

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

7:00 P.M.

October 16, 2001

**I. APPROVAL OF MINUTES**

Meeting of September 18, 2001

**I. OLD BUSINESS**

**A) Request for a Rehearing for property owned by 10 State Street, LLC**, located on 10 State Street, requested by Michael B. King, Esquire. Said property is shown on Assessor Plan 105 as Lot 004 and lies within the Central Business B and Historic A districts.

**B) Request to Appeal the Decision of the Historic District Commission for property owned by Cate Irvine**, located on 300 Court Street, requested by Bernard W. Pelech, Esquire. Said property is shown on Assessor Plan 108 as Lot 012 and lies within the Mixed Residential Office and Historic A districts.

**III. PUBLIC HEARINGS**

**1) Petition of Florence J. and Cindi L. Rohwer, owners**, for property located at 559 Maplewood Avenue wherein a Variance from Article III, Section 10-302(A) is requested to allow a second dwelling unit to be located in a new addition on a 9600 s.f. lot where a minimum lot size of 15,000 s.f. would be required for two dwelling units. Said property is shown on Assessor Plan 209 as Lot 012 and lies within the General Residence A district.

**2) Petition of C-Chase Properties, LLC, owner, d/b/a Seacoast Mazda** for property located at 180 Spaulding Turnpike wherein a Variance from Article IX, Section 10-908(Table 14) is requested to allow the following: a) 105 s.f. free-standing externally lit sign 29'10" high where 20' is the maximum height allowed creating a 0' front setback where 20' is the minimum allowed; and, b) a 48 s.f. free-standing sign externally lit creating a 0' front setback where 20' is the minimum allowed. Said property is shown on Assessor Plan 236 as Lot 039 and lies within the General Business district.

**3) Petition of John and Barbara Gregg, owners** for property located at 69 Hunking Avenue wherein the following are requested for a 10' x 14' two story addition to the left side of the existing dwelling: 1) a Variance from Article III, Section 10-302(A) to allow a) a 1' rear yard where 25' is the minimum required and b) 47.3% building coverage where 30% is the maximum allowed; and, 2) a Variance from Article IV, Section 10-401(A)(2)(c) to allow a non-conforming building to be enlarged in a manner that does not conform to the Ordinance. Said property is shown on Assessor Plan 103 as Lot 040 and lies within the General Residence B and Historic A districts.

**4) Petition of Joker's Realty One, LLC, owner**, for property located at 2460A Lafayette Road wherein a Variance from Article IX, Section 10-10-903 is requested to allow an electronic 100 s.f. reader board sign 18' high where flashing signals/reader boards are not allowed. Said property is shown on Assessor Plan 285 as Lot 016-1 and lies within the General Business district.

**5) Petition of Joseph Arnstein, owner, applicant**, for property located on Foch Avenue wherein a Variance from Article III, Section 10-302(A) is requested to construct a dwelling creating a front setback of 10' where 30' is the minimum allowed. Said property is shown on Assessor Plan 233 as Lot 144 and lies within the Single Residence B 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.**