



# CITY OF CONCORD

*New Hampshire's Main Street™*

## *Zoning Board of Adjustment*

*Tracey E. Hutton*  
*Zoning Administrator*

February 9, 2023

The Zoning Board of Adjustment will meet on Wednesday, **March 1, 2023** at **6:00 PM** in the Council Chambers of the Municipal Complex at 37 Green Street.

### **Wednesday, March 1, 2023 - Public Agenda**

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

### **PUBLIC MEETING**

**0027-2023** ***Request for Rehearing (Previous Case number 0003-2022) 0 Elm Street, Penacook (141/P 8/ /); RN – Neighborhood Residential District; Kathleen A. and Scott W. Preve, Trustees:***

Owner wishes to reverse the Zoning Administrator's decision and that the City recognizes the grandfathered status of lot 8 as a separate lot of record.

### **PUBLIC HEARINGS**

**0023-2023** ***42 D'Amante Drive; GWP – Gateway Performance District; Home Depot USA Inc #3485, Owner:***

**Note:** Prior to hearing this case the Board must determine whether this request is materially different in substance or content than the request contained in Case #20-06, heard and denied on May 3, 2006.

Owner wishes to reduce required parking by replacing 27 spaces with outside sale and display areas and seeks a variance to Article 28-7-2(e), *Table of Off-Street Parking Requirements*, Use H, *Retail Trade*, to reduce the number of required parking by 27 spaces, from 660 required spaces to 633 spaces.

**0024-2023** ***68 Storrs Street; OCP – Opportunity Corridor Performance District; Brixmor Capitol SC LLC, Owner:***

Owner wishes to install building signage which exceeds the maximum area allowed and seeks a variance to Article 28-6-9(b), *Permitted Building Signs*, to install combined sign area of 86.48 square feet, where 31 square feet is allowed.

**0025-2023** **20 Second Street; RS – Single Family Residential District; Joseph Picott, Owner:**  
Owner wishes to renovate the second level of an existing attached garage structure to create an Accessory Dwelling Unit (ADU) containing 750 square feet of living area and seeks a Special Exception under Articles 28-2-4(k) *Table of Accessory Uses* (Use A13) and Article 28-5-52 *Single Family Detached Dwellings with One (1) ADU*.

**0026-2023** **0 Elm Street, Penacook (141/P 8//): RN – Neighborhood Residential District; Kathleen A. and Scott W. Preve, Trustees:**  
Owner wishes to construct a single-family dwelling and seeks a variance to Article 28-4-1(h), *Table of Dimensional Standards*, to allow construction on a lot having 75 feet of frontage where a minimum of 80 feet is required.

**0034-2023** **262 Sheep Davis Road; GWP – Gateway Performance District; Keith Donald Wuest, Owner:**  
Owner wishes to construct a second single-family dwelling on the lot and seeks a variance to Article 28-2-4(h), to allow two principle uses (single family detached dwelling) on one lot.

**0028-2023** **135 North State Street; RN – Neighborhood Residential District; 135NSS LLC, Owner:**  
Owner wishes to:

1. Seek a variance to establish three principal uses under Article 28-2-4(j), *Table of Principal Uses*, in addition to the existing General Business Use(F-1) to include; Three-room Rooming House (A-15), Commercial Indoor Recreation (C-3), and Conference, Trade, or Convention Center (G-4), all of which are not permitted in the District;
2. Seek a variance from the 113 parking spaces required by the above uses in Article 28-7-2(e), *Table of Off-Street Parking*, to allow the providing of 38 spaces (26 of the parking spaces are projected to be off-site parking located at 125 North State Street and shared with those uses subject to a Planning Board Conditional Use approval of an Alternative Parking Arrangement under Section 28-7-11(c)).
3. Seek a variance from Article 28-7-11(c), *Shared Parking Arrangements*, to allow for a maximum 606.1 feet between the principal use and off-site parking in connection with a shared parking arrangement with nearby 125 North State Street.

**0029-2023** **391 Loudon Rd; GWP – Gateway Performance District; Bradcore Holdings LLC, Owner:**

**0030-2023**  
**0031-2023**  
**0032-2023**  
Note: these are lots 46/Z 39/ and 46/Z 38/ which are proposed to be merged

Owner wishes to expand their operations and seeks variances to:

1. Article 28-8-4(c)(1), *Expansion of a Non-conforming Use*, to allow the construction of an 8,250 square foot addition (88.5%) and expansion of the outdoor storage area in support of the existing non-conforming Sales, Rental and Repair of Construction Equipment use (Use J-3) where such use is not permitted;
2. Article 28-5-37(a) *Required Setbacks*, to allow outdoor storage 10 feet from a street, where 50 feet is required;
3. Article 28-5-37(b) *Screening Requirements*, to allow outdoor storage without screening from view from adjacent streets and properties.
4. Article 28-5-37(d) *Maximum Area of Lot to be Used or Designated for Outside Storage*, to allow a storage ratio of 2.25:1, where 1.3:1 is allowed outside storage is allowed.