



City of Portsmouth  
 Planning Department  
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 Portsmouth, NH  
 (603)610-7216

## MEMORANDUM

TO: Zoning Board of Adjustment  
 FROM: Jillian Harris, Principal Planner  
 Peter Stith, Planning Manager  
 DATE: April 9, 2025  
 RE: Zoning Board of Adjustment April 15, 2025

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The agenda items listed below can be found in the following analysis prepared by City Staff:

### II. Old Business

- A. 635 Sagamore Avenue – Extension Request
- B. 39 Dearborn Street – Extension Request

### III. New Business

- A. 121 Mechanic Street
- B. 636 Lincoln Avenue
- C. 558 Islington Street
- D. 205 Bartlett Street
- E. 620 Peverly Hill Road
- F. 210 Commerce Way - **REQUEST TO POSTPONE**
- G. 170 and 190 Commerce Way - **REQUEST TO POSTPONE**
- H. 195 Commerce Way - **REQUEST TO POSTPONE**
- I. 215 Commerce Way - **REQUEST TO POSTPONE**
- J. 230 Commerce Way - **REQUEST TO POSTPONE**

## II. OLD BUSINESS

### A. 635 Sagamore Avenue – Extension Request (LU-22-209)

#### Planning Department Comments

On May 16, 2023 the Board of Adjustment granted the following variances for the removal of existing structures and construction of 4 single family dwellings:

- 1) A Variance from Section 10.513 to allow four free-standing dwellings where one is permitted.
- 2) A Variance from Section 10.521 to allow a lot area per dwelling unit of 21,198 square feet per dwelling where 43,560 square feet is required.

The Board voted to grant the request with the following condition:

- 1) The design and location of the dwellings may change as a result of Planning Board review and approval.

The approvals listed above are scheduled to expire on May 16, 2025. The Ordinance allows for a one-time, one-year extension if the request is acted on prior to the expiration date. The applicant has requested an extension as a permit has not yet been obtained. A letter from the applicant and the 2023 letter of decision is included in the meeting packet. You can view the original application material at the following link:

[https://files.portsmouthnh.gov/files/planning/apps/SagmaoreAve\\_635/635+Sagamore+Ave\\_boa\\_05162023.pdf](https://files.portsmouthnh.gov/files/planning/apps/SagmaoreAve_635/635+Sagamore+Ave_boa_05162023.pdf)

## II. OLD BUSINESS

### A. 39 Dearborn Street – Extension Request (LU-23-5)

#### Planning Department Comments

On May 23, 2023 the Board of Adjustment granted the following variances demolishing the existing shed and constructing a two-story addition which requires the following:

1) Variance from Section 10.521 to allow a) 5 foot front yard where 15 feet is required; and b) 2 foot right side yard where 10 feet is required.

2) 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

The approvals listed above are scheduled to expire on May 23, 2025. The Ordinance allows for a one-time, one-year extension if the request is acted on prior to the expiration date. The applicant has requested an extension as a permit has not yet been obtained. A letter from the applicant and the 2023 letter of decision is included in the meeting packet. You can view the original application material at the following link:

[https://files.portsmouthnh.gov/files/planning/apps/DearbornSt\\_39/DearbornSt\\_39\\_BOA\\_05232023.pdf](https://files.portsmouthnh.gov/files/planning/apps/DearbornSt_39/DearbornSt_39_BOA_05232023.pdf)

### III. NEW BUSINESS

- A. The request of **Jason T. and Trisha Brewster (Owners)**, for property located at **121 Mechanic Street** whereas after-the-fact relief is required for a roof sign which requires the following: 1) Variance from Section 10.1240 to allow a roof sign where it is not an allowed sign type; and 2) Variance from Section 10.251 for an aggregate sign area of 191 s.f., which is greater than the maximum allowed. Said property is located on Assessor Map 103 Lot 31 and lies within the Waterfront Business (WB) and Historic Districts. (LU-25-5)

