

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

November 15, 2011

AGENDA

I. APPROVAL OF MINUTES

- A) September 20, 2011

II. PLANNING DEPARTMENT REPORTS

III. REQUEST FOR REHEARING

(This item will be considered by the Board with reference to the written motion for rehearing and to the statutory criteria for granting a rehearing. There will be no public testimony.)

- A) Request for Rehearing regarding the property located at 28-30 Dearborn Street.

IV. OLD BUSINESS

- A) Case # 10-1

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: Variance from Section 10.521 to allow a single-family dwelling on a lot

without street frontage, where 100' of continuous street frontage is required.

Variance from Section 10.512 to allow a structure on a lot without access to a public street or an approved private street.

Note: This rehearing was postponed from the October 18, 2011 meeting.

An earlier variance application regarding lot area has been determined to be inapplicable.

V. PUBLIC HEARINGS

- 1) Case # 11-1

Petitioner: Christopher A. Shields

Property: 61 Cabot Street

Assessor Plan 136, Lot 36

Zoning district: General Residence C

Description: Replace existing garage with 16' x 24' storage shed.

Requests: Variance from Section 10.521 to allow a 0'± left side yard setback where 10' is required.

2) Case # 11-2

Petitioner: Brian J. Bednarek

Property: 10 Humphrey's Court

Assessor Map 101, Lot 43

Zoning district: General Residence B

Description: Construct rear shed dormer.

Requests: Variance from Section 10.321 to allow a lawful nonconforming building to be enlarged in a manner that is not in conformity with the Zoning Ordinance.
 Variance from Section 10.521 to allow construction of a dormer 9'± from the rear lot line where the required rear yard is 25'.

3) Case # 11-3

Petitioner: Michael's Realty Trust, Owner, 4 Amigos, LLC, Applicant

Property: 1390 Lafayette Road

Assessor Map 252, Lot 9

Zoning district: Gateway

Description: Construct two drive-through lanes in association with construction of a bank.

Requests: Special Exception under Section 10.440, Use #19.40, and Section 10.836 to allow a two-lane drive-through facility as an accessory use to a 5,200± s.f. bank.

4) Case # 11-4

Petitioner: Michael's Realty Trust, Owner, 4 Amigos, LLC, Applicant

Property: 1390 Lafayette Road

Assessor Map 252, Lot 9

Zoning district: Gateway

Description: Construct two drive-through lanes in association with construction of a pharmacy.

Requests: Special Exception under Section 10.440, Use #19.40, and Section 10.836 to allow a two-lane drive-through facility as an accessory use to a 11,944± s.f. pharmacy.

5) Case # 11-5

Petitioner: Stephen G. Erickson

Property: 257 Austin Street

Assessor Map 145, Lot 71

Zoning district: General Residence C

Description: Construct 10' x 5'7" first floor bathroom/laundry addition.

Requests: Variance from Section 10.321 to allow a lawful nonconforming building to be extended or enlarged in a manner that is not in conformity with the Zoning Ordinance.
 Variance from Section 10.521 to allow a building coverage of 44.7%± where 43.64%± currently exists and 35% is the maximum allowed.

VI. OTHER BUSINESS

VII. 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.