

**REGULAR MEETING
BOARD OF ADJUSTMENT
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

**OCTOBER 18, 2016
TO BE RECONVENED
OCTOBER 25, 2016**

AGENDA

I. APPROVAL OF MINUTES

A) September 20, 2016

II. PUBLIC HEARINGS – OLD BUSINESS

A) Case #9-1

Petitioner: 393 New Castle Avenue LLC

Property: 390 New Castle Avenue

Assessor Plan 207, Lot 6

Zoning District: Single Residence B

Description: Raise existing structure 18"± and convert to dwelling unit.

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

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered except in conformity with the Ordinance.
2. Variances from Section 10.521 to allow the following:
 - a) 96'± continuous street frontage where 100' is required.
 - b) A lot depth of 40'± where 100' is required.
 - c) A rear yard setback of 2'± where 30' is required;
 - d) A front yard setback of 25' where 30' is required; and
 - e) Minimum lot area per dwelling unit of 3,580± s.f. where 15,000 s.f. is required.

B) Case #9-5

Petitioner: Amba Realty LLC

Property: 806 Route One By-Pass

Assessor Plan 161, Lot 43

Zoning District: Business

Description: Allow a second free-standing sign on a lot.

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

1. A Variance from Section 10.1243 to allow two free-standing signs on a lot where only one free-standing sign is allowed.

Sign One (left side of lot)

2. A Variance from Section 10.1253.10 to allow a 4'± setback from the front lot line where 20' is the minimum required.

Sign Two (right side of lot)

3. A Variance from Section 10.1251.20 to allow a sign area for a free-standing sign of 120± s.f. where 100 s.f. is the maximum sign area allowed.
4. A Variance from Section 10.1253.10 to allow a 12'± setback from the front lot line where 20' is the minimum required.

C) Case #9-11

Petitioner: Michael F. McNeilly, owner, Alden Properties, LLC, applicant

Property: 246 Austin Street

Assessor Plan 135, Lot 63

Zoning District: General Residence C

Description: Vertical expansion of existing two-family dwelling.

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

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered except in conformity with the Ordinance.
2. Variances from Section 10.521 to allow the following:
 - a) A 0'± front yard setback where 5' is required;
 - b) A 3.75'± right side yard setback where 10' is required;
 - c) A 2.6'± left side yard setback where 10' is required; and
 - d) 2'± rear yard setback where 20' is required.

III. PUBLIC HEARINGS – NEW BUSINESS

1) Case #10-1

Petitioner: Jask Realty Trust

Property: 114 Gosling Road

Assessor Plan 215, Lot 3

Zoning District: Office Research

Description: Replace free-standing sign.

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

1. A Variance from Section 10.1281 to allow a nonconforming sign to be reconstructed or replaced without bringing it into conformity with the Ordinance.
2. Variances from Section 10.1253.10 to allow a 10'± front yard setback and a 10' right side yard setback where 20' is required for each setback.

2) Case #10-2

Petitioners: John Douglas Deihl III & Stephanie Guay Deihl

Property: 380 Richards Avenue

Assessor Plan 112, Lot 12

Zoning District: General Residence A

Description: Reconstruct rear addition with 1 story and 2½ story sections.

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

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered except in conformity with the Ordinance.
 2. A Variance from Section 10.521 to allow a 2.3'± right side yard setback where 10' is required.
 3. A Variance from Section 10.521 to allow 29.8%± building coverage where 25% is the maximum allowed.
- 3) Case #10-3
 Petitioner: Liro O. Lehtinen
 Property: 740 Woodbury Avenue
 Assessor Plan 236, Lot 8-1
 Zoning District: Single Residence B
 Description: Construct a 27'± x 24'± two-story garage.
 Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. Variances from Section 10.573.20 to allow a 5'± left side yard setback where 10' is required and a 5'± rear yard setback where 17' is required.
- 4) Case #10-4
 Petitioner: Seacoast Development Group LLC
 Property: Rockingham Avenue
 Assessor Plan 235, Lot 2, Sub-Lot #3
 Zoning District: Single Residence B
 Description: One lot in three-lot subdivision with less than required depth.
 Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.521 to allow lot depth of 61.84'± for proposed Lot 3 where 100' is the minimum required.
- 5) Case #10-5
 Petitioner: S&G Realty
 Property: Chevrolet Avenue
 Assessor Plan 147, Lot 30
 Zoning District: General Residence C
 Description: Construct a three-unit townhouse.
 Requests: The Variances and/or Special Exceptions 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 per dwelling unit of 3,357± s.f. where 3,500 s.f. per dwelling unit are required.
- 6) Case #10-6
 Petitioner: Thomas M. Penaskovic
 Property: 29 Burkitt Street
 Assessor Plan 160, Lot 19
 Zoning District: General Residence A
 Description: Construct a 14'± x 23'± detached garage.
 Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from 10.521 to allow a 3'± right side yard setback where 10' is required.
 2. A Variance from 10.521 to allow 28.93%± building coverage where 25% is the maximum allowed.
- 7) Case #10-7
Petitioner: Cross Roads House
Property: 600 Lafayette Road
Assessor Plan 243, Lot 2
Zoning District: Gateway
Description: Erect a 12'± x 16'± shed.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.573.20 to allow a 5'9" right side yard setback where 10' is required for an accessory structure.
- 8) Case #10-8
Petitioner: Charles A. Corlin
Property: 736 Middle Street
Assessor Plan 148, Lot 24
Zoning District: Single Residence B
Description: Construct a 24'± x 24'± detached garage and 8'± x 16'± shed.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. Variances from 10.573.20 to allow a 3'± right side yard setback for a shed where 10' is required and a 6'± rear yard setback for a garage where 15' is 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.