

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on **Old Business and Items 1 through 6 on Tuesday, July 21, 2015 and Items 7 through 13 on Tuesday, July 28, 2015,** both at 7:00 p.m. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

THE FOLLOWING PETITIONS WILL BE HEARD ON TUESDAY, JULY 21, 2015:

Old Business

A) Case # 6-8

Petitioners: Joseph & Lindsey B. Donohue

Property: 336 Union Street

Assessor Plan 134, Lot 58

Zoning District: General Residence A

Description: Convert single family dwelling to two dwelling units.

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

1. A Variance from Section 10.521 to allow a lot area per dwelling unit of 2,178 s.f. ± where 7,500 s.f. is required and a building coverage of 39.3% where 25% is the maximum allowed.

2. A Variance from Section 10.1112.30 to allow two off-street parking spaces to be provided where four off-street parking spaces are required.

This petition was postponed from the June meeting and the request has been amended to include building coverage.

New Business

1) Case # 7-1

Petitioners: Kristen J. Campbell

Property: 31 Cabot Street

Assessor Plan 136, Lot 40

Zoning District: Mixed Residential Office

Description: Replace existing porch and stairs.

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 structure to be extended or structurally altered without conforming to the requirements of the Ordinance.

2. A Variance from Section 10.521 to allow a left side yard of 7'6" and a right side yard of 6'6" where 10' is the minimum required and a building coverage of 43% where 40% is the maximum allowed.

2) Case # 7-2

Petitioners: Alyssa and Andrew Ervin

Property: 192 Park Street

Assessor Plan 149, Lot 53

Zoning District: General Residence A

Description: Construct a porch on the left side and a 2-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 structure to be extended or structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a left side yard of 2' and a right side yard of 9' where 10' is the minimum required and a building coverage of 26.5% where 25% is the maximum allowed.

3) Case # 7-3

Petitioner: Debora A. Panebianco

Property: 306 Oriental Gardens

Assessor Plan 215, Lot 9-9

Zoning District: Office Research

Description: Place a new manufactured home on an existing concrete slab.

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

1. A Variance from Section 10.440 to allow a manufactured home in a district where this use is not allowed.

4) Case # 7-4

Petitioner: Laurie J. Harrigan Revo Trust

Property: 116 Sherburne Avenue

Assessor Plan 112, Lot 37

Zoning District: Single Residence B

Description: Construct 1 ½ story addition at rear of existing residence with new side entry deck and rear deck.

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 structure to be extended or structurally altered without conforming to the requirements of the Ordinance.
1. A Variance from Section 10.521 to allow a building coverage of 27.1% where 25% is the maximum allowed.

5) Case # 7-5

Petitioner: Algene and Sheila Bailey, Jr.

Property: 487 Ocean Road

Assessor Plan 283, Lot 33

Zoning District: Single Residence A

Description: Construct new front door overhang, attached 16' x 32' garage and 13' x 6' front deck, and 16' x 20' shed in backyard.

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

1. A Variance from Section 10.521 to allow a right side yard of 10' where a minimum of 20' is required and a building coverage of 26.6% where 10% is the maximum allowed.
2. A Variance from Section 10.573.20 to allow a left side yard of 6' where 10' is the minimum required for an accessory structure.

6) Case # 7-6

Petitioner: Portsmouth Land Acquisition, LLC

Property: 428 Route 1 By-Pass (Building 2)

Assessor Plan 172, Lot 1

Zoning District: Industrial

Description: Allow dog daycare and boarding facility with associated parking.

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

1. A Variance from Section 10.440 to allow a dog daycare and boarding facility in a district where this use is not permitted.

THE FOLLOWING PETITIONS WILL BE HEARD ON TUESDAY, JULY 28, 2015:

7) Case # 7-7

Petitioner: Amba Realty, LLC

Property: 806 Route 1 By-Pass

Assessor Plan 161, Lot 43

Zoning District: Business

Description: Expand first floor to 5,150 sq. ft. of retail space and construct second floor for office space.

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

1. A Variance from Section 10.1113.20 to allow 9 parking spaces to be located within the required front yard and between the principal building and the street;
2. A Variance from Section 10.1112.30 to allow 26 fully available parking spaces and 2 restricted parking spaces where 28 are required and to allow parking 6.5' from a residential zone where 50' is required.
3. A Variance from Section 10.1113.41 to allow parking 0' from the front lot line where 20' is required;
4. A Variance from Section 10.1113.43 to not provide landscaping and screening within the front setback.

8) Case # 7-8

Petitioner: Moray, LLC and 215 Commerce Way, LLC

Property: 215 & 235 Commerce Way

Assessor Plan 216, Lots 1-8A & 1-8B

Zoning District: Office Research

Description: Provide parking, on a corner lot, located between the street and the building.

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

1. A Variance from Section 10.1113.20 to allow off-street parking spaces to be located in a front yard between a principal building and the street.

9) Case # 7-9

Petitioner: Barbara R. Frankel

Property: 89 Brewery Lane

Assessor Plan 146, Lot 26

Zoning District: Mixed Residential Business

Description: Remove existing structure and construct 2-story assisted-living home with a 3,450 sq. ft. footprint.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Special Exception from Section 10.440 to allow an assisted living home;
2. A Variance from Section 10.512 to allow 30' of street frontage where a minimum of 100' is required.

10) Case # 7-10

Petitioner: Strawberry Banke Inc.
Property: 14 Hancock Street (Strawberry Banke)
Assessor Plan 104, Lot 7
Zoning District: Mixed Residential Office
Description: Clarification/modification of previous approval for operation of the skating pond.
Requests: Clarification/modification of the time period for use of the skating pond from November 1st to March 31st each year.

11) Case # 7-11

Petitioner: Merton Alan Investments, LLC
Property: 30 Cate Street
Assessor Plan 165, Lot 1
Zoning District: Industrial
Description: Clarification of previous approval for construction of an office building.
Requests: Clarification that the setback relief granted included the 15.4' front setback resulting from the City's future reconfiguration of Cate St.

12) Case # 7-12

Petitioner: New England Glory, LLC
Property: 525 Maplewood Avenue
Assessor Plan 209 Lot 85
Zoning District: Single Residence B
Description: Creation of two lots where one currently exists.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.521 to allow a lot area per dwelling unit of 3,755 sq. ft. where 7,500 sq. ft. is the minimum required.

13) Case # 7-13

Petitioner: Jillian Mirandi
Property: 19 Woodbury Avenue
Assessor Plan 162 Lot 65
Zoning District: General Residence A
Description: Replace front entry and add shed in back yard.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.521 to allow a front yard setback of 2' 10" +/- where 15' is the minimum required and a building coverage of 29.6% where 25% is the maximum allowed.
2. A Variance from Section 10.573.10 to allow a left side yard of 2' and a 2' rear yard where 5' is the minimum required for an accessory structure.

Rick Taintor, Planning Director