

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on Item 1) on *Wednesday, February 19, 2014 at 7:00 p.m. and Items 2) through 6) at 7:00 p.m. on Tuesday, February 25, 2014 both in the Eileen Dondero Foley_Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

* Change in date and day of week from customary schedule.

1) Case # 2-1

Petitioners: Betty Morton Belcher, Jane Morton Man, Matthew Morton, Martha Fuller Clark, Clare Kittredge, Nancy Elwell, Paul Mannle, George Dodge, Erica Dodge, and Portsmouth Advocates

Property: 173 – 175 Market Street

Assessor Plan 118, Lots 3 & 4

Zoning District: Central Business A, Historic and Downtown Overlay

Description: Appeal Decisions of the Historic District Commission.

Requests: Appeal the decisions of the Historic District Commission to grant a Certificate of Approval and a Conditional Use Permit for this property.

2) Case # 2-A

Petitioner: Kim Ham Iozzo (Nelsen)

Property: 610 Middle Road

Assessor Plan 232, Lot 33

Zoning District: Single Residence B

Description: Part-time aesthetics services offered in a portion of a residence.

Requests: The Variances and Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Section 10.440, Use #19.22 to allow a Home Occupation 2 in this district.

3) Case # 2-2

Petitioners: GRN Realty Trust,, owner, and The Chandler's Loft, applicant

Property: 15 Pickering Avenue (7 Pickering Avenue)

Assessor Plan 102, Lot 24

Zoning District: Waterfront Business

Description: Seasonal private functions in 30'± x 15'± outdoor seating area.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance under Section 10.440 to allow outdoor space to be used for private functions from May to October in a district where such a use is not allowed.

- 4) Case # 2-3
Petitioners: Brady J. Byrd & Brian L. Neste
Property: 184 Walker Bungalow Road
Assessor Plan 223, Lot 19
Zoning District: Single Residence B
Description: Second story addition, deck and canopies.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.321 to allow a lawful nonconforming building to be extended or reconstructed without conforming to the requirements of the Ordinance.
 2. Variances from Section 10.521 to allow the following:
 - (a) A front yard setback of 25'± where 30' is required.
 - (b) A rear yard setback of 20.8'± where 30' is required.
- 5) Case # 2-4
Petitioners: Kara Lynn Cole & Alistair James Ferguson Cole
Property: 40 Mill Pond Way
Assessor Plan 143, Lot 6
Zoning District: General Residence A
Description: Remove existing two story detached nonconforming structure and build an attached 20'± x 36'± two story garage, 11'± x 24'± connector, and 3'± x 9'± one story balcony
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.321 to allow a lawful nonconforming building or structure to be extended or reconstructed without conforming to the requirements of the Ordinance.
 2. A Variance from Section 10.521 to allow building coverage of 30.9%± where 25% is the maximum allowed.
- 6) Case # 2-5
Petitioner: Searay Realty LLC, owner and Public Service Company of New Hampshire, applicant
Property: 445 US Route One By-Pass
Assessor Plan 234, Lot 3
Zoning District: Office Research
Description: Construct electrical substation.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance under Section 10.440, Use #15.12 to allow construction of an electrical station providing community-wide or regional service.
 2. Variances from Section 10.531 to allow the following:
 - (a) A left side yard setback of 46' where 75' is required.
 - (b) A rear yard setback of 31' where 50' is required.

Rick Taintor, Planning Director