

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

**7:00 P.M.**

**CITY COUNCIL CHAMBERS**

**JULY 15, 2003  
& JULY 22, 2003**

**AGENDA**

**PLEASE NOTE: Petitions #1 thru #10 will be heard on Tuesday, July 15, 2003. and Petitions #11 thru #15 will be heard on Tuesday July 22, 2003.**

**I. APPROVAL OF MINUTES**

- A. Minutes from meeting of May 27, 2003;
- B. Excerpt of Minutes from meeting of June 24, 2003 – Petition of Lawrence & Ruth Gray, Owners, 80 Curriers Cove;

**II. OLD BUSINESS**

- A) **Request for Re-Hearing** for Petition of Lawrence and Ruth Gray, **80 Currier's Cove**, requested by Ralph W. Woodman, Jr., Esq., on behalf of Mr. & Mrs. Marvin Lesser and Mr. & Mrs. James Powers. Said property is shown on Assessor Plan 204 as Lot 14 and lies within the Single Residence A district.

**III. PUBLIC HEARINGS**

- 1) Petition of **Hayscales Realty, Trust, owner**, for property located at **236 Union Street** wherein the following are requested 1) a Variance from Article II, Section 10-206(2) to allow a 48' x 66' second floor addition for two dwelling units on a 5,000 sf lot where 7,000 sf is the minimum lot area required for two dwelling units, 2) a Variance from Article II, Section 10-206 to allow 1,800 sf on the first floor to be used as workshop space for the repair and storage of the owner's vehicles with one employee; and 3) a Variance from Article XII, Section 10-1204 table 15 to allow 8 non-conforming parking spaces and travel way to be provided onsite where 10 parking spaces are required. Said property is shown on Assessor Plan 135 as Lot 22 and lies within the Apartment district. Case # 7-1
- 2) Petition of **Old Tex Mex, LLC, owner**, for property located at **3510 Lafayette Road** wherein the following are requested: 1) a Variance from Article III, Section 10-301(8) to allow a 28' x 28' addition with a 47.1' front yard and a 60' x 70' garage with a 79.4' front yard where 105' is the minimum required, and 2) a Variance from Article II, Section 10-206 to allow said 28' x 28' addition to used as part of the previously approved office space. Said property is shown on Assessor Plan 297 as Lot 8 and lies within the Single Residence A district. Case # 7-10
- 3) Petition of **Colleen J. Romano, owner**, for property located at **3 Coakley Road** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 14' x 14' one story addition to the rear of an existing single family dwelling with: a) an 8' rear yard where 30' is the minimum required, and b) 23.2% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 234 as Lot 49 and lies within the Single Residence B district. Case # 7-2
- 4) Petition of **Paige Roberts, owner**, for property located at **1 Walton Alley** wherein a Variance from Article III, Section 10-301(A)(6) is requested to allow a picket fence 4' from the intersection of Walton Alley and Gates Street where 20' from the intersection is the minimum required from the corner. Said property is shown on Assessor Plan 103 as Lot 27 and lies within the General Residence B and Historic A districts. Case # 7-3
- 5) Petition of **Millwood Partners LP VII, owner, Kristen Samson d/b/a Portsmouth School of Ballet, applicant**, for property located at **210 West Road** wherein a Variance from Article II Section 10-209 is requested to allow a ballet school in a district where such use is not allowed. Said property is shown on Assessor Plan 267 as Lot 21-3 and lies within the Industrial district. Case # 7-4
- 6) Petition of **Gerald W. and Katharin G. Smith, owners**, for property located at **306 South Street** wherein the following are requested: 1) Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to allow: a) an irregular shaped 383 sf kitchen ell and second floor addition with a 6'6"± right side yard where 10' is the minimum required, and b) a 14'3" x 14'6" one story addition with an 8'4"± right side yard where 10' is the minimum required, and 2) a Variance from Article IV, Section 402(B) to allow a 21' x 25' detached garage with a 4'± left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 111 as Lot 10 and lies within the Single Residence B and Historic A districts. Case # 7-5

