



To: CCRA Zoning Committee, Board Members and Neighbors
From: Rebecca Frisch and Veronica Aplenc, Co-Chairs, CCRA Zoning Committee
Re: Public Zoning Committee Zoom Meeting Agenda

Date: May 28, 2024 at 7:00 p.m.

1. 324 S. 17th Street (RM1)

ZP-2023-011148: ZBA Hearing Date: June 5, 2024 @ 2:00p.m.

Application for the erection of one open rear deck access from rear second floor as part of an existing attached structure to continue use as single family dwelling.

<u>Refusal Code Section(s)</u>	<u>Reason for Refusal</u>
Section 14-604(4) (d)(.3)(.a)	Whereas the proposed rear deck above the floor level of the first story on the required rear yard is expressly prohibited in RSA5 residential zoning district.
Section 14-604 (4) (d)(.3)(.b)	Deck minimum setback from rear lot line: Required: 3 FT: Proposed: NONE
Section 604(4)(d)(.4)	Deck vertical support minimum setback from lot line ; Required: 18 INCHES: Proposed: NONE

OPPOSED

2. 139 S. 24th Street (CMX4)

ZP-2024-000025: ZBA Hearing Date, July 31, 2024 @ 9:30 a.m.

Application for the erection of an attached structure to include three interior parking stalls, roof decks above the first and fourth floor levels (accessed from the building interior), and roof decks and pilot house (to contain elevator, stairs, and landing only) above the fifth-floor level. For the proposed use as Single Family Household Living. The first-floor level is to be used for parking, storage, and building access only.

<u>Refusal Code Section(s)</u>	<u>Code Section Title(s)</u>	<u>Reason for Refusal</u>
Section 14-502 (6)(c)	Center City Overlay- Residential Parking Control Area	(.1) Off-street parking shall not be provided for any one-family or two-family use located in the Residential Parking Control Area, except for parking accessed by a shared driveway or rear alley, which is permitted but not required. Common parking areas may be located on one or more of the properties for which parking is provided, or on a property that is separated from those properties by an

alley, shared driveway, or similar kinds of passageways.

Whereas the accessory parking would be by a private entrance from the primary street frontage, which is prohibited in the Residency Parking Control Area of the Center City Overlay District.

Table 14-602- Uses Allowed in
2 Commercial Districts-
Refusal

Whereas the proposed use, Single Family Household Living, is expressly prohibited in the CMX-4 commercial zoning district.

Table 14-701- Dimensional Standards
3 for Commercial Buildings

In the CMX-4 Commercial Zoning district, buildings 5 stories with 1 or more dwelling units can have a maximum 90% occupied occupied area. Whereas the proposed 100% occupied area is prohibited.

NOT OPPOSED

3. 2036 Spruce St. (RM1) POSTPONED TO JUNE 25, 2024 MEETING

ZP-2023-008049: ZBA Hearing Date TBD

Application for the erection of a rear deck with stairs to grade, and the erection of a rear fence with a roll up gate. For the continued use as single-family household living.

<i><u>Refusal</u></i>	<i><u>Code Section(s)</u></i>	<i><u>Code Section Title(s)</u></i>	<i><u>Reason for Refusal</u></i>
	Section 14-604 (4) (d)(.1)	Decks: Roof, Walls, Stairs	A deck may not be enclosed by wall or a roof above the usable surface of the deck, nor may it be enclosed by walls below the usable surface of the deck. Decks and similar attached structures with covers or walls are considered part of the principal building and must comply with all yard and other requirements that apply to the principal building. Stairs from the ground level to the deck are permitted except in the case of attached buildings, where steps from the ground to the deck are prohibited.
	Section 14-706 (3) (c)	Architectural Fence Features	Fence posts and gate posts that are integrated as architectural features in the fence are permitted up to 6.5 ft. in height for side and rear fences and up to 4.5 ft. for front fences, but all portions of the fence other than fence posts and gate posts shall comply with the maximum heights stated in Section 14-706 (3)(a) (Intermediate Lots) and Section 14-706 (3)(b) (Corner Lots). Whereas the proposed fence/gate height of 8 ft. is prohibited.