#### Existing & Proposed Conditions

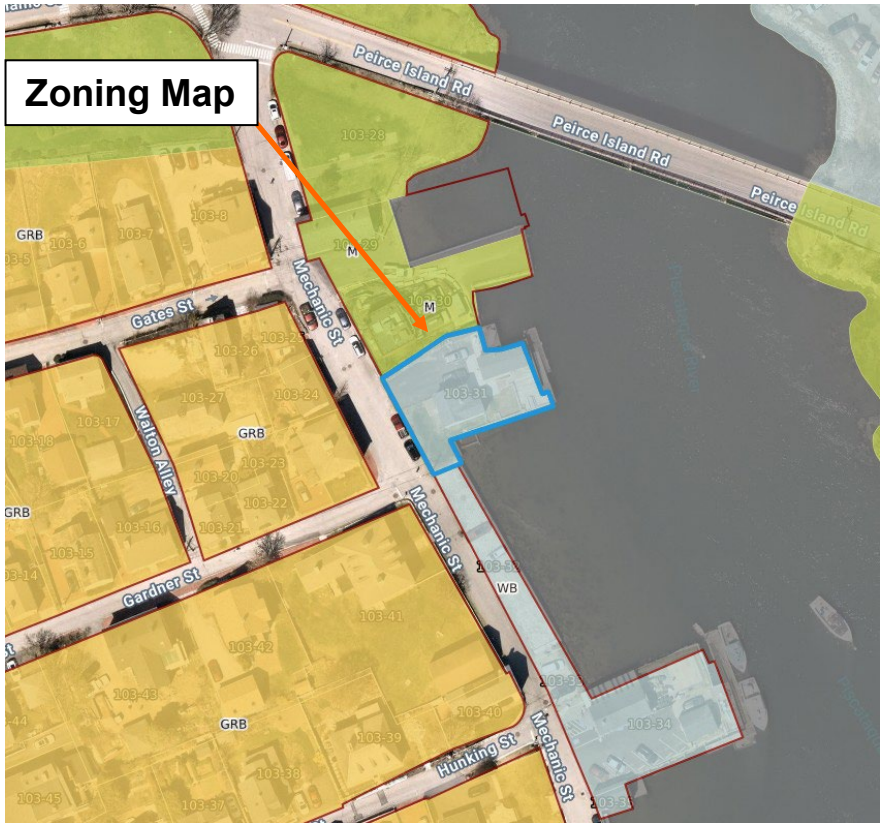
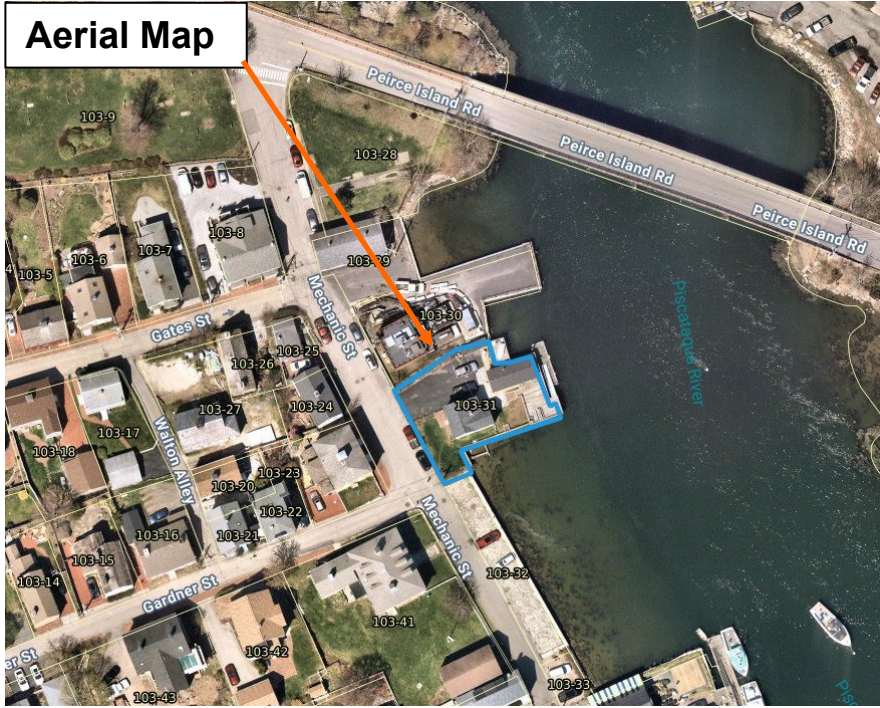
	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	Mixed-Use	Roof Sign*	Primarily Commercial
<u>Lot area (SF):</u>	6,534	6,534	20,000 Min.
<u>Building frontage (Ft.):</u>	Bait Shop: 16	Bait Shop: 16	NR
<u>Wall Sign (SF)</u>	11	11	16 Max.
<u>Roof Sign (SF)</u>	180	180*	Not Permitted
<u>Aggregate Sign area (SF)</u>	191	191	16 Max.
		Variance request(s) shown in red.	

\*A roof sign is not a permitted sign type in Sign District 2 per Section 10.1241

#### Other Permits/Approvals Required

- Historic District Commission Approval
- Sign Permit

# Neighborhood Context



## Previous Board of Adjustment Actions

- **December 17, 1975** – Request to allow to extend existing workshop an additional 12' onto existing wharf, extending an existing nonconforming setback(s). The Board voted to **grant** the request with no stipulations.
- **November 18, 1986** – 1) a Variance from Article III, Section 10-302 to allow the construction of a 8' x 14' building for the retailing of lobsters with a 9' side yard and a 1' rear yard where a minimum side and rear yards of 20 ft. are required; and, 2) a Variance from Article IX, Section 10-906 to permit the use of a 14 s.f. free-standing sign located 2' from the front and side yards where a minimum of 35 ft. to all yards is required. The Board voted to **grant** the request with no stipulations.
- **January 22, 2014** – A Variance from Section 10.321 to allow a lawful nonconforming building to be extended or enlarged without conforming to the requirements of the Ordinance. A Variance from Section 10.531 to allow a right side yard setback of 7'10" ± where 30' is the minimum required. The Board voted to **grant** the request as advertised and presented.

## Planning Department Comments

The applicant owns and operates Brewster's Bait and Tackle at 121 Mechanic Street. In October 2024 the applicant painted "Bait and Ice" on one side of the roof of the bait shop. As this constitutes a sign, the applicant is required to obtain a sign permit and to meet sign regulations for the Waterfront Business (WB) and Historic Districts, in which the property is located. The applicant is requesting relief for an after-the-fact roof sign (180 SF) as painted letters on the roof where it is not a permitted sign type in sign district 2 and an aggregate sign area that is greater than the maximum permitted for the property.

## Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
  - (a) *The property has special conditions that distinguish it from other properties in the area.*

**AND**

  - (b) *Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one.*

**OR**

  - (c) *Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.*

**10.235 Certain Representations Deemed Conditions**

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

### III. NEW BUSINESS

**B.** The request of **Mezansky Family Revocable Trust (Owners)**, for property located at **636 Lincoln Avenue** whereas relief is needed to demolish an existing detached garage and to construct an addition which requires the following: 1) Variance from Section 10.521 to a) allow a 2 foot left side yard setback where 10 feet is required; b) allow a 16 foot rear yard setback where 20 feet is required; c) allow 29% building coverage where 25% is the maximum allowed; and 2) 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. Said property is located on Assessor Map 148 Lot 17 and lies within the General Residence A (GRA) District. (LU-25-27)

#### Existing & Proposed Conditions

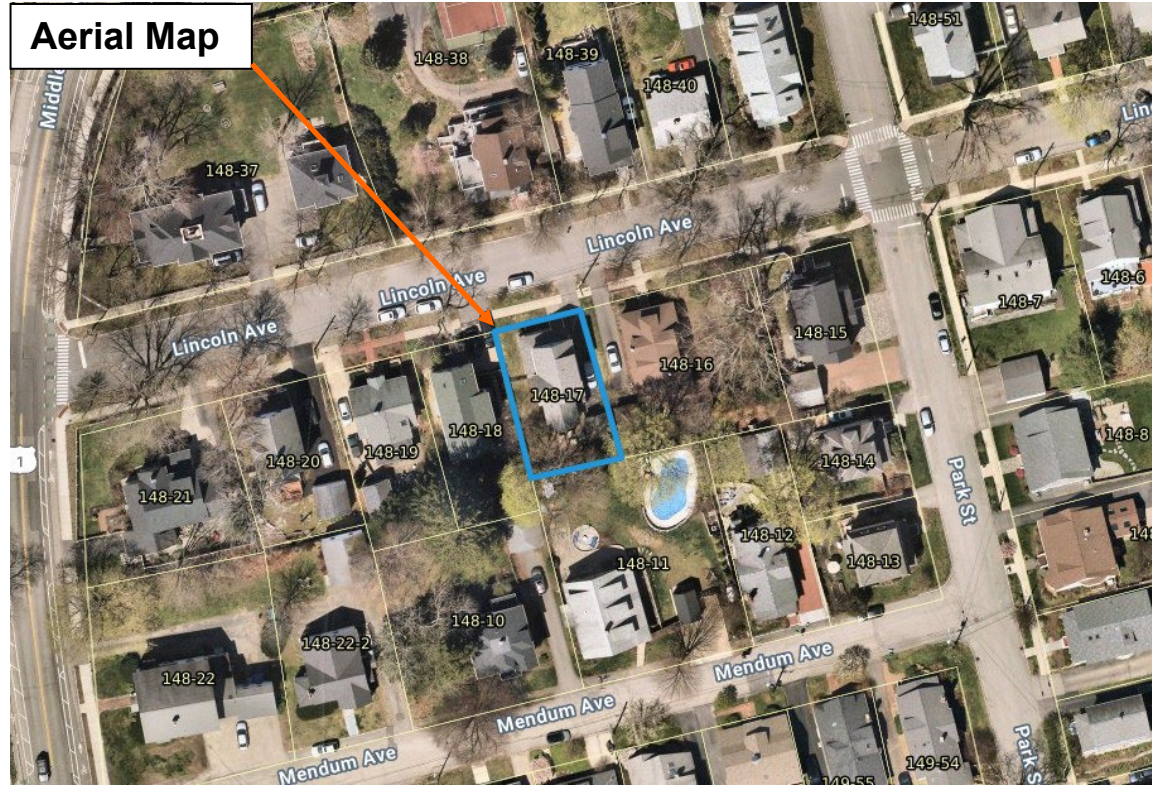
	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	Single-family	Construct rear addition	Primarily Residential
<u>Lot area (sq. ft.):</u>	5,669	5,669	7,500 min.
<u>Lot Area per Dwelling Unit (sq. ft.):</u>	5,669	5,669	7,500 min.
<u>Lot depth (ft.):</u>	85	85	100 min.
<u>Street Frontage (ft.):</u>	50	50	70 min.
<u>Front Yard (ft.):</u>	10	10	15 min.
<u>Right Side Yard (ft.):</u>	15	House:15 Addition: >10	10 min.
<u>Left Side Yard (ft.):</u>	Garage: 0	<b>Addition:2</b>	10 min.
<u>Rear Yard (ft.):</u>	House: 30	<b>Addition: 16</b>	20 min.
<u>Building Coverage (%):</u>	27.2	<b>29</b>	25 max.
<u>Open Space Coverage (%):</u>	63	64	30 min.
<u>Parking</u>	3	2	2
<u>Estimated Age of Structure:</u>	1913	<b>Variance request(s) shown in red.</b>	

#### Other Permits/Approvals Required

- Building Permit



### Neighborhood Context



## Previous Board of Adjustment Actions

- **October 16, 2012** - A Variance from Section 10.321 and Section 10.324 to allow a lawful nonconforming building to be extended or enlarged in a manner that is not in conformity with the Zoning Ordinance. A Variance from Section 10.521 to allow a building coverage of 38.4%± where 36.8%± exists and 25% is the maximum allowed. The Board voted to **grant** the request as advertised and presented.

## Planning Department Comments

The applicant is requesting to demolish an existing detached garage and to construct a one-story addition to the existing home to expand the living area. The addition is proposed to blend with the design of the primary structure and will require relief for rear and side yard setbacks, in addition to extension of an existing non-conforming structure.

## Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The “unnecessary hardship” test:*
  - (a) *The property has special conditions that distinguish it from other properties in the area.*

**AND**

  - (b) *Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one.*

**OR**

  - (c) *Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.*

## 10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

**III. NEW BUSINESS**

**C.** The request of **Dreyer Family Revocable Trust (Owners)**, for property located at **558 Islington Street** whereas relief is needed to allow a salon which requires the following: 1) Special Exception from Section 10.440, Use # 7.20 to allow a personal services use where it is allowed by Special Exception. Said property is located on Assessor Map 156 Lot 23 and lies within the Character District 4-L2 (CD4-L2) and Historic Districts. (LU-25-30)

**Existing & Proposed Conditions**

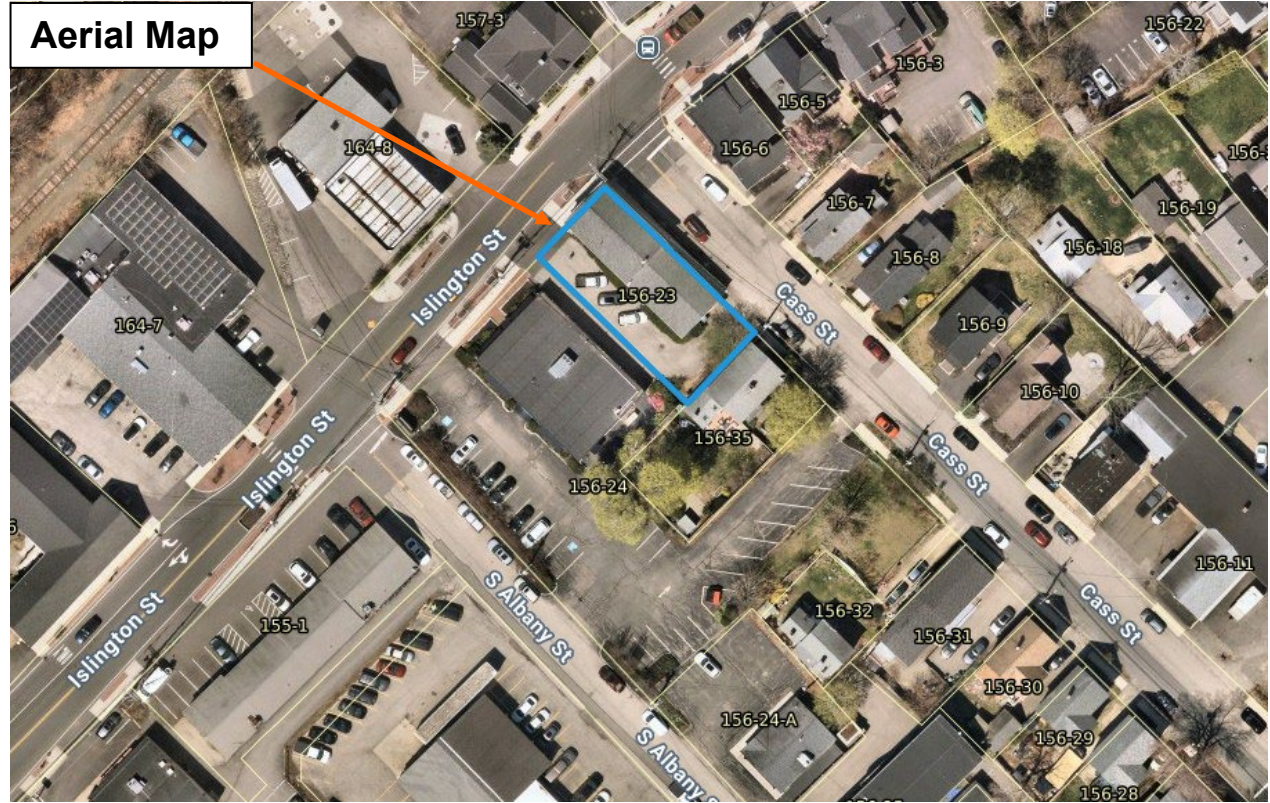
	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	2 Commercial Units, 2 Residential Units	<b>*Salon (Allowed by Special Exception)</b>	Mixed residential and commercial uses
<u>Unit Area (sq. ft.)</u>	1000	1000	NR
<u>Parking (Spaces)</u>	10	10	Residential (2 Units): <b>3</b> Personal Svc (2 Units @1000SF): <b>5</b> (1 per 400 s.f.GFA) <b>Total: 8</b>
<u>Estimated Age of Structure:</u>	1920	<b>Special Exception request(s) shown in red.</b>	

**\*Salon is considered a "personal services" use that is allowed by Special Exception in the CD4-L2**

**Other Permits/Approvals Required**

- Building Permit (Tenant Fit-Up)
- Sign Permit

### Neighborhood Context



### Previous Board of Adjustment Actions

- No previous BOA history was found.

### Planning Department Comments

The applicant is requesting to establish a salon at 558 Islington Street, a first floor commercial unit in a mixed-use building with a main address of 562 Islington Street. Salons are considered a “personal service” under the Zoning Ordinance and are allowed by Special Exception in the CD4-L2 district. There are currently 10 on-site parking spaces and the proposed mix of uses on-site requires 8 spaces.

### Special Exception Review Criteria

The application must meet all of the standards for a **special exception** (see Section 10.232 of the Zoning Ordinance).

