

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

**7:00 P.M.**

**October 21, 2008 for Old Business and Petitions  
1) through 7), To Be Reconvened  
October 28, 2008 for Petitions 8) through 13)**

**REVISED AGENDA**

<b>THE FOLLOWING OLD BUSINESS AND PETITIONS 1) THROUGH 7) WILL BE HEARD ON TUESDAY, OCTOBER 21, 2008 IN CONFERENCE ROOM A</b>
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**I. OLD BUSINESS**

- A. Approval of Minutes – August 26, 2008  
- September 16, 2008
  
- B. Request for a One-Year Extension of Variance, granted November 27, 2007, for property located at 600 Lafayette Road.

**II. PUBLIC HEARINGS**

- 1) Petition of **Paul Nakrosis and Millie Nakrosis, owners, and Michael Brandzel, applicant,** for property located at **39 Dearborn Street** wherein the following are requested to place a 7'10" x 13'9" one story shed: 1) a Variance from Article IV, Section 10-402(B) to allow said shed to have a 5'± front set back where 15' is the minimum required, and 2) a Variance from Article III, Section 10-301(7)(b) to allow said shed to have a 65'± setback to salt water marsh or mean high water line where 100' is the minimum required. Said property is shown on Assessor Plan 140 as Lot 3 and lies within the General Residence A district. Case # 10-1
  
- 2) Petition of **150 Greenleaf Avenue Realty Trust, owner, James G. Boyle, Trustee,** for property located at **150 Greenleaf Avenue** wherein the following are requested to allow three signs above the level of the roof. Said property is shown on Assessor Plan 243 as Lot 67 and lies within the General Business district. Case # 10-2
  
- 3) Petition of **Christopher Bashaw and Moira Lunnah, owners,** for property located at **109 Preble Way** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 12' x 20' open deck with: a) 2'5"± left side setback where 10' is the minimum required, and b) 31%± building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 212 as Lot 2-1 and lies within the General Residence B district. Case # 10-3

- 4) Petition of **Avi Magidoff, owner**, for property located at **133 Pearson Street** wherein a Variance from Article II, Section 10-206(12) is requested to allow an acupuncture office (114 sf) as a Home Occupation II requiring one parking space on the lot where two parking spaces are provided for the residence and no additional parking is provided for the office. Said property is shown on Assessor Plan 232 as Lot 103 and lies within the Single Residence B district. Case # 10-4
- 5) 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 convert a 7,200 sf portion of an existing building into two levels (14,400 sf total area) of self storage in a district where such use is not allowed. Said property is shown on Assessor Plan 285 as Lot 11B and lies within the Industrial district. Case # 10-5
- 6) Petition of **Benjamin J. Swainbank and Christine M. Bastianelli, owners**, for property located at **230 Cass Street** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow an 10' x 19' one story addition with 3'± right side setback where 10' is the minimum required. Said property is shown on Assessor Plan 147 as Lot 28 and lies within the Mixed Residential Business district. Case # 10-6
- 7) Petition of **Ryan A. Reed and Elizabeth M. Conley, owners**, for property located at **9 Suzanne Drive** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow an 8' x 8' one story front portico addition with a 20'± front setback where 30' is the minimum required. Said property is shown on Assessor Plan 292 as Lot 79 and lies within the Single Residence B district. Case #10-7

**THE FOLLOWING PETITIONS 8) THROUGH 13) WILL BE HEARD  
ON OCTOBER 28, 2008 IN THE EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

- 8) Petition of **Murat Ergin and Sandra Carver Ergin , owners**, for property located at **251 Walker Bungalow Road** wherein Variances from Article III, Section 10-302(A) and Article XV, Section 10-1503(D)(2)(a) are requested to allow a 9'6" x 28' farmer's porch with a 20'± front setback where 30' is the minimum required. Said property is shown on Assessor Plan 202 as Lot 13-2 and lies within the Single Residence B district. Case # 10-8
- 9) The Portsmouth Board of Adjustment, acting pursuant to NH RSA 12-G:13 and Chapter 300 of the Pease Development Authority Zoning Requirements, will review and make a recommendation to the Board of Directors of the Pease Development Authority regarding the petition of **NH Avenue Retail Center LLC, applicant**, for property located at **30 Manchester Square** wherein a Variance from the Pease Development Authority Zoning Ordinance Section 303.05(b) 16(f) is requested to allow a gas station/convenience store with a 15'± right side setback where 40' is the minimum required. Said property is shown on Assessor Plan 302 as Lot 7 and lies within the Business/Commercial district. Case # 10-9
- 10) Petition of **Ali S. Kodal and Pamela Henry, owners**, for property located at **845 South Street** wherein a Variance from Article III, Section 10-301(A)(6) is requested to allow construction of a fence on a corner lot within 20' of a line joining points 20' from the intersection of the rights of way. Said property is shown on Assessor Plan 132 as Lot 23 and lies within the General Residence A district. Case # 10-10

11) Petition of **Joseph Gobbi Supply Corp., owner**, for property located at **685 Islington Street** wherein a Variance from Article II, Section 10-208 is requested to allow an auto towing company office and outside storage for towed vehicles for less than a two week period. Said property is shown on Assessor Plan 164 as Lot 12 and lies within the Business district. Case # 10-11

12) Petition of **Caroline A. Newman Revocable Trust, owners, Michael Jacques, Patricia Newman and Caroline A Newman, Trustees, applicants**, for property located at **342 Spinney Road** wherein a Variance from Article II, Section 10-206 is requested to allow the conversion of an existing single family dwelling to a two family dwelling in a district where such use is not allowed. Said property is shown on Assessor Plan 169 as Lot 5 and lies within the Single Residence B district. Case # 10-12

13) Petition of **Kish Revocable Trust, owner, Gary A. and Patricia A. Kish Trustees, applicant**, for property located at **70 Pleasant Point Drive** wherein a Variance from Article III, Section 10-301(A)(7) is requested to allow: a) an 18' x 25' one story addition with a 77.8'± setback, b) a 5' x 15' open deck with a 79.4'± setback, c) a 10' x 10' entry deck and steps with an 84.5'± setback; and, d) 4' wide stairs to the water replacing an existing dirt and stone path where all four improvements require a 100' setback from the salt water marsh wetlands or mean high water line. Said property is shown on Assessor Plan 207 as Lot 15 and lies within the Single Residence B district. Case # 10-13

### **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.