

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

March 17, 2009

AGENDA

I. OLD BUSINESS

A) Approval of Minutes – January 27, 2009

- February 17, 2009

II. PUBLIC HEARINGS

1) Settlement proposal for Docket # 08-E-541 Rockingham County Superior Court concerning **property owned by Jonathan W. Sobel, Trustee of the Jonathan W. Sobel Revocable Trust**, located at **49 Sheafe Street**. Said property is shown on Assessor Plan 107 as Lot 21 and lies within the Central Business B and Historic A districts. Case # 8-14

2) Petition of **Edmond C. Tarbell, owner**, for property located at **75 Court Street** wherein the following are requested: 1) a Variance from Article III, Section 10-303(A) to allow an existing office unit to be converted into a fourth residential apartment in a building containing three residential apartments and being on a lot having 4,573 sf of lot area where 30,000 sf (7,500 sf per dwelling unit) of lot area is the minimum required for four dwelling units, and 2) a Variance from Article XII, Section 10-1204 and Section 10-1201(A)(3) to allow four nonconforming parking spaces to be provided where six parking spaces are required and to allow said parking spaces to be arranged to park one behind another and back into the street. Said property is shown on Assessor Plan 116 as Lot 20 and lies within the Mixed Residential Office and Historic A districts. Case # 3-2

3) Petition of **D'Angelo, Inc., owner**, for property located at **1981 Woodbury Avenue** wherein the following are requested: 1) a Variance from Article IX, Section 10-907(A)(2)(b) to allow 85± sf of internally illuminated channel letter flush mounted signage where 65 sf of signage is the maximum allowed, and 2) a Variance from Article IX, Section 10-901(E)(2) to allow said sign to be located above the level of the roof where signs are not allowed to be located. Said property is shown on Assessor Plan 215 as Lot 7 and lies within the General Business district. Case # 3-3

4) Petition of **Great McDonough Street LLC, owner, Superior Towing, applicant**, for property located at **135 McDonough Street** wherein the following are requested: 1) a Variance from Article II, Section 10-207 is requested to allow outdoor storage of 15 vehicles for 30 days or more in a district where outdoor storage of vehicles is not allowed, and 2) a Variance from Article XII, Section 10-1204 to allow an undelineated area for the parking of 42 vehicles for the existing uses in the building plus 15 parking spaces for the storage of vehicles, for a total of 57 required spaces, where the application states that 50 undelineated parking spaces are available. Said property is shown on Assessor Plan 144 as Lot 47 and lies within the Mixed Residential Business district. Case # 3-4

5) Petition of **Antoine Albathany, owner**, for property located at **999 Woodbury Avenue** wherein Variances are requested from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to allow an existing 20' x 26' attached garage to be increased 1'± in height and a pitched roof added with a 4'± left side setback where 10' is the minimum required. Said property is shown on Assessor Plan 219 as Lot 32 and lies within the Single Residence B district. Case # 3-5

6) Petition of **DiLorenzo Real Estate, LLC and City of Portsmouth, owners, Poco Diablo, Inc., applicant**, for property located at **33 Bow Street/ 2 Ceres Street, 37 Bow Street and off Ceres Street** wherein Variances from Article III, Section 10-304(A)&(B) are requested to allow an irregular shaped 1,160± sf addition 11'6"± in height consisting of an open sided pergola with protective covering and with a portion having a roof deck, additionally a 1st floor expansion beneath the deck and Lot 48 having 1%± open space where 5% is the minimum required. Said property is shown on Assessor Plan 106 as Lots 48 & 49 and lies within the Central Business A, Downtown Overlay and Historic A districts. Case # 3-6

III. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you wish to attend a meeting and need assistance, please contact the Human Resources Department at 610-7274 one week prior to the meeting