

**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 petitions on **Tuesday, September 18, 2018\* at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

**Old Business**

**Case 8-10.** Petition of William Brinton Shone and Tatjana Rizzi Shone, owners, for property located at **11 Elwyn Avenue**, wherein relief is required for an infill addition and dormer. *This petition was tabled at the August 21, 2018 meeting and amended by the following additional required relief: c) a 14'10"± rear yard where 20' is required. Except as amended, the petition is carried forward as previously advertised.* Said property is shown on Assessor Plan 113, Lot 27 and lies within the General Residence A District.

*Note: Petitions that were either postponed or tabled at the August 21, 2018 meeting but have remain unchanged will be heard as originally advertised.*

**New Business**

**1) Case 9-1.** Petition of James C. Lucy Revocable Trust, James C. & Kimberley A. Lucy, Trustees for property located at **127 & 137 High Street** wherein relief is required from the Zoning Ordinance to change a section to office use, add a second floor rear addition and construct a single-family home. The required relief includes variances for the following: a) from Section 10.642 to allow a residential use in the ground floor in the Downtown Overlay District; b) from Section 10.5A41.10A to allow a ground story height less than 11 feet; and c) from Section 10.5A41.10A to allow a house in the Downtown Overlay District. Said property is shown on Assessor Plan 118, Lots 20 and 21 and lies within Character District 4-L1.

**2) Case 9-2.** Petition of Brendan A. White & Jessica Peterson for property located at **119 Union Street** wherein relief is required from the Zoning Ordinance for a dormer. The required relief includes variances for the following: a) from Section 10.521 to allow a 0'± left side yard where 10' is required; and b) from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 145, Lot 70 and lies within the General Residence C District.

(over)

**3) Case 9-3.** Petition of Bonnie A. Konopka & Stephanie Ross for property located at **5 Simonds Road** wherein relief is required from the Zoning Ordinance for a rear addition including the following variances from Section 10.521: a) to allow a 16'± rear yard where 30' is required. Said property is shown on Assessor Plan 292, Lot 58 and lies within the Single Residence B District.

**4) Case 9-4.** Petition of the Monarch Family Trust of 2018, Samantha D. King, Trustee for property located at **45 Miller Avenue** wherein relief is required from the Zoning Ordinance to construct basement and rear house access structures and expand an existing deck. The required relief includes a variance from Section 10.521 to allow  $28\% \pm$  building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 129, Lot 21 and lies within the General Residence A District.

**5) Case 9-5.** Petition of Logan Properties LLC, owner, Doug & Dan LLC, applicant for property located at **403 Deer Street #7-13** wherein relief is required from the Zoning Ordinance to operate a ten-room inn. The required relief includes a variance from Section 10.440 Use #10.30 to allow an Inn where the use is not permitted in the zoning district. Said property is shown on Assessor Plan 118, Lot 26-3 and lies within Character District 4-L1.

**6) Case 9-6.** Petition of 335 Maplewood Ave LLC for property located at **335 Maplewood Avenue** wherein relief is required from the Zoning Ordinance to replace an existing rear addition. The required relief includes a variance from Section 10.521 to allow a  $3.4' \pm$  right side yard where 5' is required. Said property is shown on Assessor Plan 141, Lot 26 and lies within Character District 4-L1.

Juliet T.H. Walker  
Planning Director