

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following petitions on **Tuesday, June 28, 2016 at 7:00 p.m.** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

(NOTE: This meeting is reconvened from June 21, 2016 for which a separate Legal Notice was advertised and posted.)

12) Case #6-12

Petitioner: Beth P. Griffin Revocable Trust of 2011, Beth P. Griffin, Trustee

Property: 250 Broad Street

Assessor Plan Map 131, Lot 10

Zoning District: General Residence A

Description: Second floor addition and relocation of barn/office/rec. room.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a right side yard setback of 3.09'± for the barn/office and 4.05'± for the second story addition where 10' is required.

13) Case #6-13

Petitioners: CSS Realty Trust, Christopher D. McInnis, Trustee, owner, White Acquisitions, applicant

Property: 200 McDonough Street

Assessor Plan Map 144, Lot 29

Zoning District: General Residence C

Description: Single family home on pre-existing nonconforming lot.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be reconstructed except in conformity with the Ordinance.
2. A Variance from Section 10.516.30 to allow a structure obstructing visibility to be erected on a corner lot between the heights of 2.5' and 10' above the edge of pavement grades within the area outlined in the Ordinance.

14) Case #6-14

Petitioner: Eleanor C. Bradshaw

Property: 21 Humphreys Court

Assessor Plan Map 101, Lot 42

Zoning District: General Residence B

Description: Add left side bay window.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.516.40 to allow a bay window to project more than 2'± into the required left side yard.

15) Case #6-15

Petitioners: Brian J. Bednarek & Sophie Bednarek

Property: 10 Humphreys Court

Assessor Plan Map 101, Lot 43

Zoning District: General Residence B

Description: Construct connector between existing house and garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a rear yard setback of 9'± where 25' is required.
3. A Variance from Section 10.521 to allow 32.0%± building coverage where 30% is the maximum allowed.

16) Case #6-16

Petitioners: Stephen M. & Bridget M. Viens

Property: 78 Marne Avenue

Assessor Plan Map 222, Lot 40

Zoning District: General Residence A

Description: Single story right side addition.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a rear yard setback of 15.9'± where 20' is required.

17) Case #6-17

Petitioners: Eric & Joan Landis

Property: 540 Marcy Street

Assessor Plan Map 101, Lot 79

Zoning District: General Residence B

Description: Replace existing shed with two-car, one story garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a 3'± rear yard setback where 25' is required.

18) Case #6-18

Petitioners: Seacoast Trust, LLP, Stonegate Construction, LLC, applicant

Property: 150 US Route One By-Pass

Assessor Plan Map 231, Lot 58

Zoning District: Single Residence B

Description: Construct three-story, 30 unit, multi-family building.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Sections 10.440 and 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.

If the Special Exception for the proposed use is not granted, the following are requested:

2. A Variance under Section 10.440 to allow a multi-family dwelling in a district where the use is not permitted.
3. A Variance from Section 10.521 to allow a lot area per dwelling unit of 4,339.17± s.f. where 15,000 s.f. is required.
4. A Variance from Section 10.522 to allow a multi-family dwelling with a building length of 246'± where 160' is the maximum allowed.

19) Case #6-19

Petitioner: GTY MA/NH Leasing Inc., c/o Nouria Energy Corporation

Property: 786 US Route One By-Pass

Assessor Plan Map 161, Lot 42

Zoning District: General Residence A

Description: Relocate existing free-standing sign and add changeable LED fuel price display.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.1241 to allow a free-standing sign where a free-standing sign is not permitted.
2. A Variance from Section 10.1243 to allow a second free-standing sign on a lot.

3. A Variance from Section 10.1240 to allow a changeable sign where a changeable sign is not permitted.
4. A Variance from Section 10.1253.10 to allow a free-standing sign with a height of 24'10.5" ± where 7' is the maximum height allowed.
5. A Variance from Section 10.1253.10 to allow a free-standing sign with a right side yard setback of 2'± where 5' is required.
6. A Variance from Section 10.1261.10 to allow a free-standing sign to be illuminated where it is not permitted.

20) Case #6-20

Petitioners: Anthony DiLorenzo, c/o Portsmouth Chevrolet, owner, Portsmouth Used Car Superstore, Inc., applicant

Property: 2219 Lafayette Road

Assessor Plan Map 272, Lot 1

Zoning District: Gateway

Description: Appeal Administrative Decision.

