I. APPROVAL OF MINUTES
A) July 19, 2016

II. OLD BUSINESS
A) Request for Rehearing regarding 2219 Lafayette Road.

III. OLD BUSINESS - PUBLIC HEARINGS

4) Case #7-4
   Petitioners: Thunderbolt Realty Trust of 2011 c/o Alison Jewett
   Property: 17 Gardner Street
   Assessor Plan 103, Lot 14
   Zoning District: General Residence B
   Description: Reconstruct rear additions.
   Requests: The Variances and/or Special Exceptions necessary to grant the
            required relief from the Zoning Ordinance, including the following:
            1. Variance from Section 10.321 to allow a nonconforming building
               or structure to be extended, reconstructed, enlarged or structurally
               altered except in conformity with the Ordinance.
            2. Variances from Section 10.521 to allow the following:
               a) A front yard setback of 4’10” ± where 5’ is required;
               b) A left side yard setback of 1” ± where 10’ is required;
               c) A rear yard setback of 9’2” ± where 25’ is required; and
               d) Building coverage of 40.2%± where 30% is the maximum
                  allowed.

IV. PUBLIC HEARINGS – NEW BUSINESS

1) Case #8-1
   Petitioners: Liva-Blaisdell Family Revocable Trust of 2016, Liva F. J. & Blaisdell
               B.L., Co-Trustees
   Property: 71 Baycliff Road
   Assessor Plan 207, Lot 46
   Zoning District: Single Residence B
Description: Replace and expand front deck and stairs.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a 27.79’± front yard setback where 30’ is required and a 7.84’± right side yard setback where 10’ is required.

2) Case #8-2
Petitioners: Frederic & Priscilla Roue
Property: 14 Harding Road
Assessor Plan 247, Lot 10
Zoning District: Single Residence B
Description: Replace rear deck.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.521 to allow 21.33%± building coverage where 20% is the maximum allowed.

3) Case #8-3
Petitioners: Abigail Kell Sutcliffe, owner, Fred Kell, applicant
Property: 12 Woodbury Avenue
Assessor Plan 163, Lot 9
Zoning District: General Residence A
Description: Add rear porch.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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4) Case #8-4
Petitioner: Public Service Company of NH
Property: 280 & 300 Gosling Road
Assessor Plan 214, Lots 2 & 3
Zoning District: Waterfront Industrial & Office Research
Description: Lot line revision affecting setbacks and frontage.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
Lot #1 (214/2)
1. A Variance from Section 10.531 to allow 134.95’± continuous street
   frontage where 200’ is required.
2. A Variance from Section 10.573.20 to allow right side yard setbacks
   of 3’± for accessory structures.

Lot #2 (214/3)
3. A Variance from Section 10.573.20 to allow left side yard setbacks
   of 0’± to 50’± for accessory structures.

5) Case #8-5
   Petitioners: Carol I. Cooper, owner & Lorax Sustainable Development, LLC,
               applicant
   Property:  996 Maplewood Avenue
   Assessor Plan 219, Lot 4
   Zoning District: Single Residence B
   Description: Construct three free-standing dwellings.
   Requests: The Variances and/or Special Exceptions necessary to grant the
             required relief from the Zoning Ordinance, including the following:
             1. A Variance from Section 10.513 to allow more than one free-
                standing dwelling on a lot.

6) Case #8-6
   Petitioners: Andrew F. & Jennifer B. Cotrupi
   Property:  137 Wibird Street
   Assessor Plan: 134, Lot 48
   Zoning District: General Residence A
   Description: Subdivide one lot into two.
   Requests: The Variances and/or Special Exceptions necessary to grant the
             required relief from the Zoning Ordinance, including the following:
             1. A Variance from Section 10.521 to allow proposed Parcel B to have
                58.85’± of continuous street frontage where 100’ is required.
             2. A Variance under Section 10.440 to allow proposed Parcel B to
                contain an accessory structure as a principal use.