1. *Standards as provided by this Ordinance for the particular use permitted by special exception;*
2. *No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials;*
3. *No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, accessways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials;*
4. *No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity;*
5. *No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools; and*
6. *No significant increase of stormwater runoff onto adjacent property or streets.*

### 10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

**III. NEW BUSINESS**

D. The request of **Freeze J. L. & Riecks J. D. Revocable Trust (Owners)** and **Kimberly Boualavong** and **Matthew Meyers (Applicants)**, for property located at **205 Bartlett Street** whereas relief is needed to allow a barbershop which requires the following: 1) Variance from Section 10.440, Use #7.20 to allow a personal services use where it is not allowed. Said property is located on Assessor Map 162 Lot 33 and lies within the General Residence A (GRA) District. (LU-25-31)

**Existing & Proposed Conditions**

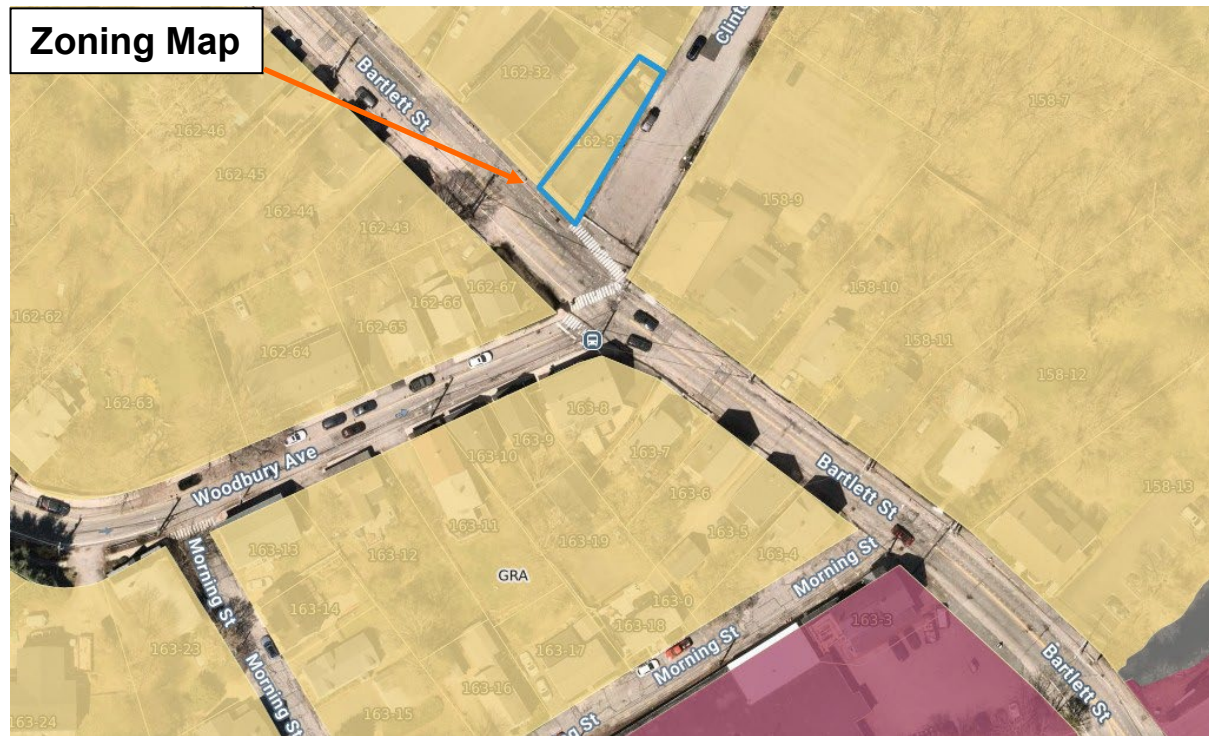
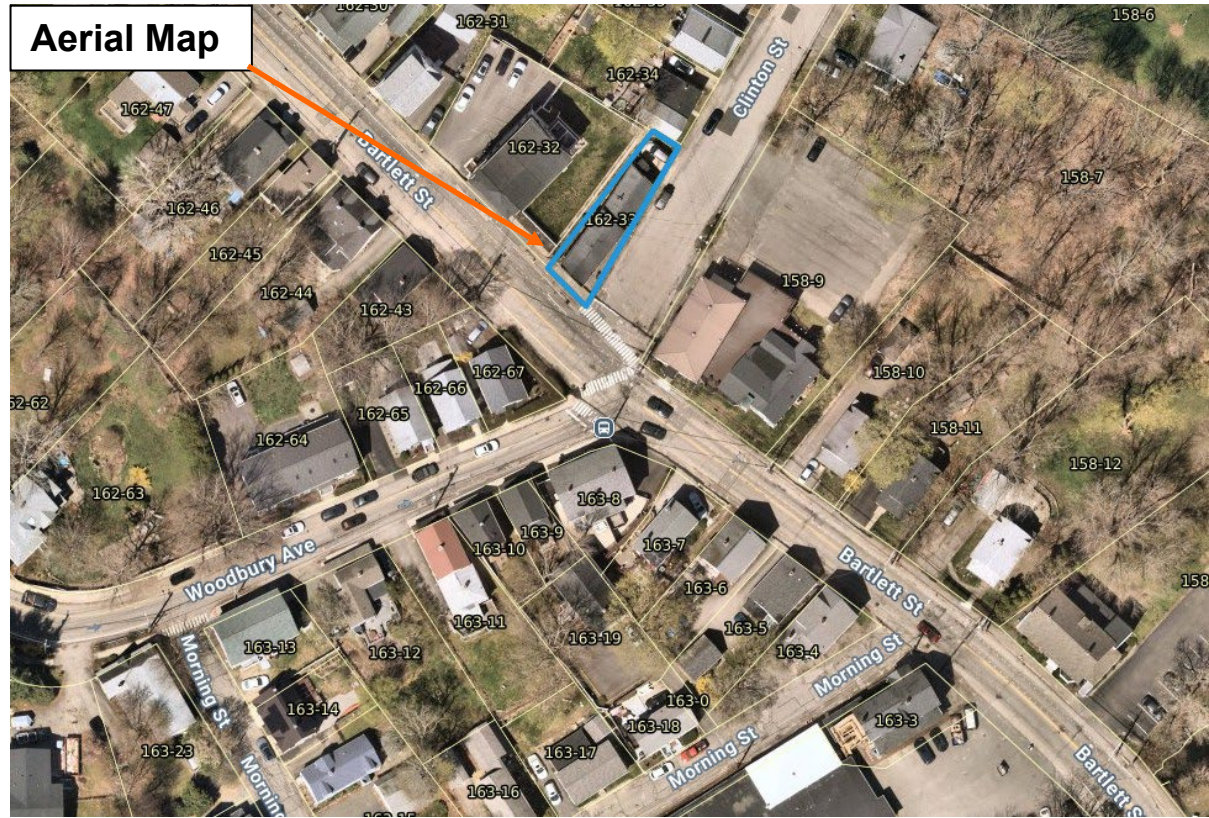
	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	1 Commercial Unit, 1 Residential Unit	*Barbershop	Primarily Residential
<u>Units Area (sq. ft.)</u>	275	275	
<u>Parking (Spaces)</u>	2	2	2
<u>Estimated Age of Structure:</u>	1910	Variance request(s) shown in red.	

