

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following Items 1) through 6) on Tuesday May 20, 2014 at 7:00 p.m. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

1) Case # 5-1

Petitioners: 335 Maplewood Ave LLC, owner, James Petersen, applicant

Property: 335 Maplewood Avenue

Assessor Plan 141, Lot 26

Zoning District: Mixed Residential Office

Description: Lot line adjustment reducing side setback for existing building.

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 left side yard setback of 3.08'± where 4.35'± exists and 10' is the minimum required.

2) Case # 5-2

Petitioners: Terrence H. and Andrea B. Allen

Property: 32 Baycliff Road

Assessor Plan 207, Lot 43

Zoning District: Single Residence B

Description: Replace front entry with 5'± x 8'± covered landing.

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, enlarged or structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a front yard setback of 16'± where 17' is required under the provisions of Section 10.516.10
3. A Variance under Section 10.521 to allow building coverage of 26.4%± where 25.8%± exists and 20% is the maximum allowed.

3) Case # 5-3

Petitioners: Richard C. Comtois & Katherine E. Bartko

Property: 324 Hanover Street

Assessor Plan 126, Lot 42

Zoning District: Mixed Residential Office

Description: Replace rear entry with 6'± x 8'± entry.

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, enlarged, reconstructed or structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a left side yard setback of 6'6" ± where 6'6" ± exists and 10' is the minimum required.

4) Case # 5-4

Petitioners: Charles P. Allard II, owner, Elizabeth Levey-Pruyn & Bruce Erickson, applicants

Property: 35 Salter Street

Assessor Plan 102, Lot 29

Zoning District: Waterfront Business

Description: Convert two-family home to a single family home.

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

1. A Special Exception under Section 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.
2. A Variance from Section 10.321 to allow a lawful nonconforming building to be extended, enlarged, reconstructed or structurally altered without conforming to the requirements of the Ordinance.
3. Variances from Section 10.531 to allow a left side yard setback of 18'10" ± where 22'± exists and a right side yard setback of 1'6" ± where 10" exists and 30' is the minimum required for both.
4. A Variance from Section 10.531 to allow a front yard setback of 8'2" ± where 8'2" ± exists and 30' is the minimum required.

5) Case # 5-5

Petitioner: Northern New England Conference of Seventh Day Adventists, Inc.

Property: 861 Middle Road

Assessor Plan 232, Lot 120

Zoning District: Single Residence B

Description: Construct 18' x 33' front addition and a small ADA access lift on the side.

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

1. A Special Exception under Sections 10.440, Use #3.11 and 10.334 to allow a nonconforming use to be extended into any part of the remainder of a lot of land

6) Case # 5-6

Petitioners: N E Marine and Industrial Inc., owner, Subaru of New England, Inc., applicant

Property: 200 Spaulding Turnpike

Assessor Plan 237, Lot 56

Zoning District: General Business and Single Residence B

Description: Construction and operation of an automobile dealership.

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

1. A Variance from Section 10.591 to allow a structure in a nonresidential district to be located within 100 feet of a property zoned residentially.
2. A Variance from Section 10.592.20 to permit an automotive use within 200 feet of a residential district.
3. A Variance from Section 10.1113.31 to permit off-street parking areas, accessways, maneuvering areas and traffic aisles serving uses in a Business District to be set back less than 100 feet from a residential district.
4. A Variance from Section 10.1124.20 to permit off-street loading or maneuvering areas to be located less than 100 feet from a residential district.

Rick Taintor, Planning Director