

**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, July 25, 2017\* at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire: (\*This meeting is reconvened from July 18, 2017 for which a separate notice was posted.)

7) Case **7-7**. Petition of Roman Catholic Bishop of Manchester, St. James Church, owner, Stonegate NH Construction LLC, applicant for property located at **2075 Lafayette Road** wherein relief is required to construct two (2) three-story 24-unit buildings (48 dwelling units) including the following a) a special exception under Section 10.335 to allow a change from a lawful nonconforming use (a church use) to another nonconforming use (a multi-family dwelling use; b) (If the special exception is not granted) a variance under Section 10.440, Use # 1.53 to allow a multi-family dwelling use in a district where it is not allowed; c) a variance from Section 10.521 to allow 3,769 s.f. per dwelling unit where 15,000 s.f. is required; and d) a variance from Section 10.522 to allow a multi-family dwelling to be 205' long where 160' is the maximum building length allowed. Said property is shown on Assessor Plan 268 Map 97 and lies within the Single Residence B District.

8) Case 7-8. Petition of Tyler B. & Meredith Jackson for property located at **678 Maplewood Avenue** wherein relief is required for an already constructed 15'11" x 13'6" deck and extend an existing second dwelling use including the following variances: a) from Section 10.521 to allow a 21'2" rear yard setback where 30' is required; b) from Section 10.521 to allow 32.29% building coverage where 20% is the maximum allowed; c) from Section 10.331 to allow a lawful nonconforming use to be extended or enlarged except in conformance with the ordinance; and d) from Section 10.333 to allow a nonconforming use located in a portion of a building to be extended throughout other parts of the building. Said property is shown on Assessor Plan 220 Map 89 and lies within the Single Residence B District.

9) **Case 7-9**. Petition of Karona LLC for property located at **36 Artwill Avenue** wherein relief is required to construct an accessory dwelling unit in an existing garage including a variance from Section 10.521 for street frontage where 100' is required and 0'± exists. Said property is shown on Assessor Plan 229 Map 4 and lies within the Single Residence B District.

10) **Case 7-10**. Petition of Flintatta LLC, owner and the Unitarian Universalist Church of Portsmouth, applicant for property located at **73 Court Street** wherein relief is required for a first floor office use and a second floor church assembly use including the following: a) a special exception under Section 10.440 Use #3.11 to allow a religious place of assembly where the use is only allowed by special exception; b) variances from Section 10.5A41.10A to allow the following: 1) a 1' right yard setback, a 1' left yard setback and a 3' rear yard setback where 5' is required for each; 2) building coverage of 71.8% where 60% is the maximum allowed; and

3) open space of 21.3% where 25% is the minimum required; and c) variances from Section 10.1112.30 to permit no off-street parking spaces to be provided where the following are required: 1) 8 off-street parking spaces for the 2,000 s.f. of office use space; and 2) 67 off-street parking spaces for the assembly use. Said property is shown on Assessor Plan 116 Map 19 and lies within Character District 4-L1.

11) Case 7-11. Petition of Robert J. Fabbriatore Irrevoc. Trust of 2012 for property located at **177 State Street** wherein relief is required to construct a 360 s.f. two-story addition including the following variances: a) from Section 10.5A41.10C to allow 5.6% open space where 10% is the minimum required; b) from Section 10.1112.30 to allow 1 off-street parking space to be provided for the residential units where 4 spaces are required; c) from Section 10.1112.30 to allow no off-street parking spaces to be provided for the retail space where 5 spaces are required; and d) from Section 10.1114.32(b) to allow vehicles to enter the parking area by backing into or from a public street. Said property is shown on Assessor Plan 107 Map 44 and lies within Character District 4.