

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

NOVEMBER 20, 2007

AGENDA

I. OLD BUSINESS

A) Approval of Minutes – October 16, 2007

B) Petition of **Joan Dickinson, owner**, for property located at **137 Elwyn Avenue** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 96 sf irregular shaped one story addition connecting a detached garage to the main structure with: a) the garage having a 10'± rear yard where 20' is the minimum required, and b) 31.5%± building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 112 as Lot 48 and lies within the General Residence A district. Case # 10-6. *This petition was postponed at the October 16, 2006 meeting.*

II. PUBLIC HEARINGS

1) Petition of **150 Greenleaf Avenue Realty Trust, James G. Boyle Trustee, owner**, for property located at **150 Greenleaf Avenue** seeking an Administrative Appeal of the Legal and Planning decisions to: a) refuse to accept a Site Plan Application to revise and add parking (to 725 spaces) and add drainage/treatment areas; and b) refuse to issue certain building permits. Such refusals are based on the Departments' determination that there exists a wetlands violation upon the property precluding site plan review and issuance of certain building permits. Said property is shown on Assessor Plan 243 as Lot 67 and lies within the General Business district. Case # 11-1

2) Petition of **Christopher A. Tarry, owner**, for property located at **28 Harding Road** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow an L-shaped 310± sf two story addition with a 25.2'± front yard where 30' is the minimum required. Said property is shown on Assessor Plan 247 as Lot 17 and lies within the Single Residence B district. Case # 11-2

3) Petition of **Scott E. Tetreault, owner**, for property located at **30 Mariette Drive** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 12' x 22' one story attached garage with a 4.5'± right side/rear yard where 10' is required for the side and 30' is the minimum required for the rear, and b) 22.9%± building coverage where 20% building coverage is the maximum allowed. Said property is shown on Assessor Plan 292 as Lot 195 and lies within the Single Residence B district. Case # 11-3

4) Petition of **HCA Health Services of NH, Inc., owner, Independent Wireless One Realty Corporation, and its affiliate, Sprint Spectrum, LP, applicants**, for property located at **333 Borthwick Avenue** wherein a Variance from Article II, Section 10-209 is requested to allow the installation of six additional panel antennas and related base station equipment on the Hospital roof. Said property is shown on Assessor Plan 240 as Lot 2-1 and lies within the Office Research district. Case # 11-4

- 5) Petition of **Terry Seavey, owner**, for property located at **52 Concord Way** wherein a Variance from Article II, Section 10-206(4) is requested to restore the use of the property back to the original duplex on a 4,791.6± sf lot where the minimum lot area required is 6,000 sf. Said property is shown on Assessor Plan 212 as Lot 9 and lies within the General Residence B district. Case # 11-5
- 6) Petition of **Paul H. White, Trustee of the Paul H. White Realty Trust, Janet H. White-Nay, Trustee of the Janet H. White-Nay White Revocable Trust of 1992, Paul H. White and Janet H. White-Nay, Co-Trustees of the Jean H. White Revocable Trust of 1992, owners, and Zachery H. and Nicole R. Gregg, applicants**, for property located at **13 Salter Street** wherein the following are requested: 1) a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) to convert an existing 5 dwelling unit apartment building to a single family dwelling and the proposed garage addition to have a dwelling unit on the 2nd floor and, 2) Variances from Article III, Section 10-304(A) and Article IV, Sections 10-401(A)(1)(c) and 10-401(A)(2)(c) to allow: a) a 12' x 30' 2 story addition to the left side of the existing building with a 26'± front yard where 30' is the minimum required, and b) an irregular shaped 683.5± sf attached garage with a 2nd floor apartment to the right side of the existing building with a 16.5'± right side yard where 30' is the minimum required. Said property is shown on Assessor Plan 102 as Lot 28 and lies within the Waterfront Business and Historic A districts. Case # 11-6
- 7) Petition of **Robert MacDonald, owner**, for property located at **430 Islington Street** wherein Variances from Article III, Section 10-303(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow the following: a) existing two unit building to be expanded vertically with a 7'± right side yard where 10' is the minimum required, and b) a 34' x 60' three story addition for two additional dwelling units to the rear of the existing 2 dwelling unit building with a 9'± right side yard where 10' is the minimum required. Said property is shown on Assessor Plan 145 as Lot 36 and lies within the Mixed Residential Business district. Case # 11-7
- 8) Petition of **Cross Roads House, Inc., owner**, for property located at **600 Lafayette Road** wherein the following are requested: 1) a Variance from Article IV, Section 10-401(A)(1)(c) is requested to allow homeless shelter uses currently in three buildings (to be removed) to be relocated on the lot in one new building, 2) Variances from Article III, Section 10-304(A) and Section 10-304(C)(2) are requested to construct an irregular shaped two story 10,843 sf homeless shelter with: a) a 23.6'± left side yard for the building and 20.2'± for the loading area stairs where 30' is the minimum required, and b) a 19.6'± rear yard where 50' is the minimum required to the rear property line and 100' is required to the residentially zoned property line; and, 3) a Variance from Article XII, Section 10-1201(A)(3)(e)(2) is requested to allow parking to be located within the required 40' front yard and landscaped area. Said property is shown on Assessor Plan 243 as Lot 2A and lies within the General Business district. Case # 11-8
- 9) Petition of **Two Girls Realty LLC, owner**, for property located at **261 South Street** wherein a Special Exception is requested as allowed in Article IV, Section 10-401(A)(1)(d) to restore prior use of the property as conducted by the businesses that were there in recent years, South Street & Vine and South Street Market. What will be sold are food items typically found in the previous business such as milk, bread, eggs, cheese, wine, soft drinks, newspapers, dry goods, canned goods and some prepared foods with no food cooked or prepared to order. There will be no seating and the primary purpose is to reestablish a neighborhood market, which has occupied that space for the better part of the past century. Said property is shown on Assessor Plan 111 as Lot 34-2 and lies within the General Residence B and Historic A districts. Case # 11-9

III. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you wish to attend a meeting and need assistance, please contact the Human Resources Department at 610-7274 one week prior to the meeting.