

The Board of Adjustment of the City of Seabrook met on Wednesday, February 03, 2021 via teleconference in regular session to consider the following agenda items.

THOSE PRESENT WERE:

SUE LANGGARD THOMEY	CHAIRMAN
MICHELE GLASER	VICE-CHAIR
EDELMIRO MUNIZ	MEMBER
TIN NGO	MEMBER
TERRY MOORE	MEMBER
JARED KELLY	ALTERNATE MEMBER
STEVE WEATHERED	CITY ATTORNEY
SEAN LANDIS	DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT
PAT PATEL	ADMINISTRATIVE ASSISTANT

Sue Thomey called the meeting to order at 6:00 p.m.

1.0 ADMINISTER OATH OF WITNESSES

The applicant was given the Oath of Witnesses.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

There were none.

3.0 SPECIFIC PUBLIC HEARING

3.1 Request for variance to the Seabrook Code of Ordinances, Appendix A "Comprehensive Zoning", Article 6 "Sign Standards", Section 6.03 "Applicability", Subsection (1) "Nonconforming Existing Signs".

Chairman Thomey opened the Specific Public Hearing at 6:00 p.m.

Community Development Director, Sean Landis, explained to the Board that the applicant is requesting a variance to modify a "Nonforming Existing Sign". Section 6.03 "Applicability", Subsection (1) "Nonforming Existing Signs" states: All signs that are lawfully in existence on the date of adoption of this article may exist in their present form, but no such signs shall be altered or moved unless a permit is issued pursuant to the provisions of this article. Permits granted prior to the passage of this article shall be renewed only if the applicant complies with all provisions of this article.

Any legal, nonconforming sign which has been substantially destroyed or dismantled for any purpose other than maintenance shall be deemed as completely destroyed if the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type

at the same location. Under this provision, the sign shall be removed and a permit shall be required to erect a new sign.

The new sign regulations are as follows:

- Street Typology: NASA Parkway
- Sign Type: monument
- Number of Signs: 1 per every 500 feet of frontage
- Max/Min Total Height: 8 feet max
- Max Height of Sign Face: 6 feet
- Max Width: 16 feet
- Max Sign Face Area: 120sf (total) and 60sf per sign face
- Min Required Setbacks: All parts setback min 5 feet from property lines

Applicant's Variance Design Proposal:

- 4' x 9.6' static sign with internal LED lighting
- 6.3' x 9.6' 10mm HD Resolution
- Unlimited colors, pictures, videos, wireless communication

Chairman Thomey closed the Specific Public Hearing at 6:10 p.m.

3.0 NEW BUSINESS

3.1 Consider and take all appropriate action on Request for variance to the Seabrook Code of Ordinances, Appendix A "Comprehensive Zoning", Article 6 "Sign Standards", Section 6.03 "Applicability", Subsection (1) "Nonconforming Existing Signs".

Chairman Thomey stated that they would vote on the questions.

A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved which are not applicable to other lands, structures or buildings in the same district.

Applicant's Answer: Building location is set over 1200 feet from NASA and location of potential landmark sign would be considerably below Road grade and would not be seen by passing traffic.

We find accordingly

Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

Nays:

Abstain: None

89 **B. That literal interpretation of the provisions of this ordinance would deprive**
90 **the applicant of rights commonly enjoyed by other property owners in the same**
91 **district under the terms of this ordinance.**
92

93 **Applicant's Answer:** Location of potential landmark sign would be considerably below
94 Road grade and would not be seen by passing traffic. All businesses need and deserve a
95 sign.
96

97 *We find accordingly.*
98

99 Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

100 Nays:

101 Abstain: None
102

103 **C. That the special conditions and circumstances do not result from the actions**
104 **of the applicant.**
105

106 **Applicant's Answer:** The building was existing and had a rooftop sign. The NASA road
107 1 expansion put it 8 foot below road grade. An interlocal agreement was signed and
108 passed eliminating rooftop signs as part of the NASA Rd. 1 beautification project.
109

110 *We find accordingly.*
111

112 Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

113 Nays:

114 Abstain: None
115

116 **D. That granting the variance requested will not confer on the applicant any**
117 **special privilege that is denied by this ordinance to other lands, structures, or**
118 **buildings in the same district.**
119

120 **Applicant's Answer:** This property, building, and business location is unique, and there
121 is not a place to put a conforming sign that would be visible by traffic.
122

123 *We find accordingly.*
124

125 Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

126 Nays:

127 Abstain: None
128

129 **E. That a literal enforcement of the provisions of this ordinance would result in**
130 **unnecessary hardship.**
131

132 **Applicant's Answer:** I will have a business without a sign that could be seen by normal
133 passing traffic.
134

We find accordingly, for the reasons expressed herein:

Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

Nays:

Abstain: None

VARIANCE GRANTED BY MAJORITY VOTE

4.0 ROUTINE BUSINESS

4.1 Approve the minutes from the December 2, 2020 meeting.

Motion was made by Michele Glaser and seconded by Ed Muniz

Approve the minutes as presented.

MOTION CARRIES BY UNANIMOUS CONSENT.

Meeting adjourned at 6:22 p.m.

APPROVED THIS 21st TH DAY OF June, 2021.



Sue Thomey, Chairman



Pat Patel, Administrative Assistant