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

1. Granting an Appeal of an Administrative Decision of a Code Official in the application of Section 10.1280 of the Ordinance.

21) Case #6-21

Petitioners: Ryan P. & Jennifer L. Smith

Property: 100 Peverly Hill Road

Assessor Plan Map 243, Lot 51

Zoning District: Single Residence B

Description: Construct a front porch and new second story.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
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12) Case #6-12

Petitioner: Beth P. Griffin Revocable Trust of 2011, Beth P. Griffin, Trustee

Property: 250 Broad Street

Assessor Plan Map 131, Lot 10

Zoning District: General Residence A

Description: Second floor addition and relocation of barn/office/rec. room.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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13) Case #6-13

Petitioners: CSS Realty Trust, Christopher D. McInnis, Trustee, owner, White Acquisitions, applicant

Property: 200 McDonough Street

Assessor Plan Map 144, Lot 29

Zoning District: General Residence C

Description: Single family home on pre-existing nonconforming lot.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be reconstructed except in conformity with the Ordinance.
2. A Variance from Section 10.516.30 to allow a structure obstructing visibility to be erected on a corner lot between the heights of 2.5' and 10' above the edge of pavement grades within the area outlined in the Ordinance.

14) Case #6-14

Petitioner: Eleanor C. Bradshaw

Property: 21 Humphreys Court

Assessor Plan Map 101, Lot 42

Zoning District: General Residence B

Description: Add left side bay window.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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15) Case #6-15

Petitioners: Brian J. Bednarek & Sophie Bednarek

Property: 10 Humphreys Court

Assessor Plan Map 101, Lot 43

Zoning District: General Residence B

Description: Construct connector between existing house and garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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3. A Variance from Section 10.521 to allow 32.0%± building coverage where 30% is the maximum allowed.

16) Case #6-16

Petitioners: Stephen M. & Bridget M. Viens

Property: 78 Marne Avenue

Assessor Plan Map 222, Lot 40

Zoning District: General Residence A

Description: Single story right side addition.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
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17) Case #6-17

Petitioners: Eric & Joan Landis

Property: 540 Marcy Street

Assessor Plan Map 101, Lot 79

Zoning District: General Residence B

Description: Replace existing shed with two-car, one story garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a 3'± rear yard setback where 25' is required.

18) Case #6-18

Petitioners: Seacoast Trust, LLP, Stonegate Construction, LLC, applicant

Property: 150 US Route One By-Pass

Assessor Plan Map 231, Lot 58

Zoning District: Single Residence B

Description: Construct three-story, 30 unit, multi-family building.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Sections 10.440 and 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.

If the Special Exception for the proposed use is not granted, the following are requested:

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4. A Variance from Section 10.522 to allow a multi-family dwelling with a building length of 246'± where 160' is the maximum allowed.

19) Case #6-19

Petitioner: GTY MA/NH Leasing Inc., c/o Nouria Energy Corporation

Property: 786 US Route One By-Pass

Assessor Plan Map 161, Lot 42

Zoning District: General Residence A

Description: Relocate existing free-standing sign and add changeable LED fuel price display.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.1241 to allow a free-standing sign where a free-standing sign is not permitted.
2. A Variance from Section 10.1243 to allow a second free-standing sign on a lot.

3. A Variance from Section 10.1240 to allow a changeable sign where a changeable sign is not permitted.
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20) Case #6-20

Petitioners: Anthony DiLorenzo, c/o Portsmouth Chevrolet, owner, Portsmouth Used Car Superstore, Inc., applicant

Property: 2219 Lafayette Road

Assessor Plan Map 272, Lot 1

Zoning District: Gateway

Description: Appeal Administrative Decision.

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

1. Granting an Appeal of an Administrative Decision of a Code Official in the application of Section 10.1280 of the Ordinance.

