

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

7:00 P.M.

SEPTEMBER 18, 2018

AGENDA

I. APPROVAL OF MINUTES

A) August 21, 2018

II. PUBLIC HEARINGS - OLD BUSINESS

A) Case 8-1

Petitioner: Petition of Islington Street, LLC, (CVS Pharmacy)

Property: 674 Islington Street

Assessor Plan: Map 155, Lot 3

Zoning District: Character District 4-W.

Description: Install wall signage.

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

- a) from Section 10.1251.20 to allow four wall signs that each exceed 40 square feet;
- b) from Section 10.1261.30 to allow internal illumination in the Historic District;
- c) from Section 1251.10 to exceed the maximum aggregate signage available; and
- d) from Section 10.1271 to allow signage where there is no frontage or public entrance.

Note: This petition was postponed to the following month at the August 21, 2018 meeting.

B) Case 8-10

Petitioners: Petition of William Brinton Shone and Tatjiana Rizzi Shone, owners

Property: 11 Elwyn Avenue

Assessor Plan: Map 113, Lot 27

Zoning District: General Residence A

Description: Infill addition and dormer

Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including variances from Section 521 to allow the following:

- a) a 5± foot right side yard where 10 feet is required;
- b) 40% building coverage where 25% is the maximum allowed;
- c) *a 14'10" rear yard where 20' is required.*
and a variance from Section 10.321 to allow the following:
- d) an existing nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

(Note: This petition was tabled at the August 21, 2018 meeting and has been amended by the addition of item c) above in italics.

C) Case 8-11

Petitioners: Petition of Lucky Thirteen Properties, LLC, owner, and Opendell Journey, LLC, applicant

Property: 361 Islington Street

Assessor Plan: Map 144, Lot 23

Zoning District: Character District 4-L2

Description: Operate a food truck style establishment.

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

- a) from Section 10.440 to allow a food truck style establishment.

Note: This petition was tabled at the August 21, 2018 meeting.

D) Case 8-3

Petitioners: Petition of Pease Development Authority, owner, and Wentworth-Douglass Hospital, applicant

Property: 121 Corporate Drive

Assessor Plan: Map 303, Lot 8

Zoning District: (Pease) Airport Business Commercial

Description: Illuminated wall sign and monument sign

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

- a) from Section 306.01(d) to allow 391.7 square feet of sign area where 200 square feet is the maximum per lot.

Note: This petition was postponed at the August 21, 2018 meeting.

E) Case 8-6

Petitioner: Petition of Amanda R. Blanchette, owner

Property: 1462 Islington Street

Assessor Plan: Map 233, Lot 86

Zoning District: Single Residence B

Description: Attached garage with living space above

- Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including variances from Section 521 to allow the following:
- a) a 10 foot rear yard where 30 feet is required;
 - b) a 3’ right side yard where 10’ is required;
 - c) 26% building coverage where 20% is the maximum allowed; and a variance from Section 10.321 to allow the following:
 - d) an existing nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.
- Note: This petition was postponed at the August 21, 2018 meeting.*

III. PUBLIC HEARINGS - NEW BUSINESS

1) Case 9-1

- Petitioners: Petition of James C. Lucy Revocable Trust, James C. & Kimberley A. Lucy, Trustees
- Property: 127 & 137 High Street
- Assessor Plan: Map 118, Lots 20 and 21
- Zoning District: Character District 4-L1.
- Description: Change a section to office use, add a second floor rear addition and construct a single-family home.
- Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variances:
- a) from Section 10.642 to allow a residential use in the ground floor in the Downtown Overlay District;
 - b) from Section 10.5A41.10A to allow a ground story height less than 11 ft.; and
 - c) from Section 10.5A41.10A to allow a house in the Downtown Overlay District.

2) Case 9-2

- Petitioners: Petition of Brendan A. White & Jessica Paterson
- Property: 119 Union Street
- Assessor Plan: Map 145, Lot 70
- Zoning District: General Residence C
- Description: Construct a dormer
- Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variance:
- a) from Section 10.521 to allow a 0’± left side yard where 10’ is required: and
 - b) 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 9-3

Petitioners: Bonnie A. Konopka & Stephanie Ross
 Property: 5 Simonds Road
 Assessor Plan: Map 292, Lot 58
 Zoning District: Single Residence B
 Description: Rear addition
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variance:
 a) from Section 10.521 to allow a 16'± rear yard where 30' is required.

4) Case 9-4

Petitioner: Monarch Family Trust of 2018, Samantha D. King, Trustee
 Property: 45 Miller Avenue
 Assessor Plan: Map 129, Lot 21
 Zoning District: General Residence A
 Description: Construct basement and rear house access structures. Expand an existing deck.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variance:
 a) from Section 10.521 to allow 28%± building coverage where 25% is the maximum allowed.

5) Case 9-5

Petitioners: Logan Properties LLC, owner, Doug & Dan LLC, applicant
 Property: 403 Deer Street #7-13
 Assessor Plan: Map 118, Lot 26-3
 Zoning District: Character District 4-L1
 Description: Operate a ten-room inn.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variance:
 a) from Section 10.440 Use #10.30 to allow an Inn where the use is not permitted in the zoning district.

6) Case 9-6

Petitioner: 335 Maplewood Ave LLC
 Property: 335 Maplewood Avenue
 Assessor Plan: Map 141, Lot 26
 Zoning District: Character District 4-L1.
 Description: Replace existing rear addition
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variance:
 a) from Section 10.521 to allow a 3.4'± right side yard where 5' is required.

IV. OTHER BUSINESS

- A) Board of Adjustment Rules & Regulations

IV. ADJOURNMENT