

**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, March 19, 2019 at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

1) Case 3-1. Petition of Stacie A. Yonkin and Eric L. Moyer for property located at **196 Sherburne Avenue** to replace a single family home wherein a variance from Section 10.521 is required to allow 32%± building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 112, Lot 30 and lies within the General Residence A District.

2) Case 3-2. Petition of Bethel Assembly of God, owner and Chase Drive, LLC, applicant for property located at **200 Chase Drive** to construct a mixed use building, office and residential with 21 residential units wherein the following variances are required: a) from Section 10.5B33.20 to allow a front lot line buildout of 15% where 75% is required; b) from Section 10.5B34.80 to allow a 56', 5-story building where the maximum building height allowed is 50 feet and 4 stories; c) from Section 10.5B34.80 to allow 22%± façade glazing where 50% minimum is required; and d) from Section 10.5B22.20 to allow a 56' tall building to be within the set back and step back area. Said property is shown on Assessor Plan 210, Lot 2 and lies within the Gateway Center District.

3) Case 3-3. Petition of Happy Dreams, LLC/Resport L.L.C. c/o Ocean Properties, LTD for property located at **One International Drive** for the encroachment of a constructed foundation into the setback where the following variance is required: a) from Section 304.04(e) of the Pease Development Ordinance to allow a 49'± rear yard where 50' is the minimum required. Said property is shown on Assessor Plan 303, Lot 2 and lies within the (Pease) Airport Business Commercial District.

4) Case 3-4. Petition of Samantha Finigan and Peter Gorman for property located at **29 Sparhawk Street** to construct a 13'6" x 12' replacement rear deck with stairs wherein the following variances are required: a) from Section 10.521 to allow 28%± building coverage where 25% is the maximum allowed; and b) from Section 10.321 to allow a nonconforming structure or building to be expanded, reconstructed or enlarged without conforming to the requirements of the ordinance. Said property is shown on Assessor Plan 160, Lot 6 and lies within the General Residence A District.

5) Case 3-5. Petition of Litchfield Portsmouth, LLC, owner, and New England Sporting Goods, LLC/Portsmouth Strategic Partners, LLC, applicants, for property located at **170 West Road** to develop a sports training facility wherein a special exception is required under Section 10.440, Use #442 to allow a sports training facility where a health club or similar use is allowed by special exception in this district. Said property is shown on Assessor Plan 252, Lot 2-14 and lies within the Industrial District.

6) **Case 3-6.** Petition of Noele M. Clews for property located at **799 South Street** to subdivide one lot into three wherein a variance is required from Section 10.521 to allow 95'± continuous street frontage where 100' is required. Said property is shown on Assessor Plan 132, Lot 24 and lies within the General Residence A District.

7) **Case 3-7.** Petition of Thirty-Six Ruby Road Trust, Phillip J. Stiles, Trustee, for property located at **36 Ruby Road** to create a buildable residential lot wherein a variance is required from Section 10.521 to allow a lot area and lot area per dwelling of 11,844± s.f. where 15,000 s.f. is required for each. Said property is shown on Assessor Plan 220, Lot 51 and lies within the Single Residence B District.

8) **Case 3-8.** Petition of Weeks Realty Trust, Kaley E. Weeks, Trustee and Chad Carter, owners and Tuck Realty Corporation, applicant, for property located at **3110 Lafayette Road, Lafayette Road, and 65 Ocean Road** for construction of a four story mixed use building containing residential and professional/medical office uses on three combined lots wherein the following variances are required a) from Section 10.440 to allow professional, business and medical office uses where the uses are not allowed in the district; b) from Section 10.533 to allow a front yard setback 27' from the side line and 70' from the centerline of Lafayette Road where 30' from the sideline or 80' from the centerline is the minimum required; c) from Section 10.521 to allow a building height of 51'± where 35' for a sloped roof is the maximum allowed; and d) to allow a lot area per dwelling unit of 2,055 where 15,000 is the minimum required. Said property is shown on Assessor Plan 292, Lots 151-1, 151-2 and 153 and lies within the Single Residence B District.

Juliet T.H. Walker
Planning Director