

**REVISED 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, #1 through #8, on **Tuesday, July 16, 2019* at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

**A separate meeting will be held on Tuesday, July 23, 2019 to hear additional petitions, for which a separate Legal Notice will be published.*

1) Case 7-1. Petition of Iron Horse Properties, LLC, Clipper Traders, LLC and Portsmouth Lumber & Hardware, LLC, owners, Ricci Supply Company, Inc. dba Ricci Lumber, applicant for property located at **105 Bartlett Street** to replace sign cabinets and panels, with a bottom cabinet to be a digital changeable sign, wherein the following variances are required: a) from Section 10.1212 to allow a sign as an accessory use to a permitted use on an adjacent lot; b) from Section 1251.20 to allow a sign area of 142.33 s.f. where 20 s.f. is the maximum allowed for a freestanding sign; c) from Section 10.1253.10 to allow a 25' tall freestanding sign where the maximum height is 12'; and d) from Section 10.1281 to allow a nonconforming sign to be altered, reconstructed, replaced or relocated without conforming to the ordinance. Said property is shown on Assessor Plan 164, Lot 4-2 and lies within Character District 4-W.

2) Case 7-2. Petition of Kenneth K. and Deborah A. Jennings, appellants regarding property located at **27 Thaxter Road** appealing a decision of the Portsmouth City Council to restore two involuntary merged lots at 27 Thaxter Road to their pre-merger status. Said property is shown on current Assessor Plan 166, Lot 39 and lies within the Single Residence B District.

3) Case 7-3. Petition of AER RE LLC for property located at **185 Cottage Street** for a double faced internally illuminated monument sign and (1) set of halo lit wall letters wherein the following variances are required: a) from Section 10.1251 to allow 113 s.f. of signage where 40 s.f. of aggregate sign area is available; b) from Section 10.1241 to allow a freestanding sign where freestanding signs are not allowed; c) from Section 10.1253.10 to allow a 10' high free standing sign 15' from a lot line where a freestanding sign is not permitted; d) from Section 1251.20 to allow a 44.4 s.f. wall sign where 4 s.f. is the maximum sign area allowed for a wall sign and a 60 s.f. freestanding sign; and e) from Section 1261.10 to allow halo illumination where no illumination is permitted. Said property is shown on Assessor Plan 174, Lot 14 and lies within the General Residence A District.

4) Case 7-4. Petition of Kenneth W. Young for property located at **346 Colonial Drive** to construct a 515 s.f. Attached Accessory Dwelling Unit above a proposed garage addition wherein variances from Section 10.521 are required to allow the following: a) a lot area of 6,099 s.f. where 15,000 s.f. is required for each; b) building coverage of 24% where 20% is the maximum allowed; c) a 4'11" rear yard where 30' is required; d) a 17' front yard where 30' is

required; and e) 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 260, Lot 136 and lies within the Single Residence B District.

5) Case 7-5. Petition of Argeris & Eloise Karberas for property located at **11 Meeting House Hill Road** to add a dormer on either side of an existing dormer wherein the following variances are required: a) from Section 10.521 to allow a 3' right side yard where 10' is required; b) from Section 10.521 to allow a 14' rear yard where 25' is required; and c) from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed or enlarged without conforming to the requirements of the ordinance. Said property is shown on Assessor Plan 103, Lot 59 and lies within the General Residence B District.

6) Case 7-6. Petition of Francis T. Delbene & Gwyn M. Burdell for property located at **32 Union Street** for a third dwelling unit over a reconstructed garage wherein the following variance is required: a) from Section 10.521 to allow a lot area per dwelling unit of 1,843 s.f. where 3,500 is required. Said property is shown on Assessor Plan 145, Lot 29 and lies within the General Residence C District.

7) Case 7-7. Petition of Matthew Wajda for property located at **183 Coolidge Drive** to create a second lot from an existing lot wherein the following variances are required: a) from Section 10.521 to allow a lot area and lot area per dwelling unit of 10,270 s.f. where 15,000 s.f. is required for each. Said property is shown on Assessor Plan 268, Lot 29 and lies within the Single Residence B District.

8) Case 7-8. Petition of Daniel Wyand and Lena Chamberland for property located at **65 Pinehurst Road** to construct a one-car detached garage wherein the following variance is requested: a) from Section 10.573.20 to allow an accessory building or structure to be set back 3' from the left side property line where 10' is required and 6' from the rear property line where 16' is required. Said property is shown on Assessor Plan 221, Lot 72 and lies within the General Residence A District.

Juliet T.H. Walker
Planning Director