

LEGAL NOTICE
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following applications #1 -#10 on Tuesday, August 21, 2001 at 7:00 P.M and #11 -#19 the following Tuesday, August 28, 2001 at 7:00 P.M. in the City Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

1) Request for Reconsideration for property owned by 10 State Street, LLC located on 10 State Street, requested by Michael B. King, Esquire. Said property is shown on Assessor Plan 105 as Lot 004 and lies within the Central Business B and Historic A districts.

2) Petition of Rick Fuller, owner, for property located at 17 Pickering Street wherein a Variance from Article III, Section 10-302(A) is requested to allow an 8' x 12'6" two story addition with : a) a 15' rear yard where 25' is the minimum required and b) 31% building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 102 as Lot 3 and lies within the General Residence B and Historic A districts.

3) Petition of Susan B. Parnham, owner, for property located at 1220 Islington Street wherein a Variance from Article III, Section 10-302(A) is requested to allow an existing 10,280± sf non-conforming lot with a single family residence to be subdivided into two non-conforming lots with: a) one lot having 5,000± sf of area and the other lot having 5,280± sf of area where 15,000 sf of lot area is required for each lot, b) continuous street frontage of 50' for each lot where 100' for each lot is the minimum required, c) to allow a 2' rear yard for the existing 10' x 16' garage where 10' is the minimum required; and d) to 23% building coverage for the existing dwelling and accessory building where 20% is the maximum allowed. Said property is shown on Assessor Plan 233 as Lot 6 and lies within the Single Residence B district.

4) Petition of Enzo Realty Trust, owner, Terry Bennett – Grantor Enzo Realty Trust, applicant, for property located at 211 – 225 Union Street wherein an Appeal from an Administrative Decision is requested for removal of previously applied stipulations, due to abuse of process, over zealous enforcement thereof concerning the Variance granted on 23 May 95 to allow “sale by appointment only of vehicles and associated minor repairs of such vehicles within the existing building”. Said property is shown on Assessor Plan 135 as Lot 70 and lies within the Apartment district.

5) Petition of Neil Robinson Jr., owner, for property located at 170 Swett Avenue wherein a Variance from Article III, Section 10-302(A) is requested to allow a 5' x 8' two story addition to the front of the existing dwelling with a 23' front yard where 30' is the minimum required. Said property is shown on Assessor Plan 243 as Lot 15 and lies within the Single Residence B district.

6) Petition of Dr. Lawrence N. and Ruth S. Gray, owners, for property located at 80 Curriers Cove wherein a Variance from Article III, Section 10-301(A)(7) is requested to allow a 24' x 38.6' one and one half story garage addition 63' from the salt water marsh wetlands/high water line of Little Harbor where 100' is the minimum required. Said property is shown on Assessor Plan 204 as Lot 14 and lies within the Single Residence A district.

7) Petition of Chris and Kym Berman, owners, for property located at 191 Park Street wherein a Variance from Article IV, Section 10-402(B) is requested to allow an 8' x 8' tree house 9' in height 1 ½' from the side property line where 10' is the minimum required. Said property is shown on Assessor Plan 149 as Lot 3 and lies within the General Residence A district.

8) Petition of Robert Loch, owner, for property located at 38 Sherburne Road wherein a Special Exception as allowed in Article IV, Section 10-401(A)(1)(d) is requested to convert the first floor of the building from a print shop to a dwelling unit for a total of two dwelling units on the lot where only one dwelling unit per lot is allowed. Said property is shown on Assessor Plan 259 as Lot 8 and lies within the Single Residence B district.

9) Petition of Michael Wright, owner, for property located at 188 Broad Street wherein a Variance from Article III, Section 10-302(A) is requested to allow a 2' x 8' one story bay and an 8.5' x 27' one and one half story front addition with: a) a 7'3" right side yard for the bay where 10' is the minimum required and b) 26.8% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 133 as Lot 11 and lies within the General Residence A district.

10) Petition of Christopher Ryan, owner, for property located at 124 Cabot Street wherein a Variance from Article IV, Section 10-402(B) is requested to allow a 24' x 24' one and one half story garage 16' (22' at peak) in height with a 5' right side yard and a 5' rear yard where 12' is required for both. Said property is shown on Assessor Plan 145 as Lot 77 and lies within the Apartment district.