\*Barbershop is considered a "personal services" use that is not a permitted use in GRA

**Other Permits/Approvals Required**

- Building Permit (Tenant Fit-Up)

### Neighborhood Context



## Previous Board of Adjustment Actions

- **August 18, 1998** – 1) A Variance from Article II, Section 10-206 to allow a 442.6 s.f. take out only restaurant in the former Reyes Upholstery Shop (282.6 s.f.) and a portion of the existing dwelling unit (160 s.f.); and 2) a Variance from Article XII, Section 10-1204 Table 15 to allow no parking for the take out restaurant where 4 parking spaces are required. Application was **withdrawn** by applicant.
- **September 21, 1999** – A Variance Article IV, Section 10-401(A)(1)(b) to allow a 6' x 9'6" walk-in closet in the apartment to be converted into an office for the upholstery shop. The Board voted to **grant** the petition as presented and advertised with a **stipulation**:
  - That the area for the office remain an office and not be used for other aspects of the business.
- **April 29, 2014** – A Variance from Section 10.440, Use #6.20 to allow a medical office where the use is prohibited in this district. A Variance from Sections 10.1111.10 and 10.1112.30 to allow no off-street parking spaces to be provided where 2 off-street parking spaces are required. The Board voted to **grant** the petition as presented and advertised with a **stipulation**:
  - That the regular hours of operation will be limited to 20 hours per week.

## Planning Department Comments

The applicant is seeking a variance to permit a personal service use for a barbershop in an existing commercial unit at 205 Bartlett St. There is also an existing residential apartment in the rear unit of the existing mixed-use building. The front unit has historically been a non-conforming commercial use with the most recent tenant being permitted as medical office use. The commercial and residential units each require 1 parking space and there are 2 parking spaces at the rear of the lot.

## Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
  - (a) *The property has special conditions that distinguish it from other properties in the area.*

**AND**

  - (b) *Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one.*

**OR**

  - (c) *Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.*



**10.235 Certain Representations Deemed Conditions**

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

**III. NEW BUSINESS**

E. The request of **Alexander Nancy H. Revocable Trust (Owners)**, for property located at **620 Peverly Hill Road** whereas relief is needed for a change of use to allow a health club that requires the following special exception from Section 10.440, Use #4.42 to allow a health club greater than 2,000 s.f. gross floor area. Said property is located on Assessor Map 254 Lot 6 and lies within the Industrial (I) District. (LU-25-33)

