

LEGAL NOTICE
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following applications on Tuesday, December 19, 2006 at 7:00 P.M. in the City Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

- 1) Petition of Anne Elizabeth and Alan Gregg Weston, owners, for property located at 43 Pray Street wherein Variances from Article III, Section 10-303(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 5' x 13' one story addition with a 3'± right side yard where 30' is the minimum required, b) a 5' diameter spiral stair with a 4'.6''± right side yard where 30' is the minimum required, c) a 5' x 15'10'' first floor deck with stairs with a 5' right side yard where 30' is the minimum required and 10' rear yard where 20' is the minimum required, d) a 5' x 11' second floor deck with a 5' right side yard where 30' is the minimum required and a 10' rear yard where 20' is the minimum required; and e) 53.6±% building coverage where 30% is the minimum required. Said property is shown on Assessor Plan 102 as Lot 39 and lies within the Waterfront Business and Historic A districts. Case # 10-8 and 12-1
- 2) Petition of William N. Genimatas Revocable Trust, owner, Nicholas Genimatas, Trustee, for property located at 599 Lafayette Road wherein a Variance from Article IX, Section 10-901(E) is requested to allow 2 existing signs (29 sf and 14 sf) and 1 proposed sign (17 sf) to be located above the level of the eaves on a vertical wall in front of a pitched roof where signs are not allowed to be located. Said property is shown on Assessor Plan 229 as Lot 8 and lies within the General Business district. Case # 12-2
- 3) Petition of 45 Pearl Street Properties LLC, owner, and Paul Gallant d/b/a Mahalos, applicant, for property located at 45 Pearl Street wherein a Variance from Article II, Section 10-207 is requested to allow 315 sf within the existing building for the storage of alcohol for a catering company in addition to client meeting space where storage is not an allowed use. Said property is shown on Assessor Plan 126 as Lot 30 and lies within the Mixed Residential Business district. Case # 12-3
- 4) Petition of Scott D. Healey and Emily A. Miller, owners, for property located at 58 McDonough Street wherein a Variance from Article IV, Section 10-402(A) is requested to allow 7' x 9' shed with: a) a 0'± left side, a 5'± right side yard, and a 0'± rear yard where 5' is the minimum required in each instance, and b) 47.5%± building coverage where 35% is the maximum allowed. Said property is shown on Assessor Plan 138 as Lot 38 and lies within the Apartment district. Case # 12-4
- 5) Petition of Betsy Patterson Rivers, owner, for property located at 42 Cabot Street wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) an irregular shaped 390± sf two story addition with a 9.7'± right side yard where 10' is the minimum required and a 9'3''± rear yard where 20' is the minimum required, b) a 9.5' x 14' one story three season room with 3.5' x 8' stairs with a 5'8''± rear yard where 20' is the minimum required; and, c) 39.6% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 135 as Lot 49 and lies within the Apartment district. Case # 12-5
- 6) Petition of Steven F. and Anne B. Collins, owners, for property located at 230 Park Street wherein the following are requested: 1) Variances from Article III, Section 10-302(A) and Article IV, Section 10-401 (A)(2)(c) to allow 252'± L-shaped front porch with: a) a 3'± front yard where 15' is the minimum required and b) 32.3 % building coverage where 25% is the maximum allowed; and, 2) a Variance from Article IV, Section 10-401 (A)(2)(c) to allow a 24'2^{3/8}'' x 30'2^{3/8}'' second story and attic with a full front dormer and rear dog house dormer on an existing building having: a) a 12'± front yard where 15' is the minimum required, b) a 9'± left side yard where 10' is the minimum required, and c) a 13'± rear yard where 20' is the minimum required. Said property is shown on Assessor Plan 149 as Lot 49 and lies within the General Residence A district. Case # 12-6
- 7) Petition of Helen I. Garvey Living Trust, Helen I. Garvey Trustee, owner, for property located at 518 New Castle Avenue requesting an Equitable Waiver as allowed in NH RSA 674:33-a (Equitable Waiver of Dimensional Requirement) to allow a condensor and a portion of a retaining wall 97.17' to 95' 3'' from mean high water where 100' is the minimum required in Article III, Section 10-301(7)(7)(a). Said property is shown on Assessor Plan 205 as Lot 3 and lies within the Single Residence A district. Case # 12-7

8) Petition of Society for the Protection of Forests, owner, for property located at 400 Little Harbor Road wherein a Variance from Article IX, Section 10-908 Table 14 is requested to allow a 12 sf freestanding sign with: a) a height of 7' where 3' is the maximum allowed, and b) a 5 ½' front setback where a 15' front setback is the minimum required. Said property is shown on Assessor Plan 203 as Lot 8 and lies within the Rural district. Case # 12-8

9) Petition of Elsie B. Tuttle, owner, for property located at 76 Sunset Road wherein a Variance from Article III, Section 10-302(A) is requested to allow a 4' x 8' one story addition to the rear of an existing dwelling unit creating 20.4%± building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 167 as Lot 1 and lies within the Single Residence B district. Case # 12-9

10) Petition of Blair W. and Janet B. McCracken, owners, for property located at 212 Pleasant Street wherein a Variance from Article IV, Section 10-402(B) is requested to allow a 13' x 22' one story detached garage with a 1'± right side yard where 10' is the minimum required. Said property is shown on Assessor Plan 109 as Lot 26 and lies within the Mixed Residential Office and Historic A districts. Case # 12-10

Lucy E. Tillman, Chief Planner