

**REVISED 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 petitions on **Tuesday, May 21, 2019\* at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

*\*A separate meeting will be held on Tuesday, May 28, 2019 to hear additional petitions, for which a separate Legal Notice will be published.*

**1) Case 5-1.** Petition of Ida Barry House Condominium Association and James Gary Dinulos Revocable Trust of 2013, James G. & Paulette A. Dinulos, Trustees for property located at **3 Hancock Street** to install an A/C condenser wherein the following variances are required: a) from Section 10.515.14 to allow a 7'± right side yard for a ductless A/C condenser where 10' is required. Said property is shown on Assessor Plan 103, Lots 85-1 and 85-2 and lies within the Mixed Residential Office District.

**2) Case 5-2.** Petition of Hunking Holdings LLC and Peter G. Morin Trust, Peter G Morin, Trustee, owners for property located at **170 Mechanic Street** to construct a 24' x 24' garage, a 30 s.f. rear addition and a rear bulkhead wherein the following variances are required: a) from 10.573.20 to allow an accessory structure with a 5'± rear yard where 14' is required; b) from Section 10.521 to allow a rear yard of 7.9'± for an addition and 9'± for a bulkhead where 25' is required for each; c) from Section 10.571 to allow an accessory building or structure to be located closer to a street than the principal building; and d) 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 102, Lot 7 and lies within the General Residence B District.

**3) Case 5-3.** Petition of Donald J. and Lauren E. Geoffrion for property located at **1847 Lafayette Road** to construct an 11'± x 25'± deck wherein the following variance is required: a) from Section 10.521 to allow a 22'± secondary front yard where 30' is required. Said property is shown on Assessor Plan 268, Lot 1 and lies within the Single Residence B District.

**4) Case 5-4.** Petition of 319 Vaughan Street Center LLC, owner and 3S Artspace, applicant for property located at **319 Vaughan Street** to hold a summer concert series wherein the following are required: a) a special exception from Section 10.440, Use #3.521 to allow an outdoor performance facility where the use is allowed by special exception; and b) a variance from Section 10.592.10 to allow an outdoor performance facility use to be located 500' from a residential district. Said property is shown on Assessor Plan 124, Lot 9 and lies within Character District 5 and the Downtown Overlay District.

**5) Case 5-5.** Petition of 56 Middle Street LLC for property located at **56 Middle Street** to convert the existing building to a residential duplex and replace the rear addition with two-story addition/garage wherein the following variances are required:

a) from Section 10.5A41.10A to allow a building footprint of 2,646± s.f. where 2,500 s.f. is the maximum allowed; b) from Section 10.5A41, Figure 10.5A41.10A and Section 10.5A43.60 & Figure 10.5A43.60 to allow a duplex in the Downtown Overlay District where it is not permitted; and c) from Section 10.321 to allow a lawful nonconforming structure to be extended, reconstructed or enlarged without conforming to the requirements of the ordinance. Said property is shown on Assessor Plan 126, Lot 19 and lies within Character District 4-Limited (CD4-L1) and the Downtown Overlay District.

**6) Case 5-6.** Petition of Thomas A. Nies Revocable Trust of 2010 (50% Int.), Thomas A. and Denise M. Nies, Trustees, for property located at **419 Richards Avenue** to replace an existing garage wherein the following variances are required: a) from Section 10.521 to allow a 6.5'± right side yard 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 112, Lot 20 and lies within the General Residence A District.

**7) Case 5-7.** Petition of Gail H. Sanders Revocable Trust of 1998, Gail H. Sanders, Trustee for property located at **30 Walden Street** to replace an existing deck wherein the following variances are required: a) from Section 10.521 to allow a 5'± left yard 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 101, Lot 18 and lies within the Waterfront Business District.

Juliet T.H. Walker  
Planning Director