

**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, March 20, 2012 at 7:00 P.M. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

- 1) Case # 3-1
Petitioners: Thomas J. Schladenhauffen & M. Longi
Property: 708 State Street
Assessor Plan 137, Lot 8
Zoning District: General Residence C
Description: Replace existing rear addition and decks with a 28'x21', 2-story addition.
Replace and relocate existing 14'4" x 22'4" garage, adding 3' in height.
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 10.521 to permit a 3' side yard setback for the addition where 10' is the minimum allowed.
3. Dimensional Variances from Section 10.521 to permit a 4' side yard setback and a 4' rear yard setback for the garage where 10' and 20' respectively are allowed.
4. A dimensional Variance from Section 10.521 to increase the building coverage from 30.6% to 40.6%.

- 2) Case # 3-2
Petitioner: Ghamami Revocable Trust of 2005, Sheila Grant, trustee
Property: 371A Islington Street
Assessor Plan 144, Lot 22-3
Zoning District: Mixed Residential Business
Description: Install a 30" x 36" projecting sign and a 60" x 30" attached sign.
Request: 1. A dimensional Variance from Section 10.1251 to permit an aggregate signage of 59± s.f. where 40 s.f. is the maximum allowed.

- 3) Case # 3-3
Petitioner: Steven M. Noel
Property: 33 Hunters Hill Avenue
Assessor Plan 160, Lot 39
Zoning District: Business
Description: Add 1½ story addition to existing 24'6" square 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. Variance from Section 10.531 to permit a 0' front yard setback where 20' is the minimum required.

- 4) Case # 3-4
Petitioners: Eastern Yacht Sales and Charters Inc., owner, Janette Desmond, applicant
Property: 20 Congress Street #104
Assessor Plan 117, Lot 37-104
Zoning District: Central Business B
Description: A retail chocolate/ice cream store adding indoor tables, stools and dining areas with no off-street parking.
Request: 1. Variance from Section 10.1115.20 and the requirements of 10.1115.30 to allow no off-street parking spaces to be provided where 1 space per 100 s.f. Gross Floor Area is required.
- 5) Case # 3-5
Petitioner: Debra R. Goodwin, owner, John Pento, applicant
Property: 255 Melbourne Street
Assessor Plan 233, Lot 87
Zoning District: Single Residence B
Description: Replace existing stairs with 4' x 4' front landing with stairs.
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 10.521 to allow a 13'± front yard setback where 17'± exists and a 30' front yard setback is required.
- 6) Case # 3-6
Petitioners: Michael's Realty Trust & ESUM Realty Trust, owners, 4 Amigos LLC, applicant
Property: 1390 & 1400 Lafayette Road
Assessor Plan 252, Lot 9 & 7
Zoning District: Gateway
Description: Construct two drive-through lanes in association with construction of a 2,500± s.f. bank.
Requests: Special Exception under Section 10.440, Use 19.40 to allow a two-lane drive-through facility as an accessory use to a 2,500 s.f. bank
Variance from Section 10.836.22 to allow two drive-through lanes for a 2,500 s.f. facility where only one drive-through lane for each 5,000 s.f. of gross floor area is allowed.
- 7) Case # 3-7
Petitioners: Robert R. & Mary E. Threeton
Property: 476 Ocean Road
Assessor Plan 294, Lot 7
Zoning District: Single Residence A
Description: Install generator and LPG to the rear of existing structure.
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 10.521 to allow building coverage of 10.7.± % where 10.58.± % exists and 10% is the maximum allowed.

8) Case # 3-8

Petitioners: Peter H. Jarvis & Sons LLC & Simeon P. Rev. Trust 1999, owners, Rudi's Restaurant, LLC, applicant

Property: 1 Congress Street (5 Congress Street)

Assessor Plan 117, Lot14

Zoning District: Central Business B

Description: 600 s.f. addition to existing restaurant with no on-site parking.

Requests: 1. Variance from Section 10.1115.20 and the requirements of 10.1115.30 to allow no off-street parking spaces to be provided where 1 space per 100 s.f. Gross Floor Area is required.

2. Special Exception under Section 10.1113.112 to allow 6 off-street parking spaces to be provided on another lot in the same ownership and within 300' of the property line of the lot in question.

9) Case # 3-9

Petitioner: Commerce Way, LLC

Property: Commerce Way & Woodbury Avenue

Assessor Plan 216, Lot 1

Zoning District: General Business

Description: Modify existing free-standing sign and add a second free-standing sign.

Requests: 1. Variance from Section 10.1243 to permit two free-standing signs on a lot where only one free-standing sign is allowed.

2. A dimensional Variance from Section 10.1251.20 to permit a free-standing sign with a sign area of 124.4± s.f. where 100 s.f. in sign area is the maximum allowed.

Rick Taintor, Planning Director