REGULAR MEETING
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE

CONFERENCE ROOM B

7:00 P.M. January 19, 2010

REVISED AGENDA

I. APPROVAL OF MINUTES

A) November 17, 2009

II. NEW BUSINESS

A) Election of Officers

III. OLD BUSINESS

A) Petition of New England Glory LLC, owner, for property located at 525 Maplewood Avenue wherein an Appeal from an Administrative Decision regarding the determination of the Code Officials that the Building Permit to convert the 9 apartments into a 14 room Bed and Breakfast has lapsed as the building continues to be used as 9 apartments. Notwithstanding the above, if the Administrative Appeal is denied, a Variance from Article II, Section 10-206 is requested to allow the existing 9 apartments to be converted into a 14 room Bed and Breakfast. Said property is shown on Assessor Plan 209 as Lot 85 and lies within the General Residence A district. Case # 7-1. This petition was postponed to a time indefinite at the August 19, 2008 meeting.

B) Request for Extension of Variance granted February 17, 2009 for property located at 33 Hunking Street

C) Case # 12-9
   Petitioners: J.P. Nadeau, Owner & Witch Cove Marina Development LLC, Applicant
   Zoning district: Waterfront Business District
   Requests: Variances to establish two (2) residential uses where residential uses are prohibited; To expand two (3) non-conforming residential uses and structures; to expand a non-conforming marine related structure; To allow for the encroachment of two(2) structures into the 100’ Tidal Buffer where the encroachment is not allowed. Article II Section 10-208 Table 4 (43), Article III Section 10-301(A)(2), Article III Section Section 10-301(A)(7)(a), Article IV Section 10-401(A)(1)(b), Article IV Section 10-401(A)(1)(c)
IV. PUBLIC HEARINGS

1) Case # 1-1
   Petitioners: 337 Pleasant St. LLC Owners
   Property: 337 Pleasant Street   Assessor Plan 103, Lot 62
   Zoning district: General Residence B
   Request: Variance(s) from:
   
   Section 10.321 to allow the enlargement of a lawfully nonconforming structure
   Section 10.521 to allow a front yard setback of 1.5’+ where 5’ is required

2) Case # 1-2
   Petitioner: George Byron McAlpin & Glenn P. Smart, Owners
   Property: 428 Ocean Road   Assessor Plan 294, Lot 15
   Zoning district: Single Residence A
   Requests: Variance from:
   
   Section 10.521 for the placement of an 8’ x 10’ shed at
   428 Ocean road with a building coverage of 10.5% where 10% is allowed

3) Case # 1-3
   Petitioner: Saco Avenue Professional Building, Inc., Owner and Stan Pasay, Applicant
   Property: 125 Brewery Lane   Assessor Plan 154, Lot 2
   Zoning district: Business
   Request: Special Exception from:
   
   Section 10.440, Use #4.42 to allow a Fitness Center of more than 2,000 square feet
   proposed to be located within an existing building in the Business zone

4) Case # 1-4
   Petitioners: David J. & Vasilia Tooley,
   Property: 166 New Castle Avenue   Assessor Plan 101, Lot 24
   Zoning district: Single Residence B
   Request: Variance(s) from:
   
   Section 10.321 to allow the enlargement of a lawfully nonconforming structure
   Section 10.521 to allow a rear yard setback of 1’2”+ where 30’ is required
   Section 10.521 to allow a building coverage of 50% where 20% is allowed
   Section 10.521 to allow open space coverage of 41% where 40% is allowed

V. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED
If you wish to attend a meeting and need assistance, please contact the Human Resources
Department at 610-7274 one week prior to the meeting