

**MINUTES OF THE MEETING  
LEE ZONING BOARD OF ADJUSTMENT  
Thursday, June 2, 2016  
7:00 PM**

**MEMBERS PRESENT:** Jim Banks, Chairman; Tobin Farwell; Craig Williams, Alternate, Frank Reinhold, Alternate and Peter Hoyt, Alternate.

**OTHERS PRESENT:** Robin Casey and Caren Rossi, Planning/Zoning Administrator.

This application was continued from the April 20, 2016 meeting.

The applicant, KC Signs, is requesting a variance to Article XVII, Signs, Section C, 4-h to allow for an awning with a logo and writing of approximately 30' x 3'+- across the front of the existing building. The property is owned by Sovran Acquisition Limited Partnership, located on 44 Calef Highway and is known as Lee Tax Map #04-03-0300. This request is to the 2015 Zoning Ordinance.

Tobin Farwell clerked.

Caren Rossi read the following section of the sign ordinance to the Board. She explained that if a sign is not visible off of the property, she doesn't consider it a sign. The sign that states "we sell boxes" that sign is an illegal sign. The others on the fence, can't be read from the road and she doesn't consider them a sign.

**ARTICLE XVII, SIGNS  
B. Exemptions**

*The following signs shall be exempt from the provisions of this ordinance and shall not require application:*

- 1. Personal signs - This shall be a sign identifying a residence and shall be no larger than two (2) square feet. Examples: "John Smith", "Windy Hill" or "Patty's Impulse".*
- 2. Mailboxes of standard government approved size.*
- 3. Signs which are not visible from any adjacent roadway or from any property line.*
- 4. Signs relating to open land such as: posting "No Hunting", "Tree Farm", "No Trespassing."*
- 5. Signs warning hazards - "Underground Cables," "Road Hazards," "Men at Work."*

Robyn Casey explained that at the Boards request, she did have a sign inventory done on the property. The sign that is requested tonight is going across the front of the building as explained in the packet.

Caren Rossi stated she would go out to the property and have all signs removed that she feels don't comply with the ordinance.

Public comment

None

Floor closed

The Board members agreed with Caren Rossi's interpretation of the ordinance and determined the following findings of fact.

The Board determined the Following Findings of Fact.

#### PRELIMINARY FINDING

After reviewing the petition and having heard the presentation by the applicant, the Board finds that it does not have sufficient information upon which to render a decision. The public hearing will be postponed until \_\_\_\_\_.

There is sufficient information before the Board to proceed. **Yes all**

#### FINDINGS

After reviewing the petition and considering all of the evidence as well as the Board members' personal knowledge of the property in question, the Board makes the following determinations pursuant to RSA 674:33. The Board has checked each statement that applies.

- 1) Granting the Variance will not be contrary to the public interest. Yes majority
- 2) Granting the variance would be consistent with the spirit of the ordinance. Yes majority
- 3) In granting the variance, substantial justice is done. Yes majority
- 4) In granting the variance, the values of surrounding properties are not diminished. Yes majority

5) Literal enforcement of the provisions of the ordinance would result (A)Yes  
in an unnecessary hardship to applicant. Majority

**A) To find that an “unnecessary hardship” exists, the Board must find:**

- **There are special conditions on the subject property that distinguish it from other properties in the area; *and***
- No fair and substantial relationship exists between the purpose of the ordinance and its application to the property in question.

**Tobin Farwell made a motion to grant the variance request to Article XVII, Signs, Section C, 4-h to allow for an awning with a logo and writing of approximately 30' x 3' + - across the front of the existing building. The property is owned by Sovran Acquisition Limited Partnership, located on 44 Calef Highway and is known as Lee Tax Map #04-03-0300. This request is to the 2015 Zoning Ordinance.**

Frank Reinhold second.  
Vote: all, motion carried.

Jim Banks, Chairman explained the 30-day appeal process to the applicant.

MINUTES TRANSCRIBED BY:

\_\_\_\_\_  
Caren Rossi, Planning & Zoning Administrator

MINUTES APPROVED BY:

\_\_\_\_\_  
Jim Banks, Chairman

\_\_\_\_\_  
Tobin Farwell

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Peter Hoyt, Alternate

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Craig Williams, Alternate

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Frank Reinhold, Alternate

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