REGULAR MEETING
BOARD OF ADJUSTMENT
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE

Members of the public also have the option to join the meeting over Zoom
*(See below for more details)**

7:00 P.M. **May 26, 2026**

AGENDA

I. NEW BUSINESS

A. The request of **Eldredge Place Condo Association (Owner)**, for property located at **40 Merrimac Street** whereas relief is needed to demolish the existing rear deck and construct a new deck which requires the following: 1) Variance from Section 10.521 to allow a 3.5-foot side yard where 10 feet are required. Said property is located on Assessor Map 129 Lot 18 and lies within the General Residence A (GRA) District. (LU-26-53)

B. The request of **801 Islington Street LLC (Owner)** and **Evergreen Yoga & Meditation, LLC d/b/a Studio 108 (Applicant)**, for property located at **801 Islington Street, Unit 33** whereas relief is needed to establish a yoga studio which requires the following: 1) Special Exception from Section 10.440 Use #4.40 to allow a yoga studio more than 2,000 square feet gross floor area. Said property is located on Assessor Map 165 Lot 8 and lies within the Character District 4-W (CD4-W). (LU-26-54)

C. The request of **Ryan Trust (Owner)**, for property located at **221 Woodbury Avenue** whereas relief is needed to subdivide the existing parcel into two parcels, for demolition of the existing one-story detached garage and construction of a new two-story detached garage on lot 1; and a new single-family residential structure on lot 2, which requires the following: 1) Variance from Section 10.521 to allow 63 feet of frontage where 100 feet is required. Said property is located on Assessor Map 175 Lot 10 and lies within the General Residence A (GRA) District. (LU-26-57)

D. The request of **Maximillian Kolbe Hochschwender (Owner)**, and **Flybird LLC** (**Applicant**) for property located at **44 Rogers Street** whereas relief is needed to construct a rear addition to the existing residential structure which requires the following: 1) Variance from Section 10.521 to allow a 3-foot side yard where 10 feet 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 located on Assessor Map 116 Lot 45 and lies within the Mixed Residential Office (MRO) and Historic Districts. (LU-26-55)

E. The request of **RRNR Revocable Trust (Owner)**, for property located at **111 Crescent Way** whereas relief is needed to demolish and reconstruct a detached garage which requires the following: 1) Variance from Section 10.573.20 to allow a 3-foot left side yard and a 4-foot rear yard where 8 feet is required from any lot line. Said property is located on Assessor Map 212 Lot 151 and lies within the General Residence B (GRB) District. (LU-26-58)

F. The request of **Hill Hanover Group LLC C/O JPK Properties LLC (Owner)**, for property located at **181 Hill Street** whereas relief is needed to demolish three existing multi-family buildings and to construct two new three-story multi-family buildings connected by an underground parking garage and elevated courtyard area which requires the following: 1) Variance from Section 10.5A41.10A to allow a) 1,008 square feet of lot area per dwelling unit where 3,000 feet is required, b) a building footprint of 5,232 square feet where 2,500 square feet is the maximum, c) a building footprint of 3,035 square feet where 2,500 square feet is the maximum, d) 18% open space where 25% is required; and 2) Variance from Section 10.440 to allow 10 dwelling units in a building where up to 8 dwelling units are permitted. Said property is located on Assessor Map 125 Lot 14 and lies within the Character District 4-L1 (CD4-L1). (LU-26-59)

IV. ADJOURNMENT

**Members of the public also have the option to join this meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:*

https://us06web.zoom.us/webinar/register/WN_8pyy0H2uR_qaoQYYZgo0Jw

City of Portsmouth
Planning Department
1 Junkins Ave, 3rd Floor
Portsmouth, NH
(603)610-7216

MEMORANDUM

TO:	Zoning Board of Adjustment
FROM:	Jillian Harris, Principal Planner
DATE:	May 20, 2026
RE:	Zoning Board of Adjustment May 26, 2026

The agenda items listed below can be found in the following analysis prepared by City Staff:

I. New Business

A. 40 Merrimac St
B. 801 Islington St, Unit 33
C. 221 Woodbury Ave
D. 44 Rogers St
E. 111 Crescent Way
F. 181 Hill St

I. NEW BUSINESS

A. The request of **Eldredge Place Condo Association (Owner),** for property located at **40 Merrimac Street** whereas relief is needed to demolish the existing rear deck and construct a new deck which requires the following: 1) Variance from Section 10.521 to allow a 3.5-foot side yard where 10 feet are required. Said property is located on Assessor Map 129 Lot 18 and lies within the General Residence A (GRA) District. (LU-26-53)

Existing & Proposed Conditions

	Existing	Proposed	Permitted / Required	
Land Use:	3-unit Condo Residential	Construct deck addition	Mostly Residential	
Lot area (sq. ft.):	20,159	20,159	7,500	min.
Lot area per dwelling unit (sq. ft.)	6,719	6,719	7,500	min
Street Frontage (ft.):	288	288	100	min.
Lot depth (ft.):	110	110	70	min.
Front Yard (ft.):	>15	>15	15	min.
Left Yard (ft.):	>10	>10	10	min.
Right Yard (ft.)	6	4	10	min.
Rear Yard (ft.):	>20	>20	20	min.
Height (ft.):	Deck: 7.5	Deck: 6	35	max.
Building Coverage (%):	12.1	12.6	25	max.
Open Space (%):	76	75	30	min.
Estimated Age of Structure:	1870	Variance request(s) shown in red.		

Other Permits/Approvals Required

- Building Permit

Neighborhood Context

Previous Board of Adjustment Actions

- **September 1, 1987 –** 1) a Variance from Article II, Section 10-205(3)(b)(1) to convert an existing vacant building to three dwelling units with exterior changes; 2) a Variance from Article III, Section 10-302 to allow the construction of a 12' x 42' deck for egress with a 1' rear yard where 25' rear yard is required.

  The Board voted to **grant** Variance No. 1 as presented and advertised. The Board voted to **deny** Variance No. 2 as the Board felt that the request was in excess and that insufficient evidence of hardship had been presented.

- **October 20, 1987 –** a Variance from Article III, Section 10-302 is requested to permit the construction of an 8' x 48' deck to an existing structure with a 5' 6" rear yard where a minimum 25' rear yard is required. The Board voted to **grant** the request as presented and advertised.

Planning Department Comments

The applicant is requesting relief to replace the existing 8' x 48' deck on the rear of the 3-unit Condo building with a 10' x 48' deck, increasing the width by 2 feet. The original deck was granted relief in October 1987 to permit a 5' 6" rear yard where a minimum 25' rear yard was required. The property is currently in the GRA District and according to current definitions the deck is located in the side yard. The applicant is seeking to construct the deck 4' from the side yard where 10' is required.

Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
   (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.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

April 22, 2026

City of Portsmouth
Planning and Sustainability Department
1 Junkins Avenue
Portsmouth, NH 03801

RE: Variance Application for 40 Merrimac Street – Tax Map 129, Lot 18 (GRA District)
Eldredge Place Condo Association

Dear Planning Department Staff and Members of the Zoning Board of Adjustment,

Enclosed, please find the following supporting documents pertaining to our online portal Land Use Application:

1) Narrative for Variance Application
2) Five Variance Criteria (Section 10.233.20 Zoning Board of Adjustment)
3) Tax Map (MapGeo) including abutting streets
4) Tax Map (MapGeo) specific to Map 129 – Lot 18
5) Condominium Site Plan (Aug 17, 1987) showing lot lines, existing building and parking area
6) Condo Association Approval (three units, 3 owners)
7) Existing and Proposed Plan with Photos
8) Contractor Drawing
9) Abutters Support Statements

If you have any questions or concerns regarding the online application or any of the associated materials pertaining to the variance request, please don't hesitate to contact me.

Sincerely,
Peter Carpenter – 40 Merrimac Street (Unit 1)
(603) 380-2876 / wingnutz007@comcast.net

On Behalf of Eldredge Place Condo Association:
Peter and Denise Carpenter (Unit 1)
Maarten and Johanna de Ruiter (Unit 2)
Susan T. Barrow (Unit 3)

Part 1: Narrative for Variance Application

I'd like to begin by providing a just brief history on the property, with a few milestones. The structure currently occupying the space at 40 Merrimac Street was built in the 1870s, and served as the carriage house for 10 Merrimac Street, collectively known as the Eldredge Estate. This two-building estate was originally owned by H. Fisher Eldredge and family, founders of the then-prominent Eldredge Brewing Company.

