

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

- D) Case #10-6 (Amends Notice published October 8, 2012-Changes in italics)
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. (*Amended*) A Variance from Section 10.592.10, Use #11.20 to allow *a lot containing* 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.
5. (*Added*) A *Special Exception under Section 10.440, Use #11.20 to allow a motor vehicle service station in a district where the use is only allowed by Special Exception.*
- 1) Case # 11-1
Petitioners: Hotchkiss/Doucette Revocable Trust 2005, Nancy E. Hotchkiss and Joseph Doucette
Property: 325 Miller Avenue
Assessor Plan 131, Lot 30
Zoning District: General Residence A
Description: Install 8 s.f. generator.
Request: 1. A dimensional Variance from Section 10.521 to allow building coverage of 30.8% where 30.7% exists and 25% is the maximum allowed.
- 2) Case # 11-2
Petitioner: William E. Gindele Revocable Trust, William E. Gindele, Trustee
Property: 229 Clinton Street
Assessor Plan 159, Lot 25
Zoning District: General Residence A
Description: Rebuild existing garage with 24'8" x 31' structure and creating a second dwelling unit and second free-standing dwelling on the lot.
Requests: 1. A dimensional Variance from Section 10.521 to allow a lot area per dwelling unit of 4,536± s.f. per dwelling unit where 7,500 per dwelling unit is required.
2. A dimensional Variance from Section 10.521 to allow a rear yard setback 5'± where 20' is the minimum required. (cont'd over)

3. A dimensional Variance from Section 10.521 to allow building coverage of 29.6%± where 28%± exists and 25% is the maximum allowed.
 4. A Variance from Section 10.513 to allow two free-standing dwellings on a lot where only one free-standing dwelling is allowed.
- 3) Case # 11-3
Petitioner: Michael Sanders
Property: 10 Marjorie Street
Assessor Plan 232, Lot 20
Zoning District: Single Residence B
Description: Construct rear retaining wall and front entrance stairs.
Requests: 1. A dimensional Variance from Section 10.521 to allow a front yard setback of 0'± where 16' exists and 30' is the minimum required.
2. A dimensional Variance from Section 10.521 to allow a rear yard setback of 25'± where 30' is the minimum required.
- 4) Case # 11-4
Petitioners: Campbell Family Revocable Trust, J. L. Campbell III & H.D. Campbell-Fiore, Trustees
Property: 50 Willard Avenue
Assessor Plan 150, Lot 2
Zoning District: General Residence A
Description: Replace existing garage with 2-story 332 s.f.± garage/addition with connector and rear shed gable.
Requests: 1. A dimensional Variance from Section 10.521 to allow a right side yard setback of 5.3' where 10' is the minimum required.
2. A Variance from Section 10.321 to allow a lawful nonconforming building to be extended, reconstructed, or enlarged in a manner that is not in conformity with the Ordinance.
- 5) Case # 11-5
Petitioner: Maplewood and Vaughan Holding Company, LLC
Property: 111 Maplewood Avenue
Assessor Plan 124, Lot 8
Zoning District: Central Business A
Description: Parking in connection with a new commercial/residential center.
Requests: 1. A Variance from Section 10.1113.20 to allow required off-street parking spaces to be located between a principal building and a street.

Rick Taintor, Planning Director