

**REGULAR MEETING
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE
CITY COUNCIL CHAMBERS
AGENDA**

7:00 P.M.

September 18, 2001

I. APPROVAL OF MINUTES

Excerpt of Minutes from the meeting of August 21, 2001 regarding Application of Susan Parnham

II. OLD BUSINESS

A) Petition of Chris and Kym Berman, owners, for property located at 191 Park Street wherein a Variance from Article IV, Section 10-402(B) is requested to allow an 8' x 8' tree house 9' in height 1 ½' from the side property line where 10' is the minimum required. Said property is shown on Assessor Plan 149 as Lot 3 and lies within the General Residence A district.

B) Request for Rehearing for Susan Parnham, owner, for property located at 1220 Islington Street requested by Bernard W. Pelech, Esquire. Said property is located on Assessor Plan 233 as Lot 006 and lies within the Single Residence B district.

C) Request to rescind approval given at the December 21, 1999 Board of Adjustment meeting for property owned by E & V Trucking located on Lafayette Road. Said property is shown on Assessor Plan 297 as Lot 002 and lies within the General Business district

III. PUBLIC HEARING

1) Petition of Patricia Tobey and Robert Byrnes, owners, for property located at 41 Salter Street wherein an appeal of the decision of the Historic District Commission pursuant to Article X, Section 10-1009(B), RSA 677:17 and RSA 676:5 denying moving a free-standing dwelling back 15' to provide two parking spaces as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 030 and lies within the Waterfront Business and Historic A districts.

2) Petition of William Copeland, owner, David Osterhoudt d/b/a Doc Residential Services, applicant, for property located at 375 Banfield Road wherein the following are requested: 1) a Variance from Article II, Section 10-209(35) to allow a storage container (temporary structure) for more than 90 days, and 2) a Special Exception as allowed in Article II, Section 10-209(39) to allow the outdoor storage of construction equipment, trucks, trailers and vehicles. Said property is shown on Assessor Plan 266 as Lot 7 and lies within the Industrial district.

3) Petition of Richard Pimpis, owner, for property located at 43 Wilson Road wherein a Variance from Article III, Section 10-302(A) is requested to allow a 12' x 19' two story addition to the left side of the existing dwelling with a 7' left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 251 as Lot 96 and lies within the Single Residence B district.

4) Petition of G. Byron McAplin, owner, for property located at 428 Ocean Road wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow an 8' x 13'6" one story addition to the left side of the existing dwelling with: a) a 14'7" left side yard where 20' is the minimum required, and b) 10.2% building coverage where 10% is the maximum allowed. Said property is shown on Assessor Plan 294 as Lot 15 and lies within the Single Residence A district.

5) Petition of Richard J. Menard, owner, for property located at 137 Elwyn Road wherein a Variance from Article III, Section 10-302(A) is requested to allow a 24' x 24' one story garage with: a) 5' left side yard where 10' is the minimum required, and b) 29.4% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 112 as Lot 48 and lies within the General Residence A district.

6) Petition of Jeffrey D. Thompson, owner, for property located at 185 Middle Road wherein a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 244 sf irregular shaped one story porch addition with: a) a 5' right side yard where 10' is the minimum required and b) to allow 33.6% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 168 as Lot 15 and lies within the Single Residence B district.

7) Petition of Rene Therrien, c/o Central Tire Co., owner, Port City Suzuki, applicant, for property located at 406 Route 1 By-Pass wherein a Variance from Article III, Section 10-304(A) is requested to allow a new 60' x 130' building to be built on the existing footprint with: a) a 29' rear yard where 50' is the minimum required, b) a 27' right side yard where 50' is the minimum required; and, c) no change in the amount of open space. Said property is shown on Assessor Plan 174 as Lot 4 and lies within the Industrial district.

8) Petition of Jack and Sandra Kane, owners, for property located at 21 Suzanne Drive wherein a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 12' x 14' one story three season porch addition with a 29.05' rear yard where 30' is the minimum required. Said property is shown on Assessor Plan 292 as Lot 40 and lies within the Single Residence B district.

9) Petition of Nicole And Michael Callahan, owners, for property located at 146 Sparhawk Street wherein a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow the replacement of the 4' x 5' front entry and steps with: a) a 4' front yard where 15' is the minimum required, b) a 3' right side yard where 10' is the minimum required; and, c) 32% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 159 as Lot 12 and lies within the General Residence A district.

10) Petition of Mirona Realty, Inc., owner, for property located at 11 Mirona Road wherein a Special Exception as allowed in Article II, Section 10-209(38) is requested to allow outside vehicle storage for off site auto dealer. Said property is shown on Assessor Plan 253 as Lot 8 and lies within the Industrial district.

11) Petition of Advent Christian Church, owner, Nextel Communications applicant, for property located at 634 State Street wherein a Special Exception as allowed in Article II, Section 10-206(25) is requested to allow a wireless communication facility (12 panel antenna within the steeple and associated equipment shelter in basement). Said property is shown on Assessor Plan 127 as Lot 23 and lies within the Apartment district.

12) Petition of CLJR, LLC, owner, for property located at 6 Robert Avenue wherein a Special Exception as allowed in Article II, Section 10-208(36) is requested to allow an auto body collision repair shop (collision repair and restoration) in a proposed building. Said property is shown on Assessor Plan 286 as Lot 17 and lies within the General Business district.

IV. ADJOURNMENT

Members of the public and abutters should be aware that after the board renders its decision tonight, that a later request could be made to reconsider the decision and/or appeal the decision to the Rockingham County Superior Court. Please note that an abutter/aggrieved party may file a motion to reconsider if they are dissatisfied with the Board's decision. If you have any interest in finding out whether a motion to reconsider has been filed; you should contact the Planning Department twenty-one (21) days after the BOA decision is rendered. Thereafter, depending on the outcome of the reconsideration request, you are also invited to make inquiries at the Legal Department to determine whether an Appeal to the Superior Court has been filed.