

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

7:00 P.M.

December 19, 2023

ACTION SHEET

MEMBERS PRESENT: Phyllis Eldridge, Chair; Beth Margeson, Vice Chair; David Rheaume; Paul Mannle; Thomas Rossi; Jeffrey Mattson; ML Geffert, Alternate

MEMBERS EXCUSED: Jody Record, Alternate

ALSO PRESENT: Stefanie Casella, Planning Department

I. APPROVAL OF MINUTES

A. Approval of the November 21, 2023 minutes.

*The Board **approved** the minutes as presented.*

II. OLD BUSINESS

A. **9 Kent Street** - Request for rehearing (LU-23-176)

*The Board voted to **deny** the rehearing request because the Board did not error when they considered all the information and made a decision based on the criteria with regard to the specific relief that was being asked for.*

B. **550 Sagamore Avenue** – Request for Rehearing (LU-23-164)

*The Board voted to **deny** the rehearing because the Board did not error in their judgment and decision making.*

C. The request of **Jeff and Rhonda Caron (Owners)**, for property located at **1 Garden Street** whereas relief is needed to construct an addition to the existing detached garage and create a second living unit on the property which requires the following: 1) Variance from Section 10.516.10 to allow a two (2) foot front yard where five and a half (5.5) feet is required; 2) Variance from Section 10.513 to allow two (2) free standing dwelling units

where one (1) is allowed; and 3) Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 174 Lot 11 and lies within the General Residence A (GRA) District. (LU-23-139)

*The Board voted to **approve** the request with the following **condition**:*

- 1) *The existing shed located over the western boundary line is relocated to sit entirely on the property and conform to Zoning requirements; OR be removed entirely.*

III. NEW BUSINESS

- A. The request of **Anne Sullivan and Kathleen Sullivan (Owners)**, for property located at **166 Martha Terrace** whereas relief is needed to replace the existing shed with a new shed which requires the following: 1) Variance from Section 10.521 to allow 21% building coverage where 10% is the maximum allowed. Said property is located on Assessor Map 283 Lot 23 and lies within the Single Residence A (SRA) District. (LU-23-186)

*The Board voted to **approve** the request as presented and advertised.*

- B. The request of **Go-Lo Inc. and James A. Labrie Revocable Trust of 1991 (Owners)**, for property located at **2059 Lafayette Road** whereas relief is needed to demolish the existing structure and construct an eight (8) living unit building which requires the following: 1) Variance from Section 10.1113.20 to allow parking located closer to the street than the principal building in the secondary front yard; and 2) Variance from Section 10.521 to allow 3,430 square feet of lot area per dwelling unit where 7,500 square feet are required. Said property is located on Assessor Map 268 Lot 13 and lies within the Mixed Residential Business (MRB) District. (LU-23-191)

*The Board voted to **approve** the request as presented and advertised.*

- C. The request of **Jeffrey Suttie and Katherine Clarcq (Owners)**, for property located at **485 Lincoln Ave** whereas relief is needed to extend the livable space of the primary structure into area that is currently a porch which requires the following: 1) Variance from Section 10.521 to allow a four (4) foot side yard where 10 is required; and 2) Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 134 Lot 49 and lies within the General Residence A (GRA) District. (LU-23-195)

*The Board voted to **approve** the request as presented and advertised.*

- D. **REQUEST WITHDRAWN** The request of **Zachary Dombrowski and Meghan Black (Owners)**, for property located at **111 Gates Street** whereas relief is needed to demolish

and reconstruct portions of the structure located at the rear and on the right side of the building which requires the following: 1) Variance from Section 10.521 to allow a) zero (0) foot front yard where five (5) feet are required, and b) zero (0) foot side yard where 10 feet are required; and 2) Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 103 Lot 96 and lies within the General Residence B (GRB) and Historic District. **REQUEST WITHDRAWN (LU-23-193)**

- E. The request of **Mark N Franklin and Julie S Franklin (Owners)**, for property located at **168 Lincoln Avenue** whereas relief is needed to demolish the detached garage and construct an addition to the primary structure that includes an attached garage which requires the following: 1) Variance from Section 10.521 to allow a) eight and a half (8.5) foot front yard where 15 is required, b) seven (7) foot right yard where ten (10) feet is required, and c) 33% building coverage where 25% is the maximum allowed; and 2) Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 113 Lot 6 and lies within the General Residence A (GRA) District. (LU-23-196)

*The Board voted to **approve** the request as presented and advertised.*

- F. The request of **Paula J. Reid 2003 Revocable Trust (Owner)**, for the property located at **410 Richards Avenue** whereas relief is needed to demolish and remove the existing detached garage and construct a new detached garage and associated drainage improvements, which requires the following: 1) Variance from Section 10.521 to permit a) 3.5 foot right side yard where 10 feet is required, and b) 30% building coverage where 25% is the maximum allowed; and 2) Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on the Assessor Map 112 Lot 10 and lies within the General Residence A (GRA) District. (LU-23-198)

*The Board voted to **approve** the requested variances from Section 10.521 and acknowledge that the request does not require relief from Section 10.321.*

IV. OTHER BUSINESS

There was no other business.

V. ADJOURNMENT

The meeting adjourned at 10:52 p.m.