Longtime Portsmouth residents will remember the carriage house at 40 Merrimac St. serving as the local YWCA building back in the 1960s - 1970s.

In 1987, the vacant building began its conversion to three conjoined townhouse style condominiums, initiated by Richard E. Sullivan (Sullivan Builders). Included in this conversion was the construction of a 48' x 8' attached deck, with the 48' dimension spanning the full length of the structure's rear, the 8' dimension extending from the rear of the structure into the back yard, with the full deck elevated approximately 6' off the ground.

Presently, the three townhouse owners of 40 Merrimac Street (Eldredge Place Condo Association), wish to remove the existing pressure treated lumber deck due to deteriorating physical conditions, and replace it with a new composite deck. For the rebuild, our hope is to add an additional 2 feet of depth, making the finished deck 48' x 10'.

A Variance is required for the additional 2' of depth, and existing non-conforming side setback (City of Portsmouth Zoning Ordinance - Section 10.520 / Table 10.521 - GRA Standard).
Current side setback standard: 10'
Existing setback: 6'
Proposed setback: 4'

Building coverage increase is negligible:
Current building coverage for GRA District: 25%
Existing footprint including 48' x 8' deck: 2,436 sq' = 12.08% coverage
Proposed footprint including 48' x 10' deck: 2,532 sq' = 12.56% coverage

Part 2: Five Variance Criteria (Section 10.233.20 Zoning Board of Adjustment)

10.233.20 In order to authorize a variance, the Board must find that the variance meets all of the following criteria:

10.233.21 The variance will not be contrary to the public interest

The 2 foot depth extension request on our existing deck will not present any negative impact by changing the essential character of the neighborhood, and likewise will not result in harmful conditions to neighborhood residents, guests, and the general public at large. Specifically, the proposed extension to the existing deck footprint will not create noise or foot traffic, will not inhibit existing sightlines for neighbors, and will keep with the neighborhood's current aesthetics.

10.233.22 The spirit of the Ordinance will be observed

Adding an additional 96 square feet to our building footprint would result in a negligible increase to 12.6% lot coverage, where 25% is code for GRA zone.

Although our proposed side setback will sit at approximately 4', where 10' is required according to GRA zone setback code, there exists ample light, air and open space between the proposed outer dimension of our southeasterly rear abutter's new back parking lot, which begins at 27' from our proposed setback. The closest point between our carriage house style building and our rear abutting neighbor's residential brick building would be approximately 210' (70 yards).

10.233.23 Substantial justice will be done

There will be no benefit to the general public in denying our request, focusing especially on direct abutters and other nearby neighbors with or without sightlines to the deck structure.

Conversely, if granted the additional 2' depth to our existing narrow deck, the approximate 30 additional square feet of usable deck space for each of the three townhouse owners would certainly result in higher usage and enjoyment during the warmer months.

10.233.24 The values of surrounding properties will not be diminished

We have a sincere belief that upgrading our existing deck will have a positive impact on surrounding properties from an aesthetic standpoint, which in turn will result in increased property value not only for the applicants, but for surrounding homes as well.

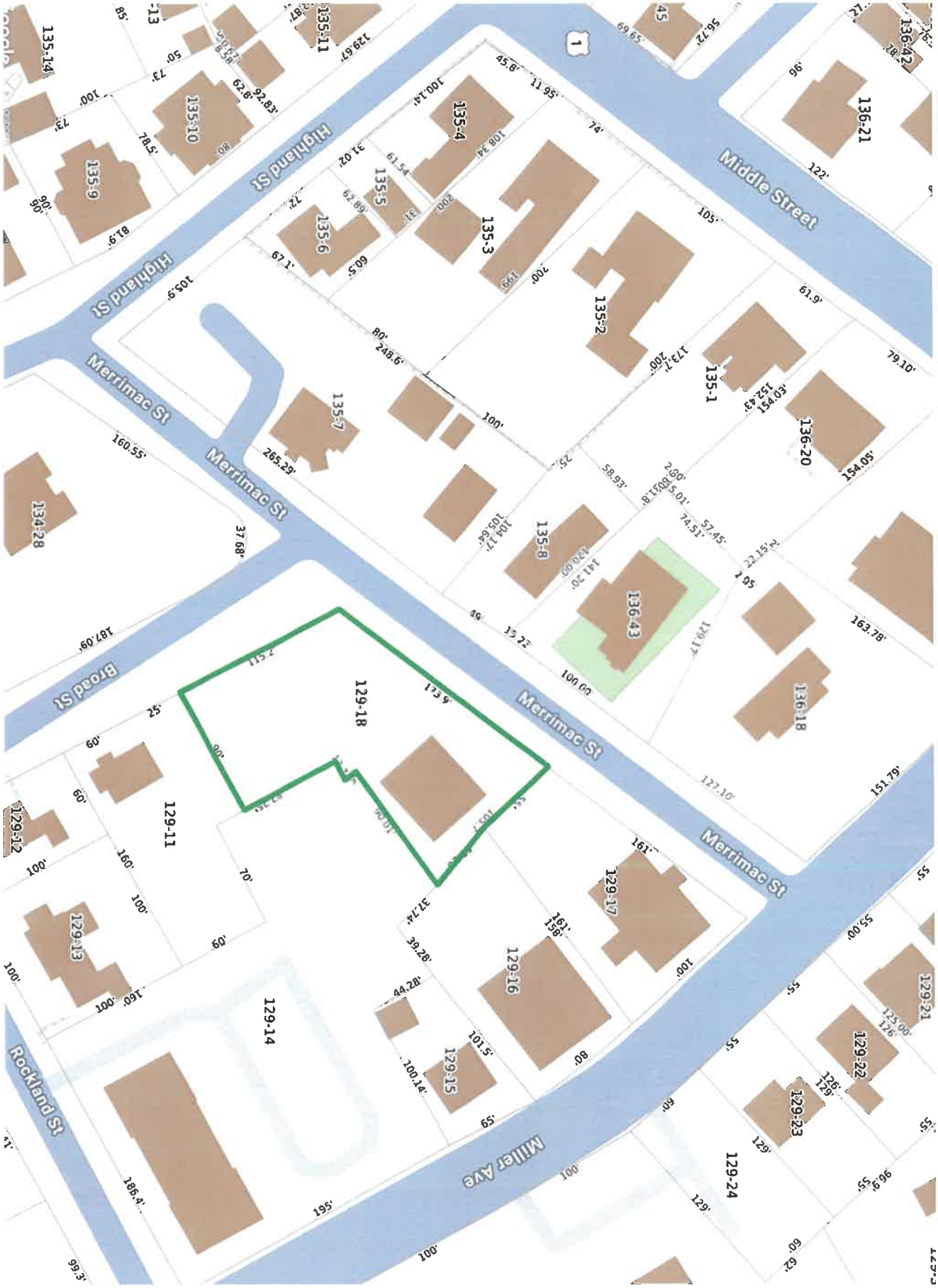
As two of our four direct property line abutters possess well maintained brick structures allowing for multiple residents, many of the homes in our neighborhood are similar to ours in size and style of architecture common in the late 1800s – early 1900s.

