

**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 7) on Tuesday August 19, 2014 at 7:00 p.m. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

- 1) Case # 8-1
Petitioners: Weakes Revocable Trust, Danny & Rachel Weakes, Trustees
Property: 35 Davis Road
Assessor Plan 258, Lot 24
Zoning District: Single Residence B
Description: Construct 18'± x 16'± shed
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 27'4"± where 30' is required and a rear yard setback of 8.2'± where 10' is required for an accessory structure.
 2. A Variance from Section 10.571 to allow an accessory structure to be located in a required front yard.

- 2) Case # 8-2
Petitioners: Mark A. & Deborah Chag
Property: 404 Middle Street
Assessor Plan 136, Lot 21
Zoning District: Mixed Residential Office
Description: Convert existing barn to single-family dwelling.
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 to be added to or enlarged without conforming to the requirements of the Ordinance.
 2. Variances from Section 10.521 to allow the following:
 - a) A lot area per dwelling unit of 5,436.5 s.f. ± where 7,500 s.f. is required;
 - b) A rear yard setback of 0'± where 15' is required; and
 - c) A right side yard setback of 2'± where 10' is required.

- 3) Case # 8-3
Petitioner: Rye Atlantic Properties, LLC
Property: 361 Islington Street
Assessor Plan 144, Lot 23
Zoning District: Mixed Residential Business
Description: Detailing automobiles.
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
 1. A Variance from Section 10.440 to allow the detailing of automobiles in a district where this use is not allowed.

- 4) Case # 8-4
Petitioner: Jane A. Shannon Revocable Trust, Brian Shannon, Trustee
Property: 194 Wibird Street
Assessor Plan 148, Lot 1

(over)

Zoning District: General Residence A

Description: Create a new lot for the purpose of constructing a single-family residence.

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

1. A Variance from Section 10.521 to allow continuous street frontage of $57.52' \pm$ where 100' is the minimum required.

5) Case # 8-5

Petitioner: Andrew S. Martin

Property: 230 McDonough Street

Assessor Plan 144, Lot 37

Zoning District: General Residence C

Description: Add a right-side dormer within existing 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 building to be added to or enlarged without conforming to the requirements of the Ordinance.
2. A Variance from Section 10.521 to allow a $5' \pm$ right side yard setback where 10' is required.

6) Case # 8-6

Petitioner: Thea Murphy

Property: 67 Mark Street

Assessor Plan 116, Lot 51

Zoning District: Mixed Residential Office

Description: Replace front porch and bulkhead with covered portico and storage locker.

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, reconstructed, enlarged or structurally altered without conforming to the requirements of the Ordinance.
2. Variances from Section 10.521 to allow the following:
 - a) A front yard setback of $2' \pm$ where 5' is required;
 - b) A left side yard setback of $0.44' \pm$ where 10' is required; and
 - c) Building coverage of $42.2\% \pm$ where 40% is the maximum allowed.

7) Case # 8-7

Petitioners: Paul E. Berton Living Trust, Paul Berton, Trustee, & Jane A. Ewell Living Trust

Property: 482 Broad Street

Assessor Plan 221, Lot 63

Zoning District: General Residence A

Description: Construct four free-standing dwelling units with an $18' \pm$ wide driveway.

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

1. A Variance from Section 10.513 to allow four free-standing dwellings on a lot where no more than one free-standing dwelling is allowed.
2. A Variance from Section 10.1114.20 to allow an $18' \pm$ maneuvering aisle where a 24' maneuvering aisle is required.

Rick Taintor, Planning Director

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- 4) Case # 8-4
Petitioner: Jane A. Shannon Revocable Trust, Brian Shannon, Trustee
Property: 194 Wibird Street
Assessor Plan 148, Lot 1

(over)

Zoning District: General Residence A

Description: Create a new lot for the purpose of constructing a single-family residence.

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

1. A Variance from Section 10.521 to allow continuous street frontage of $57.52' \pm$ where 100' is the minimum required.

5) Case # 8-5

Petitioner: Andrew S. Martin

Property: 230 McDonough Street

Assessor Plan 144, Lot 37

Zoning District: General Residence C

Description: Add a right-side dormer within existing footprint.

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

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6) Case # 8-6

Petitioner: Thea Murphy

Property: 67 Mark Street

Assessor Plan 116, Lot 51

Zoning District: Mixed Residential Office

Description: Replace front porch and bulkhead with covered portico and storage locker.

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

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7) Case # 8-7

Petitioners: Paul E. Berton Living Trust, Paul Berton, Trustee, & Jane A. Ewell Living Trust

Property: 482 Broad Street

Assessor Plan 221, Lot 63

Zoning District: General Residence A

Description: Construct four free-standing dwelling units with an $18' \pm$ wide driveway.

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

1. A Variance from Section 10.513 to allow four free-standing dwellings on a lot where no more than one free-standing dwelling is allowed.
2. A Variance from Section 10.1114.20 to allow an $18' \pm$ maneuvering aisle where a 24' maneuvering aisle is required.

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Petitioner: Jane A. Shannon Revocable Trust, Brian Shannon, Trustee
Property: 194 Wibird Street
Assessor Plan 148, Lot 1

(over)

Zoning District: General Residence A

Description: Create a new lot for the purpose of constructing a single-family residence.

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

1. A Variance from Section 10.521 to allow continuous street frontage of 57.52'± where 100' is the minimum required.

5) Case # 8-5

Petitioner: Andrew S. Martin

Property: 230 McDonough Street

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Zoning District: General Residence C

Description: Add a right-side dormer within existing footprint.

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

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(over)

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Description: Create a new lot for the purpose of constructing a single-family residence.

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