

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

7:00 P.M.

MARCH 21, 2017

REVISED AGENDA

I. APPROVAL OF MINUTES

A) February 21, 2017

II. PUBLIC HEARINGS – NEW BUSINESS

1) Case #3-1

Petitioners: Goodman Family Real Estate Trust, Nancy L. Goodman, owners and Aroma Joe's Coffee LLC, applicant

Property: 1850 Woodbury Avenue

Assessor Plan: Map 239, Lot 9

Zoning District: General Business

Description: Drive-through take-out restaurant and related signage

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

- 1) 10.440 #19.40 to allow a drive-through as a principal use where the use is only allowed as an accessory use;
- 2) 10.1112.30 to allow 21 off-street parking spaces to be provided where 22 spaces are required;
- 3) 10.1113.31 and 10.835.32 to allow accessways, traffic aisles, and drive through bypass lanes to be set back 30'± from a residential district where 50' to 100' are the minimums required;
- 4) 10.1113.41 to allow off-street parking areas, accessways & traffic aisles to be set back 30'± from the front lot line where 40' is the minimum required;
- 5) 10.591 and 10.835.31 for an outdoor service facility to be located 75'± from a residential district where 100' is the minimum required;
- 6) 10.1243 to allow three free-standing signs on a lot where only one free-standing sign per lot is permitted;
- 7) 10.1271.70 to allow signage to be located on a wall that does not face the street or include a public entrance;
- 8) 10.1251.10 to allow 61± s.f. non-freestanding signs where 30 s.f. is the maximum allowed.

2) Case 3-2

Petitioners: The Rockingham House Condominium Association, owner, Sean Tracey Associates, applicant
Property: 401 State Street
Assessor Plan: Map 116, Lot 3
Zoning District: Character District 4 and the Downtown Overlay District
Description: Install a free-standing sign.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including:
1) A from section 10.1243 variance to allow three free-standing signs on a lot where only one free-standing sign per lot is permitted.

3) Case 3-3

Petitioner: Hope for Tomorrow Foundation
Property: 315 Banfield Road
Assessor Plan: Map 266, Lot 5
Zoning District: Industrial
Description: Construct a K-8 Elementary School.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
1) A Variance from Section 10.1113.20 to allow off-street parking spaces to be located between a principal building and a street.

4) Case 3-4

Petitioners: Stewgood, LLC, Craig Steigerwalt and Anne Shiembob
Property: 268 & 276 Dennett Street
Assessor Plan: Map 143, Lots 13 and 13-1
Zoning District: General Residence A
Description: Lot line adjustment
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:
Lot 13
1) A variance from Section 10.521 to allow continuous street frontage of 57.6'± where 100' is required;
Lot 13-1
2) Variances from Section 10.521 to allow: continuous street frontage of 42.4'± where 100' is required; a right side yard of 0'± where 10' is required; and 28.5%± building coverage where 25% is the maximum allowed.

5) Case 3-5

Petitioner: Swirly Girl II
Property: 244 South Street
Assessor Plan: Map 111, Lot 3
Zoning District: Single Residence B
Description: Convert a three dwelling unit building to two dwelling units and add a rear addition.

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

- 1) Variances from Section 10.521 to allow: an 8.5'± right side yard where 10' is required; building coverage of 23%± where 20% is the maximum allowed; a lot area per dwelling unit of 3,802 s.f. where 15,000 s.f. is required;
- 2) A Variance from Section 10.1112.30 to allow two off-street parking spaces to be provided where four off-street parking spaces are required.

6) Case 3-6

Petitioners: Friends of the Music Hall
Property: 28 Chestnut Street
Assessor Plan: Map 126, Lot 7
Description: Replace the existing marquee with a lighted marquee and blade sign.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including Variances from the following:

- 1) Section 10.1251.20 allow a marquee and blade sign to exceed maximum sign area for individual sign types;
- 2) Section 10.1251.10 to allow an aggregate sign area that exceeds the maximum allowed;
- 3) Section 10.1261.30 to allow signs to be lit by internal and direct illumination where only external illumination is allowed;
- 4) Section 10.1273.20 to allow the marquee letters to be taller than 1.5'.

7) Case 3-7

Petitioners: Eric M. Katzman
Property: 150 Sherburne Avenue
Assessor Plan: Map 112, Lot 34
Zoning District: General Residence A
Description: Construct right and left side shed dormers.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

- 1) A Variance from Section 10.521 to allow a right side yard of 7.5'± where 10' is required.

8) Case 3-8

Petitioners: 319 Vaughan St. Center LLC, owner, and 3S Contemporary Artspace, applicant
Property: 319 Vaughan Street
Assessor Plan: Map 124, Lot 9
Zoning District: Character District 5 and the Downtown Overlay District
Description: Hold a summer outdoor concert series.
Requests: Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance including:

- 1) A Special Exception from Section 10.1440 #3.521 to allow an outdoor performance facility use where the use is allowed by special exception;
- 2) A Variance from Section 10.592.10 to allow an outdoor performance facility use to be located less than 500' from a residential district.

III. 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.