

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

7:00 P.M.

**OCTOBER 25, 2016
Reconvened From
OCTOBER 18, 2016**

AGENDA

I. OTHER BUSINESS

- A) Board of Adjustment Rules & Regulations

II. APPROVAL OF MINUTES

- A) September 27, 2016.

III. PUBLIC HEARINGS – OLD BUSINESS

(The following petitions were postponed from the October 18, 2016 meeting.)

- A) 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.
- B) 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. PUBLIC HEARINGS – NEW BUSINESS

- 9) Case #10-9
Petitioner: Elizabeth Pickford
Property: 1 Sheridan Avenue (1 & 3)
Assessor Plan 168, Lot 7
Zoning District: General Residence A
Description: Reconstruct and expand front porch.
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 10.521 to allow a 0'± front yard setback where 15' is required.
- 10) Case #10-10
Petitioners: Blueberry Lafayette Investors LLC & Edward Walsh, owners, Rose Steel, Inc., applicant
Property: 3605 Lafayette Road (3607)
Assessor Plan 298, Lot 2
Zoning District: Gateway
Description: Light manufacturing with related office.
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 10.440 to allow a light manufacturing with accessory use in a district where the use is not allowed.
 2. A Variance from the parking requirements as outlined in Section 10.1111 to allow a change of use that does not meet the requirements for design and location of off-street parking.
- 11) Case #10-11
Petitioners: Sherwood Rollins III Revocable Trust & Denise C. Rollins Revocable Trust
Property: 149 Cass Street
Assessor Plan 146, Lot 7
Zoning District: General Residence C
Description: Convert an accessory structure to a 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 10.521 to allow a right side yard setback of 3.6'± where 10' is required.
- 12) Case #10-12
Petitioners: Melanie R. Burger & Xavier H. Asbridge
Property: Crescent Way (also Falkland Place)
Assessor Plan 212, Lot 111
Zoning District: General Residence B
Description: Construct a two-story residence.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. Variances from Section 10.521 to allow the following:

- a) Minimum lot area and minimum lot area per dwelling unit of 4,336 s.f.±. where 5,000 s.f. is required for each;
- b) A 37.8'± lot depth where a minimum lot depth of 60' is required;
- c) A rear yard setback of 15'± where 25' is required.

13) Case #10-13

Petitioners: 2422 Lafayette Road Associates LLC c/o Waterstone Retail

Property: 2454 Lafayette Road

Assessor Plan 273, Lot 3

Zoning District: Gateway

Description: Install wall and directional signs, a menu board and reconstruct a 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 10.1271.20 to allow a sign on a façade of a building that does not face a street and where no public entrance exists.
2. A Variance from Section 10.1222.20 to allow two directional signs each with a sign area of 7 s.f. where 4 s.f. is the maximum allowed per directional sign.
3. A Variance from Section 10.1243 to allow 2 free-standing pre-order menu boards to be erected which are not visible from a public right-of-way.
4. A Variance from 10.1281 to allow an existing non-conforming pylon sign to be modified without bringing it into conformance.

14) Case #10-14

Petitioners: Colman C. Garland, owner, R and D Resources 2, LLC, applicant

Property: 185 Cottage Street

Assessor Plan 174, Lot 14-A

Zoning District: General Residence A

Description: Construct a restaurant with a drive-through.

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 10.440 to allow a fast food restaurant in a district where the use is not allowed.
2. A Variance from Section 10.1112.30 to allow 23 parking spaces to be provided where 33 parking spaces are required.
3. A Variance from Section 10.1113.20 to allow off-street parking spaces to be located in a required front yard or between a principal building and a street.

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.