

**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 the following petitions on **Tuesday January 19, 2016 at 7:00 p.m.** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

- 1) Case #1-1  
Petitioners: Donald A. & Ruth K. Littlefield  
Property: 384 Union Street #4  
Assessor Plan 134, Lot 54-4  
Zoning District: General Residence A  
Description: Construct roof over existing deck.  
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 rear yard setback of 11'9"± where 20' is required.
  
- 2) Case #1-2  
Petitioners: Ajeet Jai & Kathleen Jo Singh  
Property: 140 Thornton Street  
Assessor Plan 160, Lot 8  
Zoning District: General Residence A  
Description: Construct single-family home.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
  1. A Variance from Section 10.516.10 to allow a 0'± primary front yard setback where 7.3' is required and a 5'± secondary front yard setback where 8.3' is required.
  2. A Variance from Section 10.521 to 30.28±% building coverage where 25% is the maximum allowed.
  
- 3) Case #1-3  
Petitioners: John Algren & Bessie J. Palmisciano, owners, Chinburg Builders, Inc., applicant  
Property: Langdon Street (corner of McDonough Street)  
Assessor Plan 138, Lot 48  
Zoning District: Mixed Residential Business and Office Research  
Description: Construct a single-family home on each of three lots.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

Lot 1. Variances from Section 10.521 to allow the following:

  - a) A lot area of 5,022± s.f. where 7,500 s.f. is required.
  - b) A lot area per dwelling unit of 5,022± s.f. where 7,500 is required.
  - c) A lot depth of 78.47± where 80' is required.
  - d) A 5'± secondary front yard setback where 10' is required.

Lot 2. Variances from Section 10.521 to allow the following:

  - a) A lot area of 5,301± s.f. where 7,500 s.f. is required.
  - b) A lot area per dwelling unit of 5,301± s.f. where 7,500 s.f. is required.
  - c) A lot depth of 77.39' where 80' is required.
  - d) Continuous street frontage of 68.5'± where 100' is required.

Lot 3. Variances from Section 10.521 to allow the following:

- a) A lot area of 4,965± s.f. where 7,500 s.f. is required.
- b) A lot area per dwelling unit of 4,965± s.f. where 7,500 is required.
- c) Continuous street frontage of 43.24'± where 100' is required.
- d) A lot depth of 76.84'± where 80' is required.
- e) A 5'± left side yard setback where 10' is required.

4) Case #1-4

Petitioner: Jamey R. Beland  
 Property: 373 Union Street  
 Assessor Plan 134, Lot 5

Zoning District: General Residence A

Description: Construct second 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 to be extended, enlarged or structurally altered except in conformity with the Ordinance.
- 2. A Variance from Section 10.521 to allow a 4'± left side yard setback for the addition where 10' is required.

5) Case #1-5

Petitioner: Christian G. Hulseman  
 Property: 430 Richards Avenue  
 Assessor Plan 112, Lot 8

Zoning District: General Residence A

Description: Demolish rear garage addition and reconstruct extending to width of garage.

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, enlarged or structurally altered except in conformity with the Ordinance.
- 2. A Variance from Section 10.521 to allow a 3.5'± left side yard setback where 10' is required.

6) Case #1-6

Petitioner: Scott Mitchell  
 Property: 2839 Lafayette Road  
 Assessor Plan 286, Lot 18

Zoning District: Gateway

Description: Parking related to construction of a bank and drive-through facility.

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 parking between a principal building and a street.

7) Case #1-7

Petitioner: Faithful Church of Christ Inc.  
 Property: 217 Bartlett Street  
 Assessor Plan 162, Lot 32

Zoning District: General Residence A

Description: Four unit dwelling with related parking and travel aisles.

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 to allow four dwelling units where the use is only allowed by Special Exception.
2. A Variance from Section 10.521 to allow a lot area per dwelling unit of 2,237± s.f. where 7,500 s.f. is required.
3. A Variance from Section 10.114.21 to allow an 18'± maneuvering aisle where 24' is required.

8) Case #1-8

Petitioners: 599 Lafayette LLC owner, Aroma Joe's Coffee, LLC, applicant

Property: 599 Lafayette Road

Assessor Plan 229, Lot 8

Zoning District: Gateway

Description: Construct a stand-alone drive-through facility.

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 stand-alone drive-through facility as a principal use.
2. A Variance from Section 10.531 to allow a side setback of 23.6'± where 30' is required.
3. A Variance from Section 10.836.31 to allow an outdoor service facility to be located 64'± from a residential zoning district where 100' is required.
4. A Variance from Section 10.1243 to allow a second free-standing sign on a lot.

9) Case #1-9

Petitioner: Paul E. Berton and Jane A. Ewell Living Trusts

Property: 482 Broad Street

Assessor Plan 229, Lot 8

Zoning District: Gateway

Description: Construct three townhouses.

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

1. Special Exception under Section 10.440 to allow three dwelling units where the use is only allowed by Special Exception.

Rick Taintor, Planning Director