

AMENDED LEGAL NOTICE
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following applications on Tuesday, January 20, 2009 at 7:00 P.M. in Conference Room A, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

1) Petition of Merton Alan Investments, LLC, owner, for property located at 30 Cate Street wherein the following are requested to construct a 5 story building with a 13,375 sf footprint (66,875 sf total) for a 60 unit residential apartment building containing affordable work force housing units and artist live/work space (16 artist live/work units, 34 two bedroom units, 10 one bedroom units) with accessory on-site laundry and workout rooms: 1) a Variance from Article II, Section 10-209 to allow a residential apartment use in an Industrial district where a residential use is not allowed, 2) a Variance from Article III, Section 10-305(A) to allow the proposed development site with a 130' depth where 200' is the minimum required, 3) a Variance from Article III, Section 10-305(A) to allow an 18' front setback where 70' is the minimum required, 4) a Variance from Article III, Section 10-305(A) to allow a 14' rear setback where 50' is the minimum required, 5) a Variance from Article III, Section 10-301(B)(3) to allow an 80' setback from residential uses where 100' is the minimum required; and, 6) a Variance from Article XII, Section 10-1201(A)(f)(2) to allow parking 10' from the front property line where a 50' setback back in the minimum required. Said property is shown on Assessor Plan 165 as Lot 1 and lies within the Industrial district. Case # 1-1

2) Petition of CCV Group, LLC, owner, Craig and Mollie Sieve, applicants, for property located at 4 Sagamore Grove Road wherein the following are requested to allow the rebuilding of a single family dwelling in a Waterfront Business District: 1) a Variance from Article II, Section 10-208 and to allow a residential use by rebuilding of nonconforming use on the existing foundation (600 sf) with an addition (568 sf), two stairway areas and a chimney in a district where residential uses are not allowed, 2) a Variance from Article III, Section 10-304(A) to allow a 20' x 30' (600 sf) 1 ½ story single family dwelling on the existing foundation with a 12'± left side setback and the 568 sf irregular shaped addition with a 16'± left side setback where 30' is the minimum side setback required; and, 3) a Variance from Article III, Section 10-301(A)(7)(a) to allow the following: a) the proposed 600 sf portion on the existing foundation to have a 46'± setback, b) the stairs to have a 41'± setback, c) the landing and to have stairs a 55'± setback; and, d) the proposed 568 sf addition to have a 77'± setback all from the salt water marsh wetlands and mean high water line where 100' is the minimum setback required for all. Said property is shown on Assessor Plan 201 as Lot 4 and lies within the Waterfront Business district. Case # 1-2

Lucy E. Tillman, Chief Planner