

**REGULAR MEETING
BOARD OF ADJUSTMENT
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

November 19, 2013

REVISED AGENDA

I. APPROVAL OF MINUTES

- A) July 24, 2012
- B) August 21, 2012

II. PUBLIC HEARINGS - OLD BUSINESS

- A) Case # 8-3
Petitioners: Beth L. & Marco A. Gross-Santos
Property: Marjorie Street (number not yet assigned)
Assessor Plan 232, Lot 14 (rev.)
Zoning District: Single Residence B
Description: Construct a single family home.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 - 1. A Variance from Section 10.521 to allow a lot area of 9,596 s.f. ± per dwelling unit where 15,000 s.f. per dwelling unit is required.
 - 2. A Variance from Section 10.521 to allow a 26.1'± rear yard setback where 30' is the minimum allowed.*(This petition was postponed for additional information at the August 20, September 17, and October 15, 2013 meetings.)*

III. PUBLIC HEARINGS – NEW BUSINESS

- 1) Case # 11-1
Petitioner: Evon Cooper
Property: 287 Maplewood Avenue
Assessor Plan 141, Lot 36
Zoning District: Mixed Residential Office
Description: Construct one story rear addition.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 - 1. A Variance from Section 10.324 to allow a lawful nonconforming building or structure to be added to or enlarged in a manner that does not conform to the requirements of the district.
 - 2. A Variance from Section 10.521 to allow a right side yard setback of 2.49'± where 10' is required.

2) Case # 11- 2

Petitioners: Jeffrey P. & Jamie E. Barnes

Property: 22 Central Avenue

Assessor Plan 209, Lot 29

Zoning District: General Residence A

Description: Allow a single chair in-home hair salon. Construct left side dormer and stairs.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Section 10.440, Use #19.22 to allow a Home Occupation 2 in a district where the use is allowed by Special Exception.
2. Variance from Section 10.440, Use #19.22 to allow 400 s.f. floor to be used for the Home Occupation where 300 s.f. is the maximum floor area allowed.
3. A Variance from Section 10.324 to allow a lawful nonconforming building or structure to be added to or enlarged in a manner that does not conform to the requirements of the district.
4. A Variance from Section 10.521 to allow a front yard setback of 0'± where 15' is required.
5. A Variance from Section 10.521 to allow building coverage of 26%± where 25% is the maximum allowed.
6. A Variance from Section 10.1112.30 to allow less than two parking spaces to be provided.

3) Case # 11-3

Petitioners: Judy L. Hiller & John B. Wilkens

Property: 18 Manning Street

Assessor Plan 103, Lot 67

Zoning District: General Residence B

Description: Relocate side entrance landing and stairs to rear.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a lawful nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered in a manner that does not conform to the requirements of the district.
2. A Variance from Section 10.516.40 and 10.521 to allow a left side yard setback of 4'± where 5' is required for an open porch and stairs.
3. A Variance from Section 10.516.40 and 10.521 to allow a rear yard setback of 9'± where 19' is required for an open porch and stairs.
4. A Variance from Section 10.521 to allow building coverage of 41.8%± where 41.7%± exists and 30% is the maximum allowed.

4) Case # 11- 4

Petitioner: Great Bay School Training Center

Property: 417 Lafayette Road

Assessor Plan 230, Lot 23

Zoning District: Single Residence B

Description: New lot created by sub-division.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a lot area of 13,923 s.f. ± where 15,000 s.f. is the minimum lot size required.
2. A Variance from Section 10.521 to allow a lot area per dwelling unit of 13,923 s.f. ± where 15,000 s.f. is the minimum required.

5) Case # 11-5

Petitioner: Kenneth C. Sullivan

Property: 40 Howard Street

Assessor Plan 103, Lot 61

Zoning District: General Residence B

Description: Construct second story over rear section of existing structure.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.324 to allow a lawful nonconforming building or structure to be added to or enlarged in a manner that does not conform to the requirements of the district.
2. A Variance from Section 10.521 to allow a rear yard setback of 8'± where 25' is required.
3. A Variance from Section 10.521 to allow building coverage of 40%± where 30% is the maximum allowed.

6) Case # 11-6

Petitioner: Grondahl Family LLC

Property: 140 West Road

Assessor Plan 252, Lot 2-1301-1305

Zoning District: Industrial

Description: Parking for a health club.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.1112.30 to allow 103 parking spaces where 72 parking spaces exist and 145 parking spaces are required.

7) Case # 11-7

Petitioner: Mary R. Hurlburt

Property: 220 Union Street

Assessor Plan 135, Lot 24

Zoning District: General Residence C

Description: New two-story residential structure replacing existing one-story.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a lawful nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered in a manner that does not conform to the requirements of the district.
2. A Variance from Section 10.521 to allow construction on a lot with 25.5'± continuous street frontage where 70' is required and a lot depth of 39.7'± where 50' is the minimum required.
3. A Variance from Section 10.521 to allow left and right side yard setbacks of 4.5'± where 10' is required for each setback.
4. A Variance from Section 10.521 to allow a rear yard setback of 7.8'± where 20' is required.

- 8) Case # 11-8
Petitioner: Ghamami Revocable Trust, Sheila Grant, Trustee
Property: 405 Deer Street #7-6
Assessor Plan 118, Lot 26-7
Zoning Districts: Central Business B & Downtown Overlay
Description: Appeal from Administrative Decision
Requests: Appeal from Administrative Decision to issue a violation notice for removal of a center chimney.
- 9) Case # 11-9
Petitioner: M.A. Boccia & V.H.T. Luong Joint Liv. Tr., M.A. Boccia & V.H.T. Luong, Trustees
Property: 30 Brewster Street (26-28)
Assessor Plan 138, Lot 35
Zoning District: General Residence C
Description: Expand third floors of two existing structures, adding one dwelling unit.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.324 to allow a lawful nonconforming building or structure to be added to or enlarged in a manner that does not conform to the requirements of the district.
 2. A Variance from Section 10.521 to allow a lot area per dwelling unit of 1,221 ±s.f. where 1,831± s.f. exists and 3,500 s.f. is the minimum required.
 3. A Variance from Section 10.521 to allow a right side yard setback of 5'± where 5' exists and 10' is required.
 4. A Variance from Section 10.521 to allow a rear yard setback of 0'± where 0' exists and 20' is required.
 5. A Variance from Section 10.521 to allow 41.4%± building coverage where 41.6%± exists and 35% is the maximum allowed.
 6. A Variance from Section 10.1112.30 to allow 4 parking spaces to be provided where 6 parking spaces are required.

IV. OTHER BUSINESS

V. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you need assistance to attend a meeting, please contact the Human Resources Department at 610-7274.