

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

7:00 P.M.

September 26, 2023

ACTION SHEET

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

MEMBERS EXCUSED:

ALSO PRESENT: Jillian Harris, Planning Department

<p><u>PLEASE NOTE:</u> ITEMS (III.) D. THROUGH F. WERE POSTPONED AT THE SEPTEMBER 19, 2023 BOARD OF ADJUSTMENT MEETING.</p>
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I. NEW BUSINESS – PUBLIC HEARING

- A.** The request of **Marcella F. Hoekstra (Owner)**, for property located at **35 Whipple Court** whereas relief is needed in the form of an equitable waiver for 1) an accessory structure with an 8.5-foot right yard where 10 feet was permitted and an 8-foot rear yard where 17 feet was permitted; or in the alternative 2.a) Variance from Section 10.521 to allow an 8,324 SF lot area/dwelling unit where 15,000 SF is required; b) to allow a frontage of 45.83 feet where 100 feet is required; c) to allow an accessory structure with an 8.5 foot right yard where 10 feet is required; d) to allow an accessory structure with an 8 foot rear yard where 9 feet is required; and e) to allow a building coverage of 26% where 20% is allowed. Said property is located on Assessor Map 260 Lot 98 and lies within the Single Residence B (SRB) District. (LU-23-147)

Alternate ML Geffert was seated for voting.

*The Board voted to **grant** an equitable waiver for the property located at 35 Whipple Court for the accessory structure, with an 8-1/2 foot right yard where 10 feet was permitted and an 8-ft rear yard where 17 feet was permitted.*

Motion: *Geffert; Mannle*

- B.** The request of **Lawrence Brewer (Owner)**, for property located at **253 Broad Street** whereas relief is needed to construct an attached garage and add a second driveway, which requires the following: 1) Variance from Section 10.521 to allow a 7 foot side setback where 10 feet is required; and 2) Variance from Section 10.1114.31 to allow more than one driveway per lot. Said property is located on Assessor Map 131 Lot 16 and lies within the General Residence A (GRA) District (LU-23-148)

J. Record was seated for voting; ML Geffert resumed alternate status.

*The Board voted to **grant** the first variance to allow a 7-foot side setback.*

Motion: Rheaume; Margeson

*The Board voted to **grant** the second variance to allow more than one driveway per lot, with the following **condition**:*

- 1) Contingent that the applicant shall get an approved ADU within two years.*

Motion: Mannle; Mattson

- C.** The request of **Prospect North (Owner)**, for property located at **815 Lafayette Road** whereas relief is needed for the demolition of the existing building and tower and the construction of three 4-story, 24-unit multi-family buildings (72 total units) with first floor parking and associated site improvements, which requires the following: 1) Variance from Section 10.5B33.20 (Front Build-out) to permit a front build out of less than 50% of the total front yard width; and 2) Variance from Section 10.5B33.30 (Façade Orientation) to permit a façade orientation that is not parallel with the front property line. Said property is located on Assessor Map 245 Lot 3 and lies within the Gateway Corridor (G1) District and the FEMA 100yr flood and extended flood hazard area. (LU-23-149)

*The Board voted to **grant** the variances as presented and advertised.*

Motion: Margeson; Mannle

II. OTHER BUSINESS

The ability to deny an application without prejudice was briefly discussed.

III. ADJOURNMENT

The meeting adjourned at 8:30 p.m.