21) Case #6-21

Petitioners: Ryan P. & Jennifer L. Smith

Property: 100 Peverly Hill Road

Assessor Plan Map 243, Lot 51

Zoning District: Single Residence B

Description: Construct a front porch and new second story.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
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Petitioner: Beth P. Griffin Revocable Trust of 2011, Beth P. Griffin, Trustee

Property: 250 Broad Street

Assessor Plan Map 131, Lot 10

Zoning District: General Residence A

Description: Second floor addition and relocation of barn/office/rec. room.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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Petitioners: CSS Realty Trust, Christopher D. McInnis, Trustee, owner, White Acquisitions, applicant

Property: 200 McDonough Street

Assessor Plan Map 144, Lot 29

Zoning District: General Residence C

Description: Single family home on pre-existing nonconforming lot.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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14) Case #6-14

Petitioner: Eleanor C. Bradshaw

Property: 21 Humphreys Court

Assessor Plan Map 101, Lot 42

Zoning District: General Residence B

Description: Add left side bay window.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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15) Case #6-15

Petitioners: Brian J. Bednarek & Sophie Bednarek

Property: 10 Humphreys Court

Assessor Plan Map 101, Lot 43

Zoning District: General Residence B

Description: Construct connector between existing house and garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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16) Case #6-16

Petitioners: Stephen M. & Bridget M. Viens

Property: 78 Marne Avenue

Assessor Plan Map 222, Lot 40

Zoning District: General Residence A

Description: Single story right side addition.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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17) Case #6-17

Petitioners: Eric & Joan Landis

Property: 540 Marcy Street

Assessor Plan Map 101, Lot 79

Zoning District: General Residence B

Description: Replace existing shed with two-car, one story garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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18) Case #6-18

Petitioners: Seacoast Trust, LLP, Stonegate Construction, LLC, applicant

Property: 150 US Route One By-Pass

Assessor Plan Map 231, Lot 58

Zoning District: Single Residence B

Description: Construct three-story, 30 unit, multi-family building.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Sections 10.440 and 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.

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19) Case #6-19

Petitioner: GTY MA/NH Leasing Inc., c/o Nouria Energy Corporation

Property: 786 US Route One By-Pass

Assessor Plan Map 161, Lot 42

Zoning District: General Residence A

Description: Relocate existing free-standing sign and add changeable LED fuel price display.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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20) Case #6-20

Petitioners: Anthony DiLorenzo, c/o Portsmouth Chevrolet, owner, Portsmouth Used Car Superstore, Inc., applicant

Property: 2219 Lafayette Road

Assessor Plan Map 272, Lot 1

Zoning District: Gateway

Description: Appeal Administrative Decision.

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

1. Granting an Appeal of an Administrative Decision of a Code Official in the application of Section 10.1280 of the Ordinance.

21) Case #6-21

Petitioners: Ryan P. & Jennifer L. Smith

Property: 100 Peverly Hill Road

Assessor Plan Map 243, Lot 51

Zoning District: Single Residence B

Description: Construct a front porch and new second story.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
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Petitioner: Eleanor C. Bradshaw

Property: 21 Humphreys Court

Assessor Plan Map 101, Lot 42

Zoning District: General Residence B

Description: Add left side bay window.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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Description: Construct connector between existing house and garage.

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18) Case #6-18

Petitioners: Seacoast Trust, LLP, Stonegate Construction, LLC, applicant

Property: 150 US Route One By-Pass

Assessor Plan Map 231, Lot 58

Zoning District: Single Residence B

Description: Construct three-story, 30 unit, multi-family building.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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Property: 786 US Route One By-Pass

Assessor Plan Map 161, Lot 42

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Description: Relocate existing free-standing sign and add changeable LED fuel price display.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following petitions on **Tuesday, June 28, 2016 at 7:00 p.m.** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

(NOTE: This meeting is reconvened from June 21, 2016 for which a separate Legal Notice was advertised and posted.)

12) Case #6-12

Petitioner: Beth P. Griffin Revocable Trust of 2011, Beth P. Griffin, Trustee

Property: 250 Broad Street

Assessor Plan Map 131, Lot 10

Zoning District: General Residence A

Description: Second floor addition and relocation of barn/office/rec. room.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a right side yard setback of 3.09'± for the barn/office and 4.05'± for the second story addition where 10' is required.