7) Case #8-7
   Petitioner: Old Tex Mex, LLC
   Property:  3510 Lafayette Road
   Assessor Plan 297, Lot 8
   Zoning District: Gateway
   Description: Convert existing structure into twenty-five residential dwelling units.
   Requests: The Variances and/or Special Exceptions necessary to grant the
             required relief from the Zoning Ordinance, including the following:
             1. A Variance from Section 10.440, Use # 1.43 to allow a 25-unit multi-
                family dwelling where such is not allowed.
8) Case #8-8
   Petitioners: James C. Lucy Revocable Living Trust, James C. & Kimberley A. Lucy, Trustees
   Property: 127 & 137 High Street
   Assessor Plan: Map 118, Lots 20 & 21
   Zoning District: CD4-L1 and Downtown Overlay Districts
   Description: Construct two-family dwelling unit with parking underneath.
   Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Sections 10.5A41.10A & 10.5A43.31 to allow a three-story building where up to a two-story building is the maximum permitted.
   2. Variances from Section 10.5A41.10A to allow the following:
      (a) A minimum lot area per dwelling unit of 1,200± s.f. where 3,000 s.f. is required.
      (b) A duplex building type where duplexes are not permitted in the Downtown Overlay District.
      (c) The minimum ground story to be 8’8”± in height where 11’ is required.
   3. A Variance from Section 10.1114.20 to allow a 20’± maneuvering aisle where 24’ is required.

V. OTHER BUSINESS

VI. ADJOURNMENT

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

7:00 P.M. August 16, 2016

AGENDA

I. APPROVAL OF MINUTES

A) July 19, 2016

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A) Request for Rehearing regarding 2219 Lafayette Road.

III. OLD BUSINESS - PUBLIC HEARINGS

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   Petitioners: Thunderbolt Realty Trust of 2011 c/o Alison Jewett
   Property: 17 Gardner Street
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   Zoning District: General Residence B
   Description: Reconstruct rear additions.
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      or structure to be extended, reconstructed, enlarged or structurally
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   2. Variances from Section 10.521 to allow the following:
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      c) A rear yard setback of 9’2” ± where 25’ is required; and
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   Petitioners: Liva-Blaisdell Family Revocable Trust of 2016, Liva F. J. & Blaisdell
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   Property: 71 Baycliff Road
   Assessor Plan 207, Lot 46
   Zoning District: Single Residence B
Description: Replace and expand front deck and stairs.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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Petitioners: Frederic & Priscilla Roue
Property: 14 Harding Road
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Zoning District: Single Residence B
Description: Replace rear deck.
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Petitioners: Abigail Kell Sutcliffe, owner, Fred Kell, applicant
Property: 12 Woodbury Avenue
Assessor Plan 163, Lot 9
Zoning District: General Residence A
Description: Add rear porch.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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Description: Lot line revision affecting setbacks and frontage.
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Lot #2 (214/3)
3. A Variance from Section 10.573.20 to allow left side yard setbacks of 0’± to 50’± for accessory structures.

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Petitioners: Carol I. Cooper, owner & Lorax Sustainable Development, LLC, applicant
Property: 996 Maplewood Avenue
Assessor Plan 219, Lot 4
Zoning District: Single Residence B
Description: Construct three free-standing dwellings.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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Petitioners: Andrew F. & Jennifer B. Cotrupi
Property: 137 Wibird Street
Assessor Plan: 134, Lot 48
Zoning District: General Residence A
Description: Subdivide one lot into two.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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2. A Variance under Section 10.440 to allow proposed Parcel B to contain an accessory structure as a principal use.

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Petitioner: Old Tex Mex, LLC
Property: 3510 Lafayette Road
Assessor Plan 297, Lot 8
Zoning District: Gateway
Description: Convert existing structure into twenty-five residential dwelling units.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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Petitioners: James C. Lucy Revocable Living Trust, James C. & Kimberley A. Lucy, Trustees
Property: 127 & 137 High Street
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Description: Construct two-family dwelling unit with parking underneath.
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Property: 12 Woodbury Avenue
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1. A Variance from Section 10.521 to allow 21.33%± building coverage where 20% is the maximum allowed.

3) Case #8-3

Petitioners: Abigail Kell Sutcliffe, owner, Fred Kell, applicant
Property: 12 Woodbury Avenue
Assessor Plan 163, Lot 9
Zoning District: General Residence A
Description: Add rear porch.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow 55.94%± building coverage where 25% is the maximum allowed.

4) Case #8-4

Petitioner: Public Service Company of NH
Property: 280 & 300 Gosling Road
Assessor Plan 214, Lots 2 & 3
Zoning District: Waterfront Industrial & Office Research
Description: Lot line revision affecting setbacks and frontage.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
Lot #1 (214/2)
1. A Variance from Section 10.531 to allow 134.95’± continuous street frontage where 200’ is required.
2. A Variance from Section 10.573.20 to allow right side yard setbacks of 3’± for accessory structures.

Lot #2 (214/3)
3. A Variance from Section 10.573.20 to allow left side yard setbacks of 0’± to 50’± for accessory structures.

