

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

**June 21, 2011 for Old Business and Petitions
1) through 7), To Be Reconvened
June 28, 2011 for Petitions 8) through 15)**

REVISED AGENDA

THE FOLLOWING ITEMS I, II, and III, PETITIONS 1) THROUGH 7) WILL BE HEARD ON TUESDAY, JUNE 21, 2011
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I. OLD BUSINESS

- A) Request for a One-Year Extension of Variances granted July 27, 2010 for property located at 180 Newcastle Avenue.

II. PLANNING DEPARTMENT REPORTS

III. PUBLIC HEARINGS

1) Case # 6-1

Petitioner: Karen L. Staskus

Property: 345 Leslie Drive

Assessor Plan 209, Lot 77

Zoning district: Single Residence B

Description: To replace existing porch and stairs with a 4' x 10' porch/stairs structure.

Requests: Variance from Section 10.321 to allow the expansion of a nonconforming structure.

Variance from Section 10.521 to allow building coverage of 29.2%± where 20% is the maximum coverage allowed.

2) Case # 6-2

Petitioner: Richard P. Fecteau

Property: 120 Spaulding Turnpike

Assessor Plan 236, Lot 33

Zoning district: Single Residence B

Description: To allow a tent to remain on the site for 38 days.

Request: Special Exception under Section 10.440, Use #18.22 to allow a 20' x 40' tent to remain on the site for a period of 38 days following the date of installation, where 30 days is the maximum period allowed for a temporary structure.

- 3) Case # 6-3
 Petitioner: Apostolic Church of Jesus Christ
 Property: 500 Banfield Road Assessor Plan 265, Lot 2C
 Zoning district: Rural Residential
 Description: To replace an existing 16 s.f. free-standing sign with a 24 s.f. free-standing sign.
 Requests: Variance from Section 10.321 to allow the expansion of a nonconforming structure.
 Variance from Section 10.1241 to allow a free-standing sign in a district where free-standing signs are not allowed.

- 4) Case # 6-4
 Petitioner: Steerpoint Properties LLC
 Property: 30 Gardner Street Assessor Plan 103, Lot 43
 Zoning district: General Residence B
 Description: To allow four dwelling units with less than the required lot area per unit and parking spaces with less than the required dimensions
 Request: Special Exception under Section 10.440, Use #1.52 to allow the conversion of a building to 4 dwelling units with less than the required minimum lot area per dwelling unit.
 Variance from Section 10.812.13 to allow 2,395.8± s.f. of lot area per dwelling unit where 3,000 s.f. per dwelling unit is required.
 Variance from Section 10.1114.21 to allow the specified parking spaces to be less than the required minimum dimensions.

- 5) Case # 6-5
 Petitioners: Barbara Jenny & Matthew Beebe, Owners, Timothy & Christina Virgin, Applicants
 Property: 54 McNabb Court Assessor Plan 112, Lot 58
 Zoning district: General Residence A
 Description: To replace an existing landing and stairs with a 6' x 19' front porch and stairs and construct a 6' x 20' rear addition.
 Requests: Variance from Section 10.321 to allow the expansion of a nonconforming structure.
 Variance from Section 10.521 to allow a building coverage of 37.9%± where 25% is the maximum coverage allowed.
 Variance from Section 10.521 to allow a 0'± front yard setback where 10' is required.
 Variance from Section 10.521 to allow a 5'± left side yard setback where 20' is required.

- 6) Case # 6-6
 Petitioner: Catherine Moretti
 Property: 261 Myrtle Avenue Assessor Plan 220, Lot 87
 Zoning district: Single Residence B
 Description: To subdivide an existing conforming lot into 5 lots, 4 of which would be nonconforming for continuous street frontage.

Request: Variance from Section 10.321 to allow four lots with a continuous street frontage of 80'± where 100' is required.

7) Case # 6-7

Petitioners: Greenbrook LLC, Owner & Matthew Beebe, Applicant

Property: 66-68 South Street Assessor Plan 101, Lot 70

Zoning district: General Residence A

Description: To replace existing 26'4" x 19'4" one-car garage with two-car garage in the same footprint.

Requests: Variance from Section 10.321 to allow the reconstruction of a nonconforming structure.

Variance from Section 10.521 to allow a right side yard setback of 1'± where 10' is required.

Variance from Section 10.521 to allow a rear yard setback of 1'± where 25' is required.

THE FOLLOWING PETITIONS 8) THROUGH 15) WILL BE HEARD ON JUNE 28, 2011

8) Case # 6-8

Petitioners: Alexander C. Garside & Nicole Outsen

Property: 212 Park Street Assessor Plan 149, Lot 51

Zoning district: General Residence A

Description: To replace existing garage with a 12' x 20' garage, and to replace a two level rear deck with a 1-story, 325 s.f. addition, a 9' x 11.5' screened porch, and a 70 s.f. deck and stairs.

