CITY OF CONCORD

NEW HAMPSHIRE

Community Development Department

Code Administration Division

City Hall Annex • 37 Green Street • Concord, NH 03301 • tel. 603/225-8580 • fax 603/225-8586

April 24, 2014

The Zoning Board of Adjustment will meet on Wednesday **May 7, 2014** at **7:00 PM** in the Council Chambers of the Municipal Complex at 37 Green Street.

May 7, 2014 ZBA Meeting Agenda

1) Call meeting to order
2) Review and acceptance of Minutes
3) Chairperson's comments
4) Public Meeting
5) Public Hearings:
6) Any other business that may legally come before the Board

The Zoning Board of Adjustment will hold a public hearing on the following appeals:

Public Meeting

21-13 **Carolyn A. Parker for VSH Realty, Cumberland Farms:** (Request for Rehearing) (Recessed from April 2, 2014) Applicant wishes to install a scroller type sign and requests Variances to Article 28-7-7, Signs Prohibited Under this Ordinance:

1) Section (a), to permit a sign which has parts and surfaces that physically or visually move when signs that have parts or surfaces that physically move are prohibited,
2) Section (r), to permit an electronically activated changeable message sign (EMC) when EMC signs are prohibited in the City of Concord,

for property at 47 Fisherville Road in a CG General Commercial District.

Public Hearings

40-13 **Barlo Signs for Carlsons Motorcorp:** (Recessed from April 2, 2014) Applicant requests the Zoning Board overturn the Zoning Administrator's determination that the use of a remotely programmable electronic message sign for variable background illumination is a use that is not permitted under the City of Concord's Zoning Ordinance for property at 13 Manchester Street in a GWP Gateway Performance District.

41-13 **Barlo Signs for Baron's:** (Recessed from April 2, 2014) Applicant requests the Zoning Board overturn the Zoning Administrator's determination that the use of a remotely programmable electronic message sign for variable background illumination is a use that is not permitted under the City of Concord's Zoning Ordinance for property at 350 Loudon Road in a GWP Gateway Performance District.

9-14 **Friedrich K. Moeckel, Esq. For Thomas J. Grappone:** Applicant requests the Zoning Board of Adjustment overturn the Code Inspector's determination that the commercial processing of firewood (use L-1) is not a permitted use for property located on Fort Eddy Road known by Assessor's Map/Block/Lot 46A/1/14 in a GWP Gateway Performance District.

13-14 **Raymond Carter:** Applicant wishes to construct a one car carport and requests a Variance to Article 28-4-1(h), Table of Dimensional Regulations, to permit a front setback of 13 feet where a 25 foot setback is required for property at 20 Wilson Avenue in an RS Residential Single Family District.

14-14 **Richard F. Askins:** Applicant wishes to allow an existing separate detached building to be used as a second dwelling unit and requests Variances to Article 28-2-4(h), Multiple Principal Uses on a Single Lot, to permit 2 single-family detached

dwellings on one lot which is neither a Cluster or Planned Unit Development for property at 24 South Spring Street in an RN Residential Neighborhood District.

15-14 **Stephen & Ruth Stanley:** Applicants wish to construct (complete) an addition to an existing structure in an RN Residential Neighborhood District with an F1 Flood District overlay and requests a Variance to Article 28-3-2(f), Development Standards in the Flood Hazard District, to permit substantial improvements of a building in an F1 District without connecting to municipal sewer when all structures in the F1 District are required to connect to municipal sewer, for property located at 30 Portsmouth Street in an RN Residential Neighborhood District with an F1 Flood Hazard overlay.

16-14 **Joseph Properties for Concord Union School District:** Applicant wishes to repurpose a former elementary school building as a multi-tenant use building to be used primarily as a community and arts center and requests the following:

1) Variances to Article 28-2-4(j), Table of Principal Uses, and The Glossary, to permit the establishment of a for-profit community and arts center (use B-14) intended to provide space for individual users to use for educational uses, child care (use B-4) and after school care uses, dance and art studios (use C-12) and other uses reasonably related to the same,
2) Variance to Article 28-2-4(j), Table of Principal Uses, to permit office use (use F-1),
3) Variance to Article 28-6-8, Signs Permitted in Residential Neighborhoods, Section (a)(1), to permit 2 freestanding signs where 1 freestanding sign would be permitted,
4) Variance to Article 28-7-2(e), Table of Off-street Parking, to allow for the provision of 50 off-street parking spaces when no more than 125 spaces would be required,
5) Variance to Article 28-7-7(g)(1), Parking restrictions in the required front yard, to allow for parking on existing impervious paved areas which are currently within the required front yard setbacks of the property (as shown on plans),
6) Variance to Article 28-7-7(g)(2), Setbacks from lot lines, to allow for parking on existing impervious paved areas which are currently located within the required setbacks from the side lot lines (as shown on plans),
7) Variance to Article 28-7-7(i), Curbing and guardrails, to waive the curbing and guardrail requirement and to maintain the existing conditions of the property,
8) Variance to Article 28-7-10(a), Parking lot landscaping required, to waive the required 5 foot parking lot perimeter landscape requirement,
9) Variance to Article 28-7-10(b), Parking lot interior landscaping required, to waive the required 5% interior parking lot landscaping,
10) Variance to Article 28-7-10(c), Use of required landscape areas restricted, to waive the landscape are use restrictions and allow the applicant maintain the existing conditions and uses on the property,

for property at 40 Thorndike Street in an RD Residential Downtown District.

17-14 **Lawrence & Cheryl Laughlin:** Applicants wish to construct a 330 s.f. "family room" addition and requests a Variance to Article 28-4-1(h), Table of Dimensional Regulations, to permit a front setback of 11' 6" adjacent to McKinley Street where a 25' setback is required for property at 64 Dunklee Street in an RM Residential Medium Density District.

18-14 **Father Richard Roberge for the Roman Catholic Bishop of Manchester:** Applicant wishes to subdivide a property to create two separate lots for each primary structure and requests the following:

1) Variance to Article 28-7-7(g)(2), (Parking) Setbacks from lot lines, to permit the new property line to be within 1 foot of the edge of the existing paved parking area where a 5 foot setback is required (52 Pleasant Street),
2) Variance to Article 28-4-1(h), Table of Dimensional Regulations, to permit the new property line with a side yard setback of 4 feet to the building and 2 feet to a stairwell when a 15 foot side setback is required (54 Pleasant Street),

for a property currently known as 52 – 54 Pleasant Street in a CVP Civic Performance District.

Rose M. Fife, Clerk
Zoning Board of Adjustment

NOTE: Any person who feels that he or she may be unable to participate in this hearing, because of the limitation of a physical or emotional disability, is asked to contact the Clerk at least 48 hours prior to the event. All reasonable efforts will be made to provide for your participation in the hearing.

For meetings held in the City Council Chambers, any person who is unable to access the upper level of the Council Chambers to address the City Council or any other public body may use the podium and/or microphone located at the lower level of the Council Chambers. Other reasonable accommodations may be available upon request.