

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 P.M.**

**May 19, 2009**

**AGENDA**

**I. OLD BUSINESS**

A) Approval of Minutes – April 21, 2009

B) Petition of **Jonathan Schroeder, owner**, for property located at **324 Maplewood Avenue** wherein the following are requested: 1) Variances from Article III, Section 10-303(A) and Article IV, Section 10-401(A)(2)(c) to allow a two story addition on an existing garage/storage building to house two additional dwelling units on a 3,210 sf lot (that also contains a second building with a commercial use on the lot) where 10' is the minimum required, and b) a 1'± rear setback where 15' is the minimum required; and, c) 1,070 sf of lot area per dwelling unit where 7,500 sf of lot area per dwelling unit is required for a total of three dwelling units on the property requiring 22,500 sf of lot area. 2) a Variance from Article XII, Section 10-1201(A)(3) to allow the required parking spaces to back out onto the street where such parking layout is not allowed; and 3) a Variance from Article III, Section 10-301(A)(2) to allow dwelling units in two separate buildings on a lot where all dwelling units shall be located in one building. Said property is shown on Assessor Plan 141 as Lot 1 and lies within the Mixed Residential Office and Historic A districts. Case # 4-4 *(This petition was postponed from the April 21, 2009 meeting)*

**II. PUBLIC HEARINGS**

1) Petition of **Goodman Family Real Estate Trust, owner, Paul Vrusho d/b/a Granite State Greenhouse & Nursery, Inc., applicant**, for property located at **1850 Woodbury Avenue** wherein the following are requested: 1) a Variance from Article II, Section 10-208 to allow the outdoor sales of plants, produce and nursery products in a district where outdoor sales are not allowed, and 2) a Variance from Article IX, Section 10-908 Table 14 to allow two 32 sf freestanding A-frame signs (64 sf total) creating: a) 156 sf of aggregate signage where 102 sf is the maximum allowed; and b) a 1'± front setback where 20' is the minimum required. Said property is shown on Assessor Plan 239 as Lot 9 and lies within the General Business district. Case # 5-1

2) Petition of **David P. MacDonald and Nancy T. MacDonald, owners**, for property located at **28 Ball Street** 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 12' one story porch addition to the left side of the existing dwelling with a 6'± front setback where 30' is the minimum required. Said property is shown on Assessor Plan 207 as Lot 54 and lies within the Single Residence B district. Case # 5-2

3) Petition of **Thomas S. Carpenter and Karen G. Carpenter, owners**, for property located at **139 Brackett Road** wherein the following are requested: 1) a Variance from Article IV, Section 10-402(B) to allow an 10' x 16' storage shed with: a) a 5'± rear set back, and b) a 5'± right side setback where 10' is the minimum required in each instance, and 2) Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) to allow a 10' x 10' front entry porch with an 18.1'± front setback where 30' is the minimum required, and b) 27.5% building coverage for all where 20% is the maximum allowed. Said property is shown on Assessor Plan 206 as Lot 15 and lies within the Single Residence B district. Case # 5-3

4) Petition of **Antoine Albathany, owner**, for property located at **999 Woodbury Avenue** wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 6' x 31' farmers porch addition to the front of the single family dwelling with a 25'± front setback where 30' is the minimum required, and b) 20.6%± building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 219 as Lot 32 and lies within the Single Residence B district. Case # 5-4

5) Petition of **Clear Channel Broadcasting Inc., owner, FLO TV, Inc. f/k/a Mediaflo USA, Inc., applicant**, for property located at **815 Lafayette Road** wherein a Variance from Article II, Section 10-208 is requested to allow a 12.2' x 0.7' x 2.7' antenna attached to the existing guyed tower and associated 10' x 19'10" equipment shelter with two dish antennas mounted to the roof and two GPS antennas mounted to the new cable bridge for live mobile tv in a district where such use is not allowed. Said property is shown on Assessor Plan 245 as Lot 3 and lies within the General Business district. Case # 5-5

### 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