

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on Old Business Items 1) and 2) and New Business Items 1) through 6) on Tuesday, September 16, 2014 at 7:00 p.m. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

Old Business

- 1) Case # 8-6 (Amended)  
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'± where 5' is required;
    - b) A left side yard setback of 0.44'± where 10' is required; and
    - c) Building coverage of 42.2%± where 40% is the maximum allowed.
  3. A Variance from Section 10.1113.11 to allow required off-street parking to be located on another lot.  
*This petition was postponed from the August 19, 2014 meeting and amended by the addition of Request #3.*
  
- 2) 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.  
*This petition was granted a rehearing at the August 19, 2014 meeting.*

New Business

(over)

Legal Notice – Board of Adjustment Meeting – September 16, 2014

- 1) Case # 9-1  
Petitioner: Paul T. Marino  
Property: 287 Marcy Street  
Assessor Plan 103, Lot 46  
Zoning District: General Residence B  
Description: Rear porch stairs.  
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. A Variance from Section 10.516.40 to allow a rear yard setback of 11.8'± where 12.5' is required.
  3. A Variance from Section 10.521 to allow 48.5%± building coverage where 30% is the maximum allowed.
  
- 2) Case # 9-2  
Petitioners: Theodore M. Stiles and John H. Boyd  
Property: 425 Pleasant Street  
Assessor Plan 102, Lot 70  
Zoning District: General Residence B  
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 right side yard setback of 3'± where 10' is the minimum required.
  
- 3) Case # 9-3  
Petitioners: Brian Short LLC, owner and Michael Wallace, applicant  
Property: 2225 Lafayette Road  
Assessor Plan 272, Lot 2  
Zoning District: Gateway  
Description: Automotive muffler repair and replacement.  
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 #11.20 to allow motor vehicle repair in a district where the use is allowed by Special Exception.
  
- 4) Case # 9-4  
Petitioner: Andrew J. Lane  
Property: 245 Thaxter Road  
Assessor Plan 167, Lot 3  
Zoning District: Single Residence B  
Description: Construct new roof over front entry.

(next page)

Legal Notice – Board of Adjustment Meeting – September 16, 2014

- 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 an 18'± front yard setback where 30' is required.
- 5) Case # 9-5  
Petitioners: Blake A. and Christina M. Dubin  
Property: 336 Miller Avenue  
Assessor Plan 131, Lot 27  
Zoning District: General Residence A  
Description: Construct 30' x 20'6" attached garage, with second floor office, bathroom and exterior stairway.  
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 an 8'6"± right side yard setback where 10' is required.
- 6) Case # 9-6  
Petitioners: Lisa L. and Brett Comack  
Property: 2 Sylvester Street  
Assessor Plan 232, Lot 35  
Zoning District: Single Residence B  
Description: Appeal  
Requests: Appeal the action of the City Council in resolving that they did not have jurisdiction over the request of the property owners to restore involuntarily merged lots pursuant to RSA 674:39aa.

Rick Taintor, Planning Director