10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship

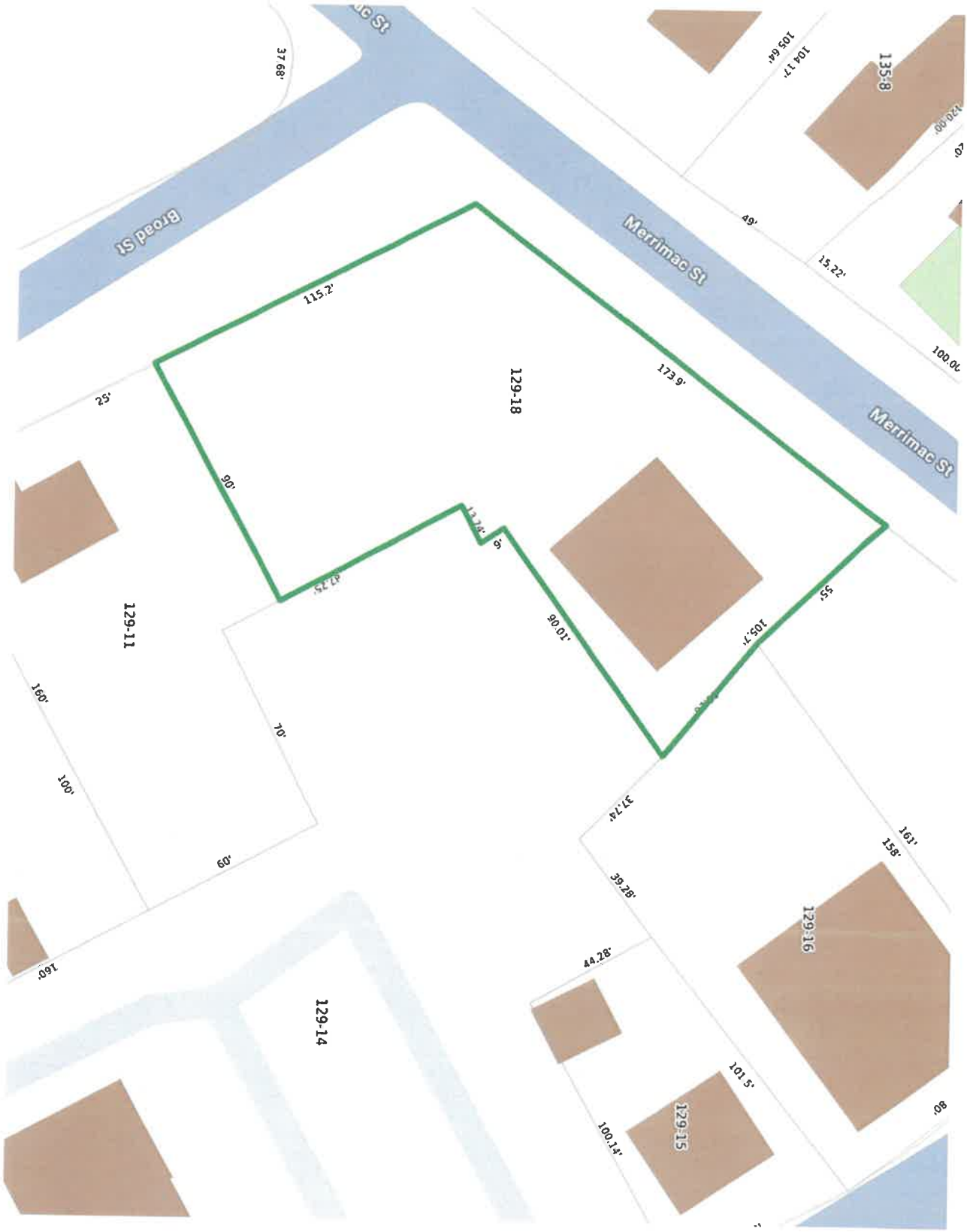
Although our carriage house sits on a nearly ½ acre parcel of land, aptly described as an 'odd shaped lot' in various city building documents, we unfortunately have to contend with a very limited existing side physical setback, especially at the S-SW facing corner.

We feel that our variance request is reasonable based on our limited ability to expand our single structure footprint, and recognize that if granted the variance, further side expansion will not be a realistic endeavor.

PART 3 : TAX MAP (MAP GEO) INCLUDING ABUTTING STREETS



PART 4: TAX MAP (MAPGEO) SPECIFIC TO MAP 129 - LOT 18 (GRA)



PART 5: CONDOMINIUM SITE PLAN (AUGUST 17, 1987)
- LOT LINES, EXISTING BUILDING AND PARKING AREA

PLAN REFERENCE

1. "PLAN OF LAND IN PORTSMOUTH (NEW HAMPSHIRE)" DATED APRIL 20, 1988, BY D.L. LEVENWITH, CONSULTING SURVEYOR, RECORDED IN R.C.R.D.
2. "PLAN OF LOT, PORTSMOUTH, N.H., FOR PORTSMOUTH Y.M.C.A." BY JOHN W. DURGIN, CIVIL ENGINEERS, DATED AUG 1973, RECORDED IN R.C.R.D. No. D-5150.
3. "PROPOSED SUBDIVISION OF PROPERTY, PORTSMOUTH APARTMENTS, ROCHLAND ST., PORTSMOUTH, N.H., FOR PORTSMOUTH ASSOCIATES" BY BRYANT, PIERCE, BARNES & BYNAM, ENGINEERS DATED 11-14-85 RECORDED IN R.C.R.D. No. 12124

OWNER OF RECORD

C & H DEVELOPMENT
TAX MAP U-29 LOT 18
BOOK 2682 PAGE 1747
AREA 20,138.79 SQ FT
0.46 ACRE

LEGEND

- FND BND
- FND REBAR
- SET REBAR
- SEWER MANHOLE
- CATCH BASIN
- UTILITY POLE
- FENCE
- SIGN POST

GRAPHIC SCALE
1 IN. = 20 FT

D-19810

I CERTIFY THAT THIS SURVEY PLAT SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIPS AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND, THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN

I CERTIFY THAT THIS SURVEY PLAT IS ACCURATE AND THAT IT COMPLIES WITH THE PROVISIONS OF NEW HAMPSHIRE REVISED STATUTES ANNOTATED CHAPTER 356-B SECTION 20, AND THAT ALL UNITS HAVE BEEN SUBSTANTIALLY COMPLETED

DATE AUG 17 1987 SIGNATURE _____ REGISTERED LAND SURVEYOR

CONDOMINIUM SITE PLAN FOR ELDREDGE PLACE ASSOCIATES PORTSMOUTH, N.H.

ESERY ENGINEERING — ENGINEERS/SURVEYORS
DATE: AUGUST 11, 1987 — SCALE: 1 IN. = 20 FT
DRAWN BY: R.E.W. — DRAWING No. 09287

PART 6

Deck Project Approval – 40 Merrimac St. Portsmouth, NH 03801

The owners of Eldredge Place Condo Association, located at 40 Merrimac Street – Portsmouth, NH 03801 are in agreement to commence existing deck demolition and new deck construction with an additional two feet of depth, dependent on City of Portsmouth Zoning Board of Adjustment variance approval.

Unit 1 _____ Date: APRIL 12, 2026
Peter and Denise Carpenter

Unit 2 _____ Date: 04/13/26
Maarten and Johanna de Ruiter

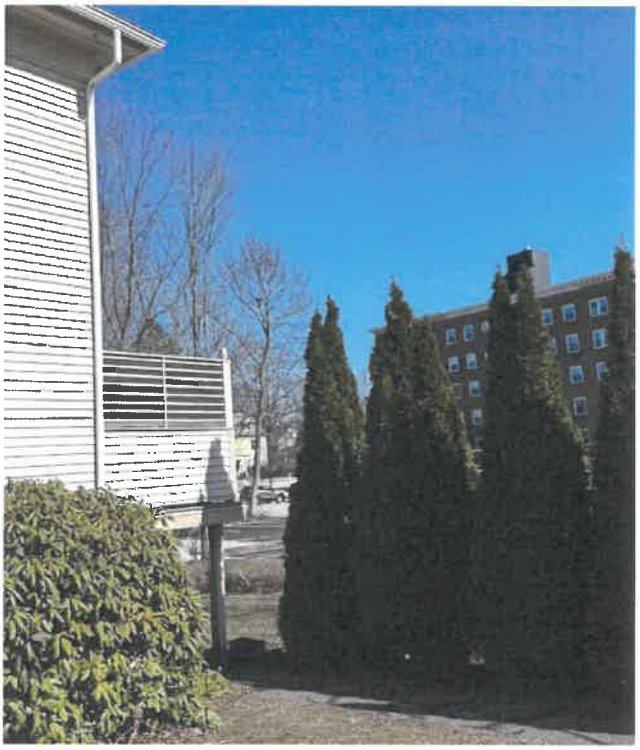
Unit 3 _____ Date: 4/12/26
Susan T. Barrow

Part 7: Photos

Aerial view of 40 Merrimac Street with existing 48' x 8' deck on rear of structure.

Aerial view of 40 Merrimac Street with proposed 48' x 10' deck on rear of structure (2 additional feet).

Existing 8' depth facing rear abutter.