5) Case #8-5
Petitioners: Carol I. Cooper, owner & Lorax Sustainable Development, LLC, applicant
Property: 996 Maplewood Avenue
Assessor Plan 219, Lot 4
Zoning District: Single Residence B
Description: Construct three free-standing dwellings.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Section 10.513 to allow more than one free-standing dwelling on a lot.

6) Case #8-6
Petitioners: Andrew F. & Jennifer B. Cotrupi
Property: 137 Wibird Street
Assessor Plan: 134, Lot 48
Zoning District: General Residence A
Description: Subdivide one lot into two.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Section 10.521 to allow proposed Parcel B to have 58.85’± of continuous street frontage where 100’ is required.
   2. A Variance under Section 10.440 to allow proposed Parcel B to contain an accessory structure as a principal use.

7) Case #8-7
Petitioner: Old Tex Mex, LLC
Property: 3510 Lafayette Road
Assessor Plan 297, Lot 8
Zoning District: Gateway
Description: Convert existing structure into twenty-five residential dwelling units.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
   1. A Variance from Section 10.440, Use # 1.43 to allow a 25-unit multi-family dwelling where such is not allowed.
8) Case #8-8

   Petitioners: James C. Lucy Revocable Living Trust, James C. & Kimberley A. Lucy, Trustees

   Property: 127 & 137 High Street

   Assessor Plan: Map 118, Lots 20 & 21

   Zoning District: CD4-L1 and Downtown Overlay Districts

   Description: Construct two-family dwelling unit with parking underneath.

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

   1. A Variance from Sections 10.5A41.10A & 10.5A43.31 to allow a three-story building where up to a two-story building is the maximum permitted.

   2. Variances from Section 10.5A41.10A to allow the following:
      (a) A minimum lot area per dwelling unit of 1,200± s.f. where 3,000 s.f. is required.
      (b) A duplex building type where duplexes are not permitted in the Downtown Overlay District.
      (c) The minimum ground story to be 8’8”± in height where 11’ is required.

   3. A Variance from Section 10.1114.20 to allow a 20’± maneuvering aisle where 24’ is required.

V. OTHER BUSINESS

VI. ADJOURNMENT

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you need assistance to attend a meeting, please contact the Human Resources Department at 610-7274.
REGULAR MEETING
BOARD OF ADJUSTMENT
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE

7:00 P.M. August 16, 2016

AGENDA

I. APPROVAL OF MINUTES
A) July 19, 2016

II. OLD BUSINESS
A) Request for Rehearing regarding 2219 Lafayette Road.

III. OLD BUSINESS - PUBLIC HEARINGS

4) Case #7-4
Petitioners: Thunderbolt Realty Trust of 2011 c/o Alison Jewett
Property: 17 Gardner Street
Assessor Plan 103, Lot 14
Zoning District: General Residence B
Description: Reconstruct rear additions.
Requests: The Variances and/or Special Exceptions necessary to grant the
required relief from the Zoning Ordinance, including the following:
1. Variance from Section 10.321 to allow a nonconforming building
   or structure to be extended, reconstructed, enlarged or structurally
   altered except in conformity with the Ordinance.
2. Variances from Section 10.521 to allow the following:
   a) A front yard setback of 4’10” ± where 5’ is required;
   b) A left side yard setback of 1” ± where 10’ is required;
   c) A rear yard setback of 9’2” ± where 25’ is required; and
   d) Building coverage of 40.2% ± where 30% is the maximum
      allowed.

IV. PUBLIC HEARINGS – NEW BUSINESS

1) Case #8-1
Petitioners: Liva-Blaisdell Family Revocable Trust of 2016, Liva F. J. & Blaisdell
B.L., Co-Trustees
Property: 71 Baycliff Road
Assessor Plan 207, Lot 46
Zoning District: Single Residence B
Description: Replace and expand front deck and stairs.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a 27.79’± front yard setback where 30’ is required and a 7.84’± right side yard setback where 10’ is required.

2) Case #8-2
Petitioners: Frederic & Priscilla Roue
Property: 14 Harding Road
Assessor Plan 247, Lot 10
Zoning District: Single Residence B
Description: Replace rear deck.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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Description: Add rear porch.
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Zoning District: Single Residence B
Description: Construct three free-standing dwellings.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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Petitioner: Old Tex Mex, LLC
Property: 3510 Lafayette Road
Assessor Plan 297, Lot 8
Zoning District: Gateway
Description: Convert existing structure into twenty-five residential dwelling units.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
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Petitioners: James C. Lucy Revocable Living Trust, James C. & Kimberley A. Lucy, Trustees
Property: 127 & 137 High Street
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Description: Construct two-family dwelling unit with parking underneath.
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