

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

March 20, 2012

REVISED AGENDA

I. APPROVAL OF MINUTES

- A) Amendment to Approved Minutes for October 18, 2011

II. OLD BUSINESS

- A) Request for Rehearing – 860 State Street

III. PUBLIC HEARINGS

- 1) Case # 3-1

Petitioners: Thomas J. Schladenhauffen & M. Longi

Property: 708 State Street

Assessor Plan 137, Lot 8

Zoning District: General Residence C

Description: Replace existing rear addition and decks with a 28'x21', 2-story addition.

Replace and relocate existing 14'4" x 22'4" garage, adding 3' in height.

Requests: 1. A dimensional 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.

2. A dimensional Variance from Section 10.521 to permit a 3' side yard setback for the addition where 10' is the minimum allowed.

3. Dimensional Variances from Section 10.521 to permit a 4' side yard setback and a 4' rear yard setback for the garage where 10' and 20' respectively are allowed.

4. A dimensional Variance from Section 10.521 to increase the building coverage from 30.6% to 40.6%.

- 2) Case # 3-2

Petitioner: Ghamami Revocable Trust of 2005, Sheila Grant, trustee

Property: 371A Islington Street

Assessor Plan 144, Lot 22-3

Zoning District: Mixed Residential Business

Description: Install a 30" x 36" projecting sign and a 60" x 30" attached sign.

Request: 1. A dimensional Variance from Section 10.1251 to permit an aggregate signage of 59± s.f. where 40 s.f. is the maximum allowed.

- 3) Case # 3-3
Petitioner: Steven M. Noel
Property: 33 Hunters Hill Avenue
Assessor Plan 160, Lot 39
Zoning District: Business
Description: Add 1½ story addition to existing 24'6" square garage.
Requests: 1. A dimensional 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.
2. Variance from Section 10.531 to permit a 0' front yard setback where 20' is the minimum required.
- 4) Case # 3-4
Petitioners: Eastern Yacht Sales and Charters Inc., owner, Janette Desmond, applicant
Property: 20 Congress Street #104
Assessor Plan 117, Lot 37-104
Zoning District: Central Business B
Description: A retail chocolate/ice cream store adding indoor tables, stools and dining areas with no off-street parking.
Request: 1. Variance from Section 10.1115.20 and the requirements of 10.1115.30 to allow no off-street parking spaces to be provided where 1 space per 100 s.f. Gross Floor Area is required.
- 5) Case # 3-5
Petitioner: Debra R. Goodwin, owner, John Pento, applicant
Property: 255 Melbourne Street
Assessor Plan 233, Lot 87
Zoning District: Single Residence B
Description: Replace existing stairs with 4' x 4' front landing with stairs.
Requests: 1. A dimensional 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.
2. A dimensional Variance from Section 10.521 to allow a 13'± front yard setback where 17'± exists and a 30' front yard setback is required.
- 6) Case # 3-6
Petitioners: Michael's Realty Trust & ESUM Realty Trust, owners, 4 Amigos LLC, applicant
Property: 1390 & 1400 Lafayette Road
Assessor Plan 252, Lot 9 & 7
Zoning District: Gateway
Description: Construct two drive-through lanes in association with construction of a 2,500± s.f. bank.
Requests: 1. Special Exception under Section 10.440, Use 19.40 to allow a two-lane drive-through facility as an accessory use to a 2,500 s.f. bank
2. Variance from Section 10.836.22 to allow two drive-through lanes for a 2,500 s.f. facility where only one drive-through lane for each 5,000 s.f. of gross floor area is allowed.

- 7) Case # 3-7
Petitioners: Robert R. & Mary E. Threeton
Property: 476 Ocean Road
Assessor Plan 294, Lot 7
Zoning District: Single Residence A
Description: Install generator and LPG to the rear of existing structure.
Requests: 1. A dimensional 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.
2. A dimensional Variance from Section 10.521 to allow building coverage of 10.7.± % where 10.58.± % exists and 10% is the maximum allowed.
- 8) Case # 3-8
Petitioners: Peter H. Jarvis & Sons LLC & Simeon P. Rev. Trust 1999, owners, Rudi's Restaurant, LLC, applicant
Property: 1 Congress Street (5 Congress Street)
Assessor Plan 117, Lot14
Zoning District: Central Business B
Description: 600 s.f. addition to existing restaurant with no on-site parking.
Requests: 1. Variance from Section 10.1115.20 and the requirements of 10.1115.30 to allow no off-street parking spaces to be provided where 1 space per 100 s.f. Gross Floor Area is required.
2. Special Exception under Section 10.1113.112 to allow 6 off-street parking spaces to be provided on another lot in the same ownership and within 300' of the property line of the lot in question.
- 9) Case # 3-9
Petitioner: Commerce Way, LLC
Property: Commerce Way & Woodbury Avenue
Assessor Plan 216, Lot 1
Zoning District: General Business
Description: Modify existing free-standing sign and add a second free-standing sign.
Requests: 1. Variance from Section 10.1243 to permit two free-standing signs on a lot where only one free-standing sign is allowed.
2. A dimensional Variance from Section 10.1251.20 to permit a free-standing sign with a sign area of 124.4± s.f. where 100 s.f. in sign area is the maximum allowed.

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.