

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following petitions at a Reconvened Meeting on Tuesday July 22, 2014 at 7:00 p.m. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

**NOTE: This meeting will be reconvened from the July 15, 2014 meeting.**

- 8) Case # 7-8  
Petitioner: Debra A. Nash dba Five N Associates, owner & James Davis, applicant  
Property: 235 Heritage Avenue  
Assessor Plan 284, Lot 2  
Zoning District: Industrial  
Description: Religious assembly use.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.440, Use #3.11 to allow a religious place of assembly in a district where the use is not allowed.
  2. A Variance from Section 10.1112.30 to permit less than the required number of off-street parking spaces.
- 9) Case # 7-9  
Pauline Peyser Revocable Trust, Pauline Peyser, Trustee  
Property: 5 Pleasant Point Drive  
Assessor Plan 207, Lot 32  
Zoning District: Single Residence B  
Description: Construct a roofed front entryway and roofed left side 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 building to be enlarged or structurally altered without conforming to the requirements of the Ordinance.
  2. Variances from Section 10.521 to allow the following:
    - a) A 22'± front yard setback where 30' is the minimum required;
    - b) A 20'± rear yard setback where 30' is the minimum required; and
    - c) 22.5%± building coverage where 20% is the maximum allowed.
- 10) Case # 7-10  
Petitioner: Jeffrey T. Bell  
Property: 183 Austin Street  
Assessor Plan 145, Lot 91  
Zoning District: General Residence C  
Description: Demolish two-story rear wing. Construct 6'± x 14'± rear addition, roof over front landing, and front and left side dormers.  
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 enlarged or structurally altered without conforming to the requirements of the Ordinance.
  2. Variances from Section 10.521 to allow the following:
    - a) A 3'± front yard setback where 5' is the minimum required;
    - b) A 0'± left side yard setback where 10' is the minimum required; and
  3. A Variance from Section 10.1114.21 to allow off-street parking spaces that do not comply with the dimensional requirements.
  4. A Variance from Section 10.1114.32 to allow vehicles entering or leaving parking spaces to pass over another parking space and to enter and leave the parking area by backing into a public street or way.
- 11) Case # 7-11  
Petitioner: Herring Pond LLC  
Property: 856 Route One By-Pass  
Assessor Plan 160, Lot 30  
Zoning District: Business  
Description: Install a 10'± x 10'± x 65'± high freestanding sign.  
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 more than one freestanding sign per lot.
  2. Variances from Section 10.1253.10 to allow a freestanding sign 65'± in height where 20' is the maximum allowed and to allow a freestanding sign that is located closer than 20' from the front property line.
- 12) Case # 7-12  
Petitioner: David B. and Deborah A. Adams  
Property: 210 Gates Street  
Assessor Plan 103, Lot 26  
Zoning District: General Residence B  
Description: Install a 24" x 24" x 28.5" a/c compressor at the rear of the lot.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.573.10 to allow a 6"± rear yard setback where 5' is the minimum required for an accessory structure.
  2. A Variance from Section 10.521 to allow 43.2% building coverage where 30% is the maximum allowed.
- 13) Case # 7-13  
Petitioner: HCA Health Services of NH Inc., owner, Portsmouth Regional Hospital, applicant  
Property: 333 Borthwick Avenue  
Assessor Plan 240, Lot 2-1  
Zoning District: Office Research  
Description: Construct a helipad in the parking lot to the left of the building.  
Request: 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 #15.20 to allow a heliport as an accessory use incidental to a permitted principal use.

14) Case # 7-14

Petitioner: Kristina Logan

Property: 220 South Street

Assessor Plan 111, Lot 1

Zoning District: Single Residence B

Description: Replace existing storage shed with 15'± x 30'± artist studio.

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, enlarged or structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a 1.5'± right side yard setback where 10' is the minimum required.
3. A Variance from Section 10.521 to allow 20.96%± building coverage where 20% is the maximum allowed.

15) Case # 7-15

Petitioner: John Hall, owner, Leonard & Wendy Cushing, applicants

Property: 126 Elwyn Avenue

Assessor Plan 112, Lot 44

Zoning District: General Residence A

Description: Construct an 11'± x 18'± two and a half story rear addition.

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 structurally altered without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a 6'± right side yard setback where 10' is the minimum required.

Rick Taintor, Planning Director