

PLANNING DEPARTMENT - BOARD OF ADJUSTMENT

ACTION SHEET

TO: John P. Bohenko, City Manager

FROM: Mary Koepenick, Planning Department

RE: Actions Taken by the Portsmouth **Board of Adjustment reconvened meeting on March 6, 2007** in the Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire

PRESENT: Chairman Charles LeBlanc, Vice Chairman David Witham, Carol Eaton, Alain Jousse, Charles LeMay, Arthur Parrott, Henry Sanders

EXCUSED: None

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I. PUBLIC HEARINGS

3) Petition of **Frederick and Christine Harrington, owners**, for property located at **2 Truman Place** wherein the following Variances were requested from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to allow a 9' x 12' sun room on a previously approved deck with a 20'± rear yard where 30' is the minimum required. Said property is shown on Assessor Plan 250 as Lot 58 and lies within the Single Residence B district.

After consideration, the Board voted to grant the petition as advertised and presented for the following reasons:

- This is a minor modification to a deck for which a variance has been previously approved.
- With the placement of the house and need for ready access, there is no better location to place a sunroom.
- This is a minimal request which will not negatively impact neighboring property values or lead to over-intensification.
- The sunroom will be located to the rear, out of public view.

4) Petition of **Charles L. Thayer Revocable Trust, Charles L. Thayer, Trustee, owner, Jerry Thayer, applicant**, for property located at **21 Richmond Street** wherein a Variance from Article III, Section 10-303(A) was requested to allow a 36' x 25' two and a half story single family dwelling to be built after the demolition of the existing home with: (a) a 7.27'± right side yard where 10' is the minimum required, b) a 5'± rear yard where 15' is the minimum required, and c) a total lot area of

4,302± s.f. where 7,500 s.f. is the minimum lot area required. Said property is shown on Assessor Plan 108 as Lot 16-2 and lies within the Mixed Residential Office and Historic A districts.

At the applicant’s request, the petition was tabled to the March 20, 2007 meeting.

5) Petition of **Jeannette E. Hopkins Trust, Jeannette E Hopkins Trustee, owner**, for property located at **39 Pray Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) were requested to allow a 172 sf one story irregular shaped addition with an 8’9”± right side yard where 10’ is the minimum required. Said property is shown on Assessor Plan 102 as Lot 38 and lies within the General Residence B and Historic A districts.

After consideration, the Board voted to grant the petition as presented and advertised for the following reasons:

- The well designed addition will be appropriate to a neighborhood of narrow lots and little space between homes.
- With the necessity for first floor expansion, and considering the proximity of neighbors, there is no better location for the addition.
- The owner will be allowed reasonable use of their home without infringing on the neighbors’ rights to light and air or negatively affecting property values.

6) Petition of **Stephen F. and Anne B. Collins, owners**, for property located at **230 Park Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) were requested to allow a 5’4” x 11’9” front porch replacing existing 5’4” x 11’9” entry deck with: a) a 9’± front yard where 15’ is the minimum required, and b) 31.2%± building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 149 as Lot 49 and lies within the General Residence A district.

After consideration, the Board voted to grant the petition as amended to a roof over the existing deck only for the following reasons:

- A full roof over the existing porch will protect against the safety hazard of snow falling from the upper floor, without infringing on the public interest.
 - The amount of relief requested is minimal.
 - The roof design will be in keeping with the neighborhood.
 - Replacing an inadequate porch cover by an attractively designed full roof may have a positive impact on property values.
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7) Petition of **Geoffrey M. Spitzer, owner**, for property located at **4 Jenkins Avenue** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) were requested to allow the following: a) a 6' x 32'6" one story addition to the front of the house with 5' x 6' steps having a 7'6"± front yard where 30' is the minimum required, b) a new 32'6" x 36' roof having a full dormer in the rear and a partial dormer in the front creating living space on the second floor with a 7'6"± front yard and a 9'± rear yard where 30' is required for both the front and rear yards, c) a 9'6" x 9'6" addition for a storage shed with a sunroom above to the right side of the existing house having a 13'6"± front yard and a 29'6" rear yard where 30' is the minimum required for both the front and rear yard; and, d) 23.4%± building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 230 as Lot 8 and lies within the Single Residence B district.

After consideration, the Board voted to grant the petition as presented and advertised for the following reasons:

- With the undersized lot, location of the home and existence of ledge, there is little that can be done without requiring variances.
- The impact on the front setback is minimized due to the undeveloped portion of the right of way on this side of the street.
- Light and air to the rear is protected by the amount of space between homes, which are separated by mature trees.
- Tucking the shed under the sunroom helps avoid over-intensification.
- The well thought out and attractive design will help upgrade property values.

8) Petition of **Tylene A. and Alain R. Jousse, owners**, for property located at **197 Dennett Street** wherein the following were requested: 1) Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to construct a 13'4" x 16' x 1' two story addition with: a) a 5'10"± right side yard where 10' is the minimum required, and b) a 15'2"± rear yard where 20' is the minimum required, 2) a Variance from Article III, Section 10-302(A) to allow a second dwelling unit on a 4,335.7 sf lot where 15,000 sf would be required for two dwelling units; and, 3) a Variance from Article XII, Section 10-1204 Table 15 to allow one onsite parking space to be provided where 3 parking spaces are required. Said property is shown on Assessor Plan 142 as Lot 8 and lies within the General Residence A district.

At the applicant's request, the petition was tabled to the March 20, 2007 meeting.

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IV. ADJOURNMENT.

The motion was made, seconded and passed to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Mary E. Koepenick, Secretary