11) Petition of Richard and Katherine Wentworth, owners, for property located at 126 Pearson Street wherein a Variance from Article III, Section 10-302(A) is requested to allow a 6' x 11' one story addition with a 22' front yard where 30' is the minimum required. Said property is shown on Assessor Plan 232 as Lot 104 and lies within the Single Residence B district.

12) Petition of Bethel Assembly of God, Inc., owner, for property located off Cutts Avenue wherein a Variance from Article III, Section 10-302(A) is requested to allow the construction of a 24' x 34' two story dwelling with a 6' x 34' front porch, and a 12' x 14' rear deck with: a) a lot area of 9,600 sf where the minimum required is 15,000 sf, b) a lot depth of 80' where the minimum required is 100' c) a 22' front yard where 30' is the minimum required; and, d) a 16' rear yard where 30' is the minimum required. Said property is shown on Assessor Plan 210 as Lot 9 and lies within the Single Residence B district.

13) Petition of Robert L. Vaccaro, owner, for property located at 411 Middle Street wherein the following are requested: 1) a Variance from Article II, Section 10-207 to allow the seventh dwelling unit to remain after a previous Variance was granted to convert the carriage house into an apartment and reducing the number of apartments from seven to six, and 2) a Variance from Article XII, Section 10-1201(A) to allow 7 parking spaces to be provided where 11 parking spaces are required. Said property is shown on Assessor Plan 135 as Lot 2 and lies within the Mixed Residential Office and Historic A districts.

14) Petition of Rebecca Staples New and Bruce L. Mallory, owners, for property located at 485 Lincoln Avenue wherein a Variance from Article III, Section 10-302(A) is requested to allow a 5' x 15' expansion of an existing deck and stairs creating a building coverage of 33.2% where 25% is the maximum allowed. Said property is shown on Assessor Plan 134 as Lot 49 and lies within the General Residence A district.

15) Petition of Debra and Kevin Reichlin, owners, for property located at 326 Thornton Street wherein a Variance from Article III, Section 10-302(A) is requested to allow a second dwelling unit to be located in a new addition to the attached garage on a 9,809 sf lot where 15,000 sf of lot area would be required for two dwelling units. Said property is shown on Assessor Plan 161 as Lot 14 and lies within the General Residence A district.

16) Petition of Brad and Alyssa Duncan, owners, for property located at 36 Rogers Street wherein a Variance from Article III, Section 10-303(A) is requested to allow a 12' x 21' two story addition connecting the existing single family dwelling to the existing accessory building creating 47.7% building coverage where 40% is the maximum allowed. Said property is shown on Assessor Plan 116 as Lot 46 and lies within the Mixed Residential Office and Historic A districts.

17) Petition of Geraldine Mullavey, owner, Jason Stiles, applicant, for property located at 1 Cate Street wherein the following are requested: 1) a Variance from Article II, Section 10-209 to allow a restaurant with accessory uses for occupancy of less than 250 persons in a district where such use is not allowed, 2) a Variance from Article XII, Section 10-1204 Table 15 to allow 5 nonconforming parking spaces to be provided onsite for the restaurant where 65 parking spaces are required; and 3) a Variance from Article XII, Section 1201(A)(1) to allow 60 parking space to be provided on the abutting lot which is not in the same ownership. Said property is shown on Assessor Plan 163 as Lot 36 and lies within the Office Research district.

18) Petition of Rene Therrien, c/o Central Tire Co., owner, Port City Suzuki, applicant, for property located at 406 Route 1 By-Pass wherein a Variance from Article II, Section 10-209(13) is requested to allow an automobile dealership: a) on a 42,364 sf lot where 2 acres is the minimum required, b) within 500' of property zoned residentially where 500' is the minimum setback required; and c) to allow outdoor display areas up to the property lines where 50' is the minimum setback required from property lines. Said property is shown on Assessor Plan 174 as Lot 4 and lies within the Industrial district.

Lucy E. Tillman
Planner I