

**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, January 15, 2013 at 7:00 P.M. in the **School Board Conference Room, Ground Floor**, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

**1) Case #1-1**

Petitioner: Northern N. E. Conference

Property: 861 Middle Road

Assessor Plan 232, Lot 120

Zoning District: Single Residence B

Description: Expansion of religious assembly use.

Requests: 1. A Special Exception under Section 10.440, Use #3.11 to allow the existing religious assembly use to be conducted in an additional building.  
2. A Variance under Section 10.1112.30 to allow 58 off-street parking spaces where 63 parking spaces are required.

**2) Case # 1-2**

Petitioners: Peter E. & Vanessa P. McElroy

Property: 106 Spring Street

Assessor Plan 133, Lot 15

Zoning District: General Residence A

Description: Install a 4'± x 2'± generator in the left side yard.

Requests: 1. A dimensional Variance from Section 10.571 and Section 10.521 to allow a left side yard setback of 5.5'± where 10' is the minimum setback required for an accessory structure.

**3) Case # 1-3**

Petitioners: John Ahlgren & Bessie J. Palmisciano

Property: Langdon Street (no number assigned)

Assessor Plan 138, Lot 48

Zoning District: Mixed Residential Business

Description: Construct a single family home on each of three lots created by the proposed sub-division of one existing lot.

Requests: 1. Lot 1 (corner of Langdon and McDonough Streets)  
Dimensional Variances from Section 10.521 to allow the following:  
a. A lot area of 5,022± s.f. where 7,500 s.f. is the minimum required.  
b. A lot depth of 78.47'± where 80' is the minimum required.  
c. Continuous street frontage of 63.35'± where 100' is the minimum required.  
d. A 5'± right side yard setback where 10' is the minimum required.  
2. Lot 2  
Dimensional Variances from Section 10.521 to allow the following:  
a. A lot area of 5,301± s.f. where 7,500 s.f. is the minimum required.  
b. A lot depth of 77.39'± where 80' is the minimum required.  
c. Continuous street frontage of 68.50'± where 100' is the minimum required.

3. Lot 3

Dimensional Variances from Section 10.521 to allow the following:

- a. A lot area of 4,965± s.f. where 7,500 s.f. is the minimum required.
- b. A lot depth of 76.84'± where 80' is the minimum required.
- c. Continuous street frontage of 43.24'± where 100' is the minimum required.
- d. A 5'± left side yard setback where 10' is the minimum required.

4) **Case # 1-4**

Petitioner: 973 Partners LLC, owner, Portsmouth Music and Arts Center, applicant

Property: 973 Islington Street

Assessor Plan 172, Lot 5

Zoning District: Business

Description: Establish a music and art studio.

- Requests: 1. A Variance from Section 10.1112.30 to allow 18 off-street parking spaces to be provided where 60 parking spaces are required.
2. A Special Exception under Section 10.440, Use #4.42 to allow a music & art studio for instruction in a district where the use is only allowed by Special Exception.

5) **Case # 1-5**

Petitioners: Cheri & William Kane

Property: 35 Summit Avenue

Assessor Plan 230, Lot 15

Zoning District: Single Residence B

Description: Reconfigure front steps.

- Requests: 1. A dimensional Variance from Section 10.521 to allow a front yard setback of 14'± where 22'± is required after front yard averaging under Section 10.516.10.

6) **Case # 1-6**

Petitioners: Gary S. & Janice M. Colby

Property: 308 Pleasant Street

Assessor Plan 109, Lot 18

Zoning District: General Residence B

Description: Expand existing rear deck.

- Requests: 1. A dimensional Variance from Section 10.521 to allow a building coverage of 35%± where 33.5%± exists and 30% is the maximum allowed.

Rick Taintor, Planning Director