

**LEGAL NOTICE
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE**

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on Old Business and the following New Business Petitions on **Tuesday April 21, 2015 at 7:00 p.m.** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Jenkins Avenue, Portsmouth, New Hampshire:

Old Business

C) Case # 3-5

Petitioners: Michael Brandzel & Helen Long

Property: 39 Dearborn Street (Dearborn Lane)

Assessor Plan 140, Lot 3

Zoning District: General Residence A

Description: Construct a 12'± x 18'± shed in front yard. Construct an 8'± x 13'± single story addition and add shed dormers.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed or structurally altered without conforming to the requirements of the Ordinance.
2. Variances from Section 10.521 to allow the following:
 - (a) A front yard setback of 5'± where 15' is required.
 - (b) A right side yard setback of 4'± where 10' is required.
 - (c) A rear yard setback of 3'± where 20' is required.
3. A Variance from Section 10.571 to allow an accessory structure to be located in a required front yard.

This petition was postponed from the March 17th meeting and revised by a change in the size of the proposed shed.

New Business

1) Case # 4-1

Petitioners: Peter O. & Karen G. Dawson Revocable Trusts

Property: 648 Lincoln Avenue

Assessor Plan 148, Lot 18

Zoning District: General Residence A

Description: Install two HVAC compressors.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow 30.4%± building coverage where 25% is the maximum allowed.

2) Case # 4-2

Petitioner: 233 Vaughan Street LLC

Property: 233 Vaughan Street

Assessor Plan 124, Lot 14

Zoning District: Central Business A

Description: Install a bathroom in space designated for mechanical equipment.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.531 to allow a structure height of 57'3" for the habitable space of the building where 50' is the maximum allowed.

3) Case # 4-3

Petitioners: Dale W. & Sharyn W. Smith

Property: 275 Islington Street

Assessor Plan 144, Lot 8

Zoning District: Central Business B

Description: Clarification of previously granted variances regarding the construction of four multi-family residences and an addition to a rear building creating 14 residential units.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow 12±% open space where 14.1±% was previously granted and 15% is required.

4) Case # 4-4

Petitioner: Ellen S. Cohn Revocable Living Trust

Property: 124 Broad Street

Assessor Plan 134, Lot 19

Zoning District: General Residence A

Description: Construct 6'± x 14'6"± second floor addition.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.324 to allow a lawful nonconforming structure to be extended, reconstructed or structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a 4'± left side yard setback where 10' is required.

5) Case # 4-5

Petitioners: Patricia L. & Burton S. Russell

Property: 65 Mendum Avenue

Assessor Plan 148, Lot 11

Zoning District: General Residence A

Description: Construct a second dwelling unit above an existing detached garage.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.513 to allow a second free-standing dwelling unit on a lot.
2. A Variance from Section 10.521 to allow a lot area per dwelling unit of 5,787± s.f. where 7,500 s.f. per dwelling unit is required.

6) Case # 4-6

Petitioners: Kelly Whalen (Cioe), owner, Scott & Kelly Cioe, applicants

Property: 44 Melbourne Street

Assessor Plan 233, Lot 20

Zoning District: Single Residence B

Description: Expand third floor in existing nonconforming footprint.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.324 to allow a lawful nonconforming structure to be extended, reconstructed or structurally altered without conforming to the requirements of the Ordinance.
2. Variances from Section 10.521 to allow the following:
 - a) A 4'± left side yard setback where 10' is required.
 - b) A 15'± front yard setback where 30' is required.