

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on any Old Business and the following New Business Petitions 6) through 9) on Tuesday December 2, 2014 at 7:00 p.m. in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

*(NOTE: This is a reconvened session of the Board of Adjustment hearing held on Tuesday, November 18, 2014 for which a separate Legal Notice was published and posted.)*

- 6) Case # 11-6  
Petitioners: Portsmouth Lumber & Hardware LLC, owner, Ricci Lumber, applicant  
Property: 105 Bartlett Street  
Assessor Plan 157, Lot 2  
Zoning District: Office Research  
Description: Install three attached wall signs totaling 117± s.f.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:  
1. A Variance from Section 10.1251.10 to allow a 51 s.f. wall sign where 48 s.f. is the maximum allowed.
- 7) Case # 11-7  
Petitioner: Merton Alan Investments LLC c/o Joan Ryan & Cassassa  
Property: Bartlett Street at Cate Street  
Assessor Plan 165, Lot 1  
Zoning District: Industrial  
Description: Construct 10,000 s.f. ±, three-story office building with associated parking.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:  
1. Variances from Section 10.531 to allow the following:  
a) A left side yard setback of 15'± where 50' is required.  
b) A right side yard setback of 17'± where 50' is required.  
2. Variances from Sections 10.5A42 and 10.730 as may be required to implement the site plan provided with this application.
- 8) Case # 11-8  
Petitioners: Dale W. & Sharyn W. Smith  
Property: 275 Islington Street (and 29 Rockingham Street)  
Assessor Plan 144, Lot 8  
Zoning District: Central Business B  
Description: Construct four multi-family residences and addition to rear building creating 14 residential units. Install four HVAC units.  
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 nonconforming structure to be extended, reconstructed or structurally altered without conforming to the requirements of the Ordinance.

2. Variances from Section 10.535.20 to allow a left side yard setback of  $.12' \pm$  and a right side yard setback of  $.73' \pm$  where  $10'$  is required for both.
3. A Variance from Section 10.515.10(c) and 10.535.20 to allow 4 HVAC units with a  $5' \pm$  rear yard setback where  $10'$  is required for units greater than  $36''$  above ground level.
4. A Variance from Section 10.1114.41 to allow a  $42'' \pm$  wide pedestrian path where  $5'$  is required.

9) Case # 11-9

Petitioner: 303 Islington Street LLC

Property: 303 Islington Street

Assessor Plan 144, Lot 11

Zoning District: General Residence C

Description: Conversion of three office units to dwelling units with renovations to front and right side dormers, balconies over front windows and  $27' \times 19'$  second floor 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 structure to be extended, reconstructed or structurally altered 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  $1,198 \text{ s.f.} \pm$  where  $3,500 \text{ s.f.}$  is required.
  - (b) A front yard setback of  $3'1'' \pm$  where  $5'$  is required;
  - (c) A left side yard setback of  $9' \pm$  and a right side yard setback of  $0' \pm$  where  $10'$  is required for both.

Rick Taintor, Planning Director