

**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, October 16, 2012 at 7:00 P.M. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

- 1) Case # 10-1
Petitioner: Justin D. Setchell
Property: Fairview Avenue at Maplewood Avenue
Assessor Plan 220, Lot 66
Zoning District: Single Residence B
Description: Construct a 38'± x 26'±, 1½ story single-family home.
Requests: 1. A dimensional Variance from Section 10.521 to allow a lot area and lot area per dwelling unit of 6,014± s.f.
2. A dimensional Variance from Section 10.521 to allow a lot depth of 60'± where 100' is the minimum required.
3. A dimensional Variance from Section 10.521 to allow a front yard setback of 22'± where 30' is the minimum required.
4. A dimensional Variance from Section 10.521 to allow a rear yard setback of 10'± where 30' is the minimum required.
5. A dimensional Variance from Section 10.521 to allow building coverage of 24.3%± where 20% is the maximum allowed.

- 2) Case # 10-2
Petitioner: Green Brook LLC, owner, Matthew Beebe, applicant
Property: 636 Lincoln Avenue
Assessor Plan 148, Lot 17
Zoning District: General Residence A
Description: Construct an 88 s.f. rear addition.
Requests: 1. A Variance from Section 10.321 and Section 10.324 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 Variance from Section 10.521 to allow a building coverage of 38.4%± where 36.8%± exists and 25% is the maximum allowed.

- 3) Case # 10-3
Petitioner: Nikki N. Nachampassak
Property: 280 McKinley Road
Assessor Plan 250, Lot 50
Zoning District: Single Residence B
Description: Add 16'± x 10'± porch extension to existing 10' x 10' rear porch.
Requests: 1. A Variance from Section 10.321 and Section 10.324 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 building coverage of 25.1% where 23.3% exists and 20% is the maximum allowed.

- 4) Case # 10-4
Petitioner: John & Joan Schorsch
Property: 53 Pray Street
Assessor Plan 102, Lot 40
Zoning District: Waterfront Business
Description: Construct a 12'6" x 20' right side porch.
Requests: 1. A Variance from Section 10.321 and Section 10.324 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 Variance from Section 10.331 to allow a lawful nonconforming use to be extended or enlarged in a manner that is not in conformity with the Zoning Ordinance.
3. A Variance from Section 10.334 to allow a nonconforming use of land to expand into part of the remainder of the lot of land.
4. A dimensional Variance from Section 10.531 to allow a building coverage of 39.2% where 33.1% exists and 30% is the maximum allowed.
- 5) Case # 10-5
Petitioner: Two Girls Realty LLC
Property: 261 South Street
Assessor Plan 111, Lot 34-2
Zoning District: General Residence B
Description: Amend Special Exception.
Requests: 1. Amend the Special Exception granted November 27, 2007 to permit the sale under Section 10.335, of food and beverages cooked or prepared to order.
- 6) Case # 10-6
Petitioner: Cumberland Farms Inc.
Property: 1475 Lafayette Road
Assessor Plan 251, Lot 124
Zoning District: Gateway
Description: Rebuild existing gas station with convenience store, gasoline dispensers, canopy and free-standing signs.
Requests: 1. A Variance from Section 10.592.10, Use #11.20 to allow a motor vehicle Service station to be located 0'± from a Residential or Mixed Residential District where 200' is the minimum distance required.
2. A Variance from Section 10.843.33 to allow pump islands to be set back 37'± from all lot lines where a minimum of 40' is required.
3. A Variance from Section 10.1113.20 to allow required off-street parking spaces to be located between a principal building and a street.
4. A Variance from Section 10.1243 to permit two freestanding signs on a lot where only one freestanding sign per lot is permitted.
- 7) Case # 10-7
Petitioner: Two-Four Mirona Road LLC, owner, Daniel Komisarek, applicant
Property: 2-4 Mirona Road
Assessor Plan 253, Lot 6
Zoning District: Industrial
Description: Storage of impound vehicles.

Requests: 1. A Special Exception under Section 10.440, Use #11.40 to allow an impound lot in a district where the use is allowed by Special Exception.

8) Case # 10-8

Petitioner: Bethel Assembly of God

Property: 200 Chase Drive

Assessor Plan 210, Lot 2

Zoning District: Single Residence B

Description: Lot line relocation resulting in transfer of 2,725± s.f. of land to abutter.

Requests: 1. A Variance from Section 10.521 to allow a 2.3% reduction in open space on a pre-existing nonconforming lot where 31.6% exists prior to the lot line relocation and 40% is the minimum required.

Rick Taintor, Planning Director