

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

7:00 P.M.

JULY 23, 2019*

AGENDA

***Note: this meeting was reconvened from the regular meeting held on July 16, 2019.**

I. OLD BUSINESS

A) Request for Rehearing regarding property at 201 Kearsarge Way

II. PUBLIC HEARINGS – OLD BUSINESS

A) Case 7-7

Petitioner: Matthew Wajda

Property: 183 Coolidge Drive

Assessor Plan: Map 268, Lot 29

District: Single Residence B

Description: Create a second lot from an existing lot.

Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including variances from Section 10.521 to allow the following:

- a) a lot area and lot area per dwelling unit of 10,100 s.f. for the lot with an existing structure where 15,000 s.f. is required for each;
- b) a lot area and lot area per dwelling unit of 10,270 s.f. for the proposed lot lot where 15,000 s.f. is required for each;
- c) 85' continuous street frontage where 100' is required; and
- d) 86' lot depth where 100' is required.

(This petition was rescheduled, and changed, from the July 16, 2019 meeting.)

III. PUBLIC HEARINGS – NEW BUSINESS

2) Case 7-9

Petitioners: Weeks Realty Trust, Kaley E. Weeks, Trustee and Chad Carter, owners and Tuck Realty Corporation, applicant

Property: 3110 Lafayette Road and 65 Ocean Road
 Assessor Plan: Map 292, Lots 151-1, 151-2 and 153
 District: Single Residence B
 Description: Demolish existing residential structure and construct 18 townhouses in 5 structures on merged lots with one existing home to remain.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variances:
 a) from Section 10.513 to allow more than one free-standing dwelling per lot;
 b) from Section 10.440, Use #1.40 to allow townhouses where the use is not permitted;
 c) from Section 10.521 to allow a lot area per dwelling unit of 4,537 s.f. where 15,000 s.f. per dwelling unit is required.

3) Case 7-10

Petitioner: Gruen Revocable Trust of 2019, Thomas W. and Carol R. Gruen, Trustees
 Property: 673 Middle Street
 Assessor Plan: Map 148, Lot 33
 District: General Residence A
 Description: A one-story 7.5' x 22' rear addition (165 s.f.) including rear entry porch.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variances:
 a) from Section 10.521 to allow a 4.5' left side yard where 10' is required;
 b) from Section 10.521 to allow 40% building coverage where 25% is the maximum allowed; and
 c) from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed or enlarged without conforming to the requirements of the ordinance.

4) Case 7-11

Petitioner: Karen L. Bouffard Revocable Trust, Karen L. Bouffard, Trustee
 Property: 114 Maplewood Avenue
 Assessor Plan: Map 124, Lot 4
 District: Character District 4-L1
 Description: Replace existing rear dwelling with a two-story structure including garage and one-story addition with deck above.
 Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including variances from Section 10.5A41.10A to allow the following:

- a) an 1.8’ left side yard where 1.5’ exists and 5’ is the minimum required;
- b) a 2.5’ rear yard where 0’ exists and 5’ is the minimum required; and
- c) a lot area per dwelling unit of 1.685 s.f. where 3,000 s.f. is required.
and the following variance:
- d) from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed or enlarged without conforming to the requirements of the ordinance.

5) Case 7-12

Petitioner: John A. Byron
Property: 346 Bartlett Street
Assessor Plan: Map 162, Lot 54
District: General Residence A
Description: Construct a single family dwelling on an unoccupied lot.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including variances from Section 10.521 to allow the following:
a) a lot area and lot area per dwelling unit of 5,026 s.f. where 7,500 s.f. is the minimum required for each;
b) 53.87’ of continuous street frontage where 100’ is required; and
c) a 7’ right side yard where 10’ is required.

6) Case 7-13

Petitioner: J&S Investments LLC
Property: 14 Market Square
Assessor Plan: Map 107, Lot 29
District: Character District 5 and the Downtown Overlay District
Description: Appeal an Administrative Decision regarding signage or, alternatively, to allow two murals, 124 s.f. and 68 s.f.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variances:
a) from Section 10.1251.10 to exceed the allowed maximum aggregate sign area; and
b) from Section 10.1251.20 to allow two wall signs that exceed 40 s.f. each where 40 s.f. is the maximum allowed.

7) Case 7-14

Petitioner: Bacman Enterprises
Property: 140 Edmond Avenue
Assessor Plan: Map 220, Lot 81
District: Single Residence B
Description: Expansion of a non-conforming use (after-the-fact).

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

- a) from Section 10.333 to allow a nonconforming use to be extended into other parts of the building;
- b) from Section 10.1113.20 to allow off-street parking spaces to be located in the required front yard or between a principal building or the street; and
- c) from Section 10.1114.32 to allow vehicles to enter or leave a parking area by backing out, into or from a public street or way.

8) Case 7-15

Petitioners: Alex W. & Kathleen N. Greiner
Property: 88 Lincoln Avenue
Assessor Plan: Map 113, Lot 2
District: General Residence A
Description: Renovation/addition.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including the following variances:

- a) from Section 10.521 to allow a 3’7” rear yard where 10’ is required; and
- b) from Section 10.321 to allow the expansion of a nonconforming structure.

9) Case 7-16

Petitioners: Mathew Allen Reichl & Beth Richmond
Property: 5 Sylvester Street
Assessor Plan: Map 232, Lot 41
District: Single Residence B District
Description: Construct a 2-story addition at the rear of an existing structure.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including

- a) from Section 10.521 to allow a 10.8’ rear yard where 30’ is required; and
- b) from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed or enlarged without conforming to the requirements of the ordinance.

10) Case 7-17

Petitioners: Drew & Brittany Schulthess
Property: 15 Mt. Vernon Street
Assessor Plan: Map 111, Lot 33
District: General Residence B
Description: Construct an addition over an existing garage.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including variances from Section 10.521 to allow the following:

- a) a 2.5' front yard where 5' is required;
- b) an 8.9' right side yard where 10' is required; and; and
- c) a 20' rear yard where 25' is required;
and the following variance:
- d) from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed or enlarged without conforming to the requirements of the ordinance.

IV. OTHER BUSINESS

V. ADJOURNMENT