

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

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following petitions on **Tuesday, March 21, 2017 at 7:00 p.m** in the Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire:

- 1) **Case #3-1.** Petition of the Goodman Family Real Estate Trust, Nancy L. Goodman (25%), owners, Aroma Joe's Coffee LLC, applicant for property located at **1850 Woodbury Avenue** wherein relief is required from the Zoning Ordinance to construct and operate a drive-through take-out restaurant and add related signage, including variances to allow the following: 1) A drive-through as a principal use where the use is only allowed as an accessory use; 2) 21 off-street parking spaces to be provided where 22 spaces are required; 3) Off-street parking areas, accessways & traffic aisles to be set back 30'± from a residential district where 100' is the minimum required; 4) Off-street parking areas, accessways & traffic aisles to be set back 30'± from the front lot line where 40' is the minimum required; 5) A structure 75'± from a residential zone where a minimum of 100' is required; 6) Three free-standing signs on a lot where only one free-standing sign per lot is permitted; 7) Signage located so that it does not face frontage or a public entrance; and 8) 61± s.f. of non-freestanding signs where 30 s.f. is the maximum allowed. Said property is shown on Assessor Plan 239, Lot 9 and lies within the General Business District.
- 2) **Case 3-2.** Petition of The Rockingham House Condominium Association, owner, Sean Tracey Associates, applicant for property located at **401 State Street** wherein relief is required from the Zoning Ordinance to install a free-standing sign, including a variance to allow three free-standing signs on a lot where only one free-standing sign per lot is permitted. Said property is shown on Assessor Plan 116, Lot 3, and lies within Character District 4 and the Downtown Overlay District.
- 3) **Case 3-3.** Petition of the Hope for Tomorrow Foundation for property located at **315 Banfield Road** wherein relief is required from the Zoning Ordinance for off-street parking, including a variance to allow required off-street parking spaces to be located between a principal building and a street. Said property is shown on Assessor Plan 266, Lot 5 and lies within the Industrial District.
- 4) **Case 3-4.** Petition of Stewgood, LLC, Craig Steigerwalt and Anne Shiembob for property located at **268 & 276 Dennett Street** wherein relief is required from the Zoning Ordinance for a lot line adjustment, including variances to allow the following: (Lot 13): 1) Continuous street frontage of 57.6'± where 100' is required; (Lot 13-1): 2) Continuous street frontage of 42.4'± where 100' is required; 3) A right side yard of 0'± where 10' is required; and 4) 28.5%± building coverage where 25% is the maximum allowed. Said properties are shown on Assessor Plan 143, Lots 13 and 13-1 and lie within the General Residence A District.

- 5) **Case 3-5.** Petition of Swirly Girl II for property located at **244 South Street** wherein relief is required from the Zoning Ordinance to convert a three dwelling unit building to two dwelling units with a rear addition, including variances to allow the following: 1) An 8.5'± right side yard where 10' is required; 2) Building coverage of 23%± where 20% is the maximum allowed; 3) A lot area per dwelling unit of 3,802 s.f. where 15,000 s.f. is required; and 4) Two off-street parking spaces to be provided where four off-street parking spaces are required. Said property is shown on Assessor Plan 111, Lot 3 and lies within the Single Residence B District.
- 6) **Case 3-6.** Petition of Friends of the Music Hall for property located at **28 Chestnut Street** wherein relief is required from the Zoning Ordinance to replace the existing marquee with a lighted marquee and blade sign, including variances to allow a marquee and blade sign to exceed permitted size allowances, an aggregate sign area that exceeds the maximum allowed, and internal and direct illumination. Said property is shown on Assessor Plan 126, Lot 7 and lies within Character District 4 and the Downtown Overlay District.
- 7) **Case 3-7.** Petition of Eric M. Katzman for property located at **150 Sherburne Road** wherein relief is required from the Zoning Ordinance to construct right and left side shed dormers, including variances to allow a right side yard of 7.5'± where 10' is required. Said property is shown on Assessor Plan 112, Lot 34 and lies within the General Residence A District.
- 8) **Case 3-8.** Petition of 319 Vaughan St. Center LLC, owner, and 3S Contemporary Artspace, applicant for property located at **319 Vaughan Street** wherein relief is required from the Zoning Ordinance for a summer outdoor concert series, including the following: 1) A special exception to allow an outdoor performance facility where the use is allowed by special exception; and 2) a variance to allow an outdoor performance facility less than 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.