

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

7:00 P.M.

**APRIL 26, 2016
RECONVENED FROM
APRIL 19, 2016**

AGENDA

II. PUBLIC HEARINGS – NEW BUSINESS (continued from April 19, 2016)

8) Case #4-8

Petitioner: Wentworth Sagamore, LLC
Property: 1150 Sagamore Avenue
Assessor Plan 201, Lot 22

Zoning District: Mixed Residential Business

Description: Install a wall sign and a second free-standing sign on a lot.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.1243 to allow a second free-standing sign on a lot.
2. A Variance from Section 10.1251.20 to allow a 28.4± s.f. free-standing sign where 20 s.f. is the maximum allowed.
3. A Variance from Section 10.51251.20 to allow a 25± s.f. wall sign where 16 s.f. is the maximum allowed.

9) Case #4-9

Petitioner: Michael De La Cruz
Property: 75 Congress Street (63 Congress Street)
Assessor Plan 117, Lot 5

Zoning District: Character District 5, Downtown Overlay District

Description: Construct five residential use dormers and one office use dormer, with walkways and decks. Restore pediments.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered without conforming to the Ordinance.
2. A Variance from Section 10.5A43.31 and Section 10.5A21.22 to allow the following building heights where the maximum building heights allowed per Map 10.5A21B are 40' for a 2-3 stories height requirement area and 45' for a 2-3 stories (short 4th) height requirement area:
 - a. 62'11" for the proposed pediments
 - b. 65'6" for the proposed office dormer, and
 - c. 58' 11" for the proposed residential dormers

NOTE: THE FOLLOWING PETITIONS 10) THROUGH 13) HAVE REQUESTED TO POSTPONE TO THE MAY 17, 2016 MEETING. A VOTE ON THE REQUESTS WILL BE TAKEN AT THE BEGINNING OF THE MEETING.

10) Case #4-10

Petitioner: Robert McDowell
 Property: 379 New Castle Avenue
 Assessor Plan 207, Lot 4
 Zoning District: Single Residence B

Description: Construct a 20' x 20' detached garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a front yard setback of 7.25' where 30' is required.
2. A Variance from Section 10.521 to allow 20.6% building coverage where 20% is the maximum allowed.
3. A Variance from Section 10.571 to allow an accessory building to be located in a required front yard.

11) Case #4-11

Petitioners: Natan Aviezri Revocable Trust, Debra Klein & Natan Aviezri, Trustees
 Property: 75 Monroe Street (Middle Road at Ward Place)
 Assessor Plan 168, Lot 27 (merged from Lots 34 & 35)
 Zoning District: General Residence A

Description: Construct a single family home and garage on two re-merged lots.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a lot area of 5,954± s.f. where 7,500 s.f. is required.
2. A Variance from Section 10.521 to allow a lot area per dwelling unit of 5,954± s.f. where 7,500 s.f. per dwelling unit is required.
3. A Variance from Section 10.521 to allow continuous street frontage of 85.59'± where 100' of continuous street frontage is required.

12) Case #4-12

Petitioner: Seacoast Trust LLP
 Property: 150 US Route One By-Pass
 Assessor Plan 231, Lot 58
 Zoning District: Single Residence B

Description: Construct four story, 40 unit, multi-family building.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

- 1A. A Special Exception under Section 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.
If the Special Exception for the proposed use is not granted, then the following is requested:
- 1B. A Variance from Section 10.440, Use #1.40 to allow a multifamily dwelling with 40 dwelling units.

The following dimensional relief is also requested:

2. A Variance from Section 10.521 to allow a lot area per dwelling unit of 3,254 s.f. where 15,000 s.f. is required.
3. A Variance from Section 10.521 to allow a structure height of 50' where 35' is the maximum allowed.
4. A Variance from Section 10.522 to allow a multifamily dwelling with a building length of 246' where 160' is the maximum allowed.

13. Case #4-13

Petitioners: Blueberry Lafayette Investors LLC & Edward Walsh, owners, William P. Walsh, applicant

Property: 3605 (3607) Lafayette Road

Assessor Plan 298, Lot 2

Zoning District: Gateway & Rural

Description: Motor vehicle repair

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Section 10.440, Use #11.20 to allow a motor vehicle repair use in a district where the use is allowed only by Special Exception.
2. A Variance from Section 10.1111 to allow a change in use that does not meet the requirements for off-street parking.
3. A Variance from Section 10.843.12 to allow more than two 40' wide curb cuts or access or egress points on each abutting street.
4. A Variance from Section 10.843.21 to allow areas for parking, outdoor storage and outdoor display of vehicles or equipment to be set back less than 40 feet from the street right-of-way.

V. OTHER BUSINESS

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.