



CITY OF PORTSMOUTH

Planning & Sustainability
Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

ZONING BOARD OF ADJUSTMENT

October 28, 2025

Carrie and Gabriel Edwards
59 Ridge Street
Arlington, Massachusetts 02474

**RE: Board of Adjustment Request for property located at 51 Morning Street,
Portsmouth NH 03801 (LU-25-125)**

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **October 21, 2025**, considered your application for the property located at 51 Morning Street whereas relief is needed to demolish the existing garage and construct a new attached garage with office space which requires the following: 1) Variance from Section 10.521 to allow a) 51% building coverage where 25% is allowed, b) 4 foot left side yard where 10 feet are required, c) 3.5 foot rear yard where 20 feet are required, d) 21.5% open space where 30% is required; and 2) Variance 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 Map 163 Lot 16 and lies within the General Residence A (GRA) District. As a result of said consideration, the Board voted to **grant** the request as presented and advertised.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Zoning Board of Adjustment Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in cursive script that reads "Phyllis Eldridge". The signature is written in dark ink and is positioned above the printed name.

Phyllis Eldridge, Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

R. Timothy Phoenix, Esq., Attorney, Hoefle, Phoenix, Gormley & Roberts
Ambit Engineering

Findings of Fact | Variance

City of Portsmouth Zoning Board of Adjustment

Date: 10/21/2025

Property Address: 51 Morning Street

Application #: LU-25-125

Decision: **Grant**

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, It now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	Finding (Meets Criteria)	Relevant Facts
10.233.21 Granting the variance would not be contrary to the public interest.	YES	The project will not have a huge effect on the public interest because the bulk of the addition would not be very visible to the public, and it will not be contrary to the public interest due to the orientation of the surrounding neighbors.
10.233.22 Granting the variance would observe the spirit of the Ordinance.	YES	The lot area is half the size of what was required, so the proposed home with the addition on a conforming lot will be half that building coverage, which is significant because the lot is smaller than surrounding properties.
10.233.23 Granting the variance would do substantial justice.	YES	The benefit to the applicant will not be outweighed by any harm to the general public or other individuals, and the addition will be beneficial to the applicant.

10.233.24 Granting the variance would not diminish the values of surrounding properties.	YES	The home will still be a single-family one with new construction, and a portion of the lot will not be very visible from most public locations or the abutting neighbors.
10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (a)The property has special Conditions that distinguish it from other properties in the area. AND (b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.	YES	- Literal enforcement of the ordinance will result in unnecessary hardship and there is no fair and substantial relationship between the purpose of the ordinance and the specific application to the property, and the proposed use is a reasonable one. - The proposed use is still a single-family home with an addition, and light, air and privacy would be preserved. - The hardship is based on the home and addition being toward the center and the back, the grade change in the rear-abutting property, the layout of the abutting structures, and the fact that the lot was small and narrow.



CITY OF PORTSMOUTH

Planning & Sustainability
Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

ZONING BOARD OF ADJUSTMENT

October 28, 2025

Brian T and Kyle M LaChance
86 South School Street
Portsmouth, New Hampshire 03801

**RE: Board of Adjustment Request for property located at 86 South School Street,
Portsmouth NH 03801 (LU-25-122)**

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **October 21, 2025**, considered your application for the property located at 86 South School Street whereas relief is needed to demolish the existing porch, construct an addition with a deck and replace an existing flat roof with a slanted roof on the existing dwelling which requires the following: 1) Variance from Section 10.521 to allow a) 7 foot side yard where 10 feet is required, b) 14 foot rear yard where 25 feet is required, c) 31% building coverage where 30% is the maximum allowed, d) 24% open space where 25% is the minimum; and 2) Variance 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 Map 101 Lot 63 and lies within the General Residence B (GRB) and Historic Districts. As a result of said consideration, the Board voted to **grant** the request as presented and advertised.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Beth Margeson".

