

**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 Items 1) through 7) on Tuesday July 15, 2014, at 7:00 p.m. in the Eileen Dondero Foley_Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

NOTE: A second meeting of the Board of Adjustment will be held on July 22, 2014 for which a separate Legal Notice will be published.

Old Business – Informational Item

The petition regarding a proposed wireless communications facility at 70 Martine Cottage Road, which was postponed at the June 17, 2014 meeting, has been “withdrawn without prejudice” by the applicants and will not go forward as anticipated at the July 15, 2014 meeting.

New Business

- 1) Case # 7-1
Petitioner: Kyle Crossen-Langelier
Property: 304 Leslie Drive
Assessor Plan 209, Lot 47
Zoning District: Single Residence B
Description: Construct an 11'± x 21' free-standing carport.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. Variances from Section 10.521 to allow a front yard setback of 18'11” where 30' is required and a left side yard setback of 7' where 10' is required.

- 2) Case # 7-2
Petitioners: Kevin Drohan and Heather Mangold
Property: 1240 Maplewood Drive
Assessor Plan 219, Lot 29
Zoning District: Single Residence B
Description: Add a second story over existing 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 structure to be extended, reconstructed or structurally altered without conforming to the requirements of the Ordinance.
 2. A Variance from Section 10.521 to allow a right side yard setback of 2'6” where 10' is required.
 3. A Variance from Section 10.521 to allow a rear yard setback of 10' where 30' is required.

- 3) Case # 7-3
Petitioner: Christine V. Crockett Revocable Trust
Property: 209 Gosport Road
Assessor Plan 224, Lot 10-12
Zoning District: Single Residence A

- Description: Construct a new single family home within 75' of a saltwater marsh.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.301(6) – 1982 Zoning Ordinance to allow a structure 75' from a saltwater marsh where a minimum of 100' is required.
- 4) Case # 7-4
Petitioners: 402 State Street LLC, owner, JR Seely Company LLC, applicant
Property: 402 State Street
Assessor Plan 116, Lot 12
Zoning District: Character District 4-L
Description: Renovation to create three residential condominium units with related off-street parking.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Article 10.5A42.10A to allow 1,609 s.f. per dwelling unit where a minimum of 3,000 s.f. is required.
 2. A Variance from Section 10.1114.20 to allow off-street parking that does not comply with the dimensional requirements.
- 5) Case # 7-5
Petitioner: Reginald E. & Debra S. Perry
Property: 180 Cutts Street
Assessor Plan 209, Lot 28A
Zoning District: General Residence A
Description: Permit a photography studio in an existing residential unit.
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 #19.22 to allow a Home Occupation II to be conducted in a residential district.
- 6) Case # 7-6
Petitioners: Ronald and Carol M. Smith
Property: 32 Taylor Lane
Assessor Plan 250, Lot 40
Zoning District: Single Residence B
Description: Construct 14' x 8' rear deck at end of access ramp.
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 12' where 15' is required for an open deck.
 2. A Variance from Section 10.521 to allow building coverage of 21.6% where 20% is the maximum allowed.
- 7) Case # 7-7
Petitioner: Daniel P. Keenan, DDS (Domer Realty LLC)
Property: 545 Lafayette Road
Assessor Plan 229, Lot 6
Zoning District: Single Residence B
Description: Add a real estate office in a building currently used for a medical office.

- 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 10.335 to allow a lawful nonconforming use to be changed to another nonconforming use.
 2. A Variance from Section 10.1241 to allow a free-standing sign in a district where free-standing signs are not allowed.
 3. A Variance from 10.1281 to allow an existing free-standing sign to be altered or reconstructed.
 4. A Variance from Section 10.1251.20 to allow a wall sign that is larger than the maximum allowed for an individual wall sign.

Rick Taintor, Planning Director