

PLANNING DEPARTMENT - BOARD OF ADJUSTMENT

ACTION SHEET

TO: John P. Bohenko, City Manager

FROM: Mary Koepenick, Planning Department

RE: Actions Taken by the Portsmouth **Board of Adjustment at its reconvened meeting on August 27, 2019** in the Eileen Dondero Foley Council Chambers, Municipal Complex, One Junkins Avenue, Portsmouth, New Hampshire.

PRESENT: Chairman David Rheaume, Vice Chairman Jeremiah Johnson, John Formella, Jim Lee, Christopher Mulligan, Arthur Parrott, Alternate Phyllis Eldridge, Alternate Chase Hagaman

EXCUSED: Peter McDonell

=====
I. OLD BUSINESS

A) Request for Rehearing regarding property at **56 Middle Street**

Action: The Board voted to **grant** the request for rehearing.

=====
II. PUBLIC HEARINGS – OLD BUSINESS

A) Case 7-2. Petition of Kenneth K. and Deborah A. Jennings for property located at **27 Thaxter Road** to Appeal a Decision of the Portsmouth City Council to restore two involuntary merger lots. Said property is shown on Assessor Plan 66, Lot 39 and lies within the Single Residence B District. **Note: This petition was postponed from the July 16, 2019 and the August 20, 2019 meetings.*

Action: the Board voted to **postpone** the application. This matter will be placed on the agenda for the Board of Adjustment meeting scheduled for **Tuesday, September 17, 2019 at 7:00 p.m.**

=====
III. PUBLIC HEARINGS – NEW BUSINESS

1) **Case 8-8.** Petition of 202 Court Street Property Group LLC for property located at **202 Court Street** for renovation of existing structure and conversion from a mixed use building to a multi-family residence wherein the following variances are required: a) from Section 10.515.14 to allow a 3’ setback from the rear property line where 10’ is required for a mechanical system; b) from Section 10.515.14 to allow an 8.4’ setback from the left property

line where 10' is required for a mechanical system; c) from Section 10.5A44.31 to permit parking spaces that are not located at least 20' behind the façade of a principal building; d) from Section 10.5A41.10A to allow a minimum lot area per dwelling unit of 1,705 s.f. where 3,000 s.f. is required; e) from Section 10.1114.32(a) to allow vehicles entering and leaving parking spaces to pass over another parking space or require the movement of another vehicle; and f) from Section 10.1114.32(b) to allow vehicles to back into or from a public street or way. Said property is shown on Assessor Plan 116, Lot 35 and lies within Character District 4L-1.

Action: The Board voted to **grant** the application as presented.

2) Case 8-9. Petition of Shannon Leah Harrington and James St. Pierre for property located at **20 Taft Road** for the addition of stairs to an existing deck and a new lower deck wherein the following variances are required: a) from Section 10.521 to allow a 4' rear yard where 30' is required; b) from Section 10.521 to allow 28% building coverage where 20% 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. Said property is shown on Assessor Plan 268, Lot 91 and lies within the Single Residence B District.

Action: The Board voted to **grant** the application as presented.

3) Case 8-10. Petition of Dagny Taggart LLC for property located at **3 Pleasant Street** to demolish a portion of the rear of the building and construct an area along the rear of the building with access components to facilitate handicap access, and an elevator, wherein the following variance is required: a) from Section 10.5A41 and Figure 10.5A41.10D to allow a 0' rear yard where 5' is required. Said property is shown on Assessor Plan 107, Lot 31 and lies within Character District 5 and the Downtown Overlay District.

Action: The Board voted to **grant** the application as presented.

4) Case 8-11. Petition of Dagny Taggart, LLC for property located at **0 (53) Daniel Street** for a five-story building with mixed commercial uses wherein variances from Section 10.5A41 & Figure 10.5A41.10C are required to allow the following: a) a building footprint up to 17,500 s.f. where 15,000 s.f. is the maximum allowed; and b) a 3' rear yard where 5' is required. Said property is shown on Assessor Plan 107, Lot 27 and lies within Character District 4 and the Downtown Overlay District.

Action: The Board voted to **table** the application for additional information.

5) Case 8-12. Petition of Foundry Place LLC for property located at **0 Hanover Street (aka 181 Hill Street)** for construction of a six story 60’ hotel with interior parking wherein the following variances are required: a) from Section 10.5A43.31 and Section 10.5A46.10 to allow a six-story 60-foot tall building where a five-story, 60-foot tall building is permitted; b) from Section 10.1114.21 to allow 54 valet-only parking spaces using a two-car lift system where 10 spaces do not meet the parking depth requirements; and c) from Section 10.1114.32(a) to permit a valet-only lift system which requires passing over another parking space or moving another vehicle where both requirements are prohibited. Said property is shown on Assessor Plan 138, Lot 62 and lies within Character District 5.

Action: The Board voted to **table** the application for additional consideration.

=====

IV. OTHER BUSINESS

No other business was presented.

=====

V. ADJOURNMENT

It was moved, seconded and passed to adjourn the meeting at 12:09 p.m.

Respectfully submitted,

Mary E. Koepenick, Secretary