13) Case #6-13

Petitioners: CSS Realty Trust, Christopher D. McInnis, Trustee, owner, White Acquisitions, applicant

Property: 200 McDonough Street

Assessor Plan Map 144, Lot 29

Zoning District: General Residence C

Description: Single family home on pre-existing nonconforming lot.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be reconstructed except in conformity with the Ordinance.
2. A Variance from Section 10.516.30 to allow a structure obstructing visibility to be erected on a corner lot between the heights of 2.5' and 10' above the edge of pavement grades within the area outlined in the Ordinance.

14) Case #6-14

Petitioner: Eleanor C. Bradshaw

Property: 21 Humphreys Court

Assessor Plan Map 101, Lot 42

Zoning District: General Residence B

Description: Add left side bay window.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.516.40 to allow a bay window to project more than 2'± into the required left side yard.

15) Case #6-15

Petitioners: Brian J. Bednarek & Sophie Bednarek

Property: 10 Humphreys Court

Assessor Plan Map 101, Lot 43

Zoning District: General Residence B

Description: Construct connector between existing house and garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a rear yard setback of 9'± where 25' is required.
3. A Variance from Section 10.521 to allow 32.0%± building coverage where 30% is the maximum allowed.

16) Case #6-16

Petitioners: Stephen M. & Bridget M. Viens

Property: 78 Marne Avenue

Assessor Plan Map 222, Lot 40

Zoning District: General Residence A

Description: Single story right side addition.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a rear yard setback of 15.9'± where 20' is required.

17) Case #6-17

Petitioners: Eric & Joan Landis

Property: 540 Marcy Street

Assessor Plan Map 101, Lot 79

Zoning District: General Residence B

Description: Replace existing shed with two-car, one story garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a 3'± rear yard setback where 25' is required.

18) Case #6-18

Petitioners: Seacoast Trust, LLP, Stonegate Construction, LLC, applicant

Property: 150 US Route One By-Pass

Assessor Plan Map 231, Lot 58

Zoning District: Single Residence B

Description: Construct three-story, 30 unit, multi-family building.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Sections 10.440 and 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.

If the Special Exception for the proposed use is not granted, the following are requested:

2. A Variance under Section 10.440 to allow a multi-family dwelling in a district where the use is not permitted.
3. A Variance from Section 10.521 to allow a lot area per dwelling unit of 4,339.17± s.f. where 15,000 s.f. is required.
4. A Variance from Section 10.522 to allow a multi-family dwelling with a building length of 246'± where 160' is the maximum allowed.

19) Case #6-19

Petitioner: GTY MA/NH Leasing Inc., c/o Nouria Energy Corporation

Property: 786 US Route One By-Pass

Assessor Plan Map 161, Lot 42

Zoning District: General Residence A

Description: Relocate existing free-standing sign and add changeable LED fuel price display.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.1241 to allow a free-standing sign where a free-standing sign is not permitted.
2. A Variance from Section 10.1243 to allow a second free-standing sign on a lot.

3. A Variance from Section 10.1240 to allow a changeable sign where a changeable sign is not permitted.
4. A Variance from Section 10.1253.10 to allow a free-standing sign with a height of 24'10.5" ± where 7' is the maximum height allowed.
5. A Variance from Section 10.1253.10 to allow a free-standing sign with a right side yard setback of 2'± where 5' is required.
6. A Variance from Section 10.1261.10 to allow a free-standing sign to be illuminated where it is not permitted.

20) Case #6-20

Petitioners: Anthony DiLorenzo, c/o Portsmouth Chevrolet, owner, Portsmouth Used Car Superstore, Inc., applicant

Property: 2219 Lafayette Road

Assessor Plan Map 272, Lot 1

Zoning District: Gateway

Description: Appeal Administrative Decision.

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

1. Granting an Appeal of an Administrative Decision of a Code Official in the application of Section 10.1280 of the Ordinance.

21) Case #6-21

Petitioners: Ryan P. & Jennifer L. Smith

Property: 100 Peverly Hill Road

Assessor Plan Map 243, Lot 51

Zoning District: Single Residence B

Description: Construct a front porch and new second story.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a front yard setback of 0'± for the addition and 5'11" ± for the porch where 30' is required for each.

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Assessor Plan Map 101, Lot 42

Zoning District: General Residence B

Description: Add left side bay window.

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Description: Replace existing shed with two-car, one story garage.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

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