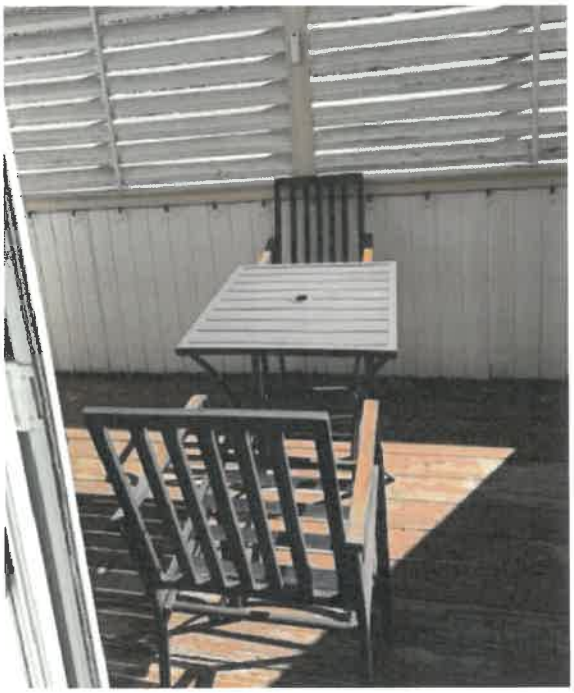


View of rear abutter from far-right deck support. Ample light, air and open space exist between the two structures.

Existing 48' x 8' deck, rear view.

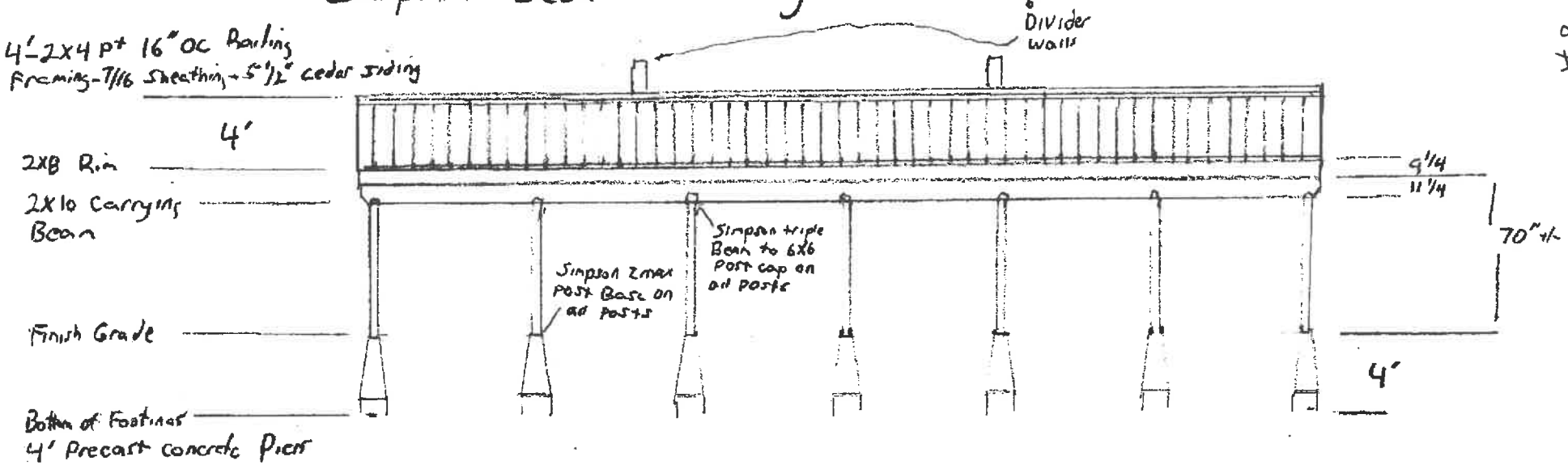
Line for proposed 2' added depth (48' x 10').

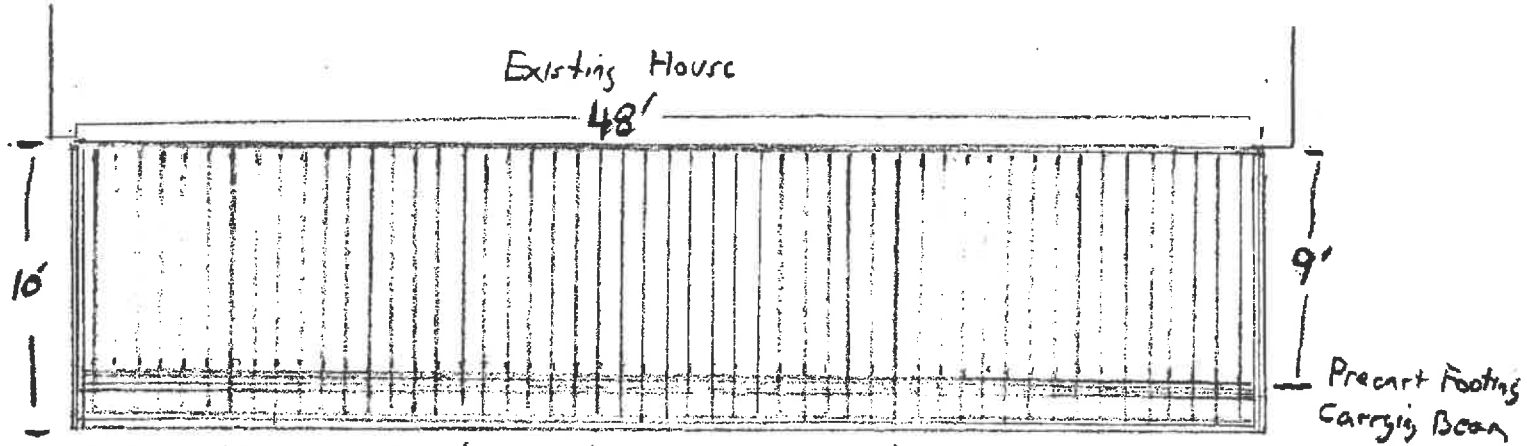
Existing horizontal louvered privacy lumber (top section of perimeter deck wall) will not be replaced. Existing vertical cedar (bottom interior section of perimeter deck) will be replaced by tongue and groove v-notch PVC, and overall height will increase from 39" to 48", with composite top rail. Exterior of perimeter deck will be replaced with new cedar clapboard.



Existing wood privacy decks will be replaced with new cedar clapboard and PVC trim. Height will be reduced from 88" (7'4") to 72" (6'), and will angle down to the new height of interior perimeter deck wall at 4'. Pressure treated decking will be replaced by composite decking.

