

**REGULAR MEETING
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

CITY COUNCIL CHAMBERS

NOVEMBER 19, 2002

AGENDA

I. APPROVAL OF MINUTES

Meeting of October 15, 2002.

II. PUBLIC HEARINGS

1) Petition of **Fanel Dobre, owner**, for property located **off Sagamore Avenue** wherein a Variance from Article III, Section 10-301(A)(9) is requested to allow access to the lot off a private right of way where access is required from a public street or an approved private street. Said property is shown on Assessor Plan 223 as Lot 29 and lies within the Waterfront Business district. Case # 11-1

2) Re-hearing per Order of the Rockingham County Superior Court in the matter of Michael Boccia, et al. v. City of Portsmouth and Raymond A. Ramsey, Intervenor 01-E-552 dated 26 September 02 for the petition of **Raymond A. Ramsey, owner**, for property located **off Kearsarge Way** wherein the following are requested for the construction of a 100 unit four story hotel: 1) a Variance from Article III, Section 10-304(A) Table 10 to allow the 63' x 231' four story building with a: a) 51' front yard where 70' is the minimum required, b) a 16' left side yard where 30' is the minimum required; and 3) a 30' rear yard where 50' is the minimum required, 2) a Variance from Article III, Section 10-304(c)(2) to allow the building to be located 83' from property zoned residentially where 100' is the minimum required, 3) a Variance from Article XII, Section 10-1201(A)(3)(e)(1) to allow off-street parking to be located 15' from property zoned residentially where 100' is the minimum required; and, 4) a Variance from Article XII, Section 10-1201(A)(3)(e)(2) to allow off-street parking, maneuvering space and traffic aisles 15' from the front property line where said use is required to be at least 40' from the front property line. Said property is shown on Assessor Plan 218 as 22 and lies within the General Business district. Case # 11-2

3) Petition of **Tim and Michelle Diep, owners**, for property located at **44 Melbourne Street** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 16' x 20' two story addition to the rear of an existing single family dwelling with a 5' left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 233 as Lot 20 and lies within the Single Residence B district. Case # 11-3

- 4) Petition of **Irving Oil Corp., owner**, for property located at **2470 Lafayette Street** wherein a Variance from Article II, Section 10-208(68)(c) is requested to allow outside storage for an ice machine and wire mesh enclosure for propane tanks in a district where outdoor storage is not allowed. Said property is shown on Assessor Plan 285 as Lot 14 and lies within the General Business district. Case # 11-4
- 5) Petition of, **Lawrence J. Lariviere, owner** for property located at **11 Larry Lane** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 6' x 12' one story addition to an existing carport (to be enclosed) with: a) an 8' right side yard where 10' is the minimum required, and b) 22.8% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 234 as Lot 40 and lies within the Single Residence A district. Case # 11-5
- 6) Petition of **J.H Cahill, owner**, for property located at **2837 Lafayette Road** wherein the following are requested: 1) a Variance from Article III, Section 10-301(8) to allow a 60' front yard where 105' is required, 2) a Variance from Article III, Section 10-304(A) to allow a) a 20' right side yard and b) a 28.6' left side yard where 30' is the minimum required, 3) a Variance from Article XII, Section 10-1201(2) to allow a 16' travel way where 24' is required; and, 4) a Variance from Article IV, Section 10-401(2)(c) to allow expansion of a non conforming structure from 1,153 sf to 1,965 sf. Said property is shown on Assessor Plan 286 as Lot 1 and lies within the General Business district. Case # 11-6

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.