

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

**July 19, 2011 for Old Business and Petitions
1) through 7), To Be Reconvened
July 26, 2011 for Petitions 8) through 15)**

REVISED AGENDA

THE FOLLOWING ITEMS I and II and PETITIONS 1) THROUGH 7) WILL BE HEARD ON TUESDAY, JULY 19, 2011

I. OLD BUSINESS

A) Request for Rehearing for property located at 261 Myrtle Avenue.

B) 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.

(This petition was postponed from the June 28, 2011 meeting.)

C) 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.
 (This petition was tabled to this meeting at the June 28, 2011 meeting.)

II. PLANNING DEPARTMENT REPORTS

III. PUBLIC HEARINGS

- 1) Case # 7-1
 Petitioner: Lawrence W. Tacy, Jr.
 Property: 7 Clover Lane Assessor Plan 236, Lot 43
 Zoning district: Single Residence B
 Description: Construct a 20'± x 13'± rear deck
 Requests: The variances and/or special exceptions required for the proposed work.

- 2) Case # 7-2
 Petitioner: Piscataqua Savings Bank
 Property: 15 Pleasant Street Assessor Plan 107, Lot 32
 Zoning district: Central Business B
 Description: Testing a generator up to 74 dBA located at the property line each Thursday between noon and 1:00 p.m.
 Requests: The variances and/or special exceptions required for the proposed work.

- 3) Case # 7-3
 Petitioner: Todd C. & Caroline Merrill
 Property: 238 Lincoln Avenue Assessor Plan 130, Lot 5
 Zoning district: General Residence A
 Description: Replace existing rear entryway and deck with a right side 10'± x 8½'± 1-story mudroom addition and 4½'± x 5'± covered landing/entryway.
 Requests: The variances and/or special exceptions required for the proposed work.

- 4) Case #7-4
 Petitioner: Wayne & Marie Gagnon
 Property: 171 Sagamore Avenue Assessor Plan 221, Lot 22
 Zoning district: General Residence A
 Description: Replace existing rear single story structure, deck and bulkhead with rear 2½ story, 12'± x 22'± addition and stairs.
 Request: The variances and/or special exceptions required for the proposed work.

- 5) Case # 7-5
 Petitioner: New England Glory, LLC
 Property: 525 Maplewood Avenue Assessor Plan 209, Lot 85
 Zoning district: General Residence A
 Description: Construct an L-shaped multi-bay garage with one section 70'± x 16'± and one section 86'± x 16'± .
 Requests: The variances and/or special exceptions required for the proposed work.

- 6) Case # 7-6

Petitioner: Ghamami Rev. Trust of 2005, Owner, Sheila Grant, Applicant
 Property: 369A & 371A Islington Street Assessor Plan 144, Lot 22
 Zoning district: Mixed Residential Business
 Description: Convert 2 commercial units to residential use.
 Requests: The variances and/or special exceptions required for the proposed work.

- 7) Case # 7-7
 Petitioner: Martingale Wharf Limited Partnership, Owner, Portsmouth Buddhist Center, Inc., Applicant
 Property: 99 Bow Street Assessor Plan 106, Lot 54
 Zoning district: Central Business A
 Description: Convert an existing vacant space to a religious use.
 Requests: The variances and/or special exceptions required for the proposed work.

THE FOLLOWING PETITIONS 8) THROUGH 15) WILL BE HEARD ON JULY 26, 2011

- 8) Case # 7-8
 Petitioner: Two Hundred Ten West Road Condominium Association, Owner, Cross Fit Portsmouth LLC, Applicant
 Property: 210 West Road Assessor Plan 267, Lot 21
 Zoning district: Industrial
 Description: Convert vacant space in a warehouse building to a health club/fitness center.
 Requests: The variances and/or special exceptions required for the proposed work.

- 9) Case # 7-9
 Petitioner: Bethel Assembly of God.
 Property: 200 Chase Drive Assessor Plan 210, Lot 2
 Zoning district: Single Residence B
 Description: Construct 5 residential dormitory type studios for students and establish a post secondary Bible Study School within the existing Church structure.
 Requests: The variances and/or special exceptions required for the proposed work.

- 10) Case # 7-10
 Petitioner: Industrial Rents NH, LLC
 Property: 124 Bartlett Street Assessor Plan 163, Lot 2
 Zoning district: Office Research
 Description: Convert existing vacant space to retail and wholesale uses including storage of material for wholesale distribution in up to 35% of the gross floor area of the building.
 Requests: The variances and/or special exceptions required for the proposed work.

- 11) Case # 7-11
 Petitioner: Sean C. Evans & Hannah Shea
 Property: 165 Dodge Avenue Assessor Plan 258, Lot 41
 Zoning district: Single Residence B
 Description: Construct a 26'± x 38'± two story home with attached 24'± x 24'± garage
 Requests: The variances and/or special exceptions required for the proposed work.

- 12) Case # 7-12
Petitioner: John T. Martin & Margaret Ronchi
Property: 13 Harding Road Assessor Plan 247, Lot 40
Zoning district: Single Residence B
Description: Construct an accessory structure (wall) in the required front yard.
Requests: The variances and/or special exceptions required for the proposed work.

- 13) Case # 7-13
Petitioner: Matthew D. Burke
Property: 46 Aldrich Road Assessor Plan 148, Lot 26
Zoning district: General Residence A
Description: Replace stairway, steps and roof over landing
Requests: The variances and/or special exceptions required for the proposed work.

- 14) Case # 7-14
Petitioner: Walter G. Ziebarth & Michelle White
Property: 3 Marsh Lane Assessor Plan 123, Lot 6
Zoning district: General Residence A
Description: Construct a two story garage on left side and connector addition.
Requests: The variances and/or special exceptions required for the proposed work.

- 15) Case # 7-15
Petitioner: Stephen & Karin Barndollar
Property: 120 Ridges Court Assessor Plan 207, Lot 61
Zoning district: Single Residence B
Description: Install a ground mounted solar array.
Requests: The variances and/or special exceptions required for the proposed work.

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.