

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

*Members of the public also have the option to join the meeting over Zoom
(See below for more details)**

7:00 P.M.

April 19, 2022

AGENDA

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| <u>PLEASE NOTE:</u> ITEMS H. THROUGH O. WILL BE HEARD AT THE APRIL 26, 2022 BOARD OF ADJUSTMENT MEETING. |
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I. APPROVAL OF MINUTES

A) Approval of the minutes of the meetings of March 15, 2022.

II. OLD BUSINESS

A. **Lancen and Sophie LaChance - 11 Fletcher Street** request a 1-year extension to the variances granted on April 21, 2020. (LU-20-42)

B. **Maple Masjid - 686 Maplewood Avenue** request a 1-year extension to the special exception and variances granted on April 21, 2020. (LU-20-37)

C. **REQUEST TO POSTPONE** The request of **Francis X. Bruton, (Attorney for Appellants)**, for Appeal of Administrative decision that the merged lot at **1 Congress** is not subject to the height allowances (2 stories, 4th short, 45 feet in height) pursuant to Map 10.5A21B and as permitted pursuant to Section 10.5A21.22(a) & (c) of the Zoning Ordinance. Said property is shown on Assessor Map 117 Lot 14 and lies within Character District 4 (CD-4), Character District 5 (CD-5) and the Historic District.
REQUEST TO POSTPONE (LU-22-12)

D. **REQUEST TO POSTPONE** The request of **One Market Square LLC (Owner)**, for the property located at **1 Congress Street** whereas relief is needed to construct a 3 story addition with a short 4th story and building height of 44'-11" which requires the following: 1) A Variance from Section 10.5A.43.31 and Map 10.5A21B to allow a 3-story addition with a short 4th and building height of 44'-11" where 2 stories (short 3rd)

and 40' is the maximum allowed. Said property is shown on Assessor Map 117 Lot 14 and lies within Character District 4 (CD-4), Character District 5 (CD-5) and the Historic District. **REQUEST TO POSTPONE** (LU-22-12)

III. NEW BUSINESS

- A. The request of **Charles Dudas (Owner)**, for property located at **32 Monteith Street** whereas relief is needed for demolition of existing shed and construction of a 2-story attached garage with accessory dwelling unit which requires the following: 1) Variance from Section 10.521 to allow an 8' right side yard where 10' is required. Said property is shown on Assessor Map 143 Lot 22 and lies within the General Residence A (GRA) district. (LU-22-44)
- B. The request of **Frederick J. Baily III (Owner)**, for the property located at **212 Woodbury Avenue** whereas relief is needed for a lot line adjustment on four lots to create 3 conforming lots with the existing dwelling and demolition of one existing dwelling and construction of 2 duplexes and 4 single family dwellings on one lot which requires the following: 1) Variance from Section 10.513 to allow more than one free-standing principal structure on a lot Said property is shown on Assessor Map 175 Lot 1 and lies within the General Residence A (GRA) District. (LU-22-52)
- C. The request of **Amanda Blanchette (Owner)**, for the property located at **240 Hillside Drive** whereas relief is needed to extend the existing deck which requires the following: 1) Variance from Section 10.521 to allow 22% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Map 231 Lot 43 and lies within the Single Residence B (SRB) District. (LU-22-1)
- D. The request of **Sandra L. Smith-Weise (Owner)**, for property located at **138 Gates Street** whereas relief is needed for construction of a one-story rear mudroom and 1/2 bath addition which requires the following: 1) Variance from Section 10.521 to allow 36% building coverage where 30% is the maximum allowed. 2) A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on assessor Map 103 Lot 54 and lies within the General Residence B (GRB) and Historic Districts. (LU-22-55)
- E. The request of **Trisha and Kevin Anderson (Owners)**, for property located at **328 Aldrich Road** whereas relief is needed to demolish existing garage and construct new 12' x 16' shed which requires the following: 1) Variance from Section 10.573.20 to allow a 5' left side yard where 10' is required. Said property is shown on Assessor Map 166 Lot 49 and is located within the Single Residence B (SRB) District. (LU-22-56)
- F. **REQUEST TO POSTPONE** The request of **635 Sagamore Development LLC (Owner)**, for property located at **635 Sagamore Avenue** whereas relief is needed to

remove existing commercial structure and construct 5 new single-family dwellings which requires the following: 1) A Variance from Section 10.513 to allow 5 principal structures on a lot where only 1 is permitted. 2) A Variance from Section 10.521 to allow a lot area per dwelling unit of 22,389 square feet where 1 acre per dwelling is required. Said property is shown on Assessor Map 222 Lot 19 and lies within the Single Residence A (SRA) District. **REQUEST TO POSTPONE (LU-22-57)**

