

Jim and Mary Nocas  
64 Thaxter Road  
Portsmouth, N.H.

August 12, 2024

Zoning Board of Adjustment  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801

Re: Jared Majcher Variance Requests  
84 Thaxter Road

Dear ZBA Members:

We are unable to attend the hearing tonight on the variance request of Jared and Allie Majcher, our neighbors at 84 Thaxter Road. We wholeheartedly support their request for variances to allow alteration of an existing non-conforming structure, to allow a 15.5 foot front setback where 30 feet is required and to allow 22% coverage where 20% is required.

The Thaxter Road neighborhood is somewhat unique. It was developed as the Westfield Park Subdivision in 1927. All of the lots were 50 feet by 100 feet. Over time, the neighborhood was built out with some 50-foot lots, several 75-foot lots and a few 100+ foot lots (frontage). The Subdivision Covenants required that garages needed to be behind the residence along the rear boundary. As a result, all houses in the neighborhood have garages (or sheds) within a couple feet of their rear property line, creating non-conforming status as the Zoning Ordinances changed over the years.

Additionally, well before the current Zoning Ordinances went into effect, every house on Thaxter Road is within 15+/- feet of the street. Thus, virtually every house on the street is non-conforming on their front setback as the subsequent Zoning Ordinances require a 30-foot setback.

These non-conformities were legally created well before any of the current owners moved onto Thaxter Road. Ironically, these non-conformities define the very character of our neighborhood. Nothing that the Majchers propose is inconsistent with the long-established character of our neighborhood that was mandated and created by the original subdivision in 1927.

The proposed front setback of their proposed addition is essentially the same as

every house on Thaxter Road, including their own. By demolishing the existing garage along their rear boundary, the Majchers' property will be less non-conforming. The building coverage at 22% as opposed to 20% is de minimis and is consistent with additions allowed throughout the neighborhood since 1927.

As a result, granting this variance request will not impact the values of surrounding properties or the quality of life in our neighborhood. It is consistent with the spirit of the ordinance for single family residences. It will remove a non-conforming garage along the rear boundary. It will not be contrary to the public interest to allow a variance for the front setback or building coverage and will do substantial justice as it will allow my neighbors to enjoy their property as everyone in the neighborhood has. It is a reasonable use of the property and consistent with the general public purposes of the Zoning Ordinance.

Please approve Jared and Allie's request for these variances.

Sincerely,  
*Jim and Mary Noucas*  
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