" < Dynasty Plaza >  
Lower Cabinet: 96" x 48" 5 Tenants Panels -  
(1-Dynasty 96x13.33, 4-45x13.33 Tenants)**


**Pole wraps to be custom painted, colors TBD, white vinyl decals for address**

**Side cover panels to be painted black**

**Sign Installation Includes: Foundation, Structural and Install. Does not include Landscaping and Recommended Brick Displayed**

**Paint colors:**

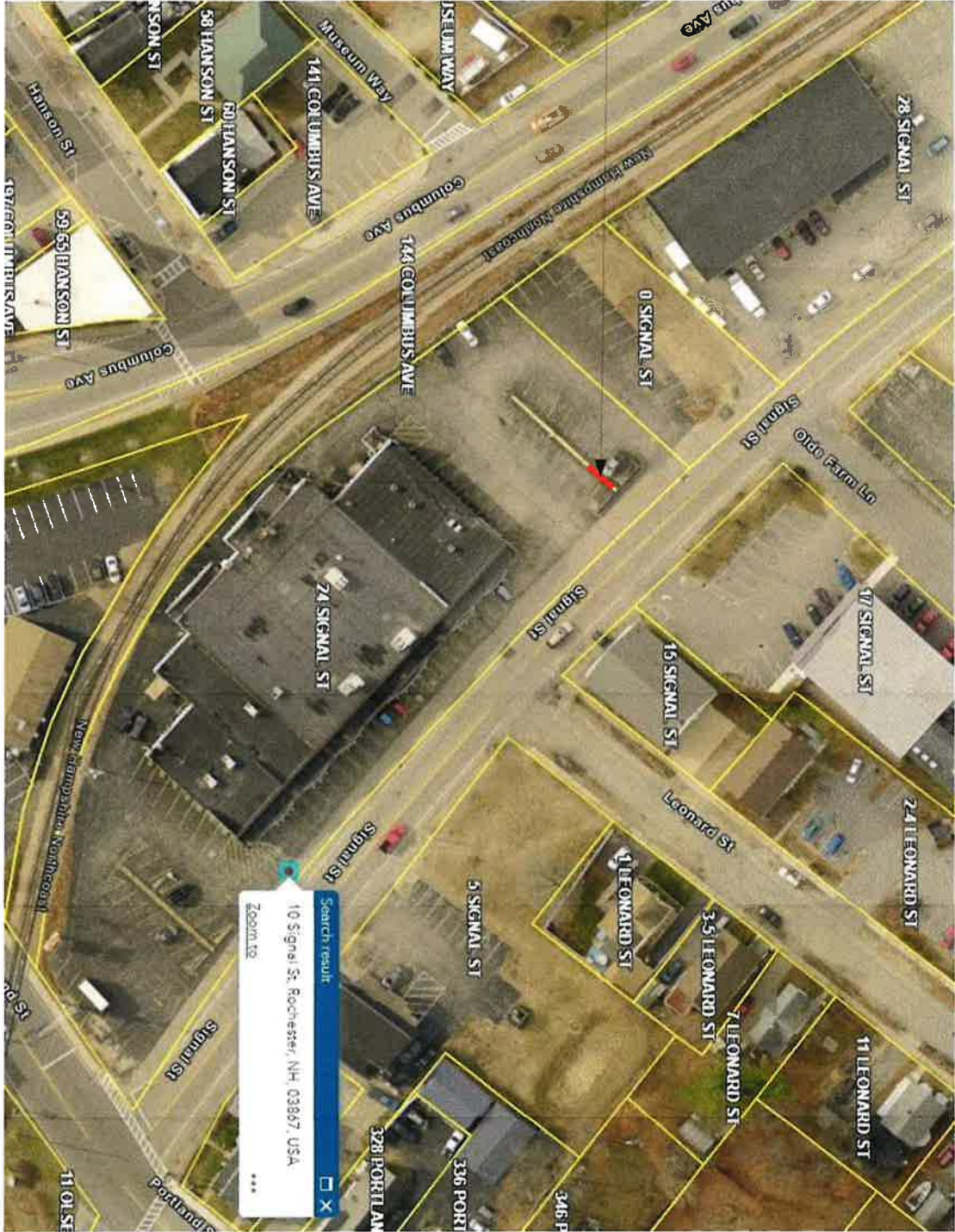



 <p><b>Portsmouthsign.com</b> <b>603-436-0047</b></p>	<p><b>REVISION:</b> All orders under \$250 include 1 revision only. All orders over \$250 include 2 revisions only. Additional revisions will be charged at \$25 per revision. <b>PLEASE NOTE:</b> Designs are NOT actual size and color may vary depending on printer and/or monitor.</p>	<p><b>11/7/2022</b></p> <p>I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl &amp; paint colors will be used. Custom colors and specific matches to PMS colors will be an additional fee. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval.</p> <p><b>SIGNATURE:</b> _____</p> <p><b>Date:</b> _____</p> <p><b>RETURN SIGNED TO: service@portsmouthsign.com</b></p>
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<p><b>Shop Use Only</b></p> <p><b>Qty:</b> <input type="checkbox"/> SS <input type="checkbox"/> DS <input type="checkbox"/></p>	<p><b>Materials:</b> _____</p> <p><b>Background Color:</b> _____</p> <p><b>Vinyl Color:</b> <input type="checkbox"/> HP <input type="checkbox"/> Int <input type="checkbox"/></p> <p><b>Other:</b> _____</p>
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Sign Location



