

ACTION SHEET

TO: Karen S. Conard, City Manager

FROM: Mary Koepenick, Planning Department

RE: Actions Taken by the Portsmouth **Board of Adjustment at its regular meeting on *February 19, 2020** in the Eileen Dondero Foley Council Chambers, Municipal Complex, One Junkins Avenue, Portsmouth, New Hampshire.
**Change in customary day of the week.*

PRESENT: Chairman David Rheume, Vice Chairman Jeremiah Johnson, Jim Lee, Peter McDonell, Christopher Mulligan, Arthur Parrott, Alternate Phyllis Eldridge, Alternate Chase Hagaman

EXCUSED: John Formella,

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I. APPROVAL OF MINUTES

A) January 22, 2020

Action:

The Board **voted** to approve the Minutes with one change.

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II. PUBLIC HEARINGS – NEW BUSINESS

1) Case 2-1. Petition of Sandra C. O’Neil for property located at **106 Kane Street** wherein relief is needed from the Zoning Ordinance to demolish an existing portico and construct a 4’ x 8’ portico which requires the following: 1) An after-the-fact Variance from Section 10.521 to allow a 1’ front yard where 15 feet is required; and 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 142 Lot 13 and lies within the General Residence A District.

Action:

The Board **voted** to grant the petition as presented.

2) Case 2-2. Petition of Matthew Carl Beal and Heidi Leigh Medlyn for property located at **242 Leslie Drive** wherein relief is needed from the Zoning Ordinance to demolish an existing garage in order to construct an 829 square foot addition, with garage on the basement level, which requires the following: 1) A Variance from Section 10.521 to allow 30% building coverage where 20% is the maximum allowed and 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 209 Lot 52 and lies within the Single Residence B District.

Action:

The Board **voted** to grant the petition as presented.

3) Case 2-3. Petition of KSC, LLC for property located at **2222 Lafayette Road** wherein relief is needed from the Zoning Ordinance for a change of use to allow a religious place of assembly which requires the following: A Special Exception under Section 10.440, Use #3.11 to allow a religious place of assembly where the use is permitted by Special Exception. Said property is shown on Assessor Plan 267 Lot 2 and lies within the Gateway Neighborhood Mixed Use Corridor (G1).

Action:

The Board **voted** to grant the petition as presented.

4) Case 2-4. Petition of Lani Fortier & Justin Pendarvis for property located at **152 Orchard Street** wherein relief is needed from the Zoning Ordinance to demolish an existing front porch in order to construct new living space, demolish and reconfigure main roof and construct a new rear deck which requires the following: 1) a) a Variance from Section 10.521 to allow a 2’ right side yard where 10’ is required and b) to allow a 5’6” right side yard where 10’ is required. 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 149 Lot 39 and lies within the General Residence A District.

Action:

The Board **voted** to grant the petition as presented.

5) Case 2-5. Petition of Gary G. & Sheri T. Nadeau for property located at **138 Rockland Street** wherein relief is needed from the Zoning Ordinance to demolish an existing garage and construct a new 22’ x 24’ garage which requires the following: 1) Variances from Section 10.521

to allow a 3’ left side yard where 10’ is required; b) a 6’ rear yard where 16’6” is required for an accessory structure; and c) 28% building coverage where 25% is the maximum allowed. 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 113 Lot 14 and lies within the General Residence A District.

Action:

The Board **voted** to grant the petition as presented.

6) Case 2-6 Petition of John J. Roesse Revocable Trust, John Joseph Roesse, Trustee for property located at **14 Mechanic Street** wherein relief is needed from the Zoning Ordinance to deconstruct the existing house and reconstruct original part in a new location with a new addition which requires the following: 1) A Variance from Section 10.521 to allow a 5’ side yard where 10’ is required, and 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. Said property is shown on Assessor Plan 103 Lot 10 and lies within the General Residence B District.

Action:

The Board **voted** to grant the petition as presented.

7) Case 2-7. Petition of Daniel Wyand & Lena Chamberland for property located at **65 Pinehurst Road** wherein relief is needed from the Zoning Ordinance for the addition of a dormer and HVAC unit on a previously approved garage which requires the following: 1) 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. 2) A Variance from Section 10.515.14 to allow a 6’ setback where 10’ is required for a mechanical system. Said property is shown on Assessor Plan 221 Lot 72 and lies within the General Residence A District.

Action:

The Board **voted** to grant the petition as presented.

8) Case 2-8. Petition of 132 Middle Street LLC and 134 Middle Street LLC for property located at **132 Middle Street and 134 Middle Street** wherein relief is needed from the Zoning Ordinance for the renovation and reconfiguration of existing units including the conversion of one unit from office to residential which will result in 21 dwelling units between the two

properties and requires the following: 1) A Variance from Sections 10.331 & 10.333 to allow a nonconforming use to be extended, enlarged or changed without conforming to the requirements of the Ordinance and to allow the use to be extended throughout other parts of the building or structure. 2) A Variance from Section 10.5A41.10A to allow a lot area per dwelling unit of 590 square feet where 3,000 square feet per dwelling unit is required (134 Middle Street). 3) A Variance from Section 10.5A41.10A to allow a lot area per dwelling unit of 499 square feet where 3,000 square feet is required per dwelling unit (132 Middle Street) Said properties are shown on Assessor Plan 127, Lot 12 and Assessor Plan 127, Lot 11 and lie within Character District 4-L1 (CD4-L1).

Action:

The Board **voted** to grant the petition as presented.

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III. OTHER BUSINESS

No Other Business was discussed

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IV. ADJOURNMENT

It was moved, seconded and passed to adjourn the meeting at 10:18 p.m.

Respectfully submitted,

Mary E. Koepenick, Secretary