

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

**CITY COUNCIL CHAMBERS**

**7:00 P.M**

**September 19, 2006 for Old Business &  
Petitions 1) thru 4), to be reconvened  
September 26, 2006 for Petitions 5) and 6)**

**AGENDA**

**I. OLD BUSINESS**

- A) Approval of Minutes – July 18, 2006
- Approval of Minutes – July 25, 2006
- Approval of Minutes – August 15, 2006

B) Petition of **Michael De La Cruz, owner**, for property located at **63 Congress Street a/k/a 75 Congress Street Franklin Block** wherein a Variance from Article XII, Section 10-1201(A)(2) is requested to allow a 10' two accessway to a below grade parking garage where 24' is the minimum required. Said property **REQUEST TO TABLE** lies within the Central Business B, Downtown Overlay and Historic A districts. Case # 7-5 *This item was tabled at the August 15, 2006 meeting.*

C) Petition of **Abigail Khan-Cooper, owner**, for property located at **227 Park Street** wherein a Variance from Article II, Section 10-206 is requested to allow outdoor display and sales of artwork where such use is not allowed as a Home Occupation I or II. Said property is shown on Assessor Plan 149 as Lot 6 and lies within the General Residence A district. Case # 8-9 *This item was tabled at the August 22, 2006 meeting.*

D) Petition of **Lafayette Limited Partnership, owner**, for property located at **775 Lafayette Road** wherein a Variance from Article IX, Section 10-906(A)(2) is requested to allow an additional 40.7 sf of attached signage for "abode home furnishings" where the existing signage on the property exceeds the maximum allowed. Said property is shown on Assessor Plan 245 as Lot 1 and lies within the General Business district. Case # 8-12 *This item was tabled at the August 22, 2006 meeting.*

E) Applicant Filed Request for Rehearing for property located at **36 Kent Street.**

**II. PUBLIC HEARINGS**

<b>THE FOLLOWING PETITIONS (#1 through #4) WILL BE HEARD ON TUESDAY, SEPTEMBER 19, 2006</b>
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1) Petition of **Perry Silverstein Revocable Trust 2001, Perry Silverstein Trustee, owner**, for property located at **10 Commercial Alley** and **Perry Silverstein and Kristin Magnus, owners**, for property located **off Penhallow Street** (lots to be combined) wherein Variances from Article XII, Section 10-1201(A)(2) and (3)(a) are requested to allow four nonconforming parking spaces to park one behind

another and back into the street where such configuration is not allowed. Said property is shown on Assessor Plan 106 as Lot 9 & 10 (to be combined) and lies within the Central Business B, Historic District A and Downtown Overlay districts. Case # 9-1

2) Petition of **Strawbery Banke Inc., owner**, for property located **420 Court Street** wherein a Variance from Article III, Section 10-303(A) is requested to allow an irregular shaped two story 2,724± sf building with the building facade flush with the property line abutting Washington Street where 20' is the minimum side yard. Said property is shown on Assessor Plan 104 as Lot 7 and lies within the Mixed Residential Office and Historic A districts. Case # 9-2

3) Petition of **Joseph J. Zammit Revocable Trust of 1999, owner, Joseph J. Zammit Trustee, and Wendy Welton, applicant**, for property located at **580 Greenland Road** wherein the following are requested: 1) a Variance from Article II, Section 10-206 to allow two dwelling units on a lot in a district where only one dwelling unit is allowed, 2) a Special Exception as allowed in Article II, Section 10-206(12) to allow a Home Occupation II (architectural office) with associated parking; and, 3) a Variance from Article XII, Section 10-1201(A)(3) to allow parking to be arranged with a residential parking space passing over a parking space for the Home Occupation. Said property is shown on Assessor Plan 258 as Lot 2 and lies within the Single Residence B district. Case # 9-3

4) Petition of **Portsmouth Casey Home Association, and 1950 Lafayette Road A Condominium, owners**, for property located at **1950 Lafayette Road** wherein a Variance from Article IX, Section 10-908 is requested to allow a 88 sf freestanding sign having a 2' front yard where 20' is the minimum required. Said property is shown on Assessor Plan 267 as Lot 7 and lies within the General Business district. Case # 9-4

<p style="text-align: center;"><b>THE FOLLOWING PETITIONS (#5 and #6) WILL BE HEARD ON TUESDAY, SEPTEMBER 26, 2006</b></p>
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5) Petition of Helen W. Stearns, owner, and Power Pro Electric, applicant, for property located off Maplewood Avenue wherein a Variance from Article II, Section 10-206 is requested to allow a tradecraft business with associated warehouse in a 100' x 100' proposed building with 18 parking spaces in a district where such use is not allowed. Said property is shown on Assessor Plan 220 as Lot 90 and lies within the Single Residence B district. Case # 9-5

6) Petition of Lawrence N. & Ruth S. Gray, owners, for property located at 80 Currier's Cove wherein a Variance from Article III, Section 10-301(A)(7) is requested to allow 190 sf enclosed living space (9.5' x 20') within 100' of the edge of the salt water marsh/wetlands. Said property is shown on Assessor Plan 204 as Lot 14 and lies within the Single Residence A district. Case # 9-6

### 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.**