

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

October 16, 2012

AGENDA

I. OLD BUSINESS

A) Case # 7-7

Petitioner: Eugene C. Hersey

Property: Off Dodge Avenue

Assessor Plan 258, Lot 42

Zoning District: Single Residence B

Description: Construction of a single family home on a lot without continuous street frontage and no access to a City street.

- Requests: 1. A dimensional Variance from Section 10.521 to allow a single-family dwelling on a lot with insufficient (12,200± s.f.) lot area where a minimum lot area of 15,000 s.f. is required.
2. A dimensional Variance from Section 10.521 to allow insufficient lot area per dwelling unit (12,200± s.f.) where a minimum lot area per dwelling unit of 15,000 s.f. is required.
3. A dimensional 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.
4. A Variance from Section 10.512 to allow a single-family dwelling on a lot with no access to a City street.

(This petition was postponed from the July 24, 2012, August 21 and September 18 meetings)

II. PUBLIC HEARINGS

1) Case # 10-1

Petitioner: Justin D. Setchell

Property: Fairview Avenue at Maplewood Avenue

Assessor Plan 220, Lot 66

Zoning District: Single Residence B

Description: Construct a 38'± x 26'±, 1½ story single-family home.

- Requests: 1. A dimensional Variance from Section 10.521 to allow a lot area and lot area per dwelling unit of 6,014± s.f.
2. A dimensional Variance from Section 10.521 to allow a lot depth of 60'± where 100' is the minimum required.
3. A dimensional Variance from Section 10.521 to allow a front yard setback of 22'± where 30' is the minimum required.
4. A dimensional Variance from Section 10.521 to allow a rear yard setback of 10'± where 30' is the minimum required.
5. A dimensional Variance from Section 10.521 to allow building coverage of 24.3%± where 20% is the maximum allowed.

(over)

- 2) Case # 10-2
 Petitioner: Green Brook LLC, owner, Matthew Beebe, applicant
 Property: 636 Lincoln Avenue
 Assessor Plan 148, Lot 17
 Zoning District: General Residence A
 Description: Construct an 88 s.f. rear addition.
 Requests:
 1. A Variance from Section 10.321 and Section 10.324 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 Variance from Section 10.521 to allow a building coverage of 38.4%± where 36.8%± exists and 25% is the maximum allowed.

- 3) Case # 10-3
 Petitioner: Nikki N. Nachampassak
 Property: 280 McKinley Road
 Assessor Plan 250, Lot 50
 Zoning District: Single Residence B
 Description: Add 16'± x 10'± porch extension to existing 10' x 10' rear porch.
 Requests:
 1. A Variance from Section 10.321 and Section 10.324 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 building coverage of 25.1% where 23.3% exists and 20% is the maximum allowed.

- 4) Case # 10-4
 Petitioner: John & Joan Schorsch
 Property: 53 Pray Street
 Assessor Plan 102, Lot 40
 Zoning District: Waterfront Business
 Description: Construct a 12'6" x 20' right side porch.
 Requests:
 1. A Variance from Section 10.321 and Section 10.324 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 Variance from Section 10.331 to allow a lawful nonconforming use to be extended or enlarged in a manner that is not in conformity with the Zoning Ordinance.
 3. A Variance from Section 10.334 to allow a nonconforming use of land to expand into part of the remainder of the lot of land.
 4. A dimensional Variance from Section 10.531 to allow a building coverage of 39.2% where 33.1% exists and 30% is the maximum allowed.

- 5) Case # 10-5
 Petitioner: Two Girls Realty LLC
 Property: 261 South Street
 Assessor Plan 111, Lot 34-2
 Zoning District: General Residence B
 Description: Amend Special Exception.
 Requests:
 1. Amend the Special Exception granted November 27, 2007 to permit the sale under Section 10.335, of food and beverages cooked or prepared to order.

- 6) Case # 10-6
Petitioner: Cumberland Farms Inc.
Property: 1475 Lafayette Road
Assessor Plan 251, Lot 124
Zoning District: Gateway
Description: Rebuild existing gas station with convenience store, gasoline dispensers, canopy and free-standing signs.
Requests: 1. A Variance from Section 10.592.10, Use #11.20 to allow a motor vehicle Service station to be located $0' \pm$ from a Residential or Mixed Residential District where 200' is the minimum distance required.
2. A Variance from Section 10.843.33 to allow pump islands to be set back $37' \pm$ from all lot lines where a minimum of 40' is required.
3. A Variance from Section 10.1113.20 to allow required off-street parking spaces to be located between a principal building and a street.
4. A Variance from Section 10.1243 to permit two freestanding signs on a lot where only one freestanding sign per lot is permitted.
- 7) Case # 10-7
Petitioner: Two-Four Mirona Road LLC, owner, Daniel Komisarek, applicant
Property: 2-4 Mirona Road
Assessor Plan 253, Lot 6
Zoning District: Industrial
Description: Storage of impound vehicles.
Requests: 1. A Special Exception under Section 10.440, Use #11.40 to allow an impound lot in a district where the use is allowed by Special Exception.
- 8) Case # 10-8
Petitioner: Bethel Assembly of God
Property: 200 Chase Drive
Assessor Plan 210, Lot 2
Zoning District: Single Residence B
Description: Lot line relocation resulting in transfer of $2,725 \pm$ s.f. of land to abutter.
Requests: 1. A Variance from Section 10.521 to allow a 2.3% reduction in open space on a pre-existing nonconforming lot where 31.6% exists prior to the lot line relocation and 40% is the minimum required.

III. OTHER BUSINESS

IV. 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 prior to the meeting.