

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

7:00 P.M.

MARCH 20, 2018

AGENDA

I. APPROVAL OF MINUTES

A) February 21, 2018

B) February 27, 2018

II. PUBLIC HEARINGS – OLD BUSINESS

A) Case 2-10

Petitioner: Richard Fusegni

Property: 201 Kearsarge Way

Assessor Plan: Map 218, Lot 5

Zoning District: Single Residence B

Description: Subdivide one lot into two.

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 a lot area and lot area per dwelling unit of 7,834± s.f. where 15,000 s.f. is required;
(This petition was postponed from the February 27, 2018 meeting.)

B) Case 2-11

Petitioner: Cyrus Lawrence Gardner Beer

Property: 64 Mt. Vernon Street

Assessor Plan: Map 111, Lot 30

Zoning District: General Residence B

Description: Chicken coop with six chickens (hens).

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

1. A Variance from Section 10.440, Use #17.20 to allow the keeping of farm animals where the use is not allowed.
2. A Variance from Section 10.573.10 to allow an accessory structure 3'± from the rear property line where 5' is required.
(This petition was postponed from the February 27, 2018 meeting.)

III. PUBLIC HEARINGS - NEW BUSINESS

1) Case 3-1

Petitioner: Giri Dover LLC
 Property: 99 Durgin Lane
 Assessor Plan: Map 239, Lot 15
 Zoning District: Gateway Mixed Use Corridor
 Description: Install an LED light band under cornice roof line.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

1. A Variance from Section 10.1271 to allow signage where it is not allowed;
2. A Variance from 10.1251.10 to allow signage where there is no aggregate signage available;
3. A Variance from Section 10.1251.20 to allow canopy signs greater than 20 s.f.;
4. A Variance from Section 10.1251.20 to allow a wall sign greater than 200 s.f.; and,
4. A Variance from Section 10.1242 to allow more than one wall sign above the first floor on three sides of the building without a street façade.

2) Case 3-2

Petitioner: Cape Elizabeth Moss GST Exempt Trust F/B/O Keith Mariah Heriot
 Property: 18 Monroe Street
 Assessor Plan: Map 151, Lot 7
 Zoning District: General Residence A District
 Description: Replace existing two-story left-side 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 a 5’10”± left side yard and a 5’11”± right side yard where 10’ is required for each;
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.

3) Case 3-3

Petitioner: LGSG, LLC
 Property: 160 and 168-170 Union Street
 Assessor Plan: Map 135, Lots 29 and 30
 Zoning District: General Residence C District
 Description: Merge two lots into one with four dwelling units.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including Variances from Section 10.521 to allow the following:

1. A lot area per dwelling unit of 2,363± s.f. where 3,500 s.f. is required;
2. A right side yard setback of 5’± where 10’ is required;
3. A left side yard setback of 5’4”± where 10’ is required; and
4. A rear yard setback of 8’6”± where 20’ is required.

4) Case 3-4

Petitioners: Terrence H. Allen and Andrea B. Allen
 Property: 32 Baycliff Road
 Assessor Plan: Map 207, Lot 43
 Zoning District: Single Residence B District
 Description: Replace existing garage.
 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 1’6”± right side yard setback where 10’ is required;
 - b) A secondary front yard setback of 7’6”± where 30’ is required; and
 - c) 31%± building coverage where 20% is allowed;
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 3-5

Petitioner: Barbara R. Frankel
 Property: 89 Brewery Lane
 Assessor Plan: Map 146, Lot 26
 Zoning District: Character District 4-L2
 Description: Replace existing structure with a Colonial style assisted living home.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

1. Variances from Section 10.5A41.10A to allow the following:
 - a) a principal front yard of 76’± where 15’ is the maximum allowed;
 - b) a right side yard of 37’± where a 5’ minimum to 20’ maximum is required;
 - c) a front lot line buildout of 50%± where 60% minimum to 80% maximum is required;
 - d) a minimum ground story height of 10’ where 11’ is required; and
 - e) 13%± façade glazing where 20% minimum to 40% maximum is required;
2. 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.

6) Case 3-6

Petitioner: Petition of Tara F. Trafton Hamblett Revocable Trust 2003, Tara F. Trafton Hamblett, Trustee
 Property: 118 Elwyn Avenue
 Assessor Plan: Map 112, Lot 45
 Zoning District: General Residence A District
 Description: Reconstruct 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 27%± building coverage where 25% is the maximum allowed;
2. A variance from Section 10.521 to allow a 6'± right side yard setback where 10' is required;
3. 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.

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.