

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 P.M.**

**SEPTEMBER 18, 2007**

**AGENDA**

**I. OLD BUSINESS**

A) Approval of Minutes

August 21, 2007

August 28, 2007

B) Request for an Additional One-Year Extension of Variance, granted September 20, 2005 and subsequently extended through September 20, 2007, for property located at **Off Falkland Place and Off Ranger Way**.

**II. PUBLIC HEARINGS**

1) Petition of **Laurie Hersey, owner**, for property located at **159 Austin Street Unit 2** wherein a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) is requested to allow a 5' x 8' addition to an existing nonconforming deck with: a) 0' right side yard where 10' is the minimum required, b) a 13'± rear yard where 20' is the minimum required; and, c) 59.6% building coverage where 35% is the maximum allowed. Said property is shown on Assessor Plan 145 as Lot 93 and lies within the Apartment district. Case # 9-1

2) Petition of **Portal Realty Partnership, owner, Edward Benway, applicant**, for property located at **303 Islington Street** wherein the following are requested: 1) a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) to allow the E. H. Benway Financial office (2,166 sf) and The Hall Law office(150 sf) in space used by a dental office, 2) a Variance from Article XII, Section 10-1204 to allow 5 existing parking spaces to be provided where 10 parking spaces are required. Said property is shown on Assessor Plan 144 as Lot 11 and lies within the Apartment district. Case # 9-2

3) Petition of **Terry Bennett, owner, Union Lofts LLC, applicant**, for property located at **211 Union Street** wherein the following are requested to construct a 13 unit three story apartment building with 20 parking spaces on the ground level: 1) Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to allow a 6,965± sf footprint three story addition (after demolition of a portion of the existing building) with: a) 6.9' rear yard for the building and 3.1' rear yard for the stairs where 20' is the minimum required, b) 66% building coverage where 35% is the maximum allowed; and, c) 1,219 sf per dwelling unit where 3,500 sf per dwelling unit

is the minimum required, and 2) a Variance from Article XII, Section 10-1201(A)(3)(a)(3) to allowed stacked parking in an indoor garage where stacked parking is not allowed. Said property is shown on Assessor Plan 135 as Lot 70 and lies within the Apartment and Historic A districts. Case # 9-3

4) The Portsmouth Board of Adjustment, acting pursuant to NH RSA 12-G:13 and Chapter 300 of the Pease Development Authority Zoning Requirements, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the following petition of **Two International Group, applicant**, for property located at **75 New Hampshire Avenue** wherein a Variance from the Pease Development Authority Zoning Ordinance Section 307.02(b) is requested to allow two 12' x 20' loading berths to be provided where one 12' x 20' and eight 12' x 45' loading berths are required. Said property is shown on Assessor Plan 306 as Lot 4 and lies within the Airport Business and Commercial district. Case # 9-4

5) Petition of **Tain Properties LLC, owner, In Town Veterinary Group, Inc., applicant**, for property located at **215 Commerce Way** wherein a Variance from Article II, Section 10-209 is requested to allow a veterinary hospital in a district where such use is not allowed. Said property is shown on Assessor Plan 216 as Lot 1-8A and lies within the Office Research district. Case # 9-5

6) Petition of **Port City Plumbing & Heating LLC, owner**, for property located at **968 Middle Road** wherein the following are requested: 1) a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) to allow a hair salon (Hair Fashions of Portsmouth) having 5 chairs for cutting, dying and drying, and one station for nails with hours of operation Monday thru Saturday 9AM to 8PM and Sunday 11AM to 5PM in space used as a Convenience Goods II store, and 2) a Variance from Article IX, Section 10-908 to allow two 4' x 7.5' flush attached signs (total 60 sf) in a district where such signs are not allowed. Said property is shown on Assessor Plan 232 as Lot 90 and lies within the Single Residence B district. Case # 9-6

7) **Petition of T'Rouge LLC, owner**, for property located at **213 Gates Street** wherein the following are requested: 1) a Variance from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(d) to allow an 8' x 24'9" deck with stairs (including two upper level decks) creating 35.7%± building coverage where 30% is the maximum allowed. and 2) a Variance from Article XII, Section 10-1201(A)(2) to allow the existing nonconforming parking to be relocated and not meeting the required 24' maneuvering aisle. Said property is shown on Assessor Plan 103 as Lot 8 and lies within the General Residence B and Historic A districts. Case # 9-7

### III. ADJOURNMENT

#### 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.