

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

**7:00 P.M**

**CITY COUNCIL CHAMBERS**

**JULY 19, 2005**

**I. OLD BUSINESS.**

A) Motion for Rehearing on the petition of Myles Bratter for property located at **159 McDonough Street**.

**II. PUBLIC HEARINGS:**

- 1) Petition of **Wal-Mart Real Estate Business Trust, David N. Glass Trustee (Eric S. Zorn, Managing Trustee)**, owner, for property located at **2460 Lafayette Road** and **Jokers Realty One LLC et al**, owner for property located at **2460A Lafayette Road** wherein a Variance from Article IX, Section 10-908 Table 14 is requested to allow 365.95 sf of attached signage where 300 sf is the maximum allowed. Said property is shown on Assessor Plan 285 as Lots 16-1 and 16-2 (to be combined) and lies within the General Business district. Case # 4-11
- 2) Petition of **Anthony J Balakier and Cherie L. Geiger**, owners, for property located at **490 Islington Street** wherein a Variance from Article XII, Section 10-1201(A)(2) is requested to allow a 21' wide travel aisle where a 24' wide travel aisle is required in conjunction with the addition of two dwelling units. Said property is shown on Assessor Plan 156 as Lot 1 and lies within the Mixed Residential Business district. Case # 7-1
- 3) Petition of **George A. Dodge III Revocable Trust 2002 and Erica C Dodge Revocable Trust 2002**, owners, for property located at **233 Dennett Street** wherein a Variance from Article IV, Section 10-402(B) is requested to construct a two story 24' x 36' barn/garage 24' in height with a 3'± rear yard where 18' is the minimum required. Said property is shown on Assessor Plan 142 as Lot 7 and lies within the General Residence A district. Case # 7-2
- 4) Petition of **Milan Marich and Sharon Marich**, owners, for property located at **315 Coolidge Drive** wherein Variances from Article III, Section 10-302(A), and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 96 sf irregular shaped deck on the left side of the house with a 4'± rear yard where 30' is the minimum required and b) a 1' x 6' bay window on the right side of the house within the required 30' rear yard. Said property is shown on Assessor Plan 268 as Lot 40 and lies within the Single Residence B district. Case # 7-3
- 5) Petition of **Eugene Franceware Trust and Mary Franceware Trust**, owners, for property located at **40 Cornwall Street** wherein a Variance from Article IV, Section 10-402(A) is requested to allow a 4' x 12' shed with a 6"± left side yard and a 6"± rear yard were 5' is the minimum required in each instance. Said property is shown on Assessor Plan 144 as Lot 1 and lies within the Apartment district. Case # 7-4
- 6) Petition of **Carl and Catherine Aichele**, owners, for property located at **244 Wibird Street** wherein the following are requested: 1) a Variance from Article IV, Section 10-402(B) to allow a 20' x 35' one story garage with a 5'± rear yard where 10' is the minimum required, and 2) a Variance from Article III, Section 10-302(A) to allow a 1'9" x 5'6" mudroom addition with a 7'10" right side yard where 10' is the minimum required. Said property is shown on Assessor Plan 149 as Lot 13 and lies within the General Residence A district. Case # 7-5

7) Petition of **Joanne S. Holman Trust, Joanne S. Holman Trustee**, owner, for property located at **228 Highland Street** wherein the following are requested: 1) a Variance from Article IV, Section 10-402(B) to allow a 22' x 26' two story garage with a 4'± left side yard where 12' is the minimum required, and 2) a Variance from Article III, Section 10-302(A) to allow 26.7% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 130 as Lot 38 and lies within the General Residence A district.

Case # 7-6

8) Petition of **Paul J. Carney**, owner, for property located at **54 Rogers Street** wherein the following are requested 1) a Variance from Article II, Section 10-207(14) to allow a 2<sup>nd</sup> dwelling unit to be created on a 2,682 sf lot where 3,000 sf of lot area is the minimum required and lot coverage exceeding the 40% maximum allowed, and 2) Variances from Article III, Section 10-303(A) and Article IV, Section 10-401(A)(2)(c) to allow the following: a) a 7.5' x 13'1" addition with a 1'± right side yard where 10' is the minimum, b) an open deck to the rear of the dwelling within the required 10' right side yard and exceeding the 40% maximum building coverage; and c) a front entry within the required 5' front yard and exceeding the 40% maximum building coverage. Said property is shown on Assessor Plan 116 as Lot 44 and lies within the Mixed Residential Office and Historic A districts.

Case # 7-7

9) Petition of **Gary P. Morin**, owner, for property located at **238 Melbourne Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) an 8' x 18' one story addition with a 21'± front yard where 30' is the minimum required, b) a 12' x 23' deck and stairs with an 8'± left side yard where 10' is the minimum required; and c) 20.8% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 233 as Lot 82 and lies within the Single Residence B district. Case # 7-8

10) Petition of **Mark and Lisa Herrholz**, owners, for property located at **126 Martha Terrace** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 192 sf deck with a 35.7'± rear yard where 40' is the minimum required, b) the existing detached garage to be attached by adding a 264 sf breezeway now requiring a 20' side yard for the garage where 14'± exists; and, c) 21.6% building coverage where 10% is the maximum allowed. Said property is shown on Assessor Plan 283 as Lot 25 and lies within the Single Residence A district.

Case # 7-9

11) Petition of **Patrick Ellis**, owner, for property located at **235 McKinley Road** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 4' x 21 one story addition to the front of the dwelling with a 27'± front yard and a front entry porch 4' x 9' with a 23'± front yard where 30' is the minimum required in both instances. Said property is shown on Assessor Plan 251 as Lot 28 and lies within the Single Residence B district. Case # 7-10

### III. ADJOURNMENT.

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#### Informational Items:

Notice of Decision rendered July 6, 2005 by the Rockingham Superior Court in the matter of Richard P. Fecteau vs. City of Portsmouth

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#### NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you wish to attend a meeting and need assistance, please contact the Human Resources Department at 610-7274 one week prior to the meeting.