

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on Old Business and the following applications 1) through 5) on Tuesday, October 15, 2013 at 7:00 P.M. and applications 6) through 12) on Tuesday, October 22, 2013 both in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

- 1) Case # 10-1
Petitioners: Michael & Denise Todd
Property: 262 - 264 South Street
Assessor Plan 111, Lot 5
Zoning district: Single Residence B
Description: Replace rear two-story stairs/landing with 4'± x 19'± two-story deck. Add 2'± x 8.5'± front dormer.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed, enlarged or structurally altered in a manner that is not in conformity with the Ordinance.
 2. A Variance from Section 10.521 to allow a right side yard setback for a rear, 2-story deck and stairs of 3.5'± where 10' is the minimum required.
 3. A Variance from Section 10.521 to allow building coverage of 26.3%± where 26.3% exists and 20% is the maximum allowed.

- 2) Case #10-2
Petitioner: DSQ Holding LLC
Property: 1600 Woodbury Avenue
Assessor Plan: 238, Lot 16
Zoning District: General Business
Description: Remove existing 38± s.f. free-standing sign and install a 66± s.f. free-standing sign closer to the roadway.
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 a 3rd free-standing sign on a lot where only one free-standing sign per lot is permitted.

- 3) Case # 10-3
Petitioner: 2422 Lafayette Road Assoc. LLC, owner, Cinemagic Cinemas, applicant
Property: 2454 Lafayette Road
Assessor Plan 273, Lot 3
Zoning district: Gateway
Description: Install 225 s.f. sign on cinema parapet.
Request: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.1251.20 to allow a 225± s.f. parapet sign where 100 s.f. is the maximum sign area allowed for a parapet sign. (over)

- 4) Case # 10-4
Petitioners: Kevin T. & Christina M. McKittrick
Property: 116 Dennett Street
Assessor Plan 140, Lot 17
Zoning district: General Residence A
Description: Construct a 10'± x 16'± x 10'11"± high shed in the right rear of the lot.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Sections 10.572 and 10.521 to allow a right side yard setback of 4'± where 10' is allowed.

- 5) Case # 10-5
Petitioner: Johanna Lyons
Property: 18 Cutts Street
Assessor Plan 209, Lot 14
Zoning district: General Residence A
Description: Replace 5' x 14' right rear porch with an 8'± x 20'± open deck.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed, enlarged or structurally altered in a manner that is not in conformity with the Ordinance.
 2. A Variance from Section 10.521 to allow building coverage of 31.7%± where 25% is the maximum allowed.

- 6) Case # 10-6
Petitioners: Janice E. Clark, owner, Richard Clark, applicant
Property: 47 Lois Street
Assessor Plan 232, Lot 16
Zoning district: Single Residence B
Description: The keeping of chickens.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Special Exception under Section 10.440, Use # 17.20 to allow the keeping of farm animals (chickens) in a district where this use is allowed by Special Exception.

- 7) Case # 10-7
Petitioner: Grondahl Family LLC, owner, VMD Companies LLC, applicant
Property: 140 West Road
Assessor Plan 252, Lot 2, 1301-1305
Zoning district: Industrial
Description: Conversion of an existing industrial building to a health club use.
Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Special Exception under Section 10.440, Use # 4.42 to allow a health club in a district where this use is allowed by Special Exception. (next page)

8) Case # 10-8

Petitioners: Brinton & Tatjana Shone

Property: 46 Sherburne Avenue

Assessor Plan 113, Lot 10

Zoning district: General Residence A

Description: Install a 10'± x 7'± right side shed dormer.

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 lawful nonconforming building or structure to be added to or enlarged unless the addition or enlargement conforms to the requirements of the district.
2. A Variance from Section 10.521 to allow a right side yard setback for the dormer of 4.5'± where 10' is the minimum required.

9) Case # 10-9

Petitioners: Adam D. Marcionek & Cara A. Murphy

Property: 50 Swett Avenue

Assessor Plan 232, Lot 59

Zoning district: Single Residence B

Description: Convert existing 13½' ± x 19'± rear deck into a three-season enclosed porch.

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 lawful nonconforming building or structure to be added to or enlarged without the addition or enlargement conforming to the requirements of the district.
2. A Variance from Section 10.521 to allow a left side yard setback for a rear addition of 5'± where 10' is required.

10) Case # 10-10

Petitioner: Elizabeth Blaisdell

Property: 77 New Castle Avenue

Assessor Plan 101, Lot 50

Zoning district: General Residence B

Description: Replace rear barn in smaller footprint.

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

1. A Variance from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed, enlarged or structurally altered in a manner that is not in conformity with the Ordinances.
2. A Variance from Sections 10.572 and 10.521 to allow a left side yard setback of 3.0'± for the barn where 10' is the minimum required for an accessory structure.
3. A Variance from Sections 10.573.20 and 10.521 to allow a rear yard setback of 3'± for the barn where 10.5' is the minimum required for an accessory structure.

(over)

11) Case # 10-11

Petitioners: One Gosling Road LLC, owner, New Frontiers Church, applicant

Property: 1 Gosling Road

Assessor Plan 239, Lot 13

Zoning district: General Business

Description: Allow a religious use in a General Business District.

Requests: The Variances and/or Special Exceptions necessary to grant the required relief from the Zoning Ordinance, including the following:

1. A Special Exception under Section 10.440, Use # 3.11 to allow a religious use in a district where this use is allowed by Special Exception.

12) Case # 10-12

Petitioners: Jessica L. Fiske & Evan W. Patten

Property: 250 Clinton Street

Assessor Plan 159, Lot 9

Zoning district: General Residence A

Description: Install a/c condenser in front of left side deck.

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

1. A Variance from Sections 10.572 and 10.521 to a right side yard setback for an a/c condenser of 6' where 10' is required for an accessory structure.
2. A Variance from Section 10.521 to allow building coverage of 27.1%± where 25% is the maximum allowed.

Rick Taintor, Planning Director