

**REGULAR MEETING
BOARD OF ADJUSTMENT
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

**February 19, 2014
To Be Reconvened
February 25, 2014**

AGENDA

**THE FOLLOWING ITEM II, PETITION 1) WILL BE HEARD ON
WEDNESDAY, FEBRUARY 19, 2014.**

I. PUBLIC HEARINGS - OLD BUSINESS

No Old Business.

II. PUBLIC HEARINGS – NEW BUSINESS

1) Case # 2-1

Petitioners: Betty Morton Belcher, Jane Morton Man, Matthew Morton, Martha Fuller Clark, Clare Kittredge, Nancy Elwell, Paul Mannle, George Dodge, Erica Dodge, and Portsmouth Advocates

Property: 173 – 175 Market Street

Assessor Plan 118, Lots 3 & 4

Zoning District: Central Business A, Historic and Downtown Overlay

Description: Appeal Decisions of the Historic District Commission.

Requests: Appeal the decisions of the Historic District Commission to grant a Certificate of Approval and a Conditional Use Permit for this property.

**THE FOLLOWING ITEM III, ITEM IV PETITIONS 2) THROUGH 6) AND ITEM V
WILL BE HEARD ON TUESDAY, FEBRUARY 25, 2014.**

III. APPROVAL OF MINUTES

A) November 20, 2012

B) February 19, 2013

C) March 19, 2013

D) December 17, 2013

IV. PUBLIC HEARINGS – NEW BUSINESS (Continued)

- 2) Case # 2-A
 Petitioner: Kim Ham Iozzo (Nelsen)
 Property: 610 Middle Road
 Assessor Plan 232, Lot 33
 Zoning District: Single Residence B
 Description: Part-time aesthetics services offered in a portion of a residence.
 Requests: The Variances and Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Special Exception under Section 10.440, Use #19.22 to allow a Home Occupation 2 in this district.

- 3) Case # 2-2
 Petitioners: GRN Realty Trust,, owner, and The Chandler’s Loft, applicant
 Property: 15 Pickering Avenue (7 Pickering Avenue)
 Assessor Plan 102, Lot 24
 Zoning District: Waterfront Business
 Description: Seasonal private functions in 30’± x 15’± outdoor seating area.
 Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance under Section 10.440 to allow outdoor space to be used for private functions from May to October in a district where such a use is not allowed.

- 4) Case # 2-3
 Petitioners: Brady J. Byrd & Brian L. NESTE
 Property: 184 Walker Bungalow Road
 Assessor Plan 223, Lot 19
 Zoning District: Single Residence B
 Description: Second story addition, deck and canopies.
 Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.321 to allow a lawful nonconforming building to be extended or reconstructed without conforming to the requirements of the Ordinance.
 2. Variances from Section 10.521 to allow the following:
 - (a) A front yard setback of 25’± where 30’ is required.
 - (b) A rear yard setback of 20.8’± where 30’ is required.

- 5) Case # 2-4
 Petitioners: Kara Lynn Cole & Alistair James Ferguson Cole
 Property: 40 Mill Pond Way
 Assessor Plan 143, Lot 6
 Zoning District: General Residence A

Description: Remove existing two story detached nonconforming structure and build an attached 20'± x 36'± two story garage, 11'± x 24'± connector, and 3'± x 9'± one story balcony

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a lawful nonconforming building or structure to be extended or reconstructed without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow building coverage of 30.9%± where 25% is the maximum allowed.

6) Case # 2-5

Petitioner: Searay Realty LLC, owner and Public Service Company of New Hampshire, applicant

Property: 445 US Route One By-Pass

Assessor Plan 234, Lot 3

Zoning District: Office Research

Description: Construct electrical substation.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance under Section 10.440, Use #15.12 to allow construction of an electrical station providing community-wide or regional service.
2. Variances from Section 10.531 to allow the following:
 - (a) A left side yard setback of 46' where 75' is required.
 - (b) A rear yard setback of 31' where 50' is required.

V. OTHER BUSINESS

Proposed Revisions to Board of Adjustment Application Form and Rules and Regulations.

VI. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you need assistance to attend a meeting, please contact the Human Resources Department at 610-7274.