

**6:30 PM ANTICIPATED "NON-MEETING" WITH COUNSEL
IN PLANNING DEPARTMENT CONFERENCE ROOM**

**REGULAR MEETING
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

CITY COUNCIL CHAMBERS

FEBRUARY 18, 2003

AGENDA

I. APPROVAL OF MINUTES

Meeting of January 21, 2003.

II. OLD BUSINESS

A. Myles S. Bratter vs. City of Portsmouth, Board to vote on whether to appeal Order from Rockingham County Superior Court, dated January 8, 2003.

B. Request for One Year Extension of Time for Richard P. Fusegni, Owner, for property located at 1574 Woodbury Avenue. Said land is shown on Assessor Plan 238, Lots 16 & 17, and lies within the General Business District.

III. PUBLIC HEARINGS

1) Petition of **Judy Howard, owner**, for property located at **80 Burkitt Street** wherein a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(2)(c) are requested to allow the following after demolition of portions of the existing dwelling: a) a 5' x 9' porch with steps having a 9'3" front yard where 15' is the minimum required, b) a irregular shaped 355 sf 2 story addition to the left side of the existing dwelling with an 11'3" front yard where 15' is the minimum required and a 4' left side yard where 10' is the minimum required; and, c) a 10' x 11' deck with a 4' left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 159 as Lot 33 and lies within the General Residence A district. Case # 2-1

2) Petition of **Gordon Sorli, owner, Paul Sorli d/b/a Portsmouth Gas Light Co., applicant**, for property located at **64 Market Street** on remand from Superior Court Order Docket No. 02-E-024 for reconsideration of all issues wherein a Variance from Article XIII, Section 10-1302(G) is requested to allow a six month extension concerning the expiration of an extension of approval granted to 30 November 01. Said property is shown on Assessor Plan 117 as Lot 35 and lies within the Central Business B and Historic A districts. Case # 2-2

3) Petition of **DSM Realty, owner**, for property located at **1500 Lafayette Road** wherein a Variance from Article IX, Section 10-907 is requested to allow 14.4 sf of additional attached signage for an aggregate of 841.8 sf of attached signage where 745.3 sf is the maximum aggregate attached signage allowed. Said property is shown on Assessor Plan 252 as Lot 2 and lies within the Office Research district. Case # 2-3

- 4) Petition of **Chittenden Bank, owner**, for property located at **1555 Lafayette Road** wherein a Variance from Article IX, Section 10-908 is requested to allow: a) two free standing signs of 71.15 sf and 58.62 sf in a district where free standing signs are not allowed, b) 199.17 sf of aggregate signage including 57.4 sf of attached signage where 75 sf of aggregate signage is the maximum allowed, and c) four 3 sf directional signs where directional signs greater than 1.5 sf are not exempt. Said property is shown on Assessor Plan 251 as Lot 125 and lies within the Mixed Residential Business district. Case # 2-4
- 5) Petition of **Alan J. Watson, owner, David R. Lemeux, applicant**, for property located at **43 Cornwall Street** wherein a Variance from Article III, Section 10-302(A) is requested to allow the construction of a 32' x 80' 3 ½ story building for 4 dwelling units after the demolition of the existing building with 2,102.5 sf of lot area per dwelling unit where 3,500 sf of lot area per dwelling unit is required. Said property is shown on Assessor Plan 138 as Lot 42 and lies within the Apartment district. Case # 2-5
- 6) Petition of **Brora, LLC, owner**, for property located at **off Portsmouth Boulevard** wherein a Variance from Article II, Section 10-209(33) is requested to allow a proposed 108 room 4 story hotel (including a meeting room with an occupancy of 35 people) on a 10 acre parcel and having a 100' front yard setback where a 175' front yard setback is the minimum required. Said property is shown on Assessor Plan 213 as Lot 2 (to be subdivided) and lies within the Office Research/Mariner's Village Overlay District. Case # 2-6
- 7) Petition of **Dunya Kutchev Revocable Trust, Joan Gittlein, Trustee, owner, Kris Rick Realty Trust, applicant**, for property located at **6 Sagamore Grove Road** wherein Variances from Article II, Section 10-208 and Article IV, Section 10-401(A)(1)(b) are requested to allow the addition of a 20' x 40' front dormer to create 2nd floor bedroom space for the existing dwelling and a 12' x 22' one story garage addition to an existing garage in a district where residential uses are not allowed. Said property is shown on Assessor Plan 201 as Lot 5 and lies within the Waterfront Business district. Case # 2-7
- 8) Petition of **Deb Campbell, owner**, for property located at **295 Maplewood Avenue** wherein Variances from Article III, Section 10-303(A) and Section 10-401(A)(2)(c) are requested to allow a 2nd floor irregular shaped deck approximately 10' x 36' with: a) 0' left and right side yards where 10' is the minimum required, b) 0% open space where 25% is the minimum required; and c) 79.8% ± building coverage where 40% is the maximum allowed. Said property is shown on Assessor Plan 141 as Lot 35 and lies within the Mixed Residential Office district. Case # 2-8

IV. ADJOURNMENT

Members of the public and abutters should be aware that after the board renders its decision tonight, that a later request could be made to reconsider the decision and/or appeal the decision to the Rockingham County Superior Court. Please note that an abutter/aggrieved party may file a Motion to Reconsider if they are dissatisfied with the Board's decision. If you have any interest in finding out whether a Motion to Reconsider has been filed, you should contact the Planning Department thirty (30) days after the BOA decision is rendered. Thereafter, depending on the outcome of the reconsideration request, you are also invited to make inquiries at the Legal Department to determine whether an Appeal to the Superior Court has been filed.