

**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 Items 1) through 6) on *Wednesday, January 22, 2014 at 7:00 p.m. in the School Board Conference Room and Item 7) at 7:00 p.m. on Tuesday, January 28, 2014 in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire: * Change in date, day of week and meeting location from customary schedule.

Note: The petition regarding 786 Route One By-Pass, which was tabled at the December 17, 2013 meeting to the next regular meeting of the Board of Adjustment, will be heard as the first order of Old Business on January 22, 2014.

1) Case # 1-1

Petitioners: Zoe Copenhaver Daboul & Michael Edward Daboul

Property: 53 Humphreys Court

Assessor Plan 101, Lot 39

Zoning District: General Residence B

Description: Construct a rear addition and new front porch. Replace existing garage with an attached garage.

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 building to be extended or reconstructed without conforming to the requirements of the Ordinance.
2. Variances from Section 10.521 to allow the following:
 - a) Building coverage of 42.8% where 30% is the maximum allowed.
 - b) A front yard setback of 4'9" ± where 5' is the minimum required.
 - c) A rear yard setback of 2'9" ± where 25' is the minimum required.
 - d) A right side yard setback of 3'1.5" and a left side yard setback of 4'3" ± where 10' is the minimum required for both.

2) Case # 1-2

Petitioner: Wylie E. Brewster, Jr., owner, Jason & Trisha Brewster, applicants

Property: 121 Mechanic Street

Assessor Plan 103, Lot 31

Zoning District: Waterfront Business

Description: Construct an addition over the rear porch on an existing residential structure.

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 building to be extended or enlarged without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.531 to allow a right side yard setback of 7'10" ± where 30' is the minimum required.

- 3) Case # 1-3
Petitioners: M.A. Boccia & V.H.T. Luong Joint Liv. Tr., M.A. Boccia & V.H.T. Luong, Trustees, owner, Chris Meyer, applicant
Property: 30 Brewster Street (26-30)
Assessor Plan 138, Lot 35
Zoning District: General Residence C
Description: Add third floor dormers to two existing structures, adding one dwelling unit for a total of three dwelling units on one lot.
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 in a manner that does not conform to the requirements of the district.
 2. Variances from Section 10.521 to allow the following:
 - a) A lot area per dwelling unit of 1,220 ±s.f. where 1,831± s.f. exists and 3,500 s.f. is the minimum required.
 - b) A front yard setback of 0'± where 0' exists and 5' is the minimum required.
 - c) A left side yard setback of 0'± where 0' exists and a right side yard setback of 5'± where 5' exists and 10' is the minimum required for both.
 - d) A rear yard setback of 0'± where 0' exists and 20' is required
 - e) 41.3%± building coverage where 41.5%± exists and 35% is the maximum allowed.
 3. A Variance from Section 10.1112.30 to allow 4 parking spaces to be provided where 6 parking spaces are required.
- 4) Case # 1-4
Petitioner: 1000 Islington Street LLC c/o Carolyn Chase DMD
Property: 1000 Islington Street
Assessor Plan 171, Lot 10
Zoning District: Single Residence B
Description: Install a 7' x 3' attached wall sign
Requests: 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 21 s.f.±. attached wall sign where 4 s.f. is the maximum sign area allowed for an individual wall sign.
- 5) Case # 1-5
Petitioner: Mary R. Hurlburt
Property: 220 Union Street
Assessor Plan 135, Lot 24
Zoning District: General Residence C
Description: Remove existing residence and construct a new two-story 878 s.f. ± single family residence.
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 building to be reconstructed without conforming to the requirements of the Ordinance.
 2. Variances from Section 10.521 to allow the following:

- a) A left side yard setback of 6.5'± where 10' is the minimum required.
- b) A rear yard setback of 12.8'± where 20' is the minimum required.
- c) Continuous street frontage of 25.5'± where 70' is the minimum required.

6) Case # 1-6

Petitioners: Hill-Hanover Group LLC, owner, Deer Street Associates LP, applicant

Property: 181 Hill Street and 317-339 Hanover Street

Assessor Plan 125, Lot 14 and Assessor Plan 138, Lot 62

Zoning District: Mixed Residential Office & Mixed Residential Business

Description: Parking and dimensional relief as a result of a proposed lot line adjustment.

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

- 1. A Special Exception under Section 10.1113.112 to allow required off-street parking spaces to be located on a lot separate from the principal use which is under the same ownership and within 300' of the property in question.

If the Special Exception is not granted:

- 2. A Variance from Section 10.1113.11 to allow ten of the required off-street parking spaces to be located on a lot separate from the principal use.

In addition, the following Variance requests:

- 3. From Section 10.1111.20 to allow alterations to a nonconforming use without complying with off-street parking requirements.
- 4. From Section 10.1114.20 to allow off-street parking that does not comply with the minimum dimensions for stall layout and provision of bumper stops within 4 feet of a building or public street.
- 5. From Section 10.1114.32 to allow off-street parking areas that require vehicles to enter or leave by crossing over another parking space or by backing into or from a public street or way.
- 6. From Section 10.311 to allow modification to an existing nonconforming lot.
- 7. From Section 10.521 to allow a lot area per dwelling unit of 1,344± s.f. where 5,000± s.f. per dwelling unit is required.
- 8. From Section 10.521 to allow building coverage of 51%± where 30% is the maximum allowed.
- 9. From Section 10.521 to allow open space of 9%± where 25% open space is the minimum required.

7) Case # 1-7

Petitioners: Robin Bellantone, Karen Bouffard, George Dodge, Erica Dodge, Martha Fuller Clark, Clare Kittredge, Susan Lager, Paul Manle, Dr. Barry F. McArdle, Natalie Roman-Nelson, Neill DePaoli, Doug Roberts, Jerry Hejtmanek, Debra Dumont, and Slattery & Dumont, LLC

Property: 111 Maplewood Avenue

Assessor Plan 124, Lot 8

Zoning District: Central Business A, Historic and Downtown Overlay

Description: Appeal Decisions of the Historic District Commission.

Requests: Appeal the decision of the Historic District Commission to grant a Certificate of Approval for this property.

Rick Taintor, Planning Director