

**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 New Business Petitions on **Tuesday May 19, 2015 at 7:00 p.m.** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Jenkins Avenue, Portsmouth, New Hampshire:

Old Business

- A) Case # 4-2  
Petitioner: 233 Vaughan Street LLC  
Property: 233 Vaughan Street  
Assessor Plan 124, Lot 14  
Zoning District: Central Business A  
Description: Install a bathroom in space designated for mechanical equipment.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.531 to allow a structure height of 59'9"± for the habitable space of the building where 50' is the maximum allowed. *This petition was postponed from the April meeting and the request has been amended by a revision to the proposed height.*

New Business

- 1) Case # 5-1  
Petitioner: Strawberry Banke Inc.  
Property: 14 Hancock Street (Strawberry Banke)  
Assessor Plan 104, Lot 7  
Zoning District: Mixed Residential Office  
Description: Keep up to twelve chickens.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
1. A Variance from Section 10.440, Use #17.20 to allow the keeping of farm animals in a district where it is not allowed.
- 2) Case # 5-2  
Petitioners: John K. & Joan F. Burnap  
Property: 50 South School Street #2  
Assessor Plan 101, Lot 60-2  
Zoning District: General Residence B  
Description: Replace an 18'± x 12'± deck in 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 structure to be reconstructed or structurally altered without conforming to the requirements of the Ordinance.
  2. Variances from Section 10.521 to allow the following:
    - a) A rear yard setback of 11'± where 25' is required.
    - b) 43.5%% building coverage where 30% is the maximum allowed.
- 3) Case # 5-3  
Petitioners: Richard T. and Jennifer J. Mathes  
Property: 69 Sunset Road  
Assessor Plan 153, Lot 15  
Zoning District: Single Residence B  
Description: Replace existing shed with an 8'± x 10'± structure in same location.  
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 25.9%± building coverage where 20% is the maximum allowed.
- 4) Case # 5-4  
Petitioners: Stephen P. Brady & David Schmoyer  
Property: 51 Richards Avenue  
Assessor Plan 128, Lot 4  
Zoning District: General Residence A  
Description: Enclose existing 9'8" ± x 18'6" ± 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 structure to be extended, reconstructed, or structurally altered without conforming to the requirements of the Ordinance.
  2. Variances from Section 10.521 to allow a 6'± right side yard setback where 10' is required.
- 5) Case # 5-5  
Petitioner: Gerald R., Dolores A., & Gerald R., Jr. Irrevocable Trust, Brown, Gerald, Dolores, Gerald Jr., Trustees  
Property: 174 Leslie Drive  
Assessor Plan 209, Lot 57  
Zoning District: Single Residence B  
Description: Construct a 15'± x 22'± attached garage.  
Requests: The Variances necessary to grant the required relief from the Zoning Ordinance, including the following:
  1. Variances from Section 10.521 to allow the following:
    - a) A 5.5'± right side yard setback where 10' is required.
    - b) 21.8%± building coverage where 20% is the maximum allowed.

6) Case # 5-6

Petitioners: James A. & Elizabeth E. Hewitt

Property: 726 Middle Road

Assessor Plan 232, Lot 47

Zoning District: Single Residence B

Description: Reconstruct 20' x 30' barn in existing footprint.

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 left side yard setback of 3' where 10' is required.