TO: John P. Bohenko, City Manager

FROM: Mary Koepenick, Planning Department

RE: Actions Taken by the Portsmouth Board of Adjustment reconvened meeting on March 6, 2007 in the Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire

PRESENT: Chairman Charles LeBlanc, Vice Chairman David Witham, Carol Eaton, Alain Jousse, Charles LeMay, Arthur Parrott, Henry Sanders

EXCUSED: None

I. PUBLIC HEARINGS

3) Petition of Frederick and Christine Harrington, owners, for property located at 2 Truman Place wherein the following Variances were requested from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to allow a 9’ x 12’ sun room on a previously approved deck with a 20’± rear yard where 30’ is the minimum required. Said property is shown on Assessor Plan 250 as Lot 58 and lies within the Single Residence B district.

After consideration, the Board voted to grant the petition as advertised and presented for the following reasons:

- This is a minor modification to a deck for which a variance has been previously approved.
- With the placement of the house and need for ready access, there is no better location to place a sunroom.
- This is a minimal request which will not negatively impact neighboring property values or lead to over-intensification.
- The sunroom will be located to the rear, out of public view.

4) Petition of Charles L. Thayer Revocable Trust, Charles L. Thayer, Trustee, owner, Jerry Thayer, applicant, for property located at 21 Richmond Street wherein a Variance from Article III, Section 10-303(A) was requested to allow a 36’ x 25’ two and a half story single family dwelling to be built after the demolition of the existing home with: (a) a 7.27’± right side yard where 10’ is the minimum required, b) a 5’± rear yard where 15’ is the minimum required, and c) a total lot area of
4,302± s.f. where 7,500 s.f. is the minimum lot area required. Said property is shown on Assessor Plan 108 as Lot 16-2 and lies within the Mixed Residential Office and Historic A districts.

At the applicant’s request, the petition was tabled to the March 20, 2007 meeting.

5) Petition of **Jeannette E. Hopkins Trust, Jeannette E Hopkins Trustee, owner**, for property located at **39 Pray Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) were requested to allow a 172 sf one story irregular shaped addition with an 8’9”± right side yard where 10’ is the minimum required. Said property is shown on Assessor Plan 102 as Lot 38 and lies within the General Residence B and Historic A districts.

After consideration, the Board voted to grant the petition as presented and advertised for the following reasons:

- The well designed addition will be appropriate to a neighborhood of narrow lots and little space between homes.
- With the necessity for first floor expansion, and considering the proximity of neighbors, there is no better location for the addition.
- The owner will be allowed reasonable use of their home without infringing on the neighbors’ rights to light and air or negatively affecting property values.

6) Petition of **Stephen F. and Anne B. Collins, owners**, for property located at **230 Park Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) were requested to allow a 5’4” x 11’9” front porch replacing existing 5’4” x 11’9” entry deck with: a) a 9’+ front yard where 15’ is the minimum required, and b) 31.2%± building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 149 as Lot 49 and lies within the General Residence A district.

After consideration, the Board voted to grant the petition as amended to a roof over the existing deck only for the following reasons:

- A full roof over the existing porch will protect against the safety hazard of snow falling from the upper floor, without infringing on the public interest.
- The amount of relief requested is minimal.
- The roof design will be in keeping with the neighborhood.
- Replacing an inadequate porch cover by an attractively designed full roof may have a positive impact on property values.
7) Petition of Geoffrey M. Spitzer, owner, for property located at 4 Jenkins Avenue wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) were requested to allow the following: a) a 6’ x 32’6” one story addition to the front of the house with 5’ x 6’ steps having a 7’6”± front yard where 30’ is the minimum required, b) a new 32’6” x 36’ roof having a full dormer in the rear and a partial dormer in the front creating living space on the second floor with a 7’6”± front yard and a 9’± rear yard where 30’ is required for both the front and rear yards, c) a 9’6” x 9’6” addition for a storage shed with a sunroom above to the right side of the existing house having a 13’6”± front yard and a 29’6” rear yard where 30’ is the minimum required for both the front and rear yard; and, d) 23.4%± building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 230 as Lot 8 and lies within the Single Residence B district.

After consideration, the Board voted to grant the petition as presented and advertised for the following reasons:

- With the undersized lot, location of the home and existence of ledge, there is little that can be done without requiring variances.
- The impact on the front setback is minimized due to the undeveloped portion of the right of way on this side of the street.
- Light and air to the rear is protected by the amount of space between homes, which are separated by mature trees.
- Tucking the shed under the sunroom helps avoid over-intensification.
- The well thought out and attractive design will help upgrade property values.

8) Petition of Tylene A. and Alain R. Jousse, owners, for property located at 197 Dennett Street wherein the following were requested: 1) Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to construct a 13’4” x 16’x 1’ two story addition with: a) a 5’10”± right side yard where 10’ is the minimum required, and b) a 15’2”± rear yard where 20’ is the minimum required, 2) a Variance from Article III, Section 10-302(A) to allow a second dwelling unit on a 4,335.7 sf lot where 15,000 sf would be required for two dwelling units; and, 3) a Variance from Article XII, Section 10-1204 Table 15 to allow one onsite parking space to be provided where 3 parking spaces are required. Said property is shown on Assessor Plan 142 as Lot 8 and lies within the General Residence A district.

At the applicant’s request, the petition was tabled to the March 20, 2007 meeting.

IV. ADJOURNMENT.

The motion was made, seconded and passed to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Mary E. Koepenick, Secretary