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Lot\_10SignalStreets

Z:\Clients\IDynasty Restaurant\Art

RETURN SIGNED TO: service@portsmouthsign.com

**275-29.14 Requirements by zoning district. <sup>[1]</sup>**

The following special requirements shall apply in each respective zoning district:

**B.** Nonresidential zoning districts.

**(10)** Corner or multiple frontage lots. By conditional use permit issued by the Planning Board, any corner lot or a rear frontage lot (or double frontage) may have one additional freestanding sign with a maximum area of 24 square feet on the second frontage provided the property across the street on that second frontage is not zoned residential.

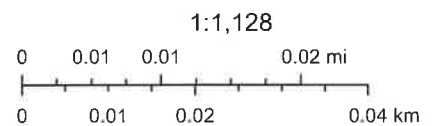


# 24 Signal Street



4/13/2023, 2:57:38 PM

 Tax Parcels



Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Esri Community Maps Contributors, Rochester GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc. METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA





CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)								
Element	Cd	Description	Element	Cd	Description							
Model	94	Commercial	Half Bath Rating	A	SAME							
Style	C39	MIX RETAIL	Extra Fixture(s)	0								
Grade	C	Average	Extra Fix Rating									
Stories	1											
Units												
Residential Unit	0											
Comm Units	6.00											
Wall Height	14.00											
Exterior Wall 1	06											
Exterior Wall 2												
2nd Ext Wall %												
Roof Structure	0											
Roof Cover	04	FLAT										
Interior Wall 1	06	TAR+GRAVEL										
Interior Wall 2		AVERAGE										
Interior Floor 1	08	AVERAGE										
Interior Floor 2		CONCRETE										
Basement Floor	12											
% Heated	100.00											
Heat Fuel	02	GAS										
Heat Type	01	FORCED W/A										
2nd Heat Type												
2nd % Heated	0.00											
# Heat Systems	6.00											
AC Percent	100.00											
Bedrooms												
Full Bath(s)	0											
Bath Rating	A											
3/4 Bath(s)	0											
3/4 Bath Rating												
Half Bath(s)	13											
Half Bath Rating	A											
Extra Fixture(s)	0											
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)												
Code	Description	L/B	Qty	Dim 1	Dim 2	Grade	Condition	Yr Blt	% Gd	Unit Price	Grade Adj.	Appr. Value
PA	PAVING ASPH	L	1	1	50000	C	AV	1960	50	2.57	1.00	64,300
PK	PARK'G SPAC	L	84	1	1	C	AV	1950	100	0.00	1.00	0
LM	LIGHT MPOL	L	1	1	1	C	AV	1950	100	312.50	1.00	300
LM	LIGHT MPOL	L	1	1	1	C	AV	1950	100	312.50	1.00	300
BUILDING SUB-AREA SUMMARY SECTION								Living Area	Floor Area	Eft Area	Unit Cost	Undeprc Value
BMT	BASEMENT							0	2,642	661	17.33	45,783
CNP	CANOPY							0	1,680	0	18.63	31,298
ENCL	ENCL PORCH							0	176	0	84.33	14,842
FFL	1ST FLOOR							23,478	23,478	23,478	69.26	1,626,159
SLB	CONCRETE SLAB							0	1,680	0	5.74	9,643
TOTAL Gross Liv / Lease Area								23,478	29,656	24,139		1,727,725

Element	Cd	Description	Element	Cd	Description
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2nd Ext Wall %					
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Roof Cover	04	FLAT			
Interior Wall 1	06	TAR+GRAVEL			
Interior Wall 2		AVERAGE			
Interior Floor 1	08	AVERAGE			
Interior Floor 2		CONCRETE			
Basement Floor	12				
% Heated	100.00				
Heat Fuel	02	GAS			
Heat Type	01	FORCED W/A			
2nd Heat Type					
2nd % Heated	0.00				
# Heat Systems	6.00				
AC Percent	100.00				
Bedrooms					
Full Bath(s)	0				
Bath Rating	A				
3/4 Bath(s)	0				
3/4 Bath Rating					
Half Bath(s)	13				
Half Bath Rating	A				
Extra Fixture(s)	0				

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Owner1	Owner2	BillingAddress	City State Zip
RIGZ ENTERPRISES LLC		15 BATCHELDER RD	SEABROOK, NH 03874-4402
LAM JW BROTHERS LLC		P O BOX 2042	ROCHESTER, NH 03866-2042
SECKENDORF HOWARD & KIMBERLY		37 CLOVER LN	BARRINGTON, NH 03825
RIGZ ENTERPRISES LLC		18 DIXON LN	DERRY, NH 03038-7025
LAM JW BROTHERS LLC		P O BOX 2042	ROCHESTER, NH 03866-2042
15 SIGNAL LLC		PO BOX 421	MEREDITH, NH 03253
NH NORTHCOAST CORP		P O BOX 429	OSSIPEE, NH 03864-0429