Carpenter Deck Framing

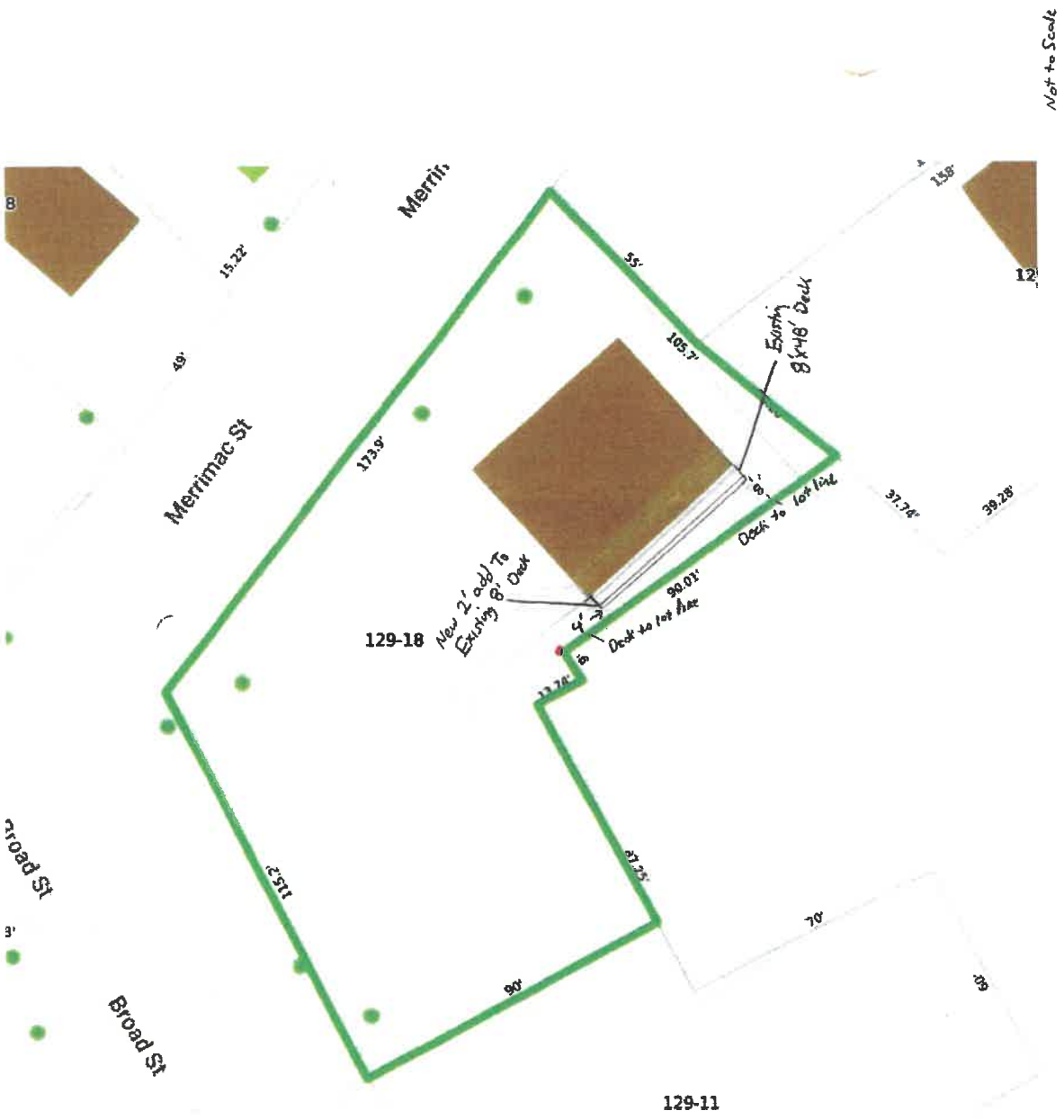




- 2x8 x48' PT Ledger Board attached to house Framing with 5" Ledger lock screws
- Double 2x8 PT Rim Boards
- 2x8x10' PT Joists 16" on center with zmax Joist hanger to ledger board
- Triple 2x10x48" PT carrying Beam 12" in from Rim Joist
- 7 6x6 PT Post supports 2x10 Triple Beam on 4' precast footings

Not To Scale

PART 8B


Not to Scale
Merrimac St
Broad St
129-18
129-11
New 2' adj To Existing 8' Deck
Existing 8'x48' Deck
Deck to lot line
Deck to lot line
90.01'
105.7'
173.9'
152'
90'
15.22'
49'
55'
37.74'
39.28'
70'

PART 9

To: Portsmouth Zoning Board of Adjustment

Date: 4/13/26

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

Ben Iezyk
85 Merrimac St.
Portsmouth, NH 03801

Name and Address:

To: Portsmouth Zoning Board of Adjustment

Date: 4/13/24

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

Samantha King

Name and Address:

Samantha King
45 Miller Ave
Portsmouth NH

To: Portsmouth Zoning Board of Adjustment

Date: 4-15-26

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

Name and Address:

John Quintiliani
77 Merrimac st
Portsmouth NH 03801

To: Portsmouth Zoning Board of Adjustment

Date: 4/17/2026

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

Kagen Robertson of Miller Residences LLC

Name and Address:

96 miller ave
Portsmouth, NH

To: Portsmouth Zoning Board of Adjustment

Date:

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

Carolyn Vibbert

Name and Address: CAROLYN VIBBERT
69 BROAD ST.

I. NEW BUSINESS

B. The request of **801 Islington Street LLC (Owner)** and **Evergreen Yoga & Meditation, LLC d/b/a Studio 108 (Applicant)**, for property located at **801 Islington Street, Unit 33** whereas relief is needed to establish a yoga studio which requires the following: 1) Special Exception from Section 10.440 Use #4.40 to allow a yoga studio more than 2,000 square feet gross floor area. Said property is located on Assessor Map 165 Lot 8 and lies within the Character District 4-W (CD4-W). (LU-26-54)

Existing & Proposed Conditions

	Existing	Proposed	Permitted / Required
Land Use:	Call Center *(1/250 SF)*	*Convert 2,300 SF to yoga studio >2,000 sq.ft. GFA	Primarily Mixed-Use
Parking	9 (91 total on site)	9 (91 total on site)	9** (*1/250 SF GFA yoga*) (91 total on site)
		Variance request(s) shown in red.	

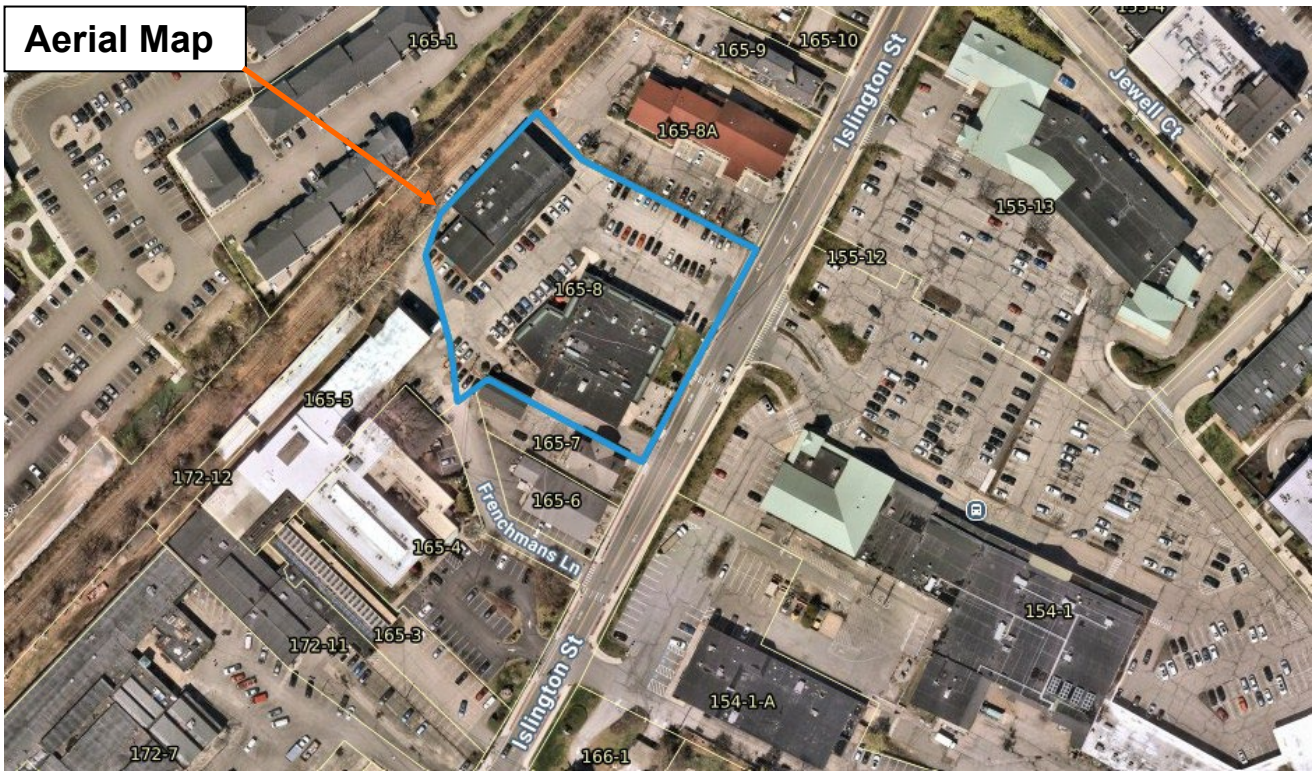
*Special Exception for a yoga studio use greater than 2,000 SF GFA

**12/21/2010 Variance granted for 91 Parking Spaces in a shopping center where 98 required.

Other Permits/Approvals Required

- Building Permit

Neighborhood Context



Previous Board of Adjustment Actions

- **September 28, 1965 –** a Special Exception in accordance with Section 19-1040, "General Business District", Item 17 of the Municipal Zoning Ordinance wherein it was requested that you be allowed to construct, maintain and use a service station within a section of the premises. The Board voted to **grant** the petition as presented and that such granting be in accordance with the terms of the Zoning Ordinance with particular respect to set-back requirements.

