

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 P.M.**

**May 20, 2008 for Old Business and Petitions  
1) through 8), To Be Reconvened  
May 27, 2008 for Petitions 9) through 15)**

**AGENDA**

**I. OLD BUSINESS**

A) Approval of Minutes – April 15, 2008

**II. PUBLIC HEARINGS**

<b>THE FOLLOWING PETITIONS 1) THROUGH 8) WILL BE HEARD ON TUESDAY, MAY 20, 2008</b>
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- 1) Petition of **Susan E. Ronchi, owner**, for property located at **307 Ocean Road** wherein a Variance from Article III, Section 10-302(A) is requested to allow a 22' x 28' one story garage with: a) a 9'± left side setback where 10' is the minimum required, and b) 22% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 292 as Lot 117 and lies within the Single Residence B district. Case # 5-1
  
- 2) Petition of **Heritage Storage Center, Inc., owner**, for property located at **70 Heritage Avenue** wherein a Variance from Article II, Section 10-209 is requested to allow the sale of sporting goods (primarily lacrosse equipment) and lacrosse and circuit training in a district where such uses are not allowed. Said property is shown on Assessor Plan 285 as Lot 11B and lies within the Industrial district. Case # 5-2
  
- 3) Petition of **Philip R. Whisler and Karen Degroat, owners**, for property located at **395 Sherburne Road** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 552 sf addition on the existing garage and proposed breezeway with an 8'± right side setback where 10' is the minimum required. Said property is shown on Assessor Plan 261 as Lot 74 and lies within the Single Residence B district. Case # 5-3
  
- 4) Petition of **Dean A. and Jessi Leah Outhouse, owners**, for property located at **133 Orchard Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 7'8" x 9'8" front porch expansion connecting to a 7'8" x 13'7" mudroom on the left side (existing deck area) with: a) a 4'± front setback for the porch, and b) a 12'4"± front setback for the mudroom where 15' is the minimum required in each instance. Said property is shown on Assessor Plan 149 as Lot 44 and lies within the General Residence A district. Case # 5-4

- 5) Petition of **Ronald N. Anania, owner**, for property located at **290 Bartlett Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 10' x 29' open deck with a 7'± left side setback where 10' is the minimum required. Said property is shown on Assessor Plan 162 as Lot 51 and lies within the General Residence A district. Case # 5-5
- 6) **Petition of Melvin R. and Nancy H. Alexander, owners**, for property located at **620 Pevery Hill Road** wherein a Variance from Article II, Section 10-209 is requested to allow a private school for grades 6 through 12 in a district where such use is not allowed. Said property is shown on Assessor Plan 254 as Lot 6 and lies within the Industrial district. Case # 5-6
- 7) Petition of **Mark Wentworth Home for the Chronic Invalid, owner**, for property located at **346 Pleasant Street** wherein a Variance from Article IX, Section 10-901(A)(4) is requested to allow a 3.34 sf free-standing sign directing visitor parking in a district where such signs are not allowed. Said property is shown on Assessor Plan 109 as Lot 16 and lies within the General Residence B and Historic A districts. Case # 5-7
- 8) Petition of **Mark Wentworth Home for the Chronic Invalid, owner**, for property located at **346 Pleasant Street** wherein Variances from Article IX, Sections 10-908 and 10-901(A)(4) are requested to allow: a) a 3.34 sf free-standing sign directing drop off / entrance, and b) a 6.26 sf free-standing sign for the use in a district where such signs are not allowed. Said property is shown on Assessor Plan 109 as Lot 10 and lies within the General Residence B and Historic A districts. Case # 5-8

<b>THE FOLLOWING PETITIONS 9) THROUGH 15) WILL BE HEARD ON TUESDAY, MAY 27, 2008</b>
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- 9) Petition of **Peter and Judi Paridis, owners**, for property located at **481 Dennett Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow an existing rear dormer to be expanded across the rear of the dwelling resulting in a 4'± left side setback where 10' is the minimum required. Said property is shown on Assessor Plan 160 as Lot 27 and lies within the General Residence A district. Case # 5-9
- 10) Petition of **Jason Lansberry and Jennifer Janak, owners**, for property located at **36 Spring Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) an irregular shaped 677 sf 2 story addition with a garage on the 1st floor and living space on the 2nd floor with a 2.5'± right side setback where 10' is the minimum required, and b) a 38 sf porch creating 36.4%± building coverage for all where 25% is the maximum allowed. Said property is shown on Assessor Plan 130 as Lot 14 and lies within the General Residence A district. Case # 5-10
- 11) Petition of **Old Tex Mex, LLC, owner**, for property located at **3510 & 3518 Lafayette Road** wherein the following are requested: 1) a Variance from Article II, Section 10-206 to allow a proposed 60' x 72' addition with 20' x 72' office mezzanine for use by trades contractors in a residential district where such use is not allowed, and 2) a Variance from Article III, Section 10-301(A)(8) to allow the proposed addition with a 55'± front setback where 105' is the minimum required. Said property is shown on Assessor Plan 297 as Lots 7 & 8 (to be combined) and lies within the Single Residence A district. Case # 5-11

12) Petition of **Patrick Malloy and Birgit Christiansen, owners**, for property located at **233 Union Street** wherein Variances from Article XII, Sections 10-1201(A)(3) and 10-1204 Table 15 are requested to allow: a) 4 parking spaces that backout to be provided where 7 parking spaces are required, and b) required parking for the professional offices (3 offices) where parking shall not back out onto the street. Said property is shown on Assessor Plan 135 as Lot 71 and lies within the Mixed Residential Office district. Case # 5-12

13) Petition of **Spinnaker Point Condo Association, owner**, for property located at **70 Spinnaker Way** wherein a Variance from Article II, Section 10-212(I) is requested to allow outdoor storage of sand and salt where outdoor storage is not allowed. Said property is shown on Assessor Plan 217 as Lot 2 and lies within the Office Research/Mariner's Village Overlay district. Case # 5-13

14) Petition of **Icon Realty LLC, owner, Rite Aid Pharmacy, applicant**, for property located at **1303 Woodbury Avenue** wherein a Variance from Article IX, Section 10-908 is requested to allow a 79.81 sf freestanding sign 7'3" from property lines(two) where 20' is the minimum required. Said property is shown on Assessor Plan 217 as Lot 1 and lies within the General Business and Mixed Residential Business districts. Case # 5-14

15) Petition of **Toby and Shelly L. Lavigne, owners**, for property located at **4 Moebus Terrace** wherein a Variance from Article III, Section 10-301(A)(7)(a) is requested to allow a 340 sf L-shaped deck 69 ½'± from the salt marsh wetlands or mean high water line where 100' is the minimum required. Said property is shown on Assessor Plan 207 as Lot 24 and lies within the Single Residence B district. Case # 5-15

### **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.