

**LEGAL NOTICE
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE**

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following petitions on **Tuesday, June 22, 2021** starting at 7:00 p.m. in the Eileen Dondero Foley Council Chambers, City Hall, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

Appeal of **Duncan MacCallum (Attorney for the Appellants)** of the April 15, 2021 decision of the Planning Board for property located at **105 Bartlett Street** which granted the following: a) a wetlands conditional use permit under Section 10.1017 of the Zoning Ordinance; b) a parking conditional use permit under Section 10.1112 of the Ordinance; c) site plan review approval; and d) approval of lot line revision. Said properties are shown on Assessor Map 157 Lot 1 and Lot 2 and Assessor Map 164 Lot 1 and 4-2 and lie within the Character District 4-W (CD4-W) and Character District 4-L1 (CD4-L1) Districts.

Request of **William T. and Susan Manfull, Owners**, for the property located at **12 South Street** whereas relief is needed from the Zoning Ordinance to construct a one-story rear addition which requires the following: 1) Variances from Section 10.521 to allow a) 39.5% building coverage where 30% is required; b) a 2' left side yard where 10' is required; and c) a 16' rear yard where 25' is required. 2) A Variance from Section 10.321 to allow a nonconformist building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 102 Lot 42 and lies within the General Residence B (GRB) District.

Request of **One Twenty Four Group LLC, Owner** for the property located at **124 Heritage Avenue** whereas relief is needed from the Zoning Ordinance for change of use to a laboratory which requires the following: 1) A Special Exception from Section 10.440, Use #14.61 to permit a Biological or Chemical Laboratory - Not Marine Dependent where the use is allowed by Special Exception. Said property is shown on Assessor Map 284 Lot 8 and lies within the Industrial (I) District.

Request of **Alexandra Roberts and William E. Garrison III, Owners**, for the property located at **222 Cass Street** whereas relief is needed from the Zoning Ordinance to construct a 1-story mudroom addition over existing rear deck with new landing and steps which requires the following: 1) Variances from Section 10.521 to allow a) a 3.5' left side yard where 10' is required; and b) 42% building coverage where 35% is the maximum allowed. 2) A 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 Map 147 Lot 29 and lies within the General Residence C (GRC) District.

Request of **Lisa, Gary and Joan Preston, Owners**, for the property located at **32 Rockingham Avenue** whereas relief is needed from the Zoning Ordinance to allow the keeping of pekin ducks which requires the following: 1) A Special Exception from Section 10.440, Use #17.20 to allow the keeping of farm animals where the use is allowed by Special Exception. Said property is shown on Assessor Map 235 Lot 2 and lies within the Single Residence B (SRB) District.

Request of **David J. Hudlin, Owner**, for the property located at **256 Wibird Street** whereas relief is needed from the Zoning Ordinance to construct a detached garage which requires the following: 1) Variances from Section 10.521 to allow a) a 5' rear yard where 12.5' is required; and b) to allow 28% building coverage where 25% is the maximum allowed. 2) A Variance from Section 10.571 to allow an accessory structure to be located closer to the street than the principal building. Said property is shown on Assessor Map 149 Lot 11 and lies within the General Residence A (GRA) District.

Request of **The Peter Dawson Revocable Trust and The Karen G. Dawson Revocable Trust, Owners**, for the property located at **648 Lincoln Avenue** whereas relief is needed from the Zoning Ordinance for adding a second story addition which requires the following: 1) Variances from Section 10.521 to allow a) a 6.5' right side yard where 10' is required; and b) 34% building coverage where 25% is the maximum allowed. 2) A 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 Map 148 Lot 18 and lies within the General Residence A (GRA) District.

Request of **Marcella F. Hoekstra, Owners**, for the property located at **35 Whipple Court** whereas relief is needed from the Zoning Ordinance to construct a 4' x 17' rear addition which requires the following: 1) A Variance from Section 10.521 to allow 26% building coverage where 20% is the maximum allowed. 2) A 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 Map 260 Lot 98 and lies within the Single Residence B (SRB) District.

