

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the Old Business and the following new petitions on **Tuesday, October 17, 2017 at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

Old Business

A) Case 8-6. Petition of Arne LLC for property located at **Off Sylvester Street** wherein relief is required from the Zoning Ordinance to merge two lots and construct a single-family home including variances from Section 10.521 to allow the following: a) continuous street frontage of 80.84'± where 100' is required; b) a lot area and lot area per dwelling unit of 6,713± s.f. where 15,000 s.f. is required; c) lot depth of 82.2'± where 100' is required; and d) a front yard setback of 21.7'± where 30' is required. Said property is shown on Assessor Plan 232, Lots 43-1 & 43-2 and lies within the Single Residence B District. *This petition was granted with a stipulation on August 22, 2017 and a rehearing regarding the stipulation was granted on September 19, 2017.*

B) Case 9-5. Petition of Paul Lanzoni, owner, and Paul and Janice Lanzoni, applicants, for property located at **411 South Street** wherein relief is required from the Zoning Ordinance for an attached garage, containing an accessory dwelling unit, and hallway addition including the following variances: a) from Section 10.521 to allow the following: (1) a rear yard setback of 8.1'± where 20' is required; (2) a left side yard setback of 6'± where 10' is required; (3) a right side yard setback of 9.3'± where 10' is required; and (4) building coverage of 26.4%± where 25% is the maximum allowed; and b) from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 112, Lot 55 and lies within the General Residence A District. *This petition was continued from the September 19, 2017 meeting and has been amended with regard to the right side yard and rear yard setbacks.*

New Business

1) Case 10-1. Petition of Working Stiff Properties LLC, owner, Barbara Jenny & Matthew Beebe, members, applicants for property located at **87 Lincoln Avenue** wherein an Appeal from an Administrative Decision is made regarding the issuance of a Cease and Desist order for a non-permitted use, short term rental. Said property is shown on Assessor Plan 113, Lot 34 and lies within the General Residence A District.

2) Case 10-2. Petition of Todd A. Milne Revo Trust (50% INT), Todd A. Milne, Trustee for property located at **315 Wibird Street** wherein relief is required from the Zoning Ordinance to enclose the rear stairway and screened porch including the following variances: a) from Section 10.521 to allow a right side yard of 4'± where 10' is required; and b) from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 132, Lot 13 and lies within the General Residence A District.

3) Case 10-3. Petition of Juanita Lancaster (1/8 Int), and Eddie, Devon, Darren, and Tiffany Thomas, owners, John Anastas and Gloria Esposito-Anastas, applicants for property located at **1079 Maplewood Avenue** wherein relief is required from the Zoning Ordinance to construct a single-family home and attached garage replacing existing structures including the following variances: a) from Section 10.521 to allow the following: (1) A lot area and lot area per dwelling unit of 9,563± s.f. where 15,000 s.f. is required; (2) continuous street frontage of 72'± on Maplewood Avenue where 100' is required; and (3) a secondary front yard setback of 17.3'± where 30' is required; and b) from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 219, Lot 49 and lies within the Single Residence B District.

4) Case 10-4. Petition of Dovev Levine, owner and Dovev & Jannell Levine, applicants for Property located at **96 Woodlawn Circle** to construct a 7'± x 16'± front portico and 20'± x 24'± right side addition including the following variances: a) from Section 10.521 to allow the following (1) a primary front yard of 18'±; and (2) a 28'9" ± rear yard where 30' is required for each; and b) from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Plan 237, Lot 7 and lies within the Single Residence B District.

5) Case 10-5. Petition of Columbia Street Development LLC, owner, Revision Development, LLC, applicant for properties located at **53 Columbia Street and Columbia Street (no number assigned)** wherein relief is required from the Zoning Ordinance to construct eight dwelling units on two merged lots including the following variances and/or special exceptions: a) a special exception under Section 10.440, Use #1.52 to allow eight dwelling units on a property where they are allowed by special exception; b) variances from Section 10.521 to allow the following: (1) a lot area per dwelling unit of 1,289± s.f. where 3,500 s.f. is required; and b) 44.4%± building coverage where 35% is the maximum allowed. Said properties are shown on Assessor Plan 145, Lots 43 & 44 and lie within the General Residence C District.

6) Case 10-6. Petition of High Liner Foods Inc. for property located at **1 High Liner Ave** wherein relief is required from the Zoning Ordinance to replace and reface wall signs including the following variances: a) from Section 10.1251.20 to allow a 600 s.f. wall sign where 100 s.f. is the maximum allowed for a wall sign; b) from Section 10.1271.20 to allow a wall sign on a façade not facing a street and with no public entrance; and c) from Section 10.1251 to allow a wall sign with no aggregate sign area available. Said property is shown on Assessor Plan 259, Lot 14 and lies within the Industrial District.

Juliet T.H. Walker
Planning Director