

**REGULAR MEETING
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE
CITY COUNCIL CHAMBERS
AGENDA**

7:00 P.M

AUGUST 20, 2002

I. Old Business

A) Petition of Portsmouth Associates, LLC, owner, for property located at 1465 Woodbury Avenue wherein a Variance from Article III, Section 10-304(A) is requested for the relocation of the brick school house building to the right side of the lot with a 32' front yard where 70' is the minimum required. Said property is shown on Assessor Plan 216 as Lot 3 and lies within the General Business district. Case # 6-15 This application was tabled at the July 16, 2002 meeting to the August 20, 2002 meeting

II. Public Hearings

1) Petition of George Hurtt, owner, for property located at 32 Manning Street wherein a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 4' x 10' deck with: a) a 6' left side yard where 10' is the minimum required, b) a 23' rear yard where 25' is the minimum required; and, c) 39.5% building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 103 as Lot 68 and lies within the General Residence B and Historic A districts. Case # 8-1

2) Petition of The Flatley Company, owner, Powerspan Corporation, applicant, for property located at 500 Spaulding Turnpike wherein Special Exceptions as allowed in Article II, Section 10-209(3)&(10) are requested to allow a research, biological and chemical laboratory including development and testing, prototype production facilities and related assembly of high technological equipment and components in a 46,877 sf space within the existing building. Said property is shown on Assessor Plan 238 as Lot 20 and lies within the Office Research district. Case # 8-2

3) Petition of Ralph G. and Cheri J. Dennett, owners, for property located at 51 Richards Avenue wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 13' x 22' two story addition to the right rear of the existing building with a 6' right side yard where 10' is the minimum required, b) the existing 10' x 19' deck to be moved to 6' from the right side yard where 10' is the minimum required; and, c) a 13'6" x 17' two story addition to the left rear of the existing single family dwelling with all additions creating 36.1% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 128 as Lot 4 and lies within the General Residence A district. Case # 8-3

4) Petition of GPP Properties 1995-1 LLC, owner, for property located at 100 Coakley Road wherein the following are requested to allow a 50' x 80' (4,000 sf) one story addition to an existing building: 1) a Variance from Article II, Section 10-208 and Article IV, Section 10-401(A) to allow a nonconforming wholesale business and associated warehousing to expand in a district where such use is not allowed, and, 2) a Variance from Article III, Section 10-304(A) to allow said addition with a 22' rear yard where 50' is the minimum required. Said property is shown on Assessor Plan 234 as Lot 6 and lies within the General Business district. Case # 8-4

5) Petition of John Shore, owner, for property located at 77 Burkitt Street wherein a Variance from Article III, Section 10-302(A) is requested to allow a 16' x 24' detached garage with a 1' right side yard where 10' is the minimum required. Said property is shown on Assessor Plan 159 as Lot 21 and lies within the General Residence A district. Case # 8-5

6) Petition of Richard H. Levesque, owner, for property located at 320 Grant Avenue wherein a Variance from Article III, Section 10-302(A) is requested to allow a 10' x 16' shed creating 21.3% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 268 as Lot 37 and lies within the Single Residence B district. Case # 8-6

7) Petition of Heron Realty Trust, owner, Sean Correll, applicant, for property located at 917 Greenland Road wherein the following are requested: 1) a Variance from Article II, Section 10-206 to allow a takeout/eatin cafe in the former Sherburne Store, 2) a Variance from Article XII, Section 10-1204 Table 15 to allow 16 parking spaces to be provided where 25 parking spaces are required, 3) a Variance from Article XII, Section 10-1201(A)(2) to a 14' one way travel lane where 18' is the minimum required; and, 4) a Variance from Article III, Section 10-302(A) to allow 30% open space where 40% is the minimum required. Said property is shown on Assessor Plan 259 as Lot 7 and lies within the Single Business B district. Case # 8-7

8) Petition of Peter and Lee Vandermark, owners, for property located at off Ridges Court wherein a Variance from Article II, Section 10-206 is requested to allow a residential dock on a vacant lot in the same ownership as the single family residence lot across the street in a district where such use is allowed as an accessory use to the primary use on a lot. Said property is shown on Assessor Plan 207 as Lot 60 and lies within the Single Residence B district. Case # 8-8

9) Petition of Joe Moore, owner, for property located at 45 Pearson Street wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 24' x 28' garage with master suite above with a 20' front yard where 30' is the minimum required, b) a 4'6" x 6'6" front entry with a 4'6" front yard where 30' is the minimum required; and, c) a 17' x 17' one story kitchen addition and irregular shaped 513 sf deck with all addition creating 23.9% building coverage where 20% building coverage is the maximum allowed. Said property is shown on Assessor Plan 232 as Lot 98 and lies within the Single Residence B district. Case # 8-9

10) Petition of Susan Souriolle, owner, for property located at 100 Stark Street wherein a Variance from Article III, Section 10-302(A) is requested to allow an 8' x 24' front porch with an 8' front yard where 15' is the minimum required. Said property is shown on Assessor Plan 159 as Lot 49 and lies within the General Residence A district. Case # 8-10

11) Petition of Heads Up Real Estate Group, LLC, owner, for property located at 97 Chestnut Street wherein the following are requested: 1) a Variance from Article II, Section 10-207 to convert a former physician's office to a one bedroom apartment on a 1,841 sf lot where a total of 3,000 sf is required, and 2) a Variance from Article XII, Section 10-1204 Table 15 to allow one parking space to be provided where six parking spaces are required. Said property is shown on Assessor Plan 116 as Lot 25 and lies within the Mixed Residential Office district. Case # 8-11

12) Petition of Wal-Mart Stores Inc., owner, for property located at 2460 Lafayette Road wherein a Variance from Article II, Section 10-208(54)(a) is requested to allow the continuation of a temporary tent thru October 15, 2002. Said property is shown on Assessor Plan 285 as Lot 16-2 and lies within the General Business district. Case # 8-12

13) Petition of Charlie and Melissa McLeod, owners, for property located at 67 Ridges Court wherein a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) is requested to allow a 5'9" x 10'3" front porch/entry with an 8'1" front yard where 30' is the minimum required. Said property is shown on Assessor Plan 207 as Lot 59 and lies within the Single Residence B district. Case # 8-13

14) Petition of Dana W. Pratt, owner, for property located at 410 Islington Street wherein the following are requested: 1) a Variance from Article III, Section 10-303(A) to allow a second dwelling unit in a two story garage on a 12,070 sf lot where 15,000 sf (7,500 sf per dwelling unit) is required; and, 2) an Equitable Waiver as allowed in NH RSA 64:33-a (Equitable Waiver of Dimensional Requirement) to allow the following: a) an 11' connector between the two story garage and the main building with a 4' left side yard, b) a 24' x 36' deck with a 10' x 8' enclosure with a 4' left side yard; and, c) an 8' x 9'6" pool pump house with a 1' left side yard where 10' is the minimum for all structures. Said property is shown on Assessor Plan 145 as Lot 34 and lies within the Mixed Residential Business district. Case # 8-14

III. Adjournment

Members of the public and abutters should be aware that after the board renders its decision tonight, that a later request could be made to reconsider the decision and/or appeal the decision to the Rockingham County Superior Court. Please note that an abutter/aggrieved party may file a motion to reconsider if they are dissatisfied with the Board's decision. If you have any interest in finding out whether a motion to reconsider has been filed; you should contact the Planning Department thirty (30) days after the BOA decision is rendered. Thereafter, depending on the outcome of the reconsideration request, you are also invited to make inquiries at the Legal Department to determine whether an Appeal to the Superior Court has been filed.