

**6:30 PM ANTICIPATED "NON-MEETING" WITH COUNSEL
IN PLANNING DEPARTMENT CONFERENCE ROOM**

**REGULAR MEETING
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

CITY COUNCIL CHAMBERS

JANUARY 21, 2003

AGENDA

I. APPROVAL OF MINUTES

Meeting of December 17, 2002.

II. OLD BUSINESS

A. Request for One-Year Extension of Time for Anthony Giovannettone, Owner, requested by Bernard W. Pelech, Esq., for property located **off Lang Road**. Said land is shown on Assessor Plan 286, Lot 22A and lies within the General Business District.

B. Request for Re-Hearing for Raymond A. Ramsey, Owner, requested by Thomas M. Keane, Esq., for property located **off Kearsarge Way**. Said land is shown on Assessor Plan 218, Lot 22 and lies within the General Business District.

C. Request for One Year Extension of Time for Seacoast Trust, Owner. Requested by Peter G. Weeks, PGW Real Estate Consulting, Agent for Seacosat Trust, for property located at **150 Route One By-Pass**. Said land is shown on Assessor Plan 231, Lot 58 and lies within the Single Residence B District.

III. PUBLIC HEARINGS

1) Petition of **Shannon Realty Trust, owner**, for property located at **85 Heritage Avenue** wherein a Variance from Article II, Section 10-209(13) is requested to allow the sale of used cars on a lot abutting a residential district. Said property is shown on Assessor Plan 285 as Lot 5 and lies within the Industrial district. Case # 12-2

2) Petition of **James G. Bolduc and Joanne M. Stella, owners**, for property located at **25 Ridges Court** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 16' x 20' deck with two sets of stairs having: a) a 6' side yard where 10' is the minimum required, b) a 23' setback to the property line abutting Ridges Court where 30' is the minimum required; and, c) 24.6% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 207 as Lot 57 and lies within the Single Residence B district. Case # 12-5

3) Petition of **Guthrie Swartz, owner**, for property located at **33 Johnson Court** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 5' x 16' one story addition with a 20'± rear yard where 25' is the minimum required. Said property is shown on Assessor Plan 110 as Lot 12 and lies within the General Residence B and Historic A districts. Case # 12-6

4) Petition of **J.H Cahill, owner**, for property located at **2837 Lafayette Road** wherein a Variance from Article IV, Section 10-401(2)(c) is requested to allow the expansion of an existing 1,153 sf non conforming structure by constructing a 1,965± sf addition. Said property is shown on Assessor Plan 286 as Lot 1 and lies within the General Business district. Case # 11-6

- 5) Petition of **Stamatia S. Miminis, owner**, for property located at **17-19 Elm Court** wherein the following are requested: 1) a Variance from Article II, Section 10-208(45) and Article IV, Section 10-401(A)(1)(b) to allow an existing building with two grandfathered dwelling units to be converted into four dwelling units where such use is not allowed, 2) a Variance from Article XII, Section 10-1204 to allow 3 parking spaces to be provided where 6 parking spaces are required, 3) a Variance from Article XII, Section 10-1201(A)(2) to allow an 8' travel way where 24' is the minimum required; and, 4) a Variance from Article III, Section 10-304(A) to allow 0% open space where 15% is the minimum required. Said property is shown on Assessor Plan 164 as Lot 10 and lies within the Business district. Case # 1-1
- 6) Petition of **Padraic Ladd, owner, Michael Brigham, applicant**, for property located at **487 Cutts Ave** wherein Variances from Article II, Section 10-206 and Article IV, Section 10-401(A)(1)(c) are requested to allow the construction of a new three dwelling unit building on a proposed 15,000 sf lot after the demolition of an existing three dwelling unit building on a 3.41 acre lot which is being subdivided into eight single family house lots. Said property is shown on Assessor Plan 210 as Lot 26 and lies within the Single Residence B district. Case # 1-2
- 7) Petition of **John Samonas, owner, John Bursaw, applicant**, for property located at **3020 Lafayette Road** wherein a Variance from Article II, Section 10-207(2) is requested to allow an existing 2,111 sf Convenience Goods I store to be changed to a 2,111 sf Convenience Goods II store in order to allow the sale of prepared food for consumption off the premises where the maximum area for such a store is 2,000 sf. Said property is shown on Assessor Plan 292 as Lot 152 and lies within the Mixed Residential B district. Case # 1-3
- 8) Petition of **Parade Office LLC, owner**, for property located at **195 Hanover Street (Parade Mall)** wherein a Variance from Article IX, Section 10-908 Table 14 is requested to allow an additional 15.5 sf of non-illuminated attached signage for "Adecco": a) creating 133.75 sf of flush attached signage where 60 sf is the maximum allowed, and b) 133.75 sf of aggregate signage where 75 sf is the maximum allowed. Said property is shown on Assessor Plan 125 as Lot 1 and lies within the Central Business B and Historic A districts. Case # 1-4
- 9) Petition of **Whalesback Light, LLC, owner**, for property located at **96-98 State Street** wherein a Variance from Article III, Section 10-304(B) is requested to allow a 21.5' x 26.6' one story addition 15' in height where the minimum height required is 20'. Said property is shown on Assessor Plan 107 as Lot 52 and lies within the Central Business B and Historic A districts. Case # 1-5
- 10) Petition of **Jude Spain, owner**, for property located at **433 Lincoln Avenue** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 16' x 24' one story addition and a 4' x 8' porch creating 27.5% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 134 as Lot 14 and lies within the General Residence A district. Case # 1-6

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 thirty (30) 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.