

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following applications on Tuesday, February 21, 2012 at 7:00 P.M. in **Conference Room B**, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

1) Case # 1-2A

Petitioners: Brian M. Regan & Susan M. Regan

Property: 28-30 Dearborn Street

Assessors: Map 140, Lot 1

Zoning District: General Residence A

Description: Provide four off-street parking spaces.

Requests: 1. A dimensional Variance from Section 10.1112.30 to allow four off-street parking spaces to be provided where eight off-street parking spaces are required.

2) Case # 1-3

Petitioner: Sam & Lea Chase

Property: 604 Lincoln Avenue

Assessors: Map 148, Lot 15

Zoning District: General Residence A

Description: Construct a 2½-story, 4' x 25' addition to the existing building and replace a 6' x 16' deck with a 2½-story, 6' x 16' addition.

Requests: 1. A dimensional Variance from Section 10.321 & Section 10.521 to increase the building coverage from 32% to 34%± where a maximum of 25% is permitted.

3) Case # 2-1

Petitioners: Deer Street Associates, owner, Robert Marchewka, applicant

Property: 165 Deer Street, Building #1

Assessors: Map 125, Lot 17

Zoning District: Central Business B

Description: Rental and storage of motorized scooters.

Requests: 1. A use Variance from Section 10.440, Use #11.10 to permit the rental and storage of motorized scooters in a district where such use is not allowed.

4) Case # 2-2

Petitioner: Raymond Wilkins

Property: 973 Islington Street

Assessors: Map 172, Lot 5

Zoning District: Business

Description: Wholesale HVAC and cooling equipment.

Requests: 1. A use Variance from Section 10.440, Use #13.11 to permit the wholesale storage of HVAC and cooling equipment in a district where such use is not allowed.

5) Case # 2-3

Petitioner: Carole J. Hicks

Property: 496 Lincoln Avenue

Assessors: Map 133, Lot 48

Zoning District: General Residence A

Description: Construct a 34' x 22' 2-story rear addition with basement garage.

Requests: 1. A dimensional Variance from Section 10.321 to allow a lawful nonconforming building to be extended or enlarged in a manner that is not in conformity with the Zoning Ordinance.

2. A dimensional Variance from Section 10.321 & Section 10.521 to intensify a right side yard setback of 5'4" ± where 10' is the minimum setback required.
3. A dimensional Variance from Section 10.321 & Section 10.521 to increase the building coverage from 31.6% to 37.7%± where the maximum building coverage allowed is 25%.

6) Case # 2-4

Petitioners: Wayne & Marie Gagnon

Property: 171 Sagamore Avenue

Assessors: Map 221, Lot 22

Zoning District: General Residence A

Description: Replace existing 20' x 21' shed/garage with a 21' x 20' garage.

Requests: 1. A dimensional Variance from Section 10.572 to allow a 21' x 20' accessory structure, 16'± in height, with a left side yard setback of 2.25'± where 10' is the minimum setback required and a rear yard setback of 5'± where 12' is the minimum required.

7) Case # 2-5

Petitioners: Michael De La Cruz, owner, Tom Holbrook, applicant

Property: 142 Fleet Street (63 Congress Street)

Assessors: Map 117, Lot 5

Zoning District: Central Business B

Description: Install a 22" x 38" (5.8 s.f.) projecting sign.

Requests: 1. A dimensional Variance from Section 10.1253.50 to allow a sign to project 43" ± over the sidewalk where a sign is allowed to project no more than one-third of the width of the sidewalk (20" ±).

8) Case # 2-6

Petitioner: MJS Realty Trust, M. J. Shafmaster & M. J. Sevigny, Trustees

Property: 860 State Street

Assessors: Map 145, Lot 45

Zoning District: General Residence C

Description: Construct a 7' x 4' cantilevered, second floor, rear balcony.

Requests: 1. A dimensional Variance from Section 10.521 to allow a rear yard setback of 16'± where 20' is the minimum setback required.

9) Case # 2-7

Petitioners: National Block II LLC, owner, Portsmouth Buddhist Center, Inc., applicant

Property: 40 Congress Street

Assessors: Map 117, Lot 40

Zoning District: Central Business B

Description: Convert an existing vacant space to a religious use.

Requests: 1. A Special Exception under Section 10.440, Use 3.11 to allow a religious use in a district where such use is allowed by special exception.

Rick Taintor, Planning Director