- 7) Petition of **Anne E. Hett, owner**, for property located at **80 Richards Avenue** wherein a Variance from Article IV, Section 10-402(B) is requested to allow a 20' x 22' one story garage with: a) a 2'9"± left side yard and less than a 1' rear yard where 10' is the minimum required for both side and rear yards, and b) 2% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 136 as Lot 13 and lies within the General Residence A district. Case # 7-6
- 8) Petition of **Roger M. Chapdelaine Revocable Trust, owner, Norman and Leanne Gray, applicants**, for property located at **230 Lafayette Road Unit D12** wherein the following are requested 1) a Variance from Article II, Section 10-206 to allow Unit D12 to be used as a business office by Career Profiles (medical and general executive search company) in a district where such use is not allowed, and 2) a Variance from Article XII, Section 10-1204 Table 15 to eliminate 1 required parking space for the proposed use where 246 parking spaces are provided onsite. Said property is shown on Assessor Plan 151 as Lot 6 and lies within the Single Residence A district. Case # 7-7
- 9) Petition of **Parrott Avenue Center for Seniors, Inc., owner**, for property located at **127 Parrott Avenue** wherein a Variance from Article XII, Section 10-1204 Table 15 is requested to allow 22 existing parking spaces onsite where 46 parking spaces are required in conjunction with a proposed 18' x 30' two story addition and existing uses onsite. Said property is shown on Assessor Plan 115 as Lot 3 and lies within the Mixed Residential Office district. Case # 7-8
- 10) Petition of **William J. Wood, owner, Henry and Mary Perron, applicants**, for property located at **59 Swett Avenue** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow the following: a) 3'5" x 20'8" front porch with an 18" front yard where 30' is the minimum required, and b) a 28' x 28' two story addition with a 21' front yard where 30' is the minimum required. Said property is shown on Assessor Plan 232 as Lot 62 and lies within the Single Residence B district. Case # 7-9

**THE FOLLOWING PETITIONS WILL BE HEARD ON TUESDAY, JULY 22, 2003:**

- 11) Petition of **Ocean National Bank, owner**, for property located at **325 State Street** wherein a Variance from Article XII, Section 10-1201(2) is requested to allow the creation of four additional parking spaces with an 18' travel way where 24' is required. Said property is shown on Assessor Plan 116 as Lots 1, 2 & 6 (to be combined) and lies within the Central Business B and Historic A districts. Case # 7-13
- 12) Petition of **Patricia A. Butterworth, owner, Edward J. Rusher, applicant**, for property located at **61 Suzanne Drive** wherein a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) is requested to allow the former hair salon on the first floor to be converted to a chiropractic office with the apartment remaining on the second floor. Said property is shown on Assessor Plan 292 as Lot 30 and lies within the Single Residence B district. Case # 7-14
- 13) Petition of **Peter C. and Meg Middleton, owners**, for property located at **78 Lawrence Street** wherein a Variance from Article III, Section 10-302 is requested to allow a 24' x 24' attached garage with: a) a 5'6" right side yard where 10' is the minimum required, b) a 20'6" front yard where 30' is the minimum required, and c) 28% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 152 as Lot 46 and lies within the Single Residence B district. Case # 7-15
- 14) Petition of **Madison Commercial Group, LLC, owner**, for property located at **72 Mirona Road** wherein the following are requested: 1) a Variance from Article III, Section 10-304(A) to allow a 30' front yard where 70' is the minimum required, and, 2) a Variance from Article XII, Section 10-1204, Table 15 to allow 188 parking spaces to be provided where 215 parking spaces are required. Said property is shown on Assessor Plan 253 as Lot 3 and lies within the General Business district. Case # 7-16
- 15) Petition of **Saco Avenue Professional Building Inc., owner, Gove Construction Services Company, Inc., applicant**, for property located at **125 Brewery Lane** wherein a Variance from Article II, Section 10-208 is requested to allow the yard area to be used to store pipe, manholes and related materials, storing and processing (screening) of earth materials and related materials (sand, gravel, etc.) related to construction projects within the City, the storage of heavy equipment and vehicles, and piles of dirt approximately 15' high; and to use the one story steel building for maintenance and storage of vehicles and equipment for an undetermined length of time. Said property is shown on Assessor Plan 154 as Lot 2 and lies within the Business district. Case # 7-17

**IV. ADJOURNMENT**