

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

7:00 P.M.

APRIL 17, 2018

AGENDA

I. APPROVAL OF MINUTES

A) March 20, 2018

II. OLD BUSINESS

A) Motion for Reconsideration regarding property located at 996 Maplewood Avenue.

III. PUBLIC HEARINGS – OLD BUSINESS

5) Case 3-5

Petitioner: Barbara R. Frankel

Property: 89 Brewery Lane

Assessor Plan: Map 146, Lot 26

Zoning District: Character District 4-L2

Description: Replace existing structure with a Colonial style assisted living home.

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

1. Variances from Section 10.5A41.10A to allow the following:

a) a principal front yard of 76'± where 15' is the maximum allowed;

b) a right side yard of 37'± where a 5' minimum to 20' maximum is required;

c) a front lot line buildout of 50%± where 60% minimum to 80% maximum is required;

d) a minimum ground story height of 10' where 11' is required;

e) 13%± façade glazing where 20% minimum to 40% maximum is required;

f) *a building footprint of 3,146 s.f. where 2,500 s.f. is required; and*

2. A Variance from Section 10.5A44.31 to allow off-street parking spaces to be located less than 20' behind the façade of a principal building.

(This petition was postponed from the March 20, 2018 meeting and includes the addition of item f) italicized above.)

IV. PUBLIC HEARINGS – NEW BUSINESS

1) Case 4-1

Petitioners: Gordon C. & Carol L. Clark
Property: 28 Rockingham Street
Assessor Plan: Map 114, Lot 12
Zoning District: General Residence C
Description: Install a generator.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following:
1. A variance from Section 10.573 to allow a right side yard of 1.5'± where 5' is required.

2) Case 4-2

Petitioner: Burns F. Barford IV
Property: 635 Maplewood Avenue
Assessor Plan: Map 209, Lot 10
Zoning District: Single Residence B
Description: Temporary storage beyond 30 days.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following:
1. A variance from Section 10.440, Use #18.23 10.573 to allow a temporary structure to remain from 91 to 180 days where 30 days is the maximum period allowed.

3) Case 4-3

Petitioners: Bruce C. Teatrowe
Property: 226 Crescent Way
Assessor Plan: Map 212, Lot 128
Zoning District: General Residence B
Description: Replace a shed.
Requests: 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 0' left side yard where 5' is required.

4) Case 4-4

Petitioners: Brenda J. Bouchard Revocable Trust of 1999, Brenda J. Bouchard, Trustee
Property: 33 Holmes Court
Assessor Plan: Map 101, Lot 12
Zoning District: General Residence B
Description: Install a condenser.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following:
1. A variance from Section 10.573 to allow a rear yard of 14" where 5' is required.

5) Case 4-5

Petitioners: Nathan P. Moss & Stacey Martinez Moss
Property: 5 Pamela Street
Assessor Plan: Map 292, Lot 119
Zoning District: Single Residence B
Description: Replace an attached garage.
Requests: 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 right side yard of 5'± where 10' is required.

6) Case 4-6

Petitioners: Portsmouth Lumber & Hardware, Clipper Traders, LLC
Property: 105 Bartlett Street
Assessor Plan: Currently: Map 157, Lots 1& 2; Map 164 Lots 1, 2, 3 & 4
Zoning Districts: Office Research (OR), Character District 4-W (CD-4W), Transportation Corridor (TC). Proposed Lots 3 and 4 are proposed to be re-zoned to CD-4W and Proposed Lot 5 is proposed to be re-zoned to CD4W and CD4-L2.
Description: Adjust lot lines in order to construct new road.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

The required relief under the current zoning includes the following:

Proposed Lot 1:

Variances from Section 10.5A41.10B to allow the following:
1a) a front lot line buildout of 13.4%± where 50% is required; and
1b) a front yard of 27.2'± where 10' is the maximum allowed;

Proposed Lot 2:

Variances from Section 10.5A41.10B to allow the following:
2a) a principal front line buildout of 13.3%± where 50% is required;
2b) a secondary front lot line buildout of 0'± where 50% is required;
2c) a principal front yard of 18.2'± where 10' is the maximum allowed; and
2d) a secondary front yard of 30.2'± where 15' is the maximum allowed;

Proposed Lot 3:

Variances from Section 10.530 to allow the following:
3a) a front yard of 0'± where 70' is required;
3b) open space coverage of 9.6%± where 20% is required;

Proposed Lot 4:

Variances from 10.530 to allow the following:
4a) a lot size of 1.4± acres± where 2 acres is required;
4b) a front yard of 1.7'± where 70' is required;
4c) a side yard of 3.9'± where 50' is required; and
4d) a rear yard of 46.9'± where 50' is required; and

Proposed Lot 5:

A variance from Section 10.530 to allow the following:
5a) a rear yard of 33.7'± where 50' is required.

The required relief under the proposed zoning includes the following:

Proposed Lot 3:

Variances from Section 10.5A41.10B to allow the following:
1a) a front lot line buildout of 24.7%± where 50% is required;
1b) open space coverage of 9.6%± where 15% is required;

Proposed Lot 4:

Variances from Section 10.5A41.10B to allow the following:
2a) a front lot line buildout of 29.1%± where 50% is required;
2b) a building footprint of 20,313± s.f. where a maximum of 15,000 s.f. is required; and

Proposed Lot 5:

Variances from Section 10.5A41.10B to allow the following:
3a) a front lot line buildout of 0%± where 50% is required; and
3b) a front yard of 75.6'± where a maximum of 10' is required.

7) Case 4-7

Petitioner: Mark McNally
Property: 21 Brewster Street
Assessor Plan: Map 138, Lot 11
Zoning District: General Residence C
Description: Add balconies to upper floor units.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following:
1. Variances from Section 10.521 to allow the following:
a) a 3.75'± right side yard where 10' is required;
b) 54.6% building coverage where 35% is the maximum allowed; and
c) 4.1% open space where 20% is required.

8) Case 4-8

Petitioners: Portsmouth Housing Authority & ED PAC, LLC
Property: 140 & 152 Court Street
Assessor Plan: Map 114, Lots 37 & 38
Zoning District: Character District 4
Description: Construct five story residential building.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
For 152 Court Street:
a) A variance from Section 10.5A41.10C to allow no entrance proposed on the front building façade where an entrance is required every 50';

For 140 Court Street:

Variances from Section 10.5A41.10C to allow the following

- a) a maximum front lot line buildout of 45.7%± where 50% is required;
- b) no entrance proposed on the front building façade where an entrance is required every 50'; and
- c) a ground floor ceiling height of 9'± where 12' is required (parking deck on ground floor).

9) Case 4-9

Petitioners: Chad O. & Megan E. Luce

Property: 31 Willow Lane

Assessor Plan: Map 133, Lot 6

Zoning District: General Residence A

Description: Extend rear dormer.

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 10' rear yard where 20' 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.

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.