

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, October 20, 2009 at 7:00 P.M. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

1) Case # 10-1

Petitioners: Irving and Victoria D.Canner

Property: 229 Pleasant St. #4 Assessor Plan 108, Lot 6-4

Zoning district: Mixed Residential Office

Request: Variance Request Article III Section 10-303(A) Table 9 to allow for a 7'2" rear yard setback where 15 feet is required

Article IV Section 10-401(A)(2)(c) to allow the expansion of a nonconforming structure

2) Case # 10-2

Petitioner: Lyle S Gravelle and Tanja E Gravelle

Property: 20 Woodworth Ave. Assessor Plan 232, Lot 78

Zoning district: Single Residence B

Requests: Variance Request Article III Section 10-302(A) Table 8 to allow for a 10'± front yard setback where 30' is required

Article III Section 10-302(A) Table 8 to allow a building coverage of 23.5% where 20% is required

Article IV Section 10-401(A)(2)(c) to allow the expansion of a nonconforming structure

3) Case # 10-3

Petitioner: High Liner Food Inc

Property: 1 High Liner Ave. Assessor Plan 259, Lot 14

Zoning district: Industrial

Request: Special Exception Request Article II Section 10-209 Table 5 to allow the expansion of Food processing operations; including those involving the preparation of sea related products

4) Case # 10-4

Petitioners: Debra Page

Property: 35 Swett Ave Assessor Plan 232, Lot 66

Zoning district: Single Residence B

Request: Variance Request Article III Section 10-302(A) Table 8 to allow the creation of 2 nonconforming lots;

Lot 1 having less than the required minimum area by allowing 9,350 square feet where 15,000 square feet is required

Lot 2 having 90' of frontage where 100' is required, 11,050 square feet of lot area where 15,000 square feet is required, and a depth of 85' where 100' is required

5) Case # 10-5

Petitioners: Think Management LLC

Property: 85 Albany St. Assessor Plan 146, Lot 25

Zoning district: Mixed Residential Business

Request: Variance Request Article II Section 10-207 Table 3 Use 13 to allow for the expansion of the existing 5 unit residential building to a 6 unit residential building where not more than four families are allowed

Article III Section 10-303(A) Table 9 to allow a density of 2566 square feet per unit where 7500 square feet per unit is required

6) Case # 10-6

Petitioners: New England Wireless Solutions, LLC

Property: 55 Congress St. Assessor Plan 117, Lot 9

Zoning district: Central Business B

Requests: Special Exception Request Article II Section 10-208 Table 4 Use (51) to allow for the placement of a 6 panel wireless communication system

Variance Request Article III Section 10-304(A) Table 10 to allow the existing 75'9" building height to increase to 81'9" where 60' is allowed

7) Case # 10-7

Petitioner: Jon Schroeder

Property: 324 Maplewood Assessor Plan 141, Lot 1

Zoning district: Mixed Residential Office

Request: Variance Request Article III, Section 10-301 (A)2 to allow a dwelling unit in each of two (2) free-standing buildings on the same lot.

Article III, Section 10-303 (A) to allow 1,780 square feet of lot area per dwelling unit, where 7,500 square feet of a lot area is required.

Article III, Section 10-303 (A) to allow a rear yard setback of 5.47 feet where 15 feet is required; a right side yard setback of 1 foot where 10 feet is required; and a left side yard setback of 6.21 feet where 10 feet is required.

Article IV, Section 10-401 A (2)(c) to allow expansion of a non-conforming structure by addition of a second story.

Article XII, Section 10-1201(A)(3) to allow the required parking spaces to back out onto the street where such parking layout is not allowed.

8) Case # 10-8

Petitioner: Donna L. Morse

Property: 249 Clinton St. Assessor Plan 159, Lot 11

Zoning district: General Residence A

Requests: Variance Request Article IV Section 10-401(A)(2)(c) to allow the expansion of a nonconforming structure

9) Case # 10-9

Petitioners: David J. Tooley and Vasilina Tooley

Property: 166 New Castle Ave. Assessor Plan 101, Lot 24

Zoning district: Single Residence B

Requests: Variance Request Article III Section 10-302(A) Table 8 to allow a rear yard setback of 10' where 30' is required

Article III Section 10-302(A) Table 8 to allow a side yard setback of 8'5" where 10' is required

Article III Section 10-302(A) Table 8 to allow a building coverage of 50% where 20% is required

Article III Section 10-302(A) Table 8 to allow openspace coverage of 32% where 40% is required

Article IV Section 10-401(A)(2)(c) to allow the expansion of a nonconforming structure

10) Case # 10-10

Petitioners: Paul and Margaret Batakis

Property: 4 Brackett Lane Assessor Plan 206, Lot 8

Zoning district: Single Residence B

Requests: Variance Request Article III Section 10-302(A) Table 8 to allow a left side setback of 6.5' where 10' is required

Article III Section 10-302(A) Table 8 to allow a left side setback of 4.3' where 10' is required

Article III Section 10-302(A) Table 8 to allow a front yard setback of 17.5' where 30' is required

Article III Section 10-302(A) Table 8 to allow lot coverage of 29.6% where 20% is required

Lee Jay Feldman, Principal Planner