

**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, April 18, 2017 at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

- 1) Case 4-1. Petition of Mark McNally for property located at **21 Brewster Street** wherein relief is required from the Zoning Ordinance to expand a previously approved 6-bay, 6-car garage to accommodate 12 cars with a lift system, including variances for the following: 1) A 1.5' right side yard and 0.5' rear yard where 10' and 20' respectively are required; 2) 54.1% building coverage where a maximum of 35% is allowed; 3) 4.6% open space where 20% is required; 4) A vehicle lift system which requires passing over another parking space or the movement of another vehicle; and 5) Upper lift position parking spaces that are less than the required 19' in depth. Said property is shown on Assessor Plan 138, Lot 11 and lies within the General Residence C District.
- 2) Case 4-2. Petition of Gary & Airial Sillanpaa for property located at **4 Sylvester Street** wherein relief is required from the Zoning Ordinance to keep 4 chickens in a 4' x 6' coop, including a Special Exception to allow the keeping of farm animals in a district where it is only allowed by Special Exception. Said property is shown on Assessor Plan 232, lot 36 and lies within the Single Residence B District.
- 3) Case 4-3. Petition of Peter N. Carey Revocable Living Trust, P. N. Carey & M-J Monusky, Trustees for property located at **39 Mount Vernon Street** wherein relief is required from the Zoning Ordinance to install two free-standing condensers, including variances to allow the following: 1) A right side yard and a rear yard of less than 3' where 10' is required; and 2) Building coverage of 47.5% where 30% is the maximum allowed. Said property is shown on Assessor Plan 111, lot 32 and lies within the General Residence B District.
- 4) Case 4-4. Petition of Richard M. & Francoise Kinney c/o the Connable Office Inc. for property located at **65 Broad Street** wherein relief is required from the Zoning Ordinance to construct a 1½ story right-side addition and front steps including variances to allow the following: 1) a 7'2" primary front yard where 15' is required; and 2) a 4'4" right side yard where 10' is required. Said property is shown on Assessor Plan 129, lot 11 and lies within the General Residence A District.
- 5) Case 4-5. Petition of Jesse M. & Sarah L. Lynch for property located at **19 Sunset Road** wherein relief is required from the Zoning Ordinance to reconstruct an existing garage in the same footprint with an expansion in height, including variances to allow the following: 1) A 15'7" primary front yard where 30' is required; and (2) a 7' right side yard where 10' is required. Said property is shown on Assessor Plan 153, lot 19 and lies within the Single Residence B District.
- 6) Case 4-6. Petition of Andrew Marks and Valerie Miller for property located at **1953 Lafayette Road** wherein relief is required from the Zoning Ordinance for palm and tarot readings and a free-standing sign including the following: 1) A Special Exception to allow a Home Occupation II; and 2) A variance to allow a 15 s.f. free-standing sign in a district where free-standing signs are not allowed. Said property is shown on Assessor Plan 268, lot 7 and lies within the Single Residence B District.

7) Case 4-7. Petition of Weeks Realty Trust, Kaley E. Weeks, Trustee and Bursaws Pantry, LLC, owners and Plan Ahead, Inc. applicant, for properties located at **3110 & 3020 Lafayette Road** wherein relief is required from the Zoning Ordinance to construct a retail facility on three merged lots including the following: 1) A variance and/or Special Exception to allow a retail use in districts where it is not allowed or only allowed by Special Exception; 2) A variance to allow off-street parking to be located in any front yard or between a principal building and a street; 3) A variance to permit a drive-through facility and lanes to be located within 100' of a residential district and within 50' of a lot line; and 4) A variance to permit drive-through lanes to be located within 50' of a residential district and within 30' of a lot line.; and 5) A variance to allow a building, structure or parking area to be located 65' from the centerline of Lafayette Road where 80' is required. Said properties are shown on Assessor Plan 292, Lots 151-1, 151-2, and 152 and lie within the Single Residence B (Lot 151-1&2) and Mixed Residential Business (Lot 152).

8) Case 4-8. Petition of Deer Street Associates for property located at **163 Deer Street** (Lot/Building 4) wherein relief is required from the Zoning Ordinance to construct a four-story mixed use structure with a drive-through teller facility, including variances to allow the following: 1) A drive-through facility as an accessory use; 2) A 5' rear yard adjoining a railroad right-of-way where 15' is required; 3) A front lot line buildout of 66% where 80% is required; 4) An outdoor service facility (ATM) 49.7' from the rear lot line and 48' from the front lot line where 50' is required for each; and 5) A drive-through bypass lane 11.3' from a lot line where 30' is required. Said property is shown on Assessor Plan 125, lot 17-2 and lies within Character District 5 and the Downtown Overlay District.

9) Case 4-9. Petition of S&G Realty for property located at **Chevrolet Avenue** wherein relief is required from the Zoning Ordinance to provide parking for three townhouses including variances to allow the following: 1) Required off-street parking spaces to be located in any required front yard or between a principal building and a street; 2) vehicles to enter and leave parking spaces by passing over another parking space or requiring the moving of another vehicles, and to leave the parking area by backing into a public street. Said property is shown on Assessor Plan 147, lot 30 and lies within the General Residence C District.

10) Case 4-10. Petition of Lauren H. Wool and Jeffrey Bower for property located at **53 Summit Avenue** wherein relief is required from the Zoning Ordinance to construct an 8'x 8' mud room with a 4' x 8' covered front entry, including a variance to allow an 11'8" primary front yard where 30' is required. Said property is shown on Assessor Plan 230, Lot 14 and lies within the Single Residence B District.

11) Case 4-11. Petition of Colman C. Garland & North Woods Revocable Trust, John D. Rust, Trustee & Rust Family Trust, Libby K Rust, Trustee, owners, & David Calkins, applicant for property located **Off Moffat Street** wherein relief is required from the Zoning Ordinance to allow 0' frontage where 100' is required. Said properties are shown on Assessor Plan 243, lots 25 through 28 and lie within the Single Residence B District.