**Existing & Proposed Conditions**

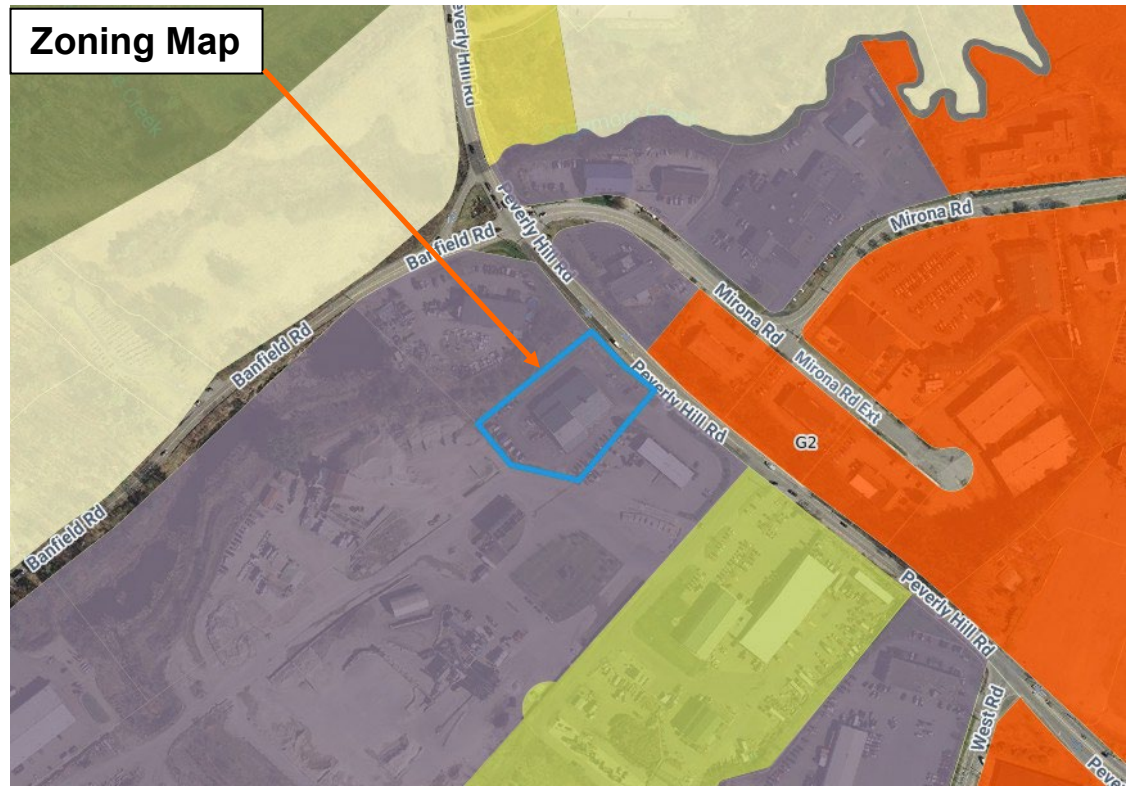
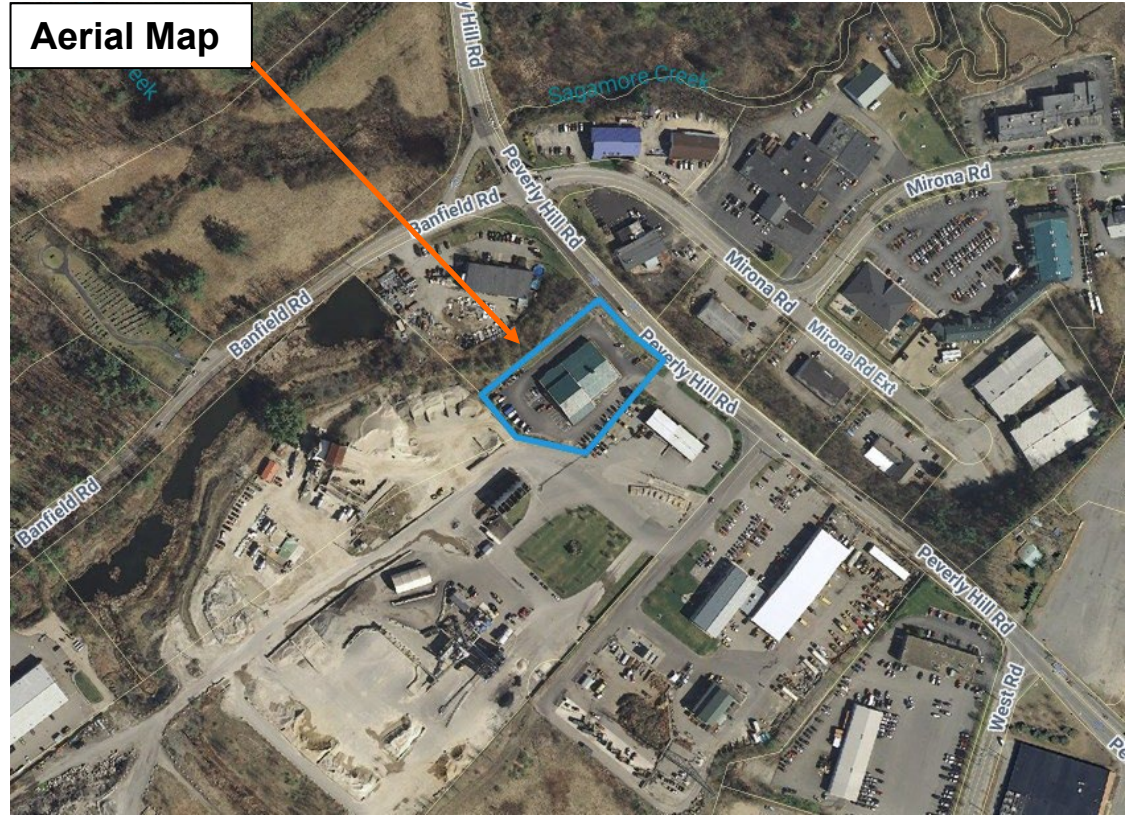
	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	Health Club / Commercial / Industrial	*Convert Unit to Health Club >2,000 sq.ft. GFA	Primarily Industrial
<u>Units Area (sq. ft.)</u>	<u>Existing Health Clubs:</u> <b>4,500</b> <u>Warehouse/Distribution:</u> <i>Apria Healthcare:</i> <b>3,200</b> <i>Johnson Paint:</i> <b>6,550</b> <u>Retail:</u> <b>1,450</b>	Proposed Health Club: <b>4,000</b>	
<u>Parking</u>	60	60	Warehouse/Distribution: <b>5</b> Retail: <b>5</b> Existing Health Clubs: <b>18</b> Proposed Health Club: <b>16</b> <b>Total: 44</b>
		SE request(s) shown in red.	