Request of **Kevin M. Breen, Catherine Breen Stehman, and Christopher Breen, Owners**, for the property located at **82 Cass Street** whereas relief is needed from the Zoning Ordinance to install condenser unit which requires the following: 1) A Variance from Section 10.515.14 to allow a 7' side yard setback where 10' is required. Said property is shown on Assessor Map 156 Lot 28 and lies within the General Residence C (GRC) District.

Request of **Bucephalus LLC, Owners**, for the property located at **650 Maplewood Avenue** whereas relief is needed from the Zoning Ordinance for a change of use to allow motorcycle sales which requires the following: 1) A Special Exception from Section 10.440, Use #11.10 to allow the sales, renting or leasing of motorcycles where the use is permitted by Special Exception. 2) A Variance from Section 10.592.20 to allow the proposed use to be located adjacent to a Residential district where 200 feet is required. 3) A Variance from Section 10.843.21 to allow areas for parking, outdoor storage and outdoor display of vehicles or equipment to be setback less than 40 feet from the street right-of-way where 40 feet is required. Said property is shown on Assessor Map 220 Lot 88 and lies within the Single Residence B (SRB) District.

Request of **The Elizabeth B. Larsen Trust of 2012, Owner**, for the property located at **668 Middle Street** whereas relief is needed from the Zoning Ordinance to subdivide lot into three lots which requires the following: 1) A Variance from Section 10.521 to allow 114' and 100' of frontage on a private way where 100' of frontage on a formally accepted street or other road approved by the Planning Board and constructed to City subdivision standards is required. 2) A Variance from Section 10.521 to allow 69.83' of frontage on Middle Street where 100 feet is required. 3) A Variance from Section 10.512 to allow construction of a structure on a lot with access to a private right of way. Said property is shown on Assessor Map 147 Lot 18 and lies within the General Residence A (GRA) District.

Request of **Cate Street Development LLC, Owner**, for the property located at **428 US Route 1 Bypass** whereas relief is needed from the Zoning Ordinance to replace two existing free-standing signs with new signs for a mixed-use development which requires the following: 1) A Variance from Section 10.1251.20 to allow a 388.5 square foot sign where 100 square feet is the maximum allowed. 2) A Variance from Section 10.1251.20 to allow a 60 square foot secondary sign where 40 square feet is the maximum allowed. Said property is shown on Assessor Map 172 Lot 1 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District.

Request of **Wentworth Corner LLC, Owners**, for the property located at **960 Sagamore Avenue** whereas relief is needed from the Zoning Ordinance to demolish existing structures and construct an 8 unit residential building which requires the following: 1) A Variance from Section 10.521 to allow a lot area per dwelling unit

of 5,360 square feet where 7,500 square feet is required. 2) A Variance from Section 10.1114.31 to allow two driveways on a lot where one driveway is permitted. Said property is shown on Assessor Map 201 Lot 2 and lies within the Mixed Residential Business (MRB) District.

Request of **Stephen G. Bucklin LLC, Owners**, for the property located at **322 Islington Street** whereas relief is needed from the Zoning Ordinance to request to amend variances that were granted to move an existing carriage house to a new foundation and add a one-story connector to the existing house by removing the stipulation that required a signed letter of approval from the property's rear neighbor. Said property is shown on Assessor Map 145 Lot 3 and lies within the Character District 4-L2 (CD4-L2) District.

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. Registration information will be provided on the meeting agenda when it is posted to the web page. For technical assistance, please contact the Planning Department by email (planning@cityofportsmouth.com) or by phone 610-7216.

Those interested in submitting written comments should email planning@cityofportsmouth.com or mail to the Planning Department, City Hall, 1 Junkins Ave, Portsmouth, NH 03801. Comments for any public hearings that are received by 4:00 pm the day of the meeting will be incorporated into the record of the meeting.

Juliet T. H. Walker
Planning Director