

**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, November 20, 2018 at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

**1) Case 11-1.** Petition of Ryan and Karen Baker for property located at **137 Wibird Street** wherein relief is required from the Zoning Ordinance for a semi-attached garage including the following variance(s) from Section 10.521: a) a  $0'\pm$  left side yard where 10' is required and  $27%\pm$  building coverage where 25% is required. Said property is shown on Assessor Plan 134, Lot 48 and lies within the General Residence A District.

**2) Case 11-2.** Petition of Potter-Schwartz Family Revocable Trust, Michael Schwartz and Sharon Potter, Trustees for property located at **442/444 Middle Street** for vehicular circulation supporting commercial and residential units, including the following variances from Section 10.1114.32: a) to allow vehicles to enter and leave a parking space by passing over any other parking space or requiring the moving of another vehicle; and b) to allow vehicles to enter and leave the parking area by backing into or from a public street or way. Said property is shown on Assessor Plan 135 Lot 44 and lies within the Mixed Residential Office District.

**3) Case 11-3.** Petition of Arbor View and The Pines LLC c/o Forest Properties Management Inc. for property located at **145 Lang Road** for two apartment buildings raising the total dwelling units on the property to 186 including the following variances: a) from Section 10.521 to allow a lot area per dwelling unit of  $8,321\pm$  s.f. where 10,000 s.f. is required; and b) from Section 10.522 to allow two new multifamily dwellings with a maximum building length exceeding 160 feet. Said property is shown on Assessor Plan 287 Lot 1 and lies within the Garden Apartment/Mobile Home Park District.

**4) Case 11-4.** Petition of Wayne and Kristin Barrows for property located at **55 Lafayette Road** to subdivide one lot into Lot 1 (conforming) and Lot 2 (nonconforming) including the following variances for Lot 2 from Section 10.521: a) a lot area and lot area per dwelling unit of  $6,251\pm$  s.f. where 7,500 s.f. is required for each; and b)  $96'\pm$  continuous street frontage where 100' is required. Said property is shown on Assessor Plan 151 Lot 10 and lies within the General Residence A District.

**5) Case 11-5.** Petition of Paul Lane for property located at **428 Hanover Street** for a  $470\pm$  s.f. two-story rear addition including the following variances: a) from Section 10.521 to allow a left side yard of  $5.2'\pm$  where 10' is required; b) from Section 10.521 to allow a rear yard of  $9.4'\pm$  where 20' is required; and c) 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 138 Lot 7 and lies within the General Residence C District.

**6) Case 11-6.** Petition of Patrick Liam Hughes for property located at **65 Fields Road** to approve the existing nonconformities of the lot in order to become eligible for an attached accessory dwelling unit including the following variances from Section 10.521 to allow the following: a) a lot area of 7405.2± s.f. where 15,000 is the minimum required; b) a 16.9'± rear yard where 30' is required; c) a secondary front yard of 17'± where 30' is required; and d) building coverage of 23.±% where 20% is the maximum allowed. Said property is shown on Assessor Plan 170 Lot 4 and lies within the Single Residence B District.

**7) Case 11-7.** Petition of Joseph and Ellen Yarborough for property located at **746 Middle Road** to subdivide a lot into two nonconforming lots with an existing single family home and a single family home to be constructed including the following variances from Section 10.521 to allow continuous street frontage of 50'± for each lot where 100' is required for each. Said property is shown on Assessor Plan 232 Lot 49 and lies within the Single Residence B District.

**8) Case 11-8.** Petition of Portsmouth Housing Authority for property located at **Gosling Road (40 Wedgewood Road)** to convert 670± s.f. in an existing recreation center to pre-school use including the following special exception under Section 10.440, Use #7.12 to allow a group day care facility including private preschool and kindergarten where the use is only allowed by special exception. Said property is shown on Assessor Plan 239 Lot 12 and lies within the Gateway Neighborhood Mixed Use Corridor District. (G-1)

Juliet T.H. Walker  
Planning Director