- **July 25, 1967 –** to maintain an auto service center and construct over size sign on same premises.
  The Board voted to **grant** the request as presented and advertised.

- **April 15, 1969 –** to construct an addition to an to an existing building presently used as a tire storage warehouse, said addition being indicated as A General Business use and would consist of a 32' x 96' vehicle alignment center. The Board voted to **grant** the request as presented and advertised.

- **September 30, 1975 –** sign Variances on front and rear lots at 801 Islington Street for area and location, in accordance with the plans presented. The Board voted to **grant** the request as presented with the following **conditions:**
  1) Granted for 551 square feet total for the two lots.

- **March 15, 1988 –** Variance from Article IX, Section 10-906 to allow: a) 1184 s.f. of aggregate signage in a district where a maximum of 272 s.f. of aggregate signage is allowed; b) 252 s.f. of free-standing signage where a maximum of 150 s.f. of free-standing signage is allowed; and c) to allow the free-standing signage to maintain a 4' right yard and a 14' front yard where 35' yards are required for both. The Board voted to **grant** the request as presented with the following **conditions:**

  1) That 927 s.f. of aggregate signage be allowed instead of the 1184 s.f. aggregate signage requested.

  They felt that this amount is adequate to enable the public to identify the location and for businesses operating in the mall to identify themselves.

- **May 17, 1988 –** a Variance from Article IX, Section 10-906 to erect a 121 s.f. free-standing sign for a total reduction in aggregate signage from 1184 s.f. to 1053 s.f. with a 4' front yard where a 35' front yard is required. The Board voted to **grant** the request as presented with the following **conditions:**

  1) The total amount of aggregate signage not exceed 796 s.f. and the 121 s.f. free-standing sign be allowed 4' from the front yard.

- **February 14, 1989 –** a Variance from Article XII, Section 10-1201 (Table 7) to allow 74 spaces to be provided where 145 parking spaces are required. The Board voted to **deny** the request as presented and advertised, as the Board felt that the request for relief was

excessive. They felt that the building was designed for retail use and the parking was approved for retail use; therefore, the Board felt that to allow other uses into the building that requires additional parking is the responsibility of the petitioner to ensure that there is sufficient parking.

- **March 7, 1989 –** a Variance from Article XII, Section 10-1201(Table 7) to allow the reduction of the required parking from 135 parking spaces to the existing 84 spaces provided. The Board voted to **grant** the request as presented and advertised.

- **November 19, 1991 –** a Special Exception as allowed in Article II, Section 10-206(14) to permit the establishment of a short term day care center in a 1,550 s.f. tenant space in an existing mall. The Board voted to **grant** the request as presented and advertised.

- **August 18, 1992 –** a Variance from Article XII, Section 10-1201 (Table 7) to allow the reduction of the parking from 139 required spaces to the 86 spaces provided (of which 7 spaces are identified for compact cars). The Board voted to **grant** the request as presented with the following **conditions:**

    1) That the 7 spaces for compact cars be clearly marked and identified.

- **December 21, 2010 –** to allow a new business establishment in a multi-tenant building with 91 parking spaces where 98 are required which requires the following: a Variance from Section 10.1112.30 Table of Off-Street Parking Requirements to allow 91 parking spaces in a shopping center where 98 are required. The Board voted to **grant** the request as presented and advertised.

Planning Department Comments

The applicant is requesting a special exception to convert 2,300 SF of existing call center space into a yoga studio. The change of use requires a Special Exception as it would create a yoga studio larger than 2,000 Square feet. The shopping center was granted relief in December 2010 to allow 91 parking spaces where 98 were required.

Special Exception Review Criteria

The application must meet all of the standards for a **special exception** (see Section 10.232 of the Zoning Ordinance).

1. *Standards as provided by this Ordinance for the particular use permitted by special exception;*
2. *No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials;*
3. *No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, accessways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials;*

4. No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity;
5. No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools; and
6. No significant increase of stormwater runoff onto adjacent property or streets.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

FRANCIS X. BRUTON, III
CATHERINE A. BERUBE
JOSHUA P. LANZETTA

OF COUNSEL
JAMES H. SCHULTE

Bruton & Berube, PLLC

ATTORNEYS AT LAW

601 Central Avenue
Dover, NH 03820

TEL (603) 749-4529
(603) 743-6300
FAX (603) 343-2986

www.brutonlaw.com

April 20, 2026

VIA HAND DELIVERY

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

RE: Application for Special Exception
Applicant: Evergreen Yoga & Meditation, LLC d/b/a Studio 108
Owner: 801 Islington Street, LLC
Property: 801 Islington Street, Unit 33, Portsmouth, NH
Tax Map 165, Lot 8
Zoning District: CD4-W

Dear Chair Margeson:

Enclosed please find a complete copy of the Zoning Board of Adjustment Application that was submitted online, along with a copy of the project narrative and other associated materials in support of the above-named Applicant's request for Special Exception.

We understand, by submitting this application today, that this matter will be placed on the board's agenda for its meeting of May 19, 2025.

Should there be any questions regarding this application, please do not hesitate to contact us.

Sincerely,

Francis X. Bruton, III, Esquire
E-mail: fx@brutonlaw.com

FXB/mas
Enclosures

cc: Evergreen Yoga & Meditation, LLC d/b/a Studio 108
801 Islington Street, LLC

Docusign Envelope ID: DEAFB1BB-8B46-4B6F-9767-706CC22B1293

April 18, 2026

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

RE: Owner Authorization – 801 Islington Street, Unit 33

To Whom It May Concern:

The undersigned owner of 801 Islington Street, Unit 33, Portsmouth, New Hampshire, owned by 801 Islington Street, LLC, hereby authorizes Studio 108 and/or Michael McDonnell, Katherine McDonnell, and Bruton & Berube, PLLC as their representative, to prepare, present, and submit a Special Exception application through the City of Portsmouth's ViewPoint system related to the proposed use of Unit 33.

This authorization permits Studio 108, Michael McDonnell, Katherine McDonnell, and/or Bruton & Berube, PLLC to submit the application and any related plans, materials, correspondence, and supporting documentation associated with the request, and to appear on behalf of the applicant in connection with said application.

Sincerely,

Signed by:
James McSharry
E56A27FC8361460...

Authorized Signatory
801 Islington Street, LLC

Project Narrative

Special Exception Application

Applicant:	**Evergreen Yoga & Meditation, LLC d/b/a Studio 108**
Owner:	**801 Islington Street, LLC**
Address:	**801 Islington Street, Unit 33, Portsmouth, NH**
MBLU:	**Tax Map 165, Lot 8**
Zone:	**("CD4-W")**

I. Introduction

The project involves the rental of Unit #33 within Gallagher's Place located at 801 Islington Street. The unit is 2,300 SF. The unit contains a total of 2,300 Gross Floor Area, with 130 SF of the unit considered storage (see floor plan attached as Exhibit A depicting the unit) (see also aerial photo of shopping plaza with location of Unit 33 depicted attached as Exhibit B)). Portsmouth Planning has confirmed that, after deducting 194 SF of storage, the space is considered 2,106 GFA. As the planned use is a yoga studio over 106 GFA of 2,000 SF, the use requires a Special Exception pursuant to Section 10.440.4.42 of the Portsmouth Zoning Ordinance (the "PZO").

II. The Proposed Use

Evergreen Yoga & Meditation, LLC, d/b/a "Studio 108," is a boutique Pilates & wellness studio established 5 years ago in Stratham, and has operated in the Stratham Plaza since March of 2025.

For the Portsmouth location, the Applicant plans limited therapeutic private and small-group Pilates classes that will run primarily from 6:30 am to 11:30 am seven days a week with a limited number of midday or late afternoon classes. The private and small group classes will have 1-6 students. These classes generally have one instructor but never more than two instructors (a rare occasion for training purposes). The midday or late afternoon classes are generally private (1:1) or duet (1:2) classes.