Beth Margeson, Vice Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

Findings of Fact | Variance

City of Portsmouth Zoning Board of Adjustment

Date: 10/21/2025

Property Address: 86 South School Street

Application #: LU-25-122

Decision: **Grant**

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, It now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	Finding (Meets Criteria)	Relevant Facts
10.233.21 Granting the variance would not be contrary to the public interest.	YES	- Granting the variances would not be contrary to the public interest, would not affect the health, safety, or welfare of the neighborhood, and would have no effect on light and air. - The rear setback declined a bit, but the rear of the property abutted a neighboring parking lot. - It would not alter the essential characteristics of the neighborhood, as a lot of similar houses in the neighborhood were on small lots.
10.233.22 Granting the variance would observe the spirit of the Ordinance.	YES	The neighborhood would remain a dense one but the project would not change or affect it at all.

10.233.23 Granting the variance would do substantial justice.	YES	There would not be any benefit to the public by denying the variances, and denying them would prevent the public from getting the benefits of reducing the pavement coverage and would cause harm to the applicant by preventing his enjoyment of his property.
10.233.24 Granting the variance would not diminish the values of surrounding properties.	YES	No evidence was presented that it would.
10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (a)The property has special Conditions that distinguish it from other properties in the area. AND (b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.	YES	The special conditions were the small nonconforming lot and its unusual shape and the fact that it was abutted to the rear by a large parking lot for a multi-unit building, and the lot had a relatively small building envelope and the existing structure was already located in the front part of the lot. They were all special conditions, many of which were different from other properties in the area, and there is no fair and substantial relationship between the purposes of the ordinance and the special conditions of the property, particularly given the relatively minor relief that the applicant was asking for.



CITY OF PORTSMOUTH

Planning & Sustainability
Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

ZONING BOARD OF ADJUSTMENT

October 28, 2025

Lorencic Revocable Trust
Harold & Kimberly Lorencic TT
209 Marcy Street
Portsmouth, New Hampshire 03801

**RE: Board of Adjustment Request for property located at 209 Marcy Street,
Portsmouth NH 03801 (LU-25-120)**

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **October 21, 2025**, considered your application for the property located at 209 Marcy Street whereas relief is needed to construct a second story addition and a one story addition which requires the following: 1) Variance from Section 10.521 to allow a 12 foot rear yard where 25 feet are required, and 2) Variance 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 Map 103 Lot 2 and lies within the General Residence B (GRB) and Historic Districts. As a result of said consideration, the Board voted to **grant** the request as presented and advertised.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Zoning Board of Adjustment Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in cursive script that reads "Phyllis Eldridge". The signature is written in dark ink and is positioned above the printed name.

Phyllis Eldridge, Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

Anne Whitney, Architect

Findings of Fact | Variance

City of Portsmouth Zoning Board of Adjustment

Date: 10/21/2025

Property Address: 209 Marcy Street

Application #: LU-25-120

Decision: **Grant**

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, It now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	Finding (Meets Criteria)	Relevant Facts
10.233.21 Granting the variance would not be contrary to the public interest.	YES	• The 12-ft setback for the GRB zone would normally require a 25-ft setback, so it was less than half but it was odd because the zoning ordinance stated that side yards could be small but the ordinance also liked deep back yards. • The way the building was oriented was a mitigating factor and it would not encroach any closer in terms of foundation. • It was a substantial increase in height from a 1-story Cape, so there was some imposition in terms of light and air, but the applicant's argument was that it was an orientation issue and the surrounding homes were 2-story ones, so the project was in keeping with the essential characteristics of

