

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following Old Business and New Business applications on Tuesday, July 16, 2013 at 7:00 P.M. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

Old Business

A) Case # 6-1

Petitioners: David P. and Nancy T. MacDonald

Property: 28 Ball Street

Assessor Plan 207, Lot 54

Zoning District: Single Residence B

Description: Construct attached 24' x 24' garage.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a rear yard setback of 18'± where 30' is the minimum required.

(This petition was revised from that receiving initial consideration at the June 18, 2013 meeting.)

New Business

1) Case # 7-1

Petitioners: Matthew & Katherine Hatem

Property: 1 Ash Street

Assessor Plan 149, Lot 34

Zoning District: General Residence A

Description: Install 39"±L x 27"±W x 18"±H condenser unit at rear of existing home.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 to allow a rear yard setback of 7'± where 20' is required.
2. A Variance from Section 10.521 to allow building coverage of 28.3%± where 28.2% exists and 25% is the maximum allowed.

2) Case # 7-2

Petitioners: 4 Amigos, LLC

Property: 1390 & 1400 Lafayette Road

Assessor Plan 252, Lots 9 & 7

Zoning District: Gateway

Description: Install free-standing signs

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.1243 to allow multiple free-standing signs on a lot where only one free-standing sign per lot is allowed.
2. A Variance from Section 10.1251.20 to allow a free-standing sign to exceed 100 s.f. in area.

3) Case # 7-3

Petitioners: Julie L. Cyr

Property: 91 Spring Street

Assessor Plan 133, Lot 10

Zoning District: General Residence A

Description: Replace a nonconforming deck and stairs.

Requests: 1. An Equitable Waiver as allowed in RSA 674:33-a for a deck resulting in 27%± building coverage where 25% is the maximum allowed.

If the Equitable Waiver is not granted, the Variances necessary to grant the required relief from the Zoning Ordinance, including the following;

2. A Variance from Section 10.521 to allow 27%± building coverage where 25% is the maximum allowed.

4) Case # 7-4

Petitioners: St. Gelais Revocable Trust, Gerard J. & Barbara J. St. Gelais, Trustees

Property: 13 Van Buren Avenue

Assessor Plan 250, Lot 51

Zoning District: Single Residence B

Description: Construct an 8'±L x 8'±W x 8'±H shed in the right rear corner of the lot

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.521 and 10.572 to allow a right side yard setback of 5'± where 10' is required for an accessory structure.

5) Case # 7-5

Petitioner: Douglas F. Fabbriatore

Property: 536 Marcy Street

Assessor Plan 101, Lot 56

Zoning District: General Residence B

Description: Construct an 11' x 16' rear addition over existing kitchen, lift the main roof over existing front section of home and add shed dormers.

Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Variance from Section 10.324 to allow a nonconforming building or structure to be added to or enlarged with the addition or enlargement not in conformance with the Zoning Ordinance.
2. A Variance from Section 10.521 to allow a front yard setback of 2' 10"± where 5' is the minimum required.
3. A Variance from Section 10.521 to allow a left side yard setback of 0'± for an addition where 10' is the minimum required.
4. A Variance from Section 10.521 to allow building coverage of 32%± where 27.4%± exists and 30% is the maximum allowed.

Rick Taintor, Planning Director