

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

**7:00 P.M.**

**August 22, 2017  
Reconvened From  
August 15, 2017**

**AGENDA**

**I. OLD BUSINESS**

- A) Request for Rehearing regarding property located at 525 Maplewood Avenue.

**II. PUBLIC HEARINGS – OLD BUSINESS**

A) Case 7-10.

Petitioners: Petition of Flintatta LLC, owner and the Unitarian Universalist Church of Portsmouth, applicant

Property: 73 Court Street

Assessor Plan: Map 116, Lot 19

Zoning District: Character District 4-L1.

Description: Change of use.

Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following:

1. A Special Exception under Section 10.440 Use #3.11 to allow a religious place of assembly in a district where the use is only allowed by special exception.
2. Variances from 10.5A41.10A to allow the following: a) a 1'± left yard and 3'± rear yard where 5' is required for each; b) building coverage of 66% where 60% is the maximum allowed; and c) open space of 11.8% where 25% is the minimum required;
3. A Variance from Section 10.1112.30 to permit no off-street parking spaces to be provided where the following are required: a) 8 off-street parking spaces for the 2,000 s.f. of office space; and b) 67 off-street parking spaces for the assembly use. *(This petition was postponed from from the July 25, 2017 meeting, revised and subsequently postponed at the August 15, 2017 meeting.)*

B) Case 8-4.

Petitioners: Sean P. and Robin M. Murphy

Property: 24 Kent Street

Assessor Plan: Map 113, Lot 39

Zoning District: General Residence A  
 Description: Construct a 2-story attached garage.  
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following:  
 1. A Variance from Section 10.521 to allow 28.3%± building coverage where 25% is the maximum allowed. (*This petition was postponed from the August 15, 2017 meeting.*)

**III. PUBLIC HEARINGS – NEW BUSINESS (continued from August 15, 2017)**

6) Case 8-6.

Petitioner: Arne LLC LLC  
 Property: 0 Sylvester Street  
 Assessor Plan: Map 232, Lots 43-1 & 43-2  
 Zoning District: Single Residence B  
 Description: Merge two lots and construct a single-family home.  
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including: home including:  
 1. Variances from Section 10.521 to allow the following: a) continuous street frontage of 80.84'± where 100' is required; b) a lot area and lot area per dwelling unit of 6,713± s.f. where 15,000 s.f. is required; c) lot depth of 82.2'± where 100' is required; and d) a front yard setback of 21.7'± where 30' is required.

7) Case 8-7.

Petitioner: Bartlett Street Condos LLC  
 Property: 217 Bartlett Street  
 Assessor Plan: Map 162, Lot 32  
 Zoning District: General Residence A  
 Description: Replace demolished building with a single-family residence.  
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including: home including:  
 1. A Variance from Section 10.513 to allow more than one free standing dwelling on a lot.  
 2. Variances from Section 10.521 to allow the following: a) a lot area per dwelling unit of 1,773± s.f. where 7,500 s.f. is required; b) a 3'± right side yard setback where 10' is required; c) a 10'± front yard setback where 15' is required; d) 98.7'± continuous street frontage where 100' is required; and e) 35%± building coverage where 25% maximum is allowed.

8) Case 8-8.

Petitioner: Brian M. Carloni  
 Property: 30 Elwyn Avenue  
 Assessor Plan: Map 113, Lot 25  
 Zoning District: General Residence A  
 Description: Construct a rear addition.

Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including: home including:  
 1. Variances from Section 10.521 to allow the following: a) a 7'± right side yard setback where 10' is required; and b) 32% building coverage where 25% is the maximum allowed.

9) Case 8-9.

Petitioner: Patrick J. Sayers  
 Property: 56 Brackett Road  
 Assessor Plan: Map 206, Lot 23  
 Zoning District: Single Residence B  
 Description: Construct a new single-family residence replacing an existing structure.  
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including: home including:  
 1. Variances from Section 10.521 to allow the following: a) a lot area and lot area per dwelling unit of 14,209 s.f. where 15,000 s.f. is required; and b) 62.14' of continuous street frontage where 100' is required.  
 2. A Variance from Section 10.311 to allow a structure on a lot without the minimum lot area and street frontage.

10) Case 8-10.

Petitioners: The Provident Bank, owner and 25 Maplewood Avenue, LLC, applicant  
 Property: 25 Maplewood Avenue  
 Assessor Plan: Map 126, Lots 2  
 Zoning District: Character District 5 and the Downtown Overlay District.  
 Description: Remove existing structure and construct a 3-4 story mixed use building.  
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including: home including:  
 1. a) A Variance from Section 10.5A41.10D to allow the maximum finished floor surface of ground floor above sidewalk grade on the Maplewood Avenue face to be greater than 36".  
*If this request is denied, then:*  
 b) Variances from Section 10.5A41.10D to allow shopfront glazing along the Maplewood Avenue face to be less than 70%; *and*  
 c) to allow a minimum ground story height of 10' where 12' is required  
 2. In addition to either Item 1a) or Items 1b & 1c, the following is requested:  
 A Variance from Section 10.5A43.32 to permit a roof appurtenance height in excess of 10' beyond the maximum building height.

**IV. 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.