REGULAR MEETING
BOARD OF ADJUSTMENT
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE

7:00 P.M. JULY 21, 2015
and to be reconvened on
JULY 28, 2015

AGENDA

THE FOLLOWING ITEMS WILL BE CONSIDERED ON
TUESDAY, JULY 21, 2015

I. APPROVAL OF MINUTES

A) June 16, 2015

II. PUBLIC HEARINGS – OLD BUSINESS

A) Case # 6-8
   Petitioners: Joseph & Lindsey B. Donohue
   Property: 336 Union Street
   Assessor Plan 134, Lot 58
   Zoning District: General Residence A
   Description: Convert single family dwelling to two dwelling units.
   Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Section 10.521 to allow a lot area per dwelling unit of 2,178 s.f. ± where 7,500 s.f. is required and a building coverage of 39.3% where 25% is the maximum allowed.
   2. A Variance from Section 10.1112.30 to allow two off-street parking spaces to be provided where four off-street parking spaces are required.
   This petition was postponed from the June meeting and the request has been amended to include building coverage.

III. PUBLIC HEARINGS – NEW BUSINESS

1) Case # 7-1
   Petitioners: Kristen J. Campbell
   Property: 31 Cabot Street
   Assessor Plan 136, Lot 40
   Zoning District: Mixed Residential Office
   Description: Replace existing porch and stairs.
   Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Section 10.321 to allow a lawful nonconforming structure to be extended or structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a left side yard of 7’6” and a right side yard of 6’6” where 10’ is the minimum required and a building coverage of 43% where 40% is the maximum allowed.

2) Case # 7-2
Petitioners: Alyssa and Andrew Ervin
Property: 192 Park Street
Assessor Plan 149, Lot 53
Zoning District: General Residence A
Description: Construct a porch on the left side and a 2-story rear addition.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.321 to allow a lawful nonconforming structure to be extended or structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a left side yard of 2’ and a right side yard of 9’ where 10’ is the minimum required and a building coverage of 26.5% where 25% is the maximum allowed.

3) Case # 7-3
Petitioner: Debora A. Panebianco
Property: 306 Oriental Gardens
Assessor Plan 215, Lot 9-9
Zoning District: Office Research
Description: Place a new manufactured home on an existing concrete slab.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.440 to allow a manufactured home in a district where this use is not allowed.

4) Case # 7-4
Petitioner: Laurie J. Harrigan Revo Trust
Property: 116 Sherburne Avenue
Assessor Plan 112, Lot 37
Zoning District: Single Residence B
Description: Construct 1 ½ story addition at rear of existing residence with new side entry deck and rear deck.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.321 to allow a lawful nonconforming structure to be extended or structurally altered without conforming to the requirements of the Ordinance.
1. A Variance from Section 10.521 to allow a building coverage of 27.1% where 25% is the maximum allowed.
5) Case # 7-5
Petitioner: Algene and Sheila Bailey, Jr.
Property: 487 Ocean Road
Assessor Plan 283, Lot 33
Zoning District: Single Residence A
Description: Construct new front door overhang, attached 16’ x 32’ garage and 13’ x 6’ front deck, and 16’ x 20’ shed in backyard.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.521 to allow a right side yard of 10’ where a minimum of 20’ is required and a building coverage of 26.6% where 10% is the maximum allowed.
2. A Variance from Section 10.573.20 to allow a left side yard of 6’ where 10’ is the minimum required for an accessory structure.

6) Case # 7-6
Petitioner: Portsmouth Land Acquisition, LLC
Property: 428 Route 1 By-Pass (Building 2)
Assessor Plan 172, Lot 1
Zoning District: Industrial
Description: Allow dog daycare and boarding facility with associated parking.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.440 to allow a dog daycare and boarding facility in a district where this use is not permitted.

7) Case # 7-7
Petitioner: Amba Realty, LLC
Property: 806 Route 1 By-Pass
Assessor Plan 161, Lot 43
Zoning District: Business
Description: Expand first floor to 5,150 sq. ft. of retail space and construct second floor for office space.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.1113.20 to allow 9 parking spaces to be located within a 10’ buffer from the rear of the principal building and the street;
2. A Variance from Section 10.1112.30 to allow 26 fully available parking spaces and 2 restricted parking spaces where 28 are required and to allow parking 6.5’ from a residential zone where 50’ is required.
3. A Variance from Section 10.1113.41 to allow parking 0’ from the front lot line where 20’ is required;
4. A Variance from Section 10.1113.43 to not provide landscaping and screening within the front setback.

THE FOLLOWING ITEMS WILL BE CONSIDERED ON TUESDAY, JULY 28, 2015
8) Case # 7-8
Petitioner: Moray, LLC and 215 Commerce Way, LLC
Property: 215 & 235 Commerce Way
Assessor Plan 216, Lots 1-8A & 1-8B
Zoning District: Office Research
Description: Provide parking, on a corner lot, located between the street and the building.
Requests: Necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.1113.20 to allow off-street parking spaces to be located in a front yard between a principal building and the street.

9) Case # 7-9
Petitioner: Barbara R. Frankel
Property: 89 Brewery Lane
Assessor Plan 146, Lot 26
Zoning District: Mixed Residential Business
Description: Remove existing structure and construct 2-story assisted-living home with a 3,450 sq. ft. footprint.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Special Exception from Section 10.440 to allow an assisted living home;
2. A Variance from Section 10.512 to allow 30’ of street frontage where a minimum of 100’ is required.

10) Case # 7-10
Petitioner: Strawbery Banke Inc.
Property: 14 Hancock Street (Strawbery Banke)
Assessor Plan 104, Lot 7
Zoning District: Mixed Residential Office
Description: Clarification/modification of previous approval for operation of the skating pond.
Requests: Clarification/modification of the time period for use of the skating pond from November 1st to March 31st each year.

11) Case # 7-11
Petitioner: Merton Alan Investments, LLC
Property: 30 Cate Street
Assessor Plan 165, Lot 1
Zoning District: Industrial
Description: Clarification approval for construction of an office building.
Requests: Clarification that the setback relief granted included the 15.4’ front setback resulting from the City’s future reconfiguration.
12) Case # 7-12
   Petitioner: New England Glory, LLC
   Property: 525 Maplewood Avenue
   Assessor Plan 209 Lot 85
   Zoning District: Single Residence B
   Description: Creation of two lots where one currently exists.
   Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Section 10.521 to allow a lot area per dwelling unit of 3,755 sq. ft. where 7,500 sq. ft. is the minimum required.

13) Case # 7-13
   Petitioner: Jillian Mirandi
   Property: 19 Woodbury Avenue
   Assessor Plan 162 Lot 65
   Zoning District: General Residence A
   Description: Replace front entry and add shed in back yard.
   Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Section 10.521 to allow a front yard setback of 2’ 10”+/- where 15’ is the minimum required and a building coverage of 29.6% where 25% is the maximum allowed.
   2. A Variance from Section 10.573.10 to allow a left side yard of 2’ and a 2’ rear yard where 5’ is the minimum required for an accessory structure.

IV. OTHER BUSINESS

V. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you need assistance to attend a meeting, please contact the Human Resources Department at 610-7274.