

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

June 16, 2009

AGENDA

I. OLD BUSINESS

A) Petition of **Jonathan Schroeder, owner**, for property located at **324 Maplewood Avenue** wherein the following are requested: 1) Variances from Article III, Section 10-303(A) and Article IV, Section 10-401(A)(2)(c) to allow a two story addition on an existing garage/storage building to house two additional dwelling units, on a 3,210 sf lot (that also contains a second dwelling unit on the 2nd floor) with: a) a 5.47'± left side setback where 10' is the minimum required, and b) a 1'± rear setback where 15' is the minimum required; and, c) 1,070 sf of lot area per dwelling unit where 7,500 sf of lot area per dwelling unit is required for a total of three dwelling units on the property requiring 22,500 sf of lot area. 2) a Variance from Article XII, Section 10-1201(A)(3) to allow the required parking spaces to back out onto the street where such parking layout is not allowed; and 3) a Variance from Article III, Section 10-301(A)(2) to allow dwelling units in two separate buildings on a lot where all dwelling units shall be located in one building. Said property is shown on Assessor Plan 141 as Lot 1 and lies within the Mixed Residential Office and Historic A districts. Case # 4-4 (*This petition was postponed from the April 21, 2009 and May 19, 2009 meetings*)

II. PUBLIC HEARINGS

1) Petition of **Kuzzins Bowden Hospitality II LLC, owner**, for property located at **300 Woodbury Avenue** wherein a Variance from Article IX, Section 10-908 is requested to allow: a) 166.6 sf of attached signage, (65.6 s.f. and 101 s.f.), where 112.5 sf is the maximum attached signage allowed, b) a 137.5 s.f. freestanding sign where a 112.5 square foot freestanding sign is the maximum freestanding signage allowed, c) said free-standing sign to have a 5'± front setback and a 5'± right side setback where 20' is the minimum required in each instance; and d) 304.1 sf of aggregate signage where 112.5 sf is the maximum allowed. Said property is shown on Assessor Plan 175 as Lot 4 and lies within the General Business district. Case # 6-1

2) Petition of **Rodney A. and Lisa L. Rodriguez, owners**, for property located at **94 Lois Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow stairs off a previously approved deck with a rear setback of 6'± where 30' is the minimum required. Said property is shown on Assessor Plan 232 as Lot 10 and lies within the Single Residence B district. Case # 6-2

- 3) Petition of **Five Hundred Eighty-Two Five Hundred Eighty-Eight Lincoln Avenue Condominium Association, Clarke Revocable Trust, Sage E. and William A Clarke co-trustees** and Gary M. and Marcia D. Baker, owners, for property located at **582 /588 Lincoln Avenue** wherein the following are requested: 1) a Variance from Article IV, Section 10-402(B) to allow a one story 20'x 22' detached garage with an 18''± rear setback where 10' is the minimum required; and 2) a Variance from Article III, Section 10-302(A) to allow 32% ± building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 148 as Lot 7 and lies within the General Residence A district. Case # 6-3
- 4) Petition of **Joseph Saxe and JoAn K. Saxe, owners**, for property located at **570 Lincoln Avenue** wherein a Variance from Article III, Section 10-302(A) is requested to construct an 8'x 8'shed creating building coverage of 27% where the maximum building coverage is 25%. Said property is shown on Assessor Plan 148 as Lot 6 and lies within the General Residence A district. Case # 6-4
- 5) Petition of **CCV Group, LLC, owner**, for property located at **4 Sagamore Grove Road** wherein the following are requested to allow a 535 sf 1 ½ story addition with a basement and chimney to a previously approved single family dwelling in a Waterfront Business District: 1) a Variance from Article IV, Section 10-401(A)(1)(c) and to allow a residential use to be expanded in a Waterfront Business District, where such use is not allowed, 2) a Variance from Article III, Section 10-304(A) and Article IV Section 10-401(A)(2)(c) to allow: a) a 12'1''± left side setback where 30' is required, and b) a 26'± front setback where 30' is the minimum required; and, 3) a Variance from Article III, Section 10-301(A)(7)(a) to allow said addition to have a 75' setback from the salt water marsh wetlands and mean high water line where 100' is the minimum setback required for all. Said property is shown on Assessor Plan 201 as Lot 4 and lies within the Waterfront Business district. Case # 6-5
- 6) Petition of **Jeremy Rouleau and Tamrah Zinn, owners**, for property located at **91 Wibird Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 255 sf deck creating: a) 28% ± building coverage where 25% is the maximum allowed, and b) a 5.5'± left side setback where 10' is the minimum required. Said property is shown on Assessor Plan 134 as Lot 43 and lies within the General Residence A district. Case # 6-6
- 7) Petition of **Irving Canner and Victoria D. Canner, owners**, for property located at **229 Pleasant Street** wherein Variances from Article III, Section 10-303(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 163 sf deck with a 5'8''± rear setback where 15' is the minimum required. Said property is shown on Assessor Plan 108 as Lot 6-4 and lies within the Mixed Residential Office district. Case # 6-7

III. ADJOURNMENT

Informational Item to Board: NH Supreme Court decision in the matter of William Schroeder v. Town of Windham.

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