

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

7:00 P.M.

DECEMBER 19, 2017

AGENDA

I. ELECTION OF OFFICERS

II. APPROVAL OF MINUTES

A) November 21, 2017

III. PUBLIC HEARINGS - NEW BUSINESS

1) Case #12-1

Petitioner: Michael De La Cruz
Property: 75 (63) Congress Street
Assessor Plan: Map 117, Lot **Withdrawn**
Zoning District: Character District 5 (C-1)
Description: Construct 15 residential units.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
1. A Variance from Section 10.1112.30 to allow no off-street parking spaces to be provided where off-street parking spaces are required.

2) Case #12-2

Petitioner: Brenda J. Bouchard Revocable Trust of 1999
Property: 33 Holmes Court
Assessor Plan: Map 101, Lot 12
Zoning District: General Residence B (SRB)
Description: Install rear condenser.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
1. A Variance from Section 10.573.10 to allow a 3' ± right side yard setback and a 1'4" ± rear yard setback where 5' is required for both.

3) Case #12-3

Petitioners: James C. and Amy M. Baker
Property: 75 Humphreys Court
Assessor Plan: Map 101, Lot 37

Zoning District: General Residence B

Description: Replace and expand a rear addition (or construct a rear addition)

Requests: Variances and/or Special Exceptions necessary to grant the required

Relief from the Zoning Ordinance including:

1. A Variance from Section 10.521 to allow an 18’ rear yard setback where 25’ is required.
2. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

4) Case 12-4

Petitioners: Joseph D. Bezanson & Chelsea M. Ladd

Property: 87 Union Street

Assessor Plan: Map 145, Lot 66

Zoning District: General Residence C

Description: Construct 17’ x 10’ left rear deck.

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

1. A Variance from Section 10.521 to allow an 8’± left side yard setback where 10’ is required.
2. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

5) Case 12-5

Petitioners: Lucky Thirteen Properties LLC, owner, Lexie’s Portsmouth, LLC, applicant.

Property: 361 Islington Street

Assessor Plan: Map 144, Lot 23

Zoning District: Character District 4- Limited 2 (CD4-L2)

Description: Convert existing building plus 90 s.f. addition to restaurant use.

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

1. A Variance from Section 10.5A41.10A to allow the following: a) a secondary front yard of 66’± where 12’ is the maximum permitted; b) a 30’± left side yard setback where 20’ is the maximum permitted; c) 14.9%± open space where 25% is the minimum required; and d) shopfront façade glazing of 47%± where 17% exists and 70% is the minimum required.
2. A Variance from Section 10.1113.20 to allow off-street parking to be located in a required front yard between the principal building and a street.
3. A Variance from Section 10.5A44.31 to allow off-street parking spaces to be located less than 20’ behind the façade of a principal building.
4. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

6) Case 12-6

Petitioners: National Propane LP c/o Amerigas Eagle Propane, owner and Granite State Gas Transmission Inc dba Unitil, applicant

Property: 1166 Greenland Road

Assessor Plan: Map 280, Lot 2

Zoning District: Industrial District

Description: Install fence and utility structure.

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

1. A Special Exception under Section 10.440 Use #15.12 to allow a utility related structure providing a community-wide or regional service where the use is only allowed by special exception.
2. A Variance from Section 10.521 to allow an 8'± primary front yard setback where 70' is required.

7) Case 12-7

Petitioners: 409 Franklin Pierce Highway LLC

Property: 917 Greenland Road

Assessor Plan: Map 259, Lot 7

Zoning District: Single Residence B

Description: Demolish existing structure and build new single-family dwelling.

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

1. Variances from Section 10.521 to allow the following: a) a lot area and a lot area per dwelling unit of 11,760± s.f. where 15,000 s.f. is required; and b) an 18'± primary front yard setback where 30' is required.

8) Case 12-8

Petitioners: Kathryn Michele Arbour

Property: 86 Emery Street

Assessor Plan: Map 220, Lot 87-1

Zoning District: Single Residence B

Description: Second free-standing dwelling on a lot.

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

1. A Variance from Section 10.513 to allow a second free-standing dwelling on a lot.

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.