

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, July 15, 2008 at 7:00 P.M. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

1) Petition of New England Glory LLC, owner, for property located at 525 Maplewood Avenue wherein an Appeal from an Administrative Decision regarding the determination of the Code Officials that the Building Permit to convert the 9 apartments into a 14 room Bed and Breakfast has lapsed as the building continues to be used as 9 apartments.

Notwithstanding the above, if the Administrative Appeal is denied, a Variance from Article II, Section 10-206 is requested to allow the existing 9 apartments to be converted into a 14 room Bed and Breakfast. Said property is shown on Assessor Plan 209 as Lot 85 and lies within the General Residence A district. Case # 7-1

2) Petition of RA, SJ, and BN Goodman, owners, and Michael Maguire d/b/a New Hampshire Motorcycle Warehouse applicant, for property located at 930 Route One By-Pass to be relieved of an 1988 Board of Adjustment stipulation of approval that requires a fence along the left property line. Said property is shown on Assessor Plan 142 as Lot 16 and lies within the Business district. Case # 7-2

3) Petition of Kentucky Fried Chicken of Portsmouth, c/o Francis E. Daddario, owner, Churchill & Banks, applicant, for property located at 1840 Woodbury Avenue wherein the following are requested: 1) a Variance from Article III, Section 10-304(A) to allow a 1,750 sf addition to an existing 2,500 sf building within 100' of property zoned residentially, 2) a Variance from Article III, Section 10-304(A) and Article IV, Section 10-401(A)(2)(c) to allow the 1,750 sf addition within the required 70' front yard; and, 3) a Variance from Article XII, Section 10-1201(A)(3)(e) to allow off-street parking and accessways within 100' of a residential zone where such use is not allowed. Said property is shown on Assessor Plan 239 as Lot 8 and lies within the General Business district. Case # 7-3

4) Petition of Edward W. Momm Jr. and Lucy K. White, owners, for property located at 130 Union Street wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow an irregular shaped 2 story 711 sf attached garage with living space above with: a) an 18"± left side setback where 10' is the minimum required; and b) 35.49%± building coverage (including a 10' x 17' second floor dormer) where 35% building coverage is the maximum allowed. Said property is shown on Assessor Plan 145 as Lot 60 and lies within the Apartment district. Case # 7-4

5) Petition of Seacoast Trust NH General Partnership, owner, for property located at 150 Route One By-Pass wherein the following are requested: 1) a Variance from Article II, Section 10-206 and Article IV, Section 10-401(A)(1)(b & c) to allow a 5,208 sf one story addition to the right side of the existing professional office building, 2) a Variance from Article IV, Section 10-401(A)(1)(c) to add two parking spaces at the rear of the lot in an area not currently used for parking; and, 3) a request to amend the location of the previously approved 50' x 8' portable coach for diagnostic services to the front of the building. Said property is shown on Assessor Plan 231 as Lot 58 and lies within the Single Residence B district. Case # 7-5

6) Petition of Creative Investors c/o Peter Morin, owner, for property located at 405 Pleasant Street wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow a 10' x 15' two story addition with: a) a 1.5'± left side setback where 10' is the minimum required and a 15'± rear setback where 25' is the minimum required, and b) 54.3% building coverage where 30% is the maximum allowed. Said property is shown on Assessor Plan 102 as Lot 68 and lies within the General Residence B and Historic A districts. Case # 7-6

7) Petition of Matthew D. Beebe and Barbara R. Jenny, owners, for property located at 81 Lincoln Avenue wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow an irregular shaped 190 sf one story addition and relocated bulkhead creating 32.9%± building coverage where 25% is the maximum allowed. Said property is shown on Assessor Plan 113 as Lot 35 and lies within the General Residence A district. Case # 7-7

- 8) Clarification of previously approved Variance concerning property owned by John F. Grogan located at 8 Central Avenue concerning a second driveway to the property. Said property is shown on Assessor Plan 209 as Lot 17 and lies within the General Residence A district. Case # 7-8
- 9) Petition of American Financial Realty Trust, owner, for property located at off Daniel Street wherein a Variance from Article III, Section 10-304(B) is requested to allow a prefabricated 4' x 6' metal and glass parking attendant booth less than 20' in height where a minimum of 20' in height is required for buildings. Said property is shown on Assessor Plan 107 as Lot 27 and lies within the Central Business B and Historic A districts. Case # 7-9.
- 10) Petition of Karl E. Hahn, owner, for property located at 340 Odiorne Point Road wherein the following are requested: 1) an Equitable Waiver as allowed in RSA 674:33-a to allow a previously constructed 16' x 26' one car garage with a 9.56'± right side setback where 10' or 75% of the height of the structure, whichever is greater, is the minimum required, and 2) a Variance from Article IV, Section 10-402(A & B) to allow a 5' x 16' one story storage shed attached to the garage with a 4.58'± right side setback where 10' or 75% of the height of the structure, whichever is greater, is the minimum required. Said property is shown on Assessor Plan 224 as Lot 10-18 and lies within the Single Residence A district. Case # 7-10.
- 11) Petition of Raymond J & Maryrose Richer, owners, for property located at 85 Woodworth Avenue wherein a Variance from Article III, Section 10-302(A) is requested to allow a 12' x 22' roof over an existing deck with a 22'6"± rear setback where 30' is the minimum required. Said property is shown on Assessor Plan 243 as Lot 35 and lies within the Single Residence B district. Case # 7-11
- 12) Petition of Jose Luis San Miguel and Myong S Trest San Miguel, owners, for property located at 24 Holmes Court wherein Variances from Article III, Section 10-302(A) and Article IV, Section 10-401(A)(2)(c) are requested to allow: a) a 16' x 21' two story garage/living space/roof deck addition with a 0' rear setback where 25' is the minimum required and a 0' left setback where 10' is the minimum required; and b) 60.2%± building coverage (including a 4'4" x 6' entry addition) where 30% is the maximum allowed. Said property is shown on Assessor Plan 101 as Lot 15 and lies within the General Residence B and Historic A districts. Case # 7-11

Lucy E. Tillman, Chief Planner