

**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, June 21, 2016 at 7:00 p.m.** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

(NOTE: A second meeting is scheduled to be held on June 28, 2016 for which a separate Legal Notice will be advertised and posted.)

- 1) Case #6-1
Petitioners: Colette TM Foley Revocable Trust, John D. & Colette TM Foley,
Trustees
Property: 25 Lafayette Road
Assessor Plan 152, Lot 3
Zoning District: General Residence A
Description: Raising chickens.
Requests: The Variances and/or Special Exceptions necessary to grant the
required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.440, Use #17.20 to allow the keeping of
chickens where this use is not allowed.

- 2) Case #6-2
Petitioner: 30 Maplewood LLC
Property: 30-46 Maplewood Avenue
Assessor Plan 125, Lot 2
Zoning District: Character District 4, Downtown Overlay District
Description: Continue parking use on subdivided lot.
Requests: The Variances and/or Special Exceptions necessary to grant the
required relief from the Zoning Ordinance, including the following:
 1. A Variance under Section 10.440 to allow a surface parking lot as a
principal use where such use is not allowed.
 2. A Variance from Section 10.5A44 to allow a parking lot that does not
comply with the requirements of the Ordinance.

- 3) Case #6-3
Petitioners: Jason Combs & Meghan Rose J. Parks
Property: 834 Middle Road
Assessor Plan 232, Lot 55
Zoning District: Single Residence B
Description: Construct new single-family home.
Requests: The Variances and/or Special Exceptions necessary to grant the
required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.516.10 to allow a secondary front yard setback of 12.8'± where 17.7' is required.
3. A Variance from Section 10.521 to allow a rear yard setback of 22'± where 30' is required.

4) Case #6-4

Petitioners: Marc G. Goulet, owner, Stephanie A. Lane, applicant

Property: 4 Melbourne Street

Assessor Plan 233, Lot 18

Zoning District: Single Residence B

Description: Allow massage therapy use as a Home Occupation.

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 19.22 to allow a Home Occupation II in a district where it is allowed by special Exception.

5) Case #6-5

Petitioners: Linda & John Leland

Property: 26 Thaxter Road

Assessor Plan 166, Lot 37

Zoning District: Single Residence B

Description: Covered front porch/entryway.

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

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow an 18'± front yard setback where 30' is required.
3. A Variance from Section 10.521 to allow 31.39%± building coverage where 20% is the maximum allowed.

6) Case #6-6

Petitioners: Cristin Pugliese

Property: 5 Buckminster Way

Assessor Plan 282, Lot 6-23

Zoning District: Single Residence A

Description: Rental of a single family residence.

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

1. A Variance under Section 10.440 to allow a two family dwelling where only a single family dwelling is permitted.
 2. A Variance from Section 10.521 to allow a 21,997.8± s.f. lot area per dwelling unit where 43,560 s.f. (1 acre) is required.
- 7) Case #6-7
Petitioner: Richard P. Fusegni
Property: 201 Kearsarge Way
Assessor Plan 218, Lot 5
Zoning District: Single Residence B
Description: Construct home on one lot of a three-lot subdivision.
Requests: The Variances and/or Special Exceptions 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 15'± where 30' is required.
- 8) Case #6-8
Petitioners: Sarnia Properties, Inc., owner, Q, LLC, applicant
Property: 4 Cutts Street #3 (933 Route One By-Pass)
Assessor Plan 142, Lot 37
Zoning District: Business
Description: Design and engineering of firearms, silencers and related accessories to the sporting and defense industries.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance under Section 10.440 to allow a light industry use in a district where this use is not allowed.
 2. A Variance from Section 10.1112.30 to allow 84 parking spaces where 103 parking spaces are required.
- 9) Case #6-9
Petitioners: Clipper Traders, LLC, owner, Great Rhythm Brewing Company, applicant.
Property: 105 Bartlett Street
Assessor Plan 157, Lot 1
Zoning District: Office Research
Description: Brewery with tasting room and outdoor area.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
1. Amend previously granted variance to allow a brewery use with an 800± s.f. tasting area and adjoining outdoor tasting area.
- 10) Case #6-10
Petitioner: Timothy R. Connolly
Property: 195 Hillside Drive
Assessor Plan 231, Lot 17

Zoning District: Single Residence B

Description: Addition over existing garage.

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

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a 7'± left side yard setback where 10' is required.

11) Case #6-11

Petitioner: Jeremy N. Mard

Property: 21 Dearborn Street

Assessor Plan 140, Lot 5

Zoning District: General Residence A

Description: Install rear condenser.

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

1. A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, enlarged or structurally altered except in conformity with the Ordinance.
2. A Variance from Section 10.521 to allow a 0'± right side yard setback where 10' is required.