The therapeutic massage room will be in operation from approximately 12 pm - 8 pm, seven days a week, with 1 therapist and 1 client. The massage room and Pilates hours will not generally occur simultaneously.

As demonstrated above, this studio is designed as a boutique studio in that the activity will be limited in size. In addition, the hours of operation for the small group classes will be from 6:30 am to 11:30 or noon, thus not competing with other uses in the plaza, such as the existing restaurant uses. All instruction will occur by natural voice, without amplification.

III. SPECIAL EXCEPTION CRITERIA – PZO 10.232.20

Pursuant to PZO Section 10.232.10, the ZBA shall grant requests for special exceptions which are in harmony with the general purpose and intent of the PZO and meet the standards of Subsection 10.232.20. The general purpose and intent of the PZO is to promote the health, safety and general welfare of Portsmouth and its region in accordance with the City of Portsmouth's Master Plan," PZO Section10.21. The Applicant's proposed use of the property is a limited offering of Pilates and wellness in small group settings or a one-on-one basis. These offerings are aligned with the goal of the Master Plan to promote safety, health and welfare of the citizens of Portsmouth and the region. Accordingly, the proposed use is consistent with the general purpose and intent of the PZO and Master Plan.

The proposal also meets the specific standards of sub-section 10.232.20:

1. **10.232.21 Standards as provided by this Ordinance for the particular use permitted by special exception;**

   Section 10.440.4.42 of the PZO permits a yoga studio with over 2,000 GFA by Special Exception.

2. **10.232.22 No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials;**

   The use as described will be limited and with small groups or one-on-one instruction, and, as such will not create a hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials

3. **10.232.23 No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, accessways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials;**

   The use as described will be limited and with small groups or one-on-one instruction, and, as such, will not in any way impact the concerns outlined in Section 10.232.23.

4. **10.232.24 No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity;**

   Given the level of use proposed, and the limited offerings and timeframe when the majority of the activity will occur, as well as the operating hours of the other restaurant tenants within the plaza, the use will not result in a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity.

5. **10.232.25 No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools; and**

   The use is limited to small instructional Pilates and wellness classes and, as such, will not result in an excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools.

6. **10.232.26 No significant increase of stormwater runoff onto adjacent property or streets.**

   The use will be low impact to the area and will occur in a portion of an existing structure that has been used by other commercial tenants, for decades, and, as such, there will be no significant increase of stormwater runoff onto adjacent property or streets as a result of the Applicant's intended use.

IV. CONCLUSION

For the aforementioned reasons, we respectfully request that the ZBA review the enclosed materials and grant the special exception requested.

Property Information

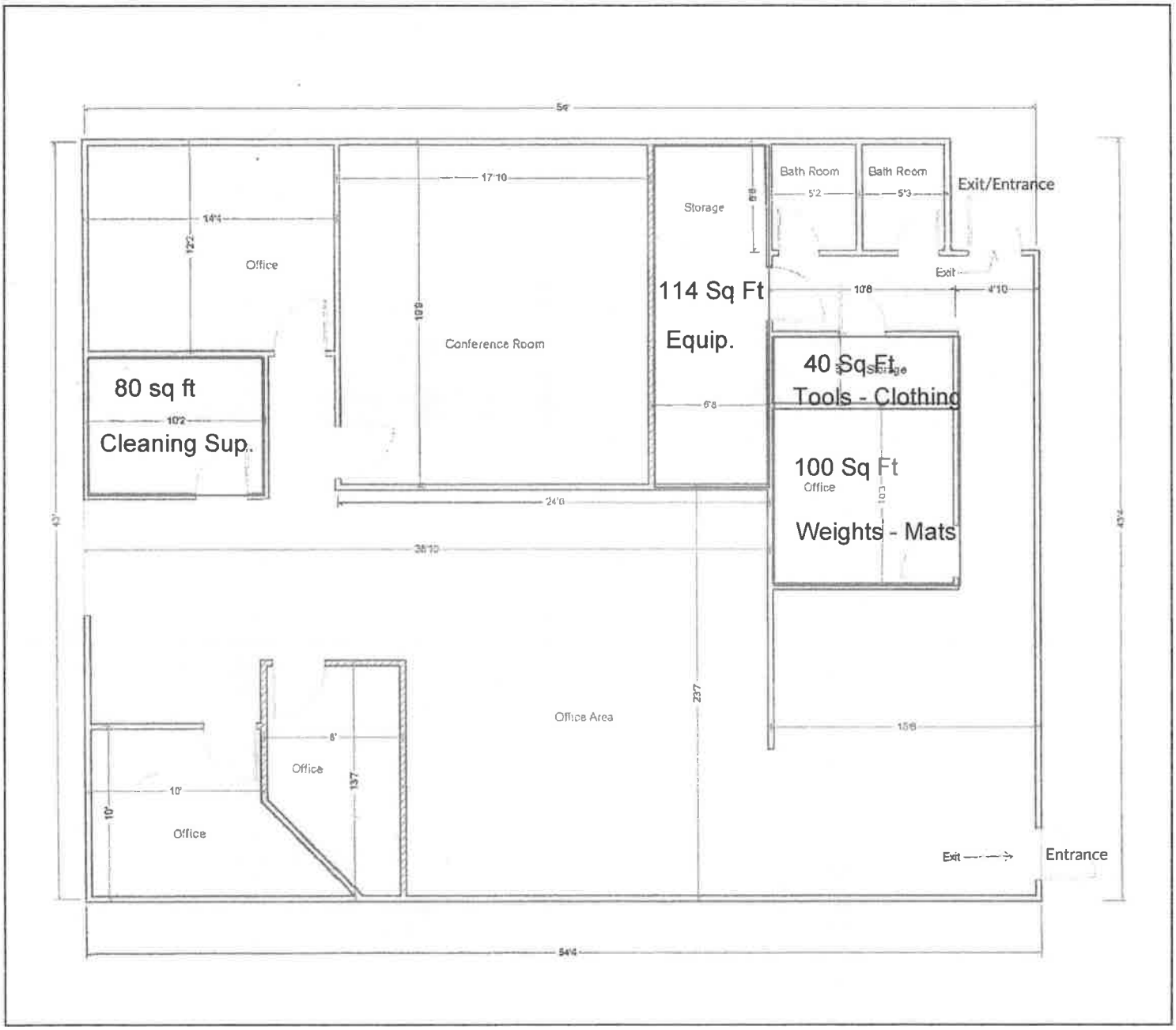
Property ID	0165-0008-0000
Location	801 ISLINGTON ST
Owner	801 ISLINGTON STREET LLC

Print map scale is approximate. Critical layout or measurement activities should not be done using

FOR LEASE | SECOND-FLOOR OFFICE SPACE

801 ISLINGTON STREET, UNIT 33, PORTSMOUTH, NH 03801

FLOOR PLAN



Floor plans are for illustrative purposes only, are not to scale and should be viewed with this in mind and used as a guide only. Sizes and dimensions are approximate, actuals may vary.

I. NEW BUSINESS

C. The request of **Ryan Trust (Owner)**, for property located at **221 Woodbury Avenue** whereas relief is needed to subdivide the existing parcel into two parcels, for demolition of the existing one-story detached garage and construction of a new two-story detached garage on lot 1; and a new single-family residential structure on lot 2, which requires the following: 1) Variance from Section 10.521 to allow 63 feet of frontage where 100 feet is required. Said property is located on Assessor Map 175 Lot 10 and lies within the General Residence A (GRA) District. (LU-26-57)

Existing & Proposed Conditions

	Existing	Proposed	Permitted / Required	
Land Use:	Two-family Residential	Subdivision and construct new SFR	Mostly Residential	
Lot area (sq. ft.):	17,351	Lot 1: 7,979 Lot 2: 9,538	7,500	min.
Lot area per dwelling unit (sq. ft.)	17,351	Lot 1: 7,979 Lot 2: 9,538	7,500	min
Street Frontage (ft.):	279	Lot 1: 199 Lot 2: 63	100	min.
Lot depth (ft.):	139	Lot 1: 137 Lot 2: 123	70	min.
Front Yard (ft.):	13	Lot 1: 13 Lot 2: 8	*8 (Sec.10.516.10)*	min.
Secondary Front Yard (ft.):	Primary: 5 Garage: >15	Primary: 5 Garage: 15	15	min.
Left Yard (ft.):	>10	Lot 1: 19 Lot 2: 18.5	10	min.
Rear Yard (ft.):	Garage: 25	Garage: 29.5	20	min.
Height (ft.):	<35	<35	35	max.
Building Coverage (%):	10.4	Lot 1: 25 Lot 2: 20	25	max.
Open Space (%):	89.8	Lot 1: 75 Lot 2: 80	30	min.
Estimated Age of Structure:	1900	Variance request(s) shown in red.		