		the neighborhood.
10.233.22 Granting the variance would observe the spirit of the Ordinance.	YES	• The 12-ft setback for the GRB zone would normally require a 25-ft setback, so it was less than half but it was odd because the zoning ordinance stated that side yards could be small but the ordinance also liked deep back yards. • The way the building was oriented was a mitigating factor and it would not encroach any closer in terms of foundation. • It was a substantial increase in height from a 1-story Cape, so there was some imposition in terms of light and air, but the applicant's argument was that it was an orientation issue and the surrounding homes were 2-story ones, so the project was in keeping with the essential characteristics of the neighborhood.
10.233.23 Granting the variance would do substantial justice.	YES	• It would allow the applicant to make a more usable home. • For the general public purposes, there was nothing in the ordinance that said the applicant should be restricted to, due to the nature of the home's orientation relative to Marcy Street instead of Gates Street. • Someone passing by would not really perceive that type of issue and that it would look like any other long-edged 2-story home that was common in that neighborhood.
10.233.24 Granting the variance would not diminish the values of surrounding properties.	YES	• It would not diminish the value of surrounding properties because the house would be built upwards in an existing footprint.
10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (a)The property has special Conditions that distinguish it from other properties in the area. AND	YES	• The hardship was the two front streets associated with the home and the fact that there was a substantial backyard. • The applicant just wanted to raise the house another story and it would look like the surrounding

(b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.		properties.
---	--	--------------------



CITY OF PORTSMOUTH

Planning & Sustainability
Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

ZONING BOARD OF ADJUSTMENT

October 28, 2025

35 Pines LLC
295 Maplewood Avenue, Unit 1
Portsmouth, New Hampshire 03801

RE: Board of Adjustment Request for property located at 295 Maplewood Avenue, Unit 1, Portsmouth NH 03801 (LU-25-135)

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **October 21, 2025**, considered your application for the property located at 295 Maplewood Avenue, Unit 1 whereas relief is needed to create a second driveway which requires the following: 1) Variance from Section 10.521 to allow 0% open space where 25% is the minimum, and 2) Variance from Section 10.1114.31 to allow a second driveway where only one is permitted. Said property is shown on Assessor Map 141 Lot 35-1 and lies within the Character District 4-L2 (CD4-L2) and Historic District. As a result of said consideration, the Board voted to **grant** the request as presented with the following **conditions**:

- 1) The driveway shall be constructed in such a way that it is not accessed via Maplewood Avenue, and
- 2) The variance is contingent on the execution of the completed Purchase & Sales agreement of the property located on Assessor Map 141 Lot 34.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Zoning Board of Adjustment Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in cursive script that reads "Phyllis Eldridge".

Phyllis Eldridge, Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

Findings of Fact | Variance

City of Portsmouth Zoning Board of Adjustment

Date: 10/21/2025

Property Address: 295 Maplewood Avenue

Application #: LU-25-135

Decision: **Grant**

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, It now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	Finding (Meets Criteria)	Relevant Facts
10.233.21 Granting the variance would not be contrary to the public interest.	YES	It was a very small property, even with the addition of the lot that would be purchased, and putting a driveway on it would have no effect on the health, safety, and welfare of the public and no impacts on light and air or on the essential characteristics of the neighborhood.
10.233.22 Granting the variance would observe the spirit of the Ordinance.	YES	It was a minor change that would help get parking off the street in the area.
10.233.23 Granting the variance would do substantial justice.	YES	- There will not be any benefit to the public by denying the request. - It was a small amount of open space but the lot being joined was only 200 square feet or so, and denying the variance would cause

		a loss to the applicant and make it more difficult for him to operate his business.
10.233.24 Granting the variance would not diminish the values of surrounding properties.	YES	It would be a minor change, and the only thing people would notice would be the tree's removal, which would not affect the value of surrounding properties.
10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (a)The property has special Conditions that distinguish it from other properties in the area. AND (b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.	YES	- The existing property only had parking for two of the three condos, and there was not enough room on the property to put in a third parking space which will be rectified if the applicant was able to purchase the small adjacent lot to provide parking. - it is a corner lot on a relatively busy street, which is why the stipulation (or condition) was required to prevent access from the property directly onto Maplewood Avenue. - There is no real fair and substantial relationship between the purpose of the ordinance and no reason to deny a second driveway on the lot. He said there was currently zero open space, and the granting of the variance would not change the amount of open space that will be there.

Stipulations

1) The driveway shall be constructed in such a way that it does not access via Maplewood Avenue, and

2) The variance is contingent on the execution of the completed Purchase & Sales agreement of the property located on Assessor Map 141 Lot 34.