REGULAR MEETING
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M. March 16, 2010 for Items I, II, III, and IV 1), To Be Reconvened March 23, 2010 for Items IV 2) through 7)

AGENDA

THE FOLLOWING ITEMS I, II, III and IV 1) WILL BE HEARD ON TUESDAY, MARCH 16, 2010

I. APPROVAL OF MINUTES

A) December 22, 2009

B) January 19, 2010

II. NEW BUSINESS

A) Revised Rules & Regulations, Board of Adjustment

III. OLD BUSINESS

A) Request for Rehearing – 103-131 Congress Street

B) Request for Rehearing – Portwalk, Lot #1 Deer Street

B) Case # 2-1
   Petitioner: Kuzzins Bowden Hospitality LLC
   Property: 300 Woodbury Ave Assessor Plan 175, Lot 4
   Zoning district: General Business
   Requests: Variance to allow a freestanding sign of 343 square feet where 100 square feet is allowed
           Variance to allow wall signs of 304 square feet where 200 square feet is allowed
   Section 10.1251.20
C) Case # 2-3
Petitioners: JP Nadeau, owner and Witch Cove Marina Development, LLC, applicant
Property: 187 Wentworth House Road Assessor Plan 201, Lot 12
Zoning district: Waterfront Business
Requests: Variance to allow the expansion of a nonconforming structure
Variance to allow the expansion of a nonconforming use
Section 10.321
Section 10.331

D) Case # 2-4
Petitioner: South Mill Investments LLC, owner James Sanders, applicant
Property: 25 South Mill Street Assessor Plan 102, Lot 16
Zoning district: General Residence B
Request: Variance to allow a second story addition with a 6” side yard setback where 10’ is required
Variance to allow a two story addition off the rear of the existing structure with a 5’ side yard setback where 10’ is required
Table 10.521
Section 10.321
Section 10.324

E) Case # 2-8
Petitioners: Sarnia Properties Inc., owner and Thomas Woodard, applicant
Property: 933 Route 1 By-Pass Assessor Plan 142, Lot 37
Zoning district: Business
Request: Special Exception to allow an Auto Dealership in the Business zone
Variance to allow an Auto Dealership within 150’ of a Residential or Mixed Residential District where 200’ is required
Variance to allow Parking, outdoor storage or display within 40’ of the right-of-way
Table 10.440 use #11.10
Section 10.592.20
Section 10.843.21

(Old Business Items B) through D) were postponed from the February 16, 2010 meeting.)

IV. PUBLIC HEARINGS

1) Case # 3-1
Petitioners: Robert A. Ricci Revocable Trust & Elizabeth Batick-Ricci Revocable Trust
Property: 31 Richards Ave Assessor Plan 128, Lot 2
Zoning district: General Residence A & Historic District Overlay
Request: Appeal from the Historic District Commission regarding the placement of a fence
Section 10.636.50 Appeal of Historic District Commission Decision
THE FOLLOWING ITEMS 2) THROUGH 7) WILL BE HEARD ON TUESDAY, MARCH 23, 2010

2) Case # 3-2
Petitioner: Jennifer A. Carsen
Property: 121 Northwest Street Assessor Plan 122, Lot 1
Zoning district: General Residence A
Requests: Variance to construct a single story 16’X 20’ addition with an 8’ rear yard setback where 20’ is required
Section 10.521 Table of Dimensional Standards
Section 10.324 To allow the expansion of a nonconforming structure

3) Case # 3-3
Petitioner: 45 Pearl Street Properties LLC, Owner and Cindy Dodds, Applicant
Property: 45 Pearl Street Assessor Plan 126, Lot 30
Zoning district: Mixed Residential Office
Request: Variance to install 10”x 4” duct work on the outside of the structure with a 1’10” setback where a 15’ rear yard setback is required.
Section 10.521 Table of Dimensional Standards
Section 10.324 To allow the expansion of a nonconforming structure

4) Case # 3-4
Petitioners: Lee H. Rubin & Lucy Salyer
Property: 1 Kane Street Assessor Plan 142, Lot 22
Zoning district: General Residence A
Request: Variance to replace an existing 13’ x 26’ shed with a 12’ x 20’ shed and a 6’+ side yard setback where 10’ is required
Section 10.521 Table of Dimensional Standards

5) Case # 3-5
Petitioners: Thomas P. Coakley
Property: 231 Bartlett Street Assessor Plan 162, Lot 31
Zoning district: General Residence A
Request: Variance to add a third floor dormer on to the house which has an 8’+ side yard setback where 10’ is required
Section 10.521 Table of Dimensional Standards
Section 10.324 To allow the expansion of a nonconforming structure

6) Case # 3-6
Property: 800 Lafayette Road Assessor Plan 244, Lot 5
Zoning district: Gateway
Requests: Variance to allow off street parking spaces between the principal building and the street right-of-way
Section 10.1113.20 Location of Parking Facilities on a lot
7) Case # 3-7  
Petitioner: John J. Vendola  
Property: 290 Miller Avenue  Assessor Plan 130, Lot 12  
Zoning district: General Residence A  
Request: **Variance** to remove a set of stairs on the exterior of the home and add a second story deck and building addition that will increase the building coverage from 32% to 38% where 25% is allowed  
**Variance** to allow a zero side yard setback where 10’ is required  
**Section 10.521** Table of Dimensional Standards  
**Section 10.324** To allow the expansion of a nonconforming structure

V. **ADJOURNMENT**

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**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.