

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

**7:00 P.M.**

**CITY COUNCIL CHAMBERS**

**JUNE 17, 2003  
& JUNE 24, 2003**

**AGENDA**

**PLEASE NOTE: Petitions #1 thru #9 will be heard on Tuesday, June 17, 2003, and Petitions #10 thru #13 will be heard on Tuesday June 24, 2003.**

**I. APPROVAL OF MINUTES**

Meeting of April 29, 2003 and May 20, 2003.

**II. PUBLIC HEARINGS**

- 1) Petition of **Diana M. Frye, owner**, for property located at **217 Myrtle Avenue** wherein a Variance from Article III, Section 10-302(A) is requested to allow the construction of a 6' x 26.8' front porch with a 16.5' front yard where 30' is the minimum required. Said property is shown on Assessor Plan 220 as Lot 92 and lies within the Single Residence B district. Case # 6-1
- 2) Petition of **Wayne Semprini, owner**, for property located at **3510 Lafayette Road** wherein the following are requested: 1) a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) is requested to change a retail business to a construction/restoration company with associated business office and indoor storage space, and 2) a Variance from Article II, Section 10-206 to allow the construction of a 60' x 72' garage for the proposed construction/restoration company. Said property is shown on Assessor Plan 297 as Lot 8 and lies within the Single Residence A district. Case # 6-0
- 3) Petition of **Peter C. and Meg Middleton, owners**, for property located at **78 Lawrence Street** wherein the following are requested to build a 24' x 24' attached garage: 1) a Variance from Article III, Section 10-302(A) to allow: a) a 15' front yard where 30' is the minimum required maximum, b) a 7' right side yard where 10' is the minimum required; and, c) 28.1% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 152 as Lot 46-1 and lies within the Single Residence B district. Case # 6-3
- 4) Petition of **Dennis M. Moulton and Maureen A. Gallagher, owners**, for property located at **190 Hillside Drive** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 10.5' x 22' addition with a 25.5' front yard where 30' is the minimum required. Said property is shown on Assessor Plan 231 as Lot 38 and lies within the Single Residence B district. Case # 6-4
- 5) Petition of **Beth P. and Marc C. Griffin, owners**, for property located at **239 Broad Street** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 15' x 22' two story addition with a 2'6" left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 131 as Lot 15 and lies within the General Residence A district. Case # 6-5
- 6) Petition of **Jerry and Brenda Duberstein, owner**, for property located at **49-51 Lawrence Street** wherein a Variance from Article III, Section 10-302(A) is requested to allow the replacement of a 563 sf deck with a 7' left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 152 as Lot 43 and lies within the General Residence A district. Case # 6-6

- 7) Petition of **Jennifer S. Benjamin, owner**, for property located at **180 Sherburne Avenue** wherein Variances from Article IV, Section 10-402(B) & Section 10-401(2)(c), and Article III, Section 10-302(A) are requested to allow a 230 sf L-shaped arbor and 1' x 4' porch steps creating 26.3% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 112 as Lot 31 and lies within the General Residence A district. Case # 6-7
- 8) Petition of **Benoit R. and Andrea M. St. Jean, owners**, for property located at **54 Humphrey's Court** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 320 sf deck with a 6' right side yard where 10' is the minimum required. Said property is shown on Assessor Plan 101 as Lot 46 and lies within the General Residence B district. Case # 6-8
- 9) Petition of **Wentworth-Gardener House Association, owner**, for property located at **49-51 Mechanic Street** wherein a Variance from Article II, Section 10-206(29)(b) is requested to conduct once a month (July, August and September 2003) events including outdoor music concerts in a district where such use is not allowed. Said property is shown on Assessor Plan 103 as Lot 41 and lies within the General Residence B and Historic A districts. Case # 6-9

**THE FOLLOWING PETITIONS WILL BE HEARD ON TUESDAY, JUNE 24, 2003:**

- 10) Petition of **Jean T. O'Brien Revocable Trust, owner**, for property located at **13 Fairview Drive** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 24' x 30' two story addition for garage space on the first floor and two bedrooms, a bath and playroom on the second floor with an 8' x 10' irregular shaped two story connector for a mudroom on the first floor and stairs to the second floor with a 15' front yard where 30' is the minimum required. Said property is shown on Assessor Plan 219 as Lot 22 and lies within the Single Residence B district. Case # 6-10
- 11) Petition of **Hayscales Realty Trust, owner, Dean for America, applicant**, for property located at **236 Union Street** wherein an Appeal from the Decision of the Code Official is requested concerning the requirement of a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) to change the use of 1,450 sf of space within an existing building in a residential district from the former use by Pro Portsmouth to a political campaign office. Case # 6-11
- Notwithstanding the above, if the Appeal from the Decision of the Code Official is denied, a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) is requested to allow 1,450 sf of an existing building to be used as a political campaign office. Said property is shown on Assessor Plan 135 as Lot 22 and lies within the Apartment district. Case # 6-11
- 12) Petition of **David R. Lemieux and Lane W. Cheney, owners**, for property located at **43 Cornwall Street** wherein a Special Exception as allowed in Article II, Section 10-206(6) is requested to allow an existing building to be converted into six dwelling units. Said property is shown on Assessor Plan 138 as Lot 42 and lies within the Apartment district. Case # 6-12
- 13) Petition of **Lawrence N. & Ruth S. Gray, owners**, for property located at **80 Currier's Cove** wherein a Variance from Article III, Section 10-301(A)(7) is requested to allow an 8' x 14' deck over an 8' x 14' deck and a 4' x 4' platform with steps to grade from the lower deck 67' from the edge of the salt water marsh/wetlands where 100' is the minimum setback to the edge of the salt water marsh/wetlands. Said property is shown on Assessor Plan 204 as Lot 14 and lies within the Single Residence A district. Case # 6-2

### III. ADJOURNMENT