

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 P.M.

JULY 17, 2007

AGENDA

I. OLD BUSINESS

A) Approval of Minutes

June 19, 2007

B) Request for One-Year Extension of Variance granted August 22, 2006 for property located at **180 New Castle Avenue.**

C) Petition of **David Kish, owner**, for property located at **824 State Street** wherein the following are requested: 1) Variances from Article II, Section 10-206(2) and Article XII, Section 10-1204 to allow no parking to be provided where 6 parking spaces are required for the conversion of an existing building with 3 dwelling units to 4 dwelling units, and 2) Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to construct an 8 ½' x 12' deck with a 5'± left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 145 as Lot 84 and lies within the Apartment district. Case # 6-3. *This petition was postponed at the June 19, 2007 meeting.*

II. PUBLIC HEARINGS

1) Petition of **Steven C. and Karen Butz Webb, owners**, for property located at **38 Willard Avenue** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 401(A)(2)(c) are requested to allow a 10' x 10' shed and a 6' x 10' rear deck creating 26.4% ± building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 150 as Lot 1 and lies within the General Residence A district. Case # 7-1

2) Petition of **James P. Fernald, owner**, for property located at **21 Fernald Court** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 401(A)(2)(c) are requested to allow an 8' x 38' open deck with a 13'± front yard where 30' is the minimum. Said property is shown on Assessor Plan 207 as Lot 55 and lies within the Single Residence B district. Case # 7-2

3) Petition of **Deer Street Associates, owner, and Public Service Company of New Hampshire, applicant**, for property located at **165 Deer Street** wherein a Special Exception as allowed in Article II, Section 10-208(51) is requested to install a ground mounted switch cabinet

and manhole. Said property is shown on Assessor Plan 125 as Lot 17 and lies within the Central Business B, Downtown Overlay and Historic A districts. Case # 7-3

4) Petition of **OCW Retail-Portsmouth, LLC c/o The Wilder Companies, owner, Eastern Mountain Sports, applicant**, for property located at **100 Arthur Brady Drive** wherein a Variance from Article IX, Section 10-906 is requested to allow 184.6 sf of signage where 126 sf is the maximum allowed. Said property is shown on Assessor Plan 238 as Lot 20 and lies within the General Business district. Case # 7-4

5) Petition of **David P. Cokely Revocable Trust, owner, David P. Cokely Trustee**, for property located at **353 Miller Avenue** wherein Variances from Article IV, Section 10-402(B) and Article III, Section 10-302(A) are requested to allow a 24' x 26' one story garage with: a) a 2' ± right side yard where 10' is the minimum required, and b) 26.6% ± building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 131 as Lot 32 and lies within the General Residence A district. Case # 7-5

6) Petition of **Elizabeth G. Fichera Revocable Living Trust, owner, Elizabeth and Mark Fichera Trustees**, for property located at **47 Howard Street** wherein Variances from Article III, Section 10-302 (A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 4' x 19.2' one story addition and a 7.7' x 15.4' two story addition to the rear of an existing dwelling with: a) a 0' right side yard where 10' is the minimum required, b) 46.7% building coverage where 30% is the maximum allowed; and, c) 24.8% open space where 25% is the minimum required. Said property is shown on Assessor Plan 103 as Lot 84 and lies within the General Residence B and Historic A districts. Case # 7-6

7) Petition of **Richard A. and Bonnie M. Porzio, owners**, for property located at **431 Pleasant Street** wherein the following are requested: 1) a Variance from Article IV, Section 10-402(A) to allow a 6' x 9' 10" shed with: a) a 4' ± right side yard, and b) a 4' 6" ± rear yard where 5' is the minimum required in each instance, and 2) a Variance from Article IV, Section 10-402(B) to allow an 8' 9" x 21' pergola with a 6' 2" ± left side yard where 10' is the minimum required; and 3) a Variance from Article III, Section 10-302(A) to allow 48.9% ± building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 102 as Lot 71 and lies within the General Residence B and Historic A districts. Case # 7-7

8) Petition of **Port City Plumbing and Heating LLC, owner**, for property located at **968 Middle Road** wherein the following are requested: 1) a Variance from Article II, Section 10-206 to allow the first floor to be used as a **WITHDRAWN BY APPLICANT** and 2) a Variance from Article III, Section 10-302(A) to allow the existing parking on the left and rear sides of the property to remain as configured. Said property is shown on Assessor Plan 232 as Lot 90 and lies within the Single Residence B district. Case # 7-8

9) Petition of **Robert Carrigg and Jennifer J. Griffin, owners**, for property located at **315 Union Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 6' 10" ± x 20' deck creating 34.9% ± building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 134 as Lot 1 and lies within the General Residence A district. Case # 7-9

10) Petition of **Charles L. Lassen Revocable Living Trust, owner, Charles L. and Susan E. Lassen, Trustees**, for property located at **75 Salter Street, a/k/a Round Island** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a southwest porch with a 24'± front yard where 30' is the minimum required, b) a west ramp and landing with an 18'± rear yard where 40' is the minimum required, c) vertical expansions within required yards to include rebuilding existing 8' x 24.5' 1 story south room, adding a second story to the 7' x 16' north room, new roof on existing 1 story west room to match roofline of new porch; and, four new 4' dormers on existing roof; and, d) 37.9% building coverage where 10% is the maximum allowed. Said property is shown on Assessor Plan 207 as Lot 1 and lies within the Single Residence A district. Case # 7-10

11) Petition of **John L. and Heidi D. Fiore Campbell, owners**, for property located at **492 Union Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow the construction of dormers on both the left and right sides of the roof with: a) a front yard of 9'± where 15' is the minimum required, b) a right side yard of 6'4"± where 10' is the minimum required; and, c) an 8'4"± left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 133 as Lot 43 and lies within the General Residence A district. Case # 7-11

12) Petition of **Jennifer Ramsey, owner**, for property located at **145 Porpoise Way** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) and Section 10-402(A) are requested to allow: a) a 144.63 sf one story addition with a 4' 6"± rear yard where 25' is the minimum required, b) an 8'6" x 11' shed with a 2'1"± rear yard and a 1'6"± left side yard where 5' is the minimum required for each; and, c) a 6' x 24' 6 1/2" open porch having all additions create a building coverage of 36.2% where 30% is the maximum allowed. Said property is shown on Assessor Plan 212 as Lot 70 and lies within the General Residence B district. Case # 7-12

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.