

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

CONFERENCE ROOM B

7:00 P.M.

January 19, 2010

REVISED AGENDA

I. APPROVAL OF MINUTES

A) November 17, 2009

II. NEW BUSINESS

A) Election of Officers

III. OLD BUSINESS

A) Petition of **New England Glory LLC, owner**, for property located at **525 Maplewood Avenue** wherein an Appeal from an Administrative Decision regarding the determination of the Code Officials that the Building Permit to convert the 9 apartments into a 14 room Bed and Breakfast has lapsed as the building continues to be used as 9 apartments.

Request to Withdraw

Notwithstanding the above, if the Administrative Appeal is denied, a Variance from Article II, Section 10-206 is requested to allow the existing 9 apartments to be converted into a 14 room Bed and Breakfast. Said property is shown on Assessor Plan 209 as Lot 85 and lies within the General Residence A district. Case # 7-1. *This petition was postponed to a time indefinite at the August 19, 2008 meeting.*

B) Request for Extension of Variance granted February 17, 2009 for property located at 33 Hunking Street

C) Case # 12-9

Petitioners: J.P. Nadeau, Owner & Witch Cove Marina Development LLC, Applicant

Property: 187 Wentworth House Rd. Assessor Plan 201, Lot 12

Zoning district: Waterfront Business District

Requests: Variances to establish two (2) residential uses where residential uses are prohibited; To expand two (3) non-conforming residential uses and structures; to expand a non-conforming marine related structure; To allow for the encroachment of two(2) structures into the 100' Tidal Buffer where the encroachment is not allowed. Article II Section 10-208 Table 4 (43), Article III Section 10-301(A)(2), Article III Section Section 10-301(A)(7)(a), Article IV Section 10-401(A)(1)(b), Article IV Section 10-401(A)(1)(c)

IV. PUBLIC HEARINGS

- 1) Case # 1-1
Petitioners: 337 Pleasant St. LLC Owners
Property: 337 Pleasant Street Assessor Plan 103, Lot 62
Zoning district: General Residence B
Request: **Variance(s)** from:
Section 10.321 to allow the enlargement of a lawfully nonconforming structure
Section 10.521 to allow a front yard setback of 1.5'± where 5' is required
- 2) Case # 1-2
Petitioner: George Byron McAlpin & Glenn P. Smart, Owners
Property: 428 Ocean Road Assessor Plan 294, Lot 15
Zoning district: Single Residence A
Requests: **Variance** from:
Section 10.521 for the placement of an 8' x 10' shed at 428 Ocean road with a building coverage of 10.5% where 10% is allowed
- 3) Case # 1-3
Petitioner: Saco Avenue Professional Building, Inc., Owner and Stan Pasay, Applicant
Property: 125 Brewery Lane Assessor Plan 154, Lot 2
Zoning district: Business
Request: **Special Exception** from:
Section 10.440, Use #4.42 to allow a Fitness Center of more than 2,000 square feet proposed to be located within an existing building in the Business zone
- 4) Case # 1-4
Petitioners: David J.& Vasilina Tooley,
Property: 166 New Castle Avenue Assessor Plan 101, Lot 24
Zoning district: Single Residence B
Request: **Variance(s)** from:
Section 10.321 to allow the enlargement of a lawfully nonconforming structure
Section 10.521 to allow a rear yard setback of 1'2''± where 30' is required
Section 10.521 to allow a building coverage of 50% where 20% is allowed
Section 10.521 to allow open space coverage of 41% where 40% is allowed

V. 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