Request: Variance from Section 10.521 to allow a left side yard setback of 8.5' where 10' is required.

Variance from Section 10.521 to allow a right side yard setback of 4' where 10' is required.

Variance from Section 10.521 to allow building coverage of 27.4% where 25% is the maximum coverage allowed.

9) Case # 6-9

Petitioner: Karen L. Bouffard Revoc Trust 1998, Karen L. Bouffard, Trustee

Property: 87 Richards Avenue Assessor Plan 128, Lot 8

Zoning district: General Residence A

Description: To replace existing right side porch and stairs with a 7' x 19' side porch and stairs to the front and rear of the porch. To add an 8' x 11' third floor dormer on the left side.

Requests: Variance from Section 10.321 to allow the expansion of a nonconforming structure.

Variance from Section 10.521 to allow a 1'± left side yard setback where 10' is required.

Variance from Section 10.521 to allow building coverage of 32.8% where 25% is the maximum coverage allowed.

- 10) Case # 6-10
 Petitioner: Ricci Supply Company, Inc.
 Property: 105 Bartlett Street Assessor Plan 164, Lot 1
 Zoning district: Office Research
 Description: To demolish portions of existing building and replace with new building on same footprint.
 Requests: Variance from Section 10.321 to allow a lawful nonconforming structure to be reconstructed in a district where it does not meet the dimensional requirements.
 Variance from Section 10.440, Use #8.31, Use #13.11 and Use #14.10 to allow non-marine-related retail and wholesale sales and light industry in a district where such uses are not allowed.
 Variance from Section 10.532.10 to allow a 3'± front yard setback where 70' is required.
 Variance from Section 10.532.10 to allow a 4'± left side yard setback where 50' is required.
 Variance from Section 10.532.10 to allow a right side yard setback of 13'± where 50' is required.
 Variance from Section 10.531 to allow building coverage of 37.6%± where 30% is the maximum allowed.
- 11) Case # 6-11
 Petitioners: Stephen M. & Kathleen M. Brown
 Property: 14 Alder Way Assessor Plan 142, Lot 18
 Zoning district: General Residence A
 Description: To allow a 1½ story garage to remain within the front yard setback.
 Request: Equitable Waiver as allowed in RSA 674:33-a to allow a previously constructed 1½ story garage with a 0.7'± front yard setback where 15' is required.
- 12) Case # 6-12
 Petitioners: Sharan R. Gross Rev. Trust, Sharan R. Gross, Trustee
 Property: 201 & 235 Cate Street Assessor Plan 163, Lots 31 & 32
 Zoning district: General Residence A
 Description: To allow a lot line relocation that would result in a lot (Lot #31) containing two existing dwelling units with less than the required square footage per dwelling unit.
 Request: Variance from Section 10.521 to allow a two-family use with less than the required lot area per dwelling unit.
- 13) Case # 6-13
 Petitioners: Thomas A. Nies Revocable Trust, Thomas A & Denise M. Nies, Trustees
 Property: 419 Richards Avenue Assessor Plan 112, Lot 20
 Zoning district: General Residence A
 Description: To construct a 10'± x 18'4"± rear addition.
 Requests: Variance from Section 10.321 to allow the expansion of a nonconforming structure.
 Variance from Section 10.521 to allow a 6' left side yard setback where 10' is required.

- 14) Case # 6-14
Petitioner: Kevin Drohan & Heather Mangold
Property: 1240 Maplewood Avenue Assessor Plan 219, Lot 29
Zoning district: Single Residence B
Description: To create a second dwelling unit by adding a second story to the existing 18'8" x 19'4" garage.
Requests: Variance from Section 10.321 to allow the expansion of a nonconforming structure.
Variance from Section 10.440, Use #1.20 to allow a second dwelling unit on a lot where only a single family use is allowed.
Variance from Section 10.521 to allow a lot area of 3,942 s.f. per dwelling unit where 15,000 s.f. per dwelling unit is required.
Variance from Section 10.521 to allow a right side yard setback of 2'± where 10' is required.
Variance from Section 10.521 to allow a rear yard setback of 10'± where 30' is required.
- 15) Case # 6-15
Petitioner: Sureya M. Ennabe Rev. Liv. Trust, c/o C. N. Brown Company
Property: 800 Lafayette Road Assessor Plan 244, Lot 5
Zoning district: Gateway
Description: To construct two canopy signs.
Requests: Variance from Section 1251.2 to allow canopy signs of 43.5± s.f. and 23± s.f. where 20 s.f. is the maximum sign area allowed for each individual canopy sign.

IV. OTHER BUSINESS

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.