

PLANNING DEPARTMENT - BOARD OF ADJUSTMENT

ACTION SHEET

TO: John P. Bohenko, City Manager

FROM: Mary Koepenick, Planning Department

RE: Actions Taken by the Portsmouth **Board of Adjustment reconvened meeting on July 25, 2006** in the Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire

PRESENT: Chairman Charles LeBlanc, Vice Chairman David Witham, Steven Berg, Alain Jousse, Arthur Parrott, Alternate Duncan MacCallum

EXCUSED: Robert Marchewka, Alternate Henry Sanders

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I. OLD BUSINESS

- A) Approval of Minutes – March 21, 2006
- Approval of Minutes - May 16, 2006

A motion was made, seconded and passed unanimously to accept the March 21, 2006 minutes as presented and the May 16, 2006 minutes as corrected.

- B) Applicant Filed Motion for Rehearing regarding property at **62 Deer Street.**

The Board of Adjustment concurred that it was not in their jurisdiction to hear this matter.

II. PUBLIC HEARINGS

- 4) Petition of **Liberty Mutual Group, owner**, for property located at **225 Borthwick Avenue** wherein a Variance from Article III, Section 10-305(A) was requested to allow the construction of a pad and 3rd emergency generator with a 40' rear yard setback where 50' is the minimum required. Said property is shown on Assessor Plan 240 as Lot 1 and lies within the Office Research district.

After consideration, the Board voted to grant the petition as presented and advertised for the following reasons:

- With an interstate highway as the abutter to the rear, this slight infringement into the rear setback will not adversely affect the public.

- Any location other than one positioned next to the existing generators would involve an unnecessary expense of replacing underground conduits.
- The light and air specified in the ordinance will be protected, as well as the values of surrounding properties, by its location to the rear of the property.

5) Petition of **Michael De La Cruz, owner**, for property located at **63 Congress Street a/k/a 75 Congress Street Franklin Block** wherein a Variance from Article XII, Section 10-1201(A)(2) is requested to **REQUEST TO TABLE** a parking garage where 24' is the minimum required. Said property is shown on Assessor Plan 117 as Lot 5 and lies within the Central Business B, Downtown Overlay and Historic A districts. Case # 7-5

The Board voted to table the petition to the August 15, 2006 meeting at the applicant's request

6) Petition of **David J. Hudlin and Jan Allsop, owners**, for property located at **260 Miller Avenue** wherein the following are requested to construct a 6' x 10' shed: 1) a Variance from Article IV, Section 10-301(A)(2) to allow 37.5% building coverage where 25% is the maximum allowed, and 2) a Variance from Article III, Section 10-302(A) to allow 37.5% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 130 as Lot 23 and lies within the General Residence A district.

7) Petition of **Dennett Prospect Realty Investments LLC, owner**, for property located at **69 Prospect Street** wherein the following are requested: 1) a Variance from Article III, Section 10-301(A)(2) to allow two free-standing buildings with dwellings on a single lot where dwellings are required to be in one building, and 2) a Variance from Article III, Section 10-302(A) to allow an irregular shaped 1,232.5± sf footprint two story building to be constructed on the same footprint as the existing 1,232.5± sf one story building which is being demolished. Said property is shown on Assessor Plan 142 as Lot 29 and lies within the General Residence A and Historic A districts.

The Board voted to table the petition to the August 15, 2006 meeting at the applicant's request

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II. ADJOURNMENT.

The motion was made, seconded and passed to adjourn the meeting at 7:25 p.m.

Respectfully submitted,

Mary E. Koenick, Secretary