

**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 March 18, 2014 in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

Old Business

C) 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. Variances from Section 10.521 to allow the following:
 - a) Building coverage of 30.9%± where 25% is the maximum allowed.
 - b) A left side yard setback of 6.5'± where 10' is required.
 - c) A rear yard setback of 18'± where 20' is required.

This request is revised from that presented at the February 25, 2014 meeting and postponed to the March meeting.

New Business

1) Case # 3-1

Petitioner: Kathleen E. Calkins Trust, Cathleen E. Calkins, Trustee

Property: 206 Elwyn Avenue

Assessor Plan 112, Lot 27

Zoning District: General Residence A

Description: Replace existing 178± s.f. rear addition with a 368± s.f. one-story addition.

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 31%± where 27%± exists and 25% is the maximum allowed. (over)

2) Case # 3-2

Petitioners: DEH Ventures LLC, owner, CHI Engineering, applicant

Property: 430 West Road

Assessor Plan 267, Lot 28

Zoning District: Gateway

Description: Install two roofed heating/ air conditioning units on 12'± x 6'± pads.
Add 21 off-street parking spaces in front of the building.

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

1. Variances from Section 10.531 to allow the following:
 - a) A front yard parking setback of 27.6'± where 30' is required.
 - b) A right side yard setback of 12.5'± where 30' is required.
2. A Variance from Section 10.1112.50 to allow 127 off-street parking spaces where a maximum of 77 spaces is allowed.
3. A Variance from Section 10.1113.20 to allow off-street parking to be located in the front yard or between the principal building and a street.

3) Case # 3-3

Petitioners: Donovan-Hess Family Revocable Trust, Jane M. Donovan & William Hess, Trustees

Property: 54 Rogers Street

Assessor Plan 116, Lot 44

Zoning District: Mixed Residential Office

Description: Install 12'6" x 8'6" shed in the left rear yard..

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

1. A Variance from Section 10.521 & 10.572 to allow a 1'7"± left side yard where 10' is the minimum required for an accessory structure.
2. A Variance from Section 10.521 & 10.573.20 to allow a 1'8" ± rear yard setback where 10' is required for an accessory structure.
2. A Variance from Section 10.521 to allow building coverage of 55.4%± where 50.7%± exists and 40% is the maximum allowed.

4) Case # 3-4

Petitioner: 303 Islington Street LLC

Property: 303 Islington Street

Assessor Plan 144, Lot 11

Zoning District: General Residence C

Description: Convert three office use units to dwelling units with an increase in required off-street parking spaces.

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

1. A Special Exception under Section 10.440, Use #1.52 to allow conversion of a building existing on January 1, 1980 to four dwelling units with less than the required minimum lot area per dwelling unit.

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2. A Variance from Section 10.1111.10 and 10.1112.30 to permit a change of use that provides 8 off-street parking spaces where 12 are required.
3. A Variance from Section 10.1114 to allow off-street parking spaces and accessways that do not comply with the off-street parking dimensional requirements.

5) Case # 3-5

Petitioners: Christoph Wienands & April Guille

Property: 307 Wibird Street

Assessor Plan 132, Lot 12

Zoning District: General Residence A

Description: Construct a 26'± x 26'± two-story rear addition

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. Variances from Section 10.521 to allow the following:
 - a) A left side yard of 9'5" ± where 10' is the minimum required.
 - b) Building coverage of 26.3%± where 18.1%± exists and 25% is the maximum allowed.

6) Case # 3-6

Petitioner: PF Jax Real Estate, LLC, owner, Bryan Pappas, applicant

Property: 159 Middle Street

Assessor Plan 127, Lot 4

Zoning District: Mixed Residential Office

Description: Install a 2' x 5' free-standing sign..

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

1. A Variance from Section 10.1253.40, to allow a front setback of 1'6" ± where 5' is required.
2. A Variance from Section 10.1253.30 to allow a sign height of 10'± where 7' is the maximum allowed.

7) Case # 3-7

Petitioners: Peter & Lee D. Vandermark

Property: 86 Ridges Court

Assessor Plan 207, Lot 62

Zoning District: Single Residence B

Description: Raise height of existing left side shed roof.

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

(over)

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 a left side yard setback of 5.25'± where 10' is required.

8) Case # 3-8

Petitioner: Hunking Holdings LLC

Property: 311 Marcy Street

Assessor Plan 102, Lot 2

Zoning District: General Residence B

Description: Add 8'± x 12'± one-story rear addition.

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. Variances from Section 10.521 to allow the following:
 - a) A left side yard setback of 2.3'± where 10' is required.
 - b) A rear yard setback of 3'± where 25' is required.

9) Case # 3-9

Petitioner: Robert A. Ricci Sr. Revocable Trust 9, Robert A. Ricci Sr., Trustee, owner, Robert A. Ricci, Jr., applicant

Property: 75 Albany Street

Assessor Plan 156, Lot 26

Zoning District: Mixed Residential Business

Description: Allow a furniture store in an existing building.

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

1. A Special Exception under Section 10.440, Use #8.31 to allow retail sales, not marine-related, to be conducted within a building.

Rick Taintor, Planning Director