

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

**7:00 P.M**

**CITY COUNCIL CHAMBERS**

**JUNE 21, 2005**

**AGENDA**

**I. PUBLIC HEARINGS.**

**THE FOLLOWING PETITIONS (#1 through #5) WILL BE HEARD ON TUESDAY, JUNE 21, 2005**

- 1) **Petition of Myles Bratter, owner**, for property located at **159 McDonough Street** wherein a Variance from Article III, Section 10-302(A) is requested to allow a left side yard of 0' where 10' is required and building coverage of approximately 56.5% where a maximum of 35% is allowed. Notwithstanding the above, an Administrative Appeal is made seeking to overturn the Administrative Decision to deny the issuance of the applicant's building permit. Said property is shown on Assessor Plan 144 as Lot 46 and lies within the Apartment district. Case # 6-1
- 2) **Petition of Sheila Curtin Cail Revocable Trust 2002, Sheila C. Cail Trustee, owner**, for property located at **579 Sagamore Avenue Unit 122** wherein a Variance from Article III, Section 10-301(A)(7)(a) is requested to allow a 13' x 13' one story addition 97.3'± from mean high tide line (after the demolition of the existing 9' x 9' sunroom) where 100' from salt water marsh wetlands or mean high water line of Sagamore Creek is required. Said property is shown on Assessor Plan 223 as Lot 30 and lies within the Single Residence A district. Case # 6-2
- 3) **Petition of Mark Greenwood and Janet A. Greenwood , owners**, for property located at **475 Dennett Street** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 5' x 11' front entry porch with: a) a 12'± front yard where 15' is required, and b) creating 25.4% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 160 as Lot 28 and lies within the General Residence A district. Case # 6-3
- 4) **Petition of David A. Perrault, owner, Nancy Grigor and Gale G. Brown Jr. applicants**, for property located at **300 Court Street** wherein a Variance from Article III, Section 10-303(A) is requested to allow: a) two previously approved dwelling units to be relocated within the building having one unit on the 1<sup>st</sup> floor and basement and the second unit on the 2<sup>nd</sup> floor, b) an irregular shaped 154.5 sf 1<sup>st</sup> floor deck with a 9'± rear yard and a 2<sup>nd</sup> floor 46 sf irregular shaped balcony with a 13'± rear yard where 15' is the minimum required in each instance, and c) 42.5% building coverage where 40% is the maximum allowed. Said property is shown on Assessor Plan 108 as Lot 12 and lies within the Mixed Residential Office and Historic A districts. Case # 6-4
- 5) **Petition of Patrick M. Seymour, owner**, for property located at **46 Mangrove Street** wherein a Variance from Article IV, Section 10-402(B) is requested to allow a 14' x 30' one story detached garage creating 28% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 218 as Lot 8 and lies within the Single Residence B district. Case # 6-5

**II. OLD BUSINESS.**

- A) **Petition of Brora, LLC, owner, and ProCon Construction, applicant**, for property located **off Dunlin Way aka Portsmouth Boulevard** wherein a Special Exception as allowed in Article II, Section 10-209(38) is requested to allow a portion of the vacant lot to be used for the temporary

outdoor storage of raw or partially finished material, machinery, equipment and vehicles in conjunction with the construction of the Hilton Garden Inn and adjacent condo's off Hanover Street. Said property is shown on Assessor Plan 213 as Lot 11 and lies within the Office Research district. Case # 5-15

B) Request for Rehearing on application of Wal-Mart Real Estate Business Trust for property located at **2460 Lafayette Road**

C) Request for Rehearing on application of 606 Realty Trust for property located at **606 Greenland Road.**

**THE FOLLOWING PETITIONS (#6 through #11) WILL BE HEARD ON TUESDAY, JUNE 28, 2005**

6) Petition of **Steven S. Scott and Karin M. Scott, owners**, for property located at **377 Richards Avenue** wherein a Variance from Article III, Section 10-302(A) is requested to allow a) a 2.5' x 7' one story left side addition with a 5.8'± left side yard where 10' is the minimum required, and b) a 566 sf irregular shaped 2 story addition with a 7'± left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 112 as Lot 16 and lies within the General Residence A district. Case # 6-6

7) Petition of **Robert A. Hefler Revocable Trust & Shirley A. Hefler Revocable Trust, owners**, for property located at **161 Essex Avenue** wherein a Variance from Article II, Section 10-206 is requested to allow the construction of a 26' x 44' attached garage with 2<sup>nd</sup> floor living space including a bedroom, bath, and family room with wetbar in addition to the existing single family dwelling. Said property is shown on Assessor Plan 233 as Lot 62 and lies within the Single Residence B district. Case # 6-7

8) Petition of **Sheila Johnson Revocable Living Trust, owner, and Everett Page, applicant**, for property located at **996 Maplewood Avenue** wherein Variances from Article II, Section 10-206 and Article III, Section 10-301(A)(2) are requested to allow six dwelling units (a 4 unit building and a 2 unit building) in a district where only one dwelling per lot is allowed. Said property is shown on Assessor Plan 219 as Lot 4 and lies within the Single Residence B district. Case # 6-8

9) Petition of **Bradley M. Lown and Christyn B. Sieve, owners**, for property located at **45 Brackett Road** wherein a Variance from Article IV, Section 10-402(B) is requested to allow a 10' x 14' one story shed with a 4'± rear yard where 10' is the minimum required. Said property is shown on Assessor Plan 206 as Lot 12 and lies within the Single Residence B district. Case # 6-9

10) Petition of **Sunbridge Clipper Home of Portsmouth, owner, and David Ross, Administrator, applicant**, for property located at **188 Jones Avenue** wherein a Special Exception as allowed in Article II, Section 10-206(18) is requested to allow the number of beds to increase from 92 to 102 within the existing facility. Said property is shown on Assessor Plan 221 as Lot 8 and lies within the Single Residence B district. Case # 6-10

11) Petition of **Jason J. Kyrousis and Julie Howard, owners**, for property located at **420 Lafayette Road** wherein a Variance from Article IV Section 10-401(A)(1)(c) is requested to allow one of the two dwelling units to be re-located to the lower level of the proposed addition. Said property is shown on Assessor Plan 231 as Lot 3 and lies within the Single Residence B district. Case # 6-11

### 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.