RECONVENED REGULAR MEETING BOARD OF ADJUSTMENT PORTSMOUTH, NEW HAMPSHIRE

7:00 P.M.

CITY COUNCIL CHAMBERS

MAY 27, 2003 Reconvened from May 20, 2003

<u>AGENDA</u>

Please note that if this Agenda is not completed on May 27, 2003, the Board of Adjustment will reconvene on Thursday, May 29, 2003 at 7:00 p.m. in City Council Chambers.

- 6) Petition of **Thadeus Drabkowski, owner, Thomas Battles, applicant**, for property located at **948 US Highway 1** (a/k/a Route One By-Pass North) wherein a Variance from Article III, Section 10-304(A) is requested to allow the existing building to be converted into 6 apartments totaling 4,950 sf and nonresidential uses totaling 3,250 sf with: a) 9% open space where 15% is the minimum required, b) 17.1" front yard where 20' is the minimum required; and, c) 7.6' and 9.1' left side yards where 15' is the minimum required. Said property is shown on Assessor Plan 142 as Lot 17 and lies within the Business district. Case # 5-6
- 7) Petition of **Kathleen L. Wells, owner**, for property located at **36 Wilson Road** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 12' x 14' breezeway connecting a formerly approved detached one story garage making the garage part of the principal building with a 6' left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 251 as Lot 59 and lies within the Single Residence B district. Case # 5-7
- 8) Petition of **Joan W. Sanborn, Trustee, Joan W. Sanborn Revocable Trust, owner**, for property located at **191 South Street** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 9' x 10' one story addition creating 41.9% building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 111 as Lot 39 and lies within the General Residence B and Historic A districts. Case # 5-8
- Petition of **Thomas P. and Dani M. Rooney, owners**, for property located at **29 Spring Street** wherein the following Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 6' x 7' front entry with a 2.5' front yard where 15' is the minimum required, and b) a 5' x 14' porch to the right side of the dwelling with both additions creating 28.8% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 130 as Lot 21 and lies within the General Residence A district. Case # 5-9
- Petition of **Lawrence N. & Ruth S. Gray, owners**, for property located at **80 Currier's Co**ve wherein a Variance from Article II and a located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currier's Co**ve wherein a Variance from Article II and located at **80 Currie**
- Petition of **Catherine A. Irvine, owner, Jeffrey Marple, applicant**, for property located at **300 Court Street** wherein the following are requested: 1) Variances from Article II, Section 10-207(13), Article III, Section 10-303(A); and, Article IV, Section 10-401(A)(1)(b) to allow a third dwelling unit in an existing building on a 7,358 sf lot where 22,500 sf of lot is required for three dwelling units, and 2) Variances from Article XII, Section 10-1201(A)(2) and Section 10-1201(A)(3)(a)(3&4) and Section 10-1204 Table 15 to allow

4 parking spaces to be provided that are designed to park one behind another and to back out onto the street where 5 parking spaces are required and are to be designed so that any motor vehicle may proceed to and from a parking space without moving another vehicle and not back out onto the street with a 24' maneuvering aisle. Said property is shown on Assessor Plan 108 as Lot 12 and lies within the Mixed Residential Office district. Case # 5-11

- Petition of **Eric D. Weinrieb, owner**, for property located at **1 Jackson Hill Street** wherein a Variance from Article IV, Section 10-402(B) is requested to allow a 12' x 16' shed including a 3' x 12' roof overhang with a 4'6" rear yard where 10' is the minimum required. Said property is shown on Assessor Plan 141 as Lot 30 and lies within the General Residence A and Historic A districts. Case # 5-12
- Petition of James and Edna Pantelakos, owners, Chris and Petra Barstow, applicants, for property located at 188 Edmond Avous property located at 188 Edmond Avo
- Petition of **Lafayette Limited Partnership, owners, Philbrick's Fresh Market LLC, applicant**, for property located at **775 Lafayette Road** wherein the following are requested to allow a 1,020 sf addition to the existing building for a grocery market with a restaurant (cafe) with both inside and outside seating: 1) a Variance from Article II, Section 10-208(20)(A) to allow a restaurant use on a lot which directly abuts a residential district, 2) a Variance from Article III, Section 10-304(A) to allow said addition to have: a) a 24' right side yard where 30' is the minimum required, and b) 12.7% open space where 20% is the minimum required, 3) a Variance from Article XII, Section 10-1203(1) to allow the loading berth to be located within the required right side setback; and, 4) a Variance from Article XII, Section 10-1204 Table 15 to allow 544 parking spaces to be provided where 593 are required. Said property is shown on Assessor Plan 245 as Lot 1 and lies within the General Business district. Case # 5-14
- 15) Petition of **Louis F. Clarizio, Trustee, SOS Realty Trust, owners**, for property **located off Cass Street** wherein the following are requested for the construction of a 32' x 34' two story building for one dwelling unit and office space: 1) a Variance from Article III, Section 10-303(A) to allow: a) a 13' rear yard where 15' is the minimum required, and b) 7,454 sf of lot area where the minimum lot size is 7,500 sf and where 7,500 sf is required for a dwelling unit, and 2) a Variance from Article XII, Section 10-1201(A)(3)(c)(1) to allow parking 6' from a residential lot line where 50' is the minimum required to a residential lot line. Said property is shown on Assessor Plan 156 as Lots 33 & 34 and lie within the Mixed Residential Business district. Case # 5-15
- Petition of **Deborah C. and Harry D.Hobbs, owners**, for property located at **489 Sagamore Avenue** wherein a Variance from Article III, Section 10-301(A)(2) is requested to allow a 26' x 36' freestanding second dwelling unit on the property to replace one of the existing free-standing dwellings on the property in a district where no more than one free-standing dwelling shall be built upon any single lot. Said property is shown on Assessor Plan 222 as Lot 25 and lies within the General Residence A district. Case # 5-16
- Petition of **George W. Williams Jr., owner**, for property located at **272 Highland Street** wherein an Appeal from the Decision of the Code Official is requested requiring Variances from Article III, Section 10-301(A)(2) and 10-302(A) for a second dwelling unit on the property.

Notwithstanding the above, if the Appeal from the Decision of the Code Official is denied the following are requested: 1) a Variance from Article III, Section 10-301(A)(2) to allow a second dwelling unit on a 9,807 sf lot where 7,500 sf of lot area is required per dwelling unit for a total of 15,000 sf of lot area for two dwelling units, and 2) a Variance from Article III, Section 10-302(A) to allow a 5' x 28' two story addition with a 5' right side where 10' is the minimum required. Said property is shown on Assessor Plan 130 as Lot 35 and lies within the General Residence A district. Case # 5-17

IV. ADJOURNMENT