

**REGULAR MEETING
BOARD OF ADJUSTMENT**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

**July 15, 2014 (To Be
Reconvened July 22, 2014)**

AGENDA

I. APPROVAL OF MINUTES

- A) January 28, 2014
- B) March 18, 2014
- C) April 29, 2014

II. PUBLIC HEARINGS - OLD BUSINESS

1) Case # 6-1

Petitioners: Thomas W. & Anna L. Johnson, owners, New Cingular Wireless PCS LLC
("AT&T"), applicant

Property: 70 Martine Cottage Road

Assessor Plan 202, Lot 19

Zoning District: Rural

Description: Install a wireless communications facility with a 130'± tower.

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

1. A Special Exception under Section 10.923.30 to allow a wireless telecommunications facility.
2. A Variance from Section 10.521 to allow a structure height of 130'± where 35' is the maximum allowed.

This petition, which was postponed at the June 17, 2014 meeting, has been "withdrawn without prejudice."

Withdrawn

III. PUBLIC HEARINGS – NEW BUSINESS

1) Case # 7-1

Petitioner: Kyle Crossen-Langelier

Property: 304 Leslie Drive

Assessor Plan 209, Lot 47

Zoning District: Single Residence B

Description: Construct an 11'± x 21' free-standing carport.

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

1. Variances from Section 10.521 to allow a front yard setback of 18'11"± where 30' is required and a left side yard setback of 7'± where 10' is required. (over)

- 2) Case # 7-2
 Petitioners: Kevin Drohan and Heather Mangold
 Property: 1240 Maplewood Drive
 Assessor Plan 219, Lot 29
 Zoning District: Single Residence B
 Description: Add a second story over existing attached garage.
 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 structure to be extended, reconstructed or structurally altered without conforming to the requirements of the Ordinance.
 - 2. A Variance from Section 10.521 to allow a right side yard setback of 2’6” ± where 10’ is required.
 - 3. A Variance from Section 10.521 to allow a rear yard setback of 10’± where 30’ is required.

- 3) Case # 7-3
 Petitioner: Christine V. Crockett Revocable Trust
 Property: 209 Gosport Road
 Assessor Plan 224, Lot 10-12
 Zoning District: Single Residence A
 Description: Construct a new single family home within 75’ of a saltwater marsh.
 Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 - 1. A Variance from Section 10.301(6) – 1982 Zoning Ordinance to allow a structure 75’± from a saltwater marsh where a minimum of 100’ is required.

- 4) Case # 7-4
 Petitioners: 402 State Street LLC, owner, JR Seely Company LLC, applicant
 Property: 402 State Street
 Assessor Plan 116, Lot 12
 Zoning District: Character District 4-L
 Description: Renovation to create three residential condominium units with related off-street parking.
 Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 - 1. A Variance from Article 10.5A42.10A to allow 1,609± s.f. per dwelling unit where a minimum of 3,000 s.f. is required.
 - 2. A Variance from Section 10.1114.20 to allow off-street parking that does not comply with the dimensional requirements.

- 5) Case # 7-5
 Petitioner: Reginald E. & Debra S. Perry
 Property: 180 Cutts Street
 Assessor Plan 209, Lot 28A
 Zoning District: General Residence A
 Description: Permit a photography studio in an existing residential unit.
 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 II to be conducted in a residential district.

(next page)

- 6) Case # 7-6
Petitioners: Ronald and Carol M. Smith
Property: 32 Taylor Lane
Assessor Plan 250, Lot 40
Zoning District: Single Residence B
Description: Construct 14' x 8' rear deck at end of access ramp.
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 rear yard setback of 12'± where 15' is required for an open deck.
 2. A Variance from Section 10.521 to allow building coverage of 21.6%± where 20% is the maximum allowed.
- 7) Case # 7-7
Petitioner: Daniel P. Keenan, DDS (Domer Realty LLC)
Property: 545 Lafayette Road
Assessor Plan 229, Lot 6
Zoning District: Single Residence B
Description: Add a real estate office in a building currently used for a medical office.
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 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.
 2. A Variance from Section 10.1241 to allow a free-standing sign in a district where free-standing signs are not allowed.
 3. A Variance from 10.1281 to allow an existing free-standing sign to be altered or reconstructed.
 4. A Variance from Section 10.1251.20 to allow a wall sign that is larger than the maximum allowed for an individual wall sign.

IV. 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.