

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

September 15, 2009

AGENDA

I. OLD BUSINESS

A) Approval of Minutes – July 28, 2009
August 18, 2009

B) Case 6-7
Petitioners: Irving and Victoria D. Canner
Property: 229 Pleasant Street
Zoning district: Mixed Residential Office
Request: Variances from Article III, Section 10-303(A) and Article IV, Section 10-401(A)(2)(c) were requested to allow a 163 sf deck with a 5'8"± rear setback where 15' is the minimum required.
(This petition was postponed from the June 16, July 21, and August 18, 2009 meetings)

C) Case #7-9
Petitioners: J.P. Nadeau & Witch Cove Marina Development, LLC
Property: 187 Wentworth House Road
Zoning district: Waterfront Business Assessor Plan 201, Lots 12, 17 and 18
Request: 1) Variance from Article II, Section 10-208 Table 4 to allow 5 single family dwellings in the Waterfront Business District, where residential uses are not allowed.
2) Variance from Article III, Section 10-301(7)(a) to allow a yacht club structure and 2 single family residence to be constructed within 100 feet of the mean high water line where 150 feet are not allowed.
3) Variance from Article III, Section 10-304(A) Table 10 to allow a relocated residential structure with a front yard of 14' where 30' is required and a left side yard setback of 12' where 30' is required, and a right side yard setback of 24 feet where 30 feet is required.
4) Variance from Article XII, Section 10-1201(A)(1)(b) for 10 parking spaces which lie outside the 300' distance of the subject property.
5) Special Exception from Article XII, Section 10-1201(A)(1)(b) to allow parking on another lot in the same ownership; provided all spaces lie within 300 feet of the lot in question.
(This petition was postponed from the July 28, and August 18, 2009 meetings)

(over)

- D) Case # 8-9
 Petitioners: Portsmouth Housing Authority
 Property: 140 Court St. Assessor Plan 116, Lot 38
 Zoning district: Mixed Residential Office
 Requests: 1) Variance from Article III Section 10-303(A) Table 9 to allow for a 0'± rear yard setback where 15' is required
 2) Variance from Article IV Section 10-401(A)(2)(c) to allow the expansion of a nonconforming structure

- E) Case # 8-10
 Petitioners: Portsmouth Housing Authority
 Property: 245 Middle St Assessor Plan 136, Lot 16
 Zoning district: Mixed Residential Office
 Requests: 1) Variance from Article III section 10-303(A) Table 9 to allow for a 0'± left side sideyard setback where 10' is required
 2) Variance from Article IV Section 10-401(A)(2)(c) to allow the expansion of a non conforming structure

II. PUBLIC HEARINGS

- 1) Case 9-1
 Petitioners: Maria Elena Koopman & James Peterson
 Property: 335 Maplewood Avenue Assessor Plan 141, Lot 26
 Zoning district: Mixed Residential Office
 Request: Rehearing for a previously heard application which stipulated the number of employees allowed to be employed at the property
- 2) Case #9-2
 Petitioners: Scott G. Snyder and Danielle Snyder
 Property: 24 Suzanne Drive Assessor Plan 292, Lot 93
 Zoning district: Single Residence B
 Request: Variance(s) Article III Section 10-302(A) Table 8 to allow a 19'± front yard setback where 30' is required
 Article IV Section 10-401(A)(2)(c) to allow the expansion of a nonconforming structure
- 3) Case # 9-3
 Petitioner: 2422 Lafayette Road Associates, LLC
 Property: 2454 Lafayette Road Assessor Plan 273, Lot 3
 Zoning district: General Business
 Requests: Variance(s) Article IX Section 10-906(A)(1)(a) to allow a primary free standing sign of 350 square feet where 150 square feet is allowed; and to allow a sign of 27' 10" in height where 25' is allowed and to allow two(2) additional signs at the primary entrance where they are not allowed.

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Article III Section 10-301(8) to allow a structure to be placed within the right-of-way along Route 1 with a setback of 20' where 105' is required

Article III Section 10-301(8) to allow a structure to be placed within the right-of-way along Route 1 with a setback of 50' where 105' is required

4) Case # 9-4

Petitioners: Philip S. McCarthy

Property: 105 Burkitt Street Assessor Plan 159, Lot 23

Zoning district: General Residence A

Request: Variance(s) Article III Section 10-302(A) Table 8 to allow a 3' rear yard setback where 20' is required; a 5'1" right side side yard setback where 10' is required and a 3' left side side yard setback where 10' is required

Article IV Section 10-401(A)(2)(c) to allow the expansion of a nonconforming structure

5) Case # 9-5

Petitioners: Lindsey G. Carmichael and James Dc. Carmichael

Property: 85 Pinehurst Road Assessor Plan 221, Lot 73

Zoning district: General Residence A

Request: Variance(s) Article III Section 10-302(A) Table 8 to allow a 4.5' left side side yard setback where 10' is required; and 25.8% building coverage where 25% is required

6) Case # 9-6

Petitioners: Dicker-Warmington Properties

Property: 1700 Woodbury Avenue Assessor Plan 239, Lot 7-2

Zoning district: General Business

Requests: Variance(s) Article XII Section 10-1201(A)(2) to allow a deviation of the parking aisle width and depth standards from the required 62' to 58'±

Article XII Section 10-1201(A)(3)(e)(2) to allow parking and aisles within 3' of the property line where 40' landscaped buffers are required

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