

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

7:00 P.M.

OCTOBER 17, 2017

AGENDA

I. APPROVAL OF MINUTES

- A) September 19, 2017
- B) September 26, 2017

II. PUBLIC HEARINGS - OLD BUSINESS

A) Case 8-6

Petitioner: Arne LLC
Property: 0 Sylvester Street
Assessor Plan: Map 232, Lots 43-1 & 43-2
Zoning District: Single Residence B (SRB)
Description: Merge two lots and construct a single-family home.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
1. A Variance from Section 10.521 to allow the following: a) continuous street frontage of 80.64'± where 100'; b) a lot area and lot area per dwelling unit of 6,713± s.f. where 15,000 s.f. is required; c) a lot depth of 82.2'± where 100' is required; and d) a front yard setback of 21.7'± where 30' is required. *A petition for this relief was granted with a stipulation on August 22, 2017 and this rehearing regarding the stipulation was granted on September 19, 2017.*

B) Case 9-5

Petitioners: Paul Lanzoni, owner, Paul & Janice Lanzoni, applicants
Property: 411 South Street
Assessor Plan: Map 112, Lot 55
Zoning District: General Residence A (GRA)
Description: Attached garage with accessory dwelling unit and hallway addition.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

1. A Variance from Section 10.521 to allow the following: (a) a rear yard setback of 8.1' ± where 20' is required, (b) a right yard setback of 9.3' ± where 10' is required; and (c) a building coverage of 26.4% ± where 25% is required.
2. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. *This petition was continued from the September 19, 2017 meeting and has been amended with regard to the right side yard and rear yard setbacks.*

C) Case 9-10

Petitioners: 143 Daniel Street LLC
 Property: 135 – 143 Daniel Street
 Assessor Plan: Map 105, Lot 19
 Zoning District: Character District 4 (CD4), Character District 5 (CD5), Historic District (HD), and Downtown Overlay District (DOD)
 Description: Create additional underground parking space.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

1. A Variance from Section 10.1114.20 to allow an 8' ± x 16' ± parking space where an 8½' x 19' space is required; and (b) to allow a 16' ± wide travel aisle where a 24' wide travel aisle is required. *This petition was postponed from the September 26, 2017 meeting.*

III. PUBLIC HEARINGS - NEW BUSINESS

Case #10-1

Petitioners: Working Stiff Properties LLC, owner, Matthew Beebe & Barbara Jenny, applicants
 Property: 87 Lincoln Avenue
 Assessor Plan: Map 113, Lot 34
 Zoning District: General Residence A (GRA)
 Description: Appeal.
 Requests: Appeal by the owners of the action taken by the City of Portsmouth issuing a cease and desist for a non-permitted use as a short term rental for the property referenced above.

Case #10-2

Petitioners: Todd A. Milne Revo Trust (50% INT), Todd A. Milne, applicant
 Property: 315 Wibird Street
 Assessor Plan: Map 132, Lot 13
 Zoning District: General Residence A (GRA)
 Description: Enclose rear stairway and screened porch in accessory structure.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

1. A Variance from Section 10.521 to allow a right side yard of 4' ± where 10' is required.
2. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

Case #10-3

Petitioners: Juanita Lancaster (1/8 Int.) and Eddie, Devon, Darren, and Tiffany Thomas, owners, John Anastas and Gloria Esposito-Anastas, applicants

Property: 1079 Maplewood Avenue

Assessor Plan: Map 219, Lot 49

Zoning District: Single Residence B (SRB)

Description: Replace existing structures with new construction of a single-family home and attached garage.

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

1. A Variance from Section 10.521 to allow the following: (a) a lot area and lot area per dwelling unit of 9,563' ± where 15,000 s.f. is required; (b) continuous street frontage of 72' ± on Maplewood Ave where 100' is required; and (c) a secondary front yard setback of 17.3' ± where 30' is required.
2. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

Case #10-4

Petitioners: Dovev Levine, owner and Dovev & Jannell Levin, applicants

Property: 96 Woodlawn Circle

Assessor Plan: Map 237, Lot 7

Zoning District: Single Residence B (SRB)

Description: Construct front portico and right side addition.

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

1. A Variance from Section 10.521 to allow a) a primary front yard of 18' ± where 30' is required and b) a 28'9" ± rear yard where 30' is required.
2. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance.

Case #10-5

Petitioners: Columbia Street Development LLC, owner, Revision Development, LLC, applicants

Property: 53 Columbia Street and Columbia Street (No address)

Assessor Plan: Map 145, Lots 43 & 44

Zoning District: General Residence C (GRC)

Description: Merge two lots and build an eight-unit dwelling.

- Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
1. A Special Exception under Section 10.440, Use #1.52 to allow eight dwelling units on a property where they are allowed by special exception.
 2. A Variance from Section 10.521 to allow a) a lot area per dwelling unit of 1,289 s.f. where 3,500 s.f. is required; and b) 44.4% building

Case #10-6

Petitioners: High Liner Foods Inc.

Property: 1 High Liner Avenue

Assessor Plan: Map 259, Lot 14

Zoning District: Industrial (I)

Description: Replace and reface wall signs.

- Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
1. A Variance from Section 10.1251.20 to allow a 600 s.f. wall sign where 100 s.f. is the maximum allowed for a wall sign;
 2. A Variance from Section 10.1271.20 to allow a wall sign on a façade not facing a street and with no public entrance; and
 3. A Variance from Section 10.1251 to allow a wall sign with no aggregate sign area available.

IV. 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.