



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

May 23, 2013

The Zoning Board of Adjustment will meet on Wednesday **June 5, 2013** at **7:00 PM** in the Council Chambers of the Municipal Complex at 37 Green Street.

June 5, 2013 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

- 17-13** **WBIN Media, Inc.:** (Request for Rehearing) Applicant wishes to re-develop the former Walker School property from an elementary school to a radio/television media facility (use K-10) and requests the following:
- 1) Variance to Article 28-6-9(c)(1), Permitted Freestanding Signs, to permit 3 freestanding signs totaling 65 s.f. when 1 freestanding sign of 40 s.f. is permitted,
- For property located at 4 Church Street in a IS Institutional District with an HI Historic District overlay.

Public Hearings

- 24-13** **Timothy Golde for MRT Investment and Development LLC:** Applicant wishes to construct 10 attached dwelling units and requests the following:
- 1) Variance to Article 28-4-5, Development of Attached and Multi-family Dwellings, Section (d)(5), Perimeter Buffers Required, to permit buildings not less than 20 feet from the property lines and to allow parking facilities to be constructed not less than 10 feet from the property lines when a 50 foot perimeter buffer is required,
 - 2) Variance to Article 28-4-5, Development of Attached and Multi-family Dwellings, Section (d)(5), Perimeter Buffers Required, to permit a dumpster pad within the required 50 foot perimeter buffer,
 - 3) Variance to Article 28-4-5, Development of Attached and Multi-family Dwellings, Section (d)(3), Building Dimensions and Separation, to permit parking spaces with not separation from the building where a 15 foot separation is required,
- For property located at 95 Loudon Road in an RH Residential High Density District.
- 27-13** **William Luneau & Debra J. Sartwell:** Applicants wish to legitimize an existing pergola & roof and requests a variance to Article 28-4-1(h), The Table of Dimensional Regulations, to permit a structure with no front and side setbacks where 15 foot front setbacks and 10 foot side setbacks are required for property located at 11 Lyndon Street in an RN Residential Neighborhood District.
- 28-13** **Bindery Redevelopment, LLC:** Applicant wishes to allow upper floor tenants to display signage at the ground floor level requiring the following variances:
- 1) to Article 28-6-9(b), Permitted Building Signs, to permit up to 9 building signs where a maximum of 3 building signs per tenant frontage is permitted as well as 1 tenant sign for upper floor tenants at an entry that serve the upper floor tenants,
 - 2) to Article 28-6-9(b)(1)(a) and (b)(4), Permitted Building Signs, to permit 5 building signs totaling 20.75 square feet to be placed on the ground floor wall and building spaces for upper floor tenants, where the Ordinance permits 1 directory sign of 6 square feet at the entry door when an entry serves more than one use or tenant on upper or lower floors with no building frontage,

- 3) to Article 28-6-7(i), Signs Prohibited Under Ordinance, and Article 28-6-9(b)(4), Permitted Building Signs, to permit a wall sign consisting of 13.5 square feet, to be placed above the sills of the first level of windows, where the Ordinance require that signs not be placed above the sills of the second floor windows and where the Ordinance permits 1 directory sign of 6 square feet at the entry door when an entry serves more than one use or tenant on upper or lower floors with no building frontage,

For property located at 43 South Main Street in a CBP Central Business Performance District.

29-13 **Castor Housing Associates, LP:** Applicant wishes to modify an existing multi-family development and requests the following:

- 1) Variance to Article 28-4-5, (c)(2), Uses Accessory to a Principal Residential Use, to permit private storage sheds accessory to the primary residential use,
- 2) Variances to Article 28-4-5(d)(5), Perimeter Buffer Required, to permit the following within the required 50 foot perimeter buffer:
 - a) Exterior landings and second floor egress stairs for buildings 11, 16 & 17 as shown on submitted plans,
 - b) Private storage sheds and privacy screens as shown on submitted plans,
 - c) Expanded parking facilities as shown on submitted plans,
- 3) Variances to Article 28-7-1 (Access, Circulation, Parking and Loading Requirements) General Provisions, Section (a), Applicability, to only upgrade parking for the new community building while maintaining existing non-conforming parking and loading layouts where the Ordinance requires the entire site to be brought into compliance, for properties on Christian Avenue, Map/Block/Lot, 114D1/2/2 & 114E/3/1 in an RH Residential High Density District.

30-13 **Tina Baril:** Applicant wishes to build an attached garage and deck and requests the following:

- 1) For the garage; variances to Article 28-4-1(h), The Table of Dimensional Regulations, to permit a garage with a 7 foot +/- setback from the southerly side property line and 5.5 feet +/- from the rear where 10 foot side and 25 foot setback rear setbacks are required,
- 2) For the deck; variances to Article 28-4-1(h), The Table of Dimensional Regulations, to permit a garage with a 5 foot +/- setback from the northerly side property line and 11 feet +/- from the rear where 10 foot side and 25 foot rear setbacks are required,

For property located at 16 Perkins Court in a UT Urban Transitional Neighborhood.

31-13 **Cinde Warmington:** Applicant wishes to remove and replace an existing garage and a connecting addition to the house and replace in-kind and requests variances to Article 28-4-1(h), The Table of Dimensional Regulations, to maintain existing side yard setbacks ranging from 6'3" +/- to 9'8" +/- where a 10' side setback is required for property located at 77 School Street in an RD Residential Downtown District.

32-13 **Carolyn A. Parker for VSH Realty, Cumberland Farms:** 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 417 South Main Street in a CG General Commercial District.

33-13 **H. Bobby Silvestiadis:** Applicant wishes to construct a mudroom and foyer with an attached 2 car garage and requests a variance to Article 28-4-1(h), The Table of Dimensional Regulations, to permit a 33 foot side yard setback where a 40 foot side setback is required for property located at 101 Hoit Road in an RO Residential Open-space District.

34-13 **Oasis Christian Church for Whittmore Holdings, LLC:** Applicant wishes to establish a Place of Religious Worship (use B-7) with accessory facilities and requests a variance to Article 28-2-4(j), Table of Principal Uses, to permit the establishment of a Place of Religious Worship and accessory facilities (Use B-7) in a portion of an existing building for property located at 45 Chenell Drive in an IN Industrial 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.