- G.** The request of **Savannah Mary Fodero and Tyler Jacob Forthofer (Owners)**, for property located at **629 Broad Street** whereas relief is needed for upward expansion of existing garage which requires the following: 1) Variance from Section 10.521 to allow a 2' front yard where 15' is required. 2) A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown Assessor Map 221 Lot 13 and lies within the General Residence A (GRA) District. (LU-22-53)

THE FOLLOWING ITEMS WILL BE HEARD ON TUESDAY, APRIL 26, 2022

- H.** The request of **Amanda J. Telford Revocable Trust (Owner)**, for property located at **322 Lincoln Avenue** whereas relief is needed to amend previously approved demolition of existing carriage house and construction of new accessory structure which requires the following: 1) Variances from Section 10.521 to allow a) 35% building coverage where 25% is the maximum allowed; b) a 3'6" side yard where 10' is required; and c) a 13' rear yard where 20' is required. 2) A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 130 Lot 26 and lies within the General Residence A (GRA) District. (LU-22-59)
- I.** The request of **William S. and Karen C. Bartlett (Owners)**, for property located at **607 Colonial Drive** whereas relief is needed to construct a 24' x 16' rear addition and 10'x 12' deck which requires the following: 1) A Variance from Section 10.521 to allow 25% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Map 260 Lot 26 and lies within the Single Residence B (SRB) District. (LU-22-60)
- J.** The request of **HCA Health Services of NH, Inc. dba Portsmouth Regional Hospital (Owner)**, for property located at **333 Borthwick Avenue** whereas relief is needed for building addition on the existing hospital which requires the following: 1) A Variance from Section 10.531 to allow a 40' front yard where 50' is required. Said property is shown on Assessor Map 240 Lot 2 and lies within the Office Research (OR) District. (LU-22-35)
- K.** The request of **Mark Griffin (Owner)**, for property located at **728 State Street, Unit 1** whereas relief is needed to demolish existing garage and construct a new garage which requires the following: 1) Variances from Section 10.521 to allow 61.5% building

coverage where 35% is the maximum allowed. 2) Variances from Section 10.573.20 to allow a) a 1.5' side yard where 10' is required; b) a 0' front yard (Chatham St.) where 5' is required; and c) a 0.5' front yard (Winter St.) where 5' is required. 3) A Variance from Section 10.571 to allow an accessory structure in the front yard and closer to the street than the principal structure. 4) A Variance from Section 10.321 to allow a nonconforming structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 137 Lot 10-1 and lies within the General Residence C (GRC) District. (LU-22-63)

- L. WITHDRAWN** The request of **Portsmouth Lumber and Hardware LLC (Owner)**, for property located at **105 Bartlett Street** whereas relief is needed to remove two existing accessory structures and replace with one new shed which requires the following: 1) A Variance from Section 10.516.20 to allow a 6' setback where 15' is required from the railroad right of way. Said property is shown on Assessor Map 157 Lot 2 and lies within the Character District 4-W (CD4-W). **WITHDRAWN** (LU-22-58)
- M.** The request of **Randi and Jeff Collins (Owners)**, for property located at **77 Meredith Way** whereas relief is needed to construct a second free-standing dwelling which requires the following: 1) A Variance from Section 10.513 to allow a second principal structure on a lot. 2) A Variance from Section 10.1114.31 to allow 2 driveways on a lot where only 1 is allowed. Said property is shown on Assessor Map 162 Lot 16 and lies within the General Residence A (GRA) District. (LU-22-61)
- N.** The request of **64 Vaughan Mall LLC (Owner)**, for property located at **64 Vaughan Street** whereas relief is needed for the addition of a rooftop penthouse which requires the following: 1) A Variance from Section 10.5A43.30 and Map 10.5A21B to allow a building height of 51'6" where 42' is the maximum allowed for a penthouse. 2) A Variance from Section 10.1530 to allow a penthouse with a 9.5' setback from the edge of the roof where 15 feet is required. Said property is shown on Assessor Map 126 Lot 1 and lies within the Character District 5 (CD-5) and Downtown Overlay and Historic Districts. (LU-22-65)
- O.** The request of **William H. Schefer Jr. and Donna Schefer (Owners)**, for property located at **994 South Street, Unit 2** whereas relief is needed to install a mini-split system which requires the following: 1) A Variance from Section 10.515.14 to allow a 1.5' setback where 10' is required. Said property is shown on Assessor Map 150 Lot 9-2 and lies within the Single Residence B (SRB) District. (LU-22-54)

IV. OTHER BUSINESS

V. ADJOURNMENT

**Members of the public also have the option to join this meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:*

https://us06web.zoom.us/webinar/register/WN_t3M9_CSbSuO_Yfv3VhBIMg