\*Special Exception for a health club use greater than 2,000 SF GFA

**Other Permits/Approvals Required**

- Building Permit

### Neighborhood Context



## Previous Board of Adjustment Actions

- **September 19, 2000** – A variance from Article XII, Section 10-1201(f)(2) to allow parking 31' from the front property line where 50' is the minimum setback required. The Board voted to **grant** the request as advertised and presented.
- **May 27, 2008** – A Variance from Article II, Section 10-209 was requested to allow a private school for grades 6 through 12 in a district where such use is not allowed. The Board voted to **deny** the petition as presented and advertised.
- **August 21, 2012** – A Special Exception under Section 10.440, Use # 4.42 to allow operation of a 2,000+ s.f. gross floor area martial arts studio. A Variance from Section 10.1112.30 (4) to allow 69 parking spaces for the property where 80 parking spaces are required. The Board voted to **grant** the petition as presented and advertised.
- **January 15, 2019** – Special Exception, use a portion of the property for a children's gym - Section 10.440, Use # 4.42 - Health club, yoga studio, martial arts school, or similar use more than 2,000 sq. ft. where the use is only allowed by special exception. The Board voted to **grant** the petition as presented and advertised.
- **June 18, 2019** – Special Exception under Section 10.440, Use #4.40 to allow a yoga studio up to 2,000 s.f. of gross floor area in the Industrial District. The Board voted to **grant** the petition as presented and advertised.

## Planning Department Comments

The applicant is requesting a special exception to convert the existing vacant commercial space into a health club. The 4,000 SF unit was previously approved for a kids play gym in 2019, although the applicant at that time did not pursue tenancy after the approval. The conversion requires a special exception for a gym space larger than 2,000 Square feet in the Industrial District.

## Special Exception Review Criteria

The application must meet all of the standards for a **special exception** (see Section 10.232 of the Zoning Ordinance).

1. *Standards as provided by this Ordinance for the particular use permitted by special exception;*
2. *No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials;*
3. *No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, accessways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials;*

4. *No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity;*
5. *No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools; and*
6. *No significant increase of stormwater runoff onto adjacent property or streets.*

#### **10.235 Certain Representations Deemed Conditions**

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

### III. NEW BUSINESS

**F. REQUEST TO POSTPONE** The request of **The Kane Company (Owners)**, for property located at **210 Commerce Way** whereas relief is needed to remove, replace and relocate an existing freestanding sign which requires the following: 1) Variance from Section 10.1253.10 for a freestanding sign to be setback 4 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-4; and lies within the Office Research (OR) District. (LU-25-35) **REQUEST TO POSTPONE**

#### **Planning Department Comments**

The applicant has requested postponement of this item to the May 20, 2025 BOA Meeting for more time to provide a complete application package. Please see the letter from the applicant's representative dated April 8, 2025, as provided.

### III. NEW BUSINESS

**G. REQUEST TO POSTPONE** The request of **The Kane Company** (Owners), for property located at **170 and 190 Commerce Way** whereas relief is needed to remove, replace and relocate two existing freestanding signs which requires the following: 1) Variance from Section 10.1253.10 for two freestanding signs to be setback a) 2 feet and b) 10.5 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-2 and lies within the Office Research (OR) District. (LU-25-42) **REQUEST TO POSTPONE**

#### **Planning Department Comments**

The applicant has requested postponement of this item to the May 20, 2025 BOA Meeting for more time to provide a complete application package. Please see the letter from the applicant's representative dated April 8, 2025, as provided.

### III. NEW BUSINESS

**H. REQUEST TO POSTPONE** The request of **The Kane Company** (Owners), for property located at **195 Commerce Way** whereas relief is needed to remove, replace and relocate an existing freestanding sign which requires the following: 1) Variance from Section 10.1253.10 for a freestanding sign to be setback 6 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-8 and lies within the Office Research (OR) District. (LU-25-43) **REQUEST TO POSTPONE**

#### **Planning Department Comments**

The applicant has requested postponement of this item to the May 20, 2025 BOA Meeting for more time to provide a complete application package. Please see the letter from the applicant's representative dated April 8, 2025, as provided.



### III. NEW BUSINESS

- I. **REQUEST TO POSTPONE** The request of **The Kane Company** (Owners), for property located at **215 Commerce Way** and **75 Portsmouth Boulevard** whereas relief is needed to remove, replace and relocate two existing freestanding signs which requires the following: 1) Variance from Section 10.1253.10 for two freestanding signs to be setback a) 1.5 feet and b) 9.5 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-8a and lies within the Office Research (OR) District. (LU-25-44) **REQUEST TO POSTPONE**

#### **Planning Department Comments**

The applicant has requested postponement of this item to the May 20, 2025 BOA Meeting for more time to provide a complete application package. Please see the letter from the applicant's representative dated April 8, 2025, as provided.

### III. NEW BUSINESS

- J. REQUEST TO POSTPONE** The request of **The Kane Company** (Owners), for property located at **230 Commerce Way** whereas relief is needed to remove, replace and relocate an existing freestanding sign which requires the following: 1) Variance from Section 10.1253.10 for a freestanding sign to be setback 4 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-5 and lies within the Office Research (OR) District. (LU-25-45) **REQUEST TO POSTPONE**

#### **Planning Department Comments**

The applicant has requested postponement of this item to the May 20, 2025 BOA Meeting for more time to provide a complete application package. Please see the letter from the applicant's representative dated April 8, 2025, as provided.