

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

**March 16, 2010 for Items I, II, III, and IV 1), To Be
Reconvened March 23, 2010 for Items IV 2) through 7)**

AGENDA

THE FOLLOWING ITEMS I, II, III and IV 1) WILL BE HEARD ON TUESDAY, MARCH 16, 2010
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I. APPROVAL OF MINUTES

- A) December 22, 2009
- B) January 19, 2010

II. NEW BUSINESS

- A) Revised Rules & Regulations, Board of Adjustment

III. OLD BUSINESS

- A) Request for Rehearing – 103-131 Congress Street
- B) Request for Rehearing – Portwalk, Lot #1 Deer Street
- B) Case # 2-1
Petitioner: Kuzzins Bowden Hospitality LLC
Property: 300 Woodbury Ave Assessor Plan 175, Lot 4
Zoning district: General Business
Requests: Variance to allow a freestanding sign of 343 square feet where 100 square feet is allowed
Variance to allow wall signs of 304 square feet where 200 square feet is allowed
Section 10.1251.20

- C) Case # 2-3
 Petitioners: JP Nadeau, owner and Witch Cove Marina Development, LLC, applicant
 Property: 187 Wentworth House Road Assessor Plan 201, Lot 12
 Zoning district: Waterfront Business
 Requests: Variance to allow the expansion of a nonconforming structure
 Variance to allow the expansion of a nonconforming use
 Section 10.321
 Section 10.331

- D) Case # 2-4
 Petitioner: South Mill Investments LLC, owner James Sanders, applicant
 Property: 25 South Mill Street Assessor Plan 102, Lot 16
 Zoning district: General Residence B
 Request: Variance to allow a second story addition with a 6” side yard setback where 10’ is required
 Variance to allow a two story addition off the rear of the existing structure with a 5’ side yard setback where 10’ is required
 Table 10.521
 Section 10.321
 Section 10.324

- E) Case # 2-8
 Petitioners: Sarnia Properties Inc., owner and Thomas Woodard, applicant
 Property: 933 Route 1 By-Pass Assessor Plan 142, Lot 37
 Zoning district: Business
 Request: Special Exception to allow an Auto Dealership in the Business zone
 Variance to allow an Auto Dealership within 150’ of a Residential or Mixed Residential District where 200’ is required
 Variance to allow Parking, outdoor storage or display within 40’ of the right-of-way
 Table 10.440 use #11.10
 Section 10.592.20
 Section 10.843.21

(Old Business Items B) through D) were postponed from the February 16, 2010 meeting.)

IV. PUBLIC HEARINGS

- 1) Case # 3-1
 Petitioners: Robert A. Ricci Revocable Trust & Elizabeth Batick-Ricci Revocable Trust
 Property: 31 Richards Ave Assessor Plan 128, Lot 2
 Zoning district: General Residence A & Historic District Overlay
 Request: **Appeal** from the Historic District Commission regarding the placement of a fence
 Section 10.636.50 Appeal of Historic District Commission Decision

**THE FOLLOWING ITEMS 2) THROUGH 7) WILL BE HEARD
ON TUESDAY, MARCH 23, 2010**

- 2) Case # 3-2
 Petitioner: Jennifer A. Carsen
 Property: 121 Northwest Street Assessor Plan 122, Lot 1
 Zoning district: General Residence A
 Requests: **Variance** to construct a single story 16' X 20' addition with an 8' rear yard setback where 20' is required
 Section 10.521 Table of Dimensional Standards
 Section 10.324 To allow the expansion of a nonconforming structure

- 3) Case # 3-3
 Petitioner: 45 Pearl Street Properties LLC, Owner and Cindy Dodds, Applicant
 Property: 45 Pearl Street Assessor Plan 126, Lot 30
 Zoning district: Mixed Residential Office
 Request: **Variance** to install 10"x 4" duct work on the outside of the structure with a 1'10" setback where a 15' rear yard setback is required.
 Section 10.521 Table of Dimensional Standards
 Section 10.324 To allow the expansion of a nonconforming structure

- 4) Case # 3-4
 Petitioners: Lee H. Rubin & Lucy Salyer
 Property: 1 Kane Street Assessor Plan 142, Lot 22
 Zoning district: General Residence A
 Request: **Variance** to replace an existing 13' x 26' shed with a 12' x 20' shed and a 6'± side yard setback where 10' is required
 Section 10.521 Table of Dimensional Standards

- 5) Case # 3-5
 Petitioners: Thomas P. Coakley
 Property: 231 Bartlett Street Assessor Plan 162, Lot 31
 Zoning district: General Residence A
 Request: Variance to add a third floor dormer on to the house which has an 8'± side yard setback where 10' is required
 Section 10.521 Table of Dimensional Standards
 Section 10.324 To allow the expansion of a nonconforming structure

- 6) Case # 3-6
 Petitioners: Sureya M Ennabe Rev. Trust & CN Brown Co.
 Property: 800 Lafayette Road Assessor Plan 244, Lot 5
 Zoning district: Gateway
 Requests: **Variance** to allow off street parking spaces between the principal building and the street right-of-way
 Section 10.1113.20 Location of Parking Facilities on a lot

- 7) Case # 3-7
Petitioner: John J. Vendola
Property: 290 Miller Avenue Assessor Plan 130, Lot 12
Zoning district: General Residence A
Request: **Variance** to remove a set of stairs on the exterior of the home and add a second story deck and building addition that will increase the building coverage from 32% to 38% where 25% is allowed
Variance to allow a zero side yard setback where 10' is required
Section 10.521 Table of Dimensional Standards
Section 10.324 To allow the expansion of a nonconforming structure

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.