

**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, July 23, 2019 at 7:00 p.m*** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

**A separate meeting has been scheduled for Tuesday, July 16, 2019 to hear additional petitions for which a separate Legal Notice was published and posted.*

1) 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 10,100 s.f. where 15,000 s.f. is required for each; b) 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; c) 85' continuous street frontage where 100' is required; and d) 86' lot depth where 100' is required. Said property is shown on Assessor Plan 268, Lot 29 and lies within the Single Residence B District.

2) Case 7-9. 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** to demolish existing residential structure and construct 18 townhouses in 5 structures on merged lots with one existing home to remain on the 15,000 s.f. lot wherein the following variances are required: a) from Section 10.513 to allow more than one free-standing dwelling per lot; b) Section 10.440, Use #1.40 to allow townhouses where the use is not permitted; and c) from Section 10.521 to allow a lot area per dwelling unit of 4,537 where 15,000 per dwelling unit is required. Said property is shown on Assessor Plan 292, Lots 151-1, 151-2 and 153 and lies within the Single Residence B District

3) Case 7-10. Petition of Gruen Revocable Trust of 2019, Thomas W. and Carol R. Gruen, Trustees, for property located at **673 Middle Street** wherein relief is required from the Zoning Ordinance for a one-story 7.5' x 22' rear addition (165 s.f.) including rear entry porch wherein the following variances are required: a) from Section 10.521 to allow a 4.5' left side yard where 10' is required; b) from Section 10.521 to allow 40% building coverage where 25% is the maximum allowed; 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 148, Lot 33 and lies within the General Residence A District.

4) Case 7-11. Petition of Karen L. Bouffard Revocable Trust, Karen L. Bouffard, Trustee for property located at **114 Maplewood Avenue** wherein relief is required from the Zoning Ordinance to replace existing rear dwelling with a two-story structure including garage and one-story addition with deck above wherein the following variances are required from Section 10.5A41.10A: a) to allow a 1.8' left side yard where 1.5 exists and 5' is the minimum required; b) to allow a 2.5' rear yard where 0' exists and 5' is the minimum required; and c) to allow a lot

area per dwelling unit of 1,685 s.f. where 3,000 s.f. is required; and d) 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 124, Lot 4 and lies within Character District 4-L1.

5) Case 7-12. Petition of John A. Byron for property located at **346 Bartlett Street** wherein relief is required from the Zoning Ordinance to construct a single family dwelling on an unoccupied lot wherein the following variances from Section 10.521 are required: a) to allow a lot area and a lot area per dwelling unit of 5,026 s.f. where 7,500 s.f. is the minimum required for each; b) to allow 53.87' of continuous street frontage where 100' is required; and c) to allow a 7' right side yard where 10' is required. Said property is shown on Assessor Plan 162, Lot 54 and lies within the General Residence A District.

6) Case 7-13. Petition of J&S Investments LLC for property located at **14 Market Square** wherein relief is required from the Zoning Ordinance to Appeal an Administrative Decision regarding signage or, alternatively, to allow two murals, 124 s.f. and 68 s.f. wherein the following variances are required: a) from Section 10.1251.10 to exceed the allowed maximum aggregate sign area; and b) from Section 10.1251.20 to allow two wall signs that exceed 40 s.f. each, where 40 s.f. is the maximum allowed. Said property is shown on Assessor Plan 107, Lot 29 and lies within Character District 5 and the Downtown Overlay District.

7) Case 7-14. Petition of Bacman Enterprises for property located at **140 Edmond Avenue** wherein relief is required from the Zoning Ordinance for an expansion of a non-conforming use (after-the-fact) wherein the following variances are required: a) from Section 10.333 to allow a nonconforming use to be extended into other parts of the building; b) from Section 10.1113.20 to allow off-street parking spaces to be located in the required front yard or between a principal building or the street; and c) from Section 10.1114.32 to allow vehicles to enter or leave a parking area by backing out into or from a public street or way. Said property is shown on Assessor Plan 220, Lot 81 and lies within the Single Residence B District.

8) Case 7-15. Petition of Alex W. & Kathleen N. Greiner for property located at **88 Lincoln Avenue** wherein relief is required from the Zoning Ordinance for renovation/addition wherein the following variances are required: a) from Section 10.521 to allow a 3'7" rear yard where 20' is required; and b) from Section 10.321 to allow expansion of a nonconforming structure. Said property is shown on Assessor Plan 113, Lot 2 and lies within the General Residence A District.

9) Case 7-16. Petition of Mathew Allen Reichl & Beth Richmond for property located at **5 Sylvester Street** wherein relief is required from the Zoning Ordinance to construct a 2-story addition at the rear of an existing structure wherein the following variances are required: a) from Section 10.521 to allow a 10.8' rear yard where 30' is required; and b) 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 232, Lot 41 and lies within the Single Residence B District.

10) Case 7-17. Petition of Drew & Brittany Schulthess for property located at **15 Mt. Vernon Street** wherein relief is required from the Zoning Ordinance for an addition over existing garage wherein the following variances from Section 10.521 are required to allow the following:
a) a 2.5’ front yard where 5’ is required; b) an 8.9’ right side yard where 10’ is required; and
c) a 20’ rear yard where 25’ is required. In addition, the following variance 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 111, Lot 33 and lies within the General Residence B District.

Juliet T.H. Walker
Planning Director