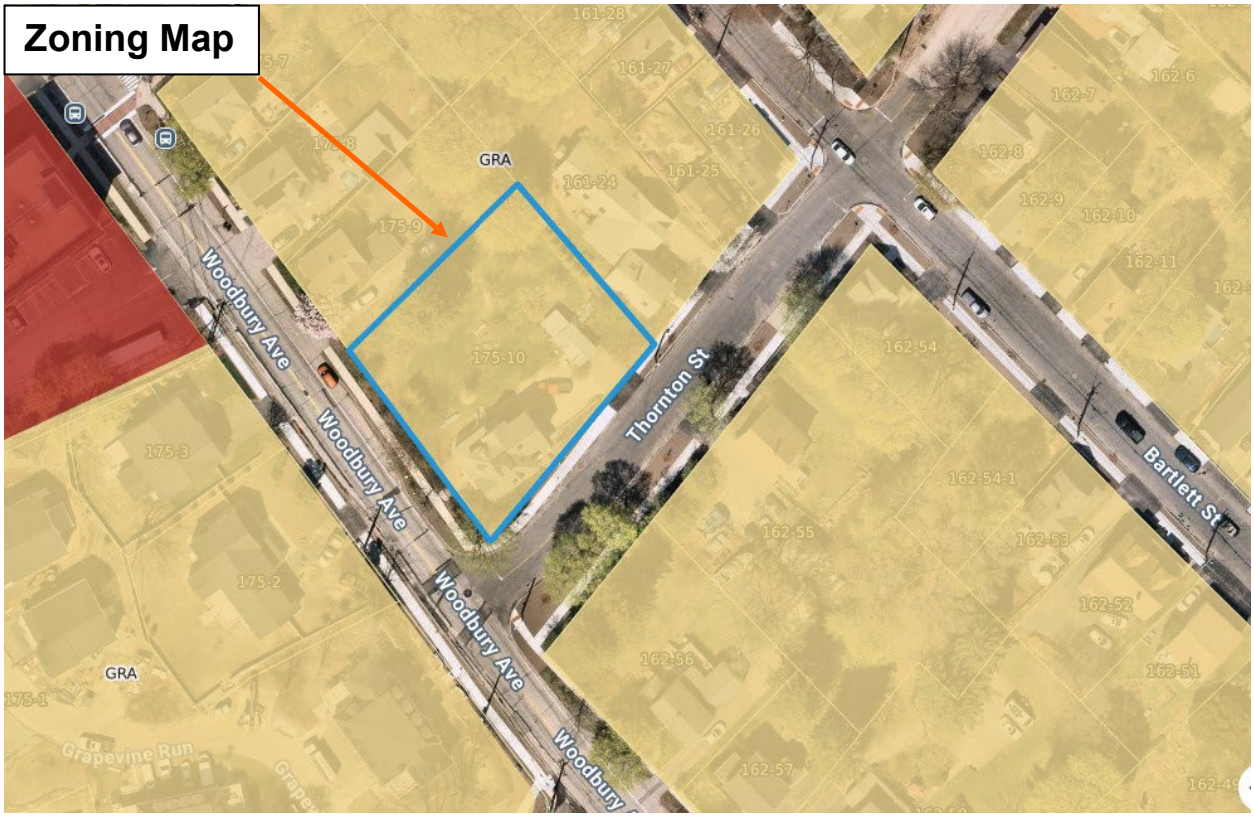
Other Permits/Approvals Required

- Planning Board / Subdivision Approval
- Building Permit

Neighborhood Context

Aerial Map

Zoning Map



Previous Board of Adjustment Actions

- **August 18, 2009** – Variance from Article III Section 10-302(A) to allow for a new lot with 60.45'± of frontage where 100' is required. The Board voted to deny the request as presented and advertised.

Planning Department Comments

The applicant is requesting relief to subdivide the property from one lot into two with a portion of frontage and access to the new lot coming off Thornton Street. The proposed subdivision would include construction of a new single-family residential structure on the new lot, a new detached garage on the primary lot and conversion of the existing two-family residence on the primary lot to a single-family residence.

Fisher vs. Dover

The applicant was before the Board on August 18, 2009, seeking relief from Article III, Section 10-302(A) to allow for a new lot with 60.45'± of frontage where 100' is required. A motion to grant the request failed to pass and the request was denied. The Board should consider whether it is appropriate to evoke Fisher vs Dover before the application is considered.

"When a material change of circumstances affecting the merits of the applications has not occurred or the application is not for a use that materially differs in nature and degree from its predecessor, the board of adjustment may not lawfully reach the merits of the petition. If it were otherwise, there would be no finality to proceedings before the board of adjustment, the integrity of the zoning plan would be threatened, and an undue burden would be placed on property owners seeking to uphold the zoning plan." Fisher v. Dover, 120 N.H. 187, (1980).

To view the August 2009 proposal please see the following link: https://files.portsmouthnh.gov/files/planning/apps/WoodburyAve_221/221_WoodburyAve_08-18-09_BOA_app.pdf

Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
   (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.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

Planning Department
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

To: Portsmouth Zoning Board of Adjustment ("ZBA")

From: Martin Ryan

Date: April 22, 2026

Re: Ryan Trust
221 Woodbury Ave, Tax map 175-10
General Residence A Zoning

Dear Chair & Zoning Board Members:

In support of the request for zoning relief, we respectfully submit this memorandum and the accompanying exhibits for the Zoning Board of Adjustment's (ZBA) consideration at its meeting on May 19th, 2026.

I. Attachments:

A. City Tax Map
B. Drawing Set
T1- Title Sheet
C1- Historic Map & Figure Ground
C2- Existing Site Plan
C3- Proposed Site Plan
C4- Site Diagram
A1- Site Elevation
A2- Site Elevations
P1- Context Photographs
P2- Context Photographs

Property:

Located at 221 Woodbury Avenue, the subject property is a 17,351-square-foot corner parcel with approximately 135 feet of Woodbury Avenue frontage and approximately 145 feet of Thornton Street frontage (see C2 Existing site Plan). Existing structures

include a well-maintained two-family residence constructed circa 1900 and a detached garage.

The applicants, who have resided at and maintained the property for 30 years, seeks a subdivision due to health-related challenges that make the current dwelling unfeasible. The objective is to subdivide the large parcel to create a new, adjacent lot. This will facilitate the construction of a more suitable residence, enabling the applicants to age in place within their established community.

While the proposed subdivision creates two appropriately sized lots that is consistent with the neighborhood's land use patterns, the project requires the approval of specific zoning variances.

Dimensional Requirements:

The proposed subdivision would be in accordance with the majority of dimensional standards, (See Table 10.521).

Lot Area: the existing lot is 17,351 SF. With the proposed subdivision, a new lot at 9,538 sf. would be created for the development of a single-family dwelling. The existing dwelling, which is a two-family home, will downgrade to a single-family dwelling on the remaining lot which would be 7,979 sf. Both lots would be conforming as the required lot sizes are a min. of 7,500 sf.

Lot Depth: the existing lot has a depth of 139'-1". The proposed lot would have a depth of 137'-4". The remaining lot would have a depth of 123'-8". The required depth for this zone is a minimum of 70'-0".

Front Setback: The existing two-family house has an existing, non-conforming front setback of 13'-2" where 15'-0" is required.

The proposed development of the newly formed lot would adhere to the setback requirements based upon section 10.516.10 "Front Yard Exception of Existing Alignments". The existing setback of 251 Woodbury Avenue and the existing structure of 221 Woodbury Avenue, the proposed house would be at 8'-0", an average of the sets of the two existing structures.

Rear setbacks: The existing 2 family house rear setback of 20'-0" is conforming .

The proposed development of the newly formed lot would adhere to the rear setback requirements.

Lot Coverage: With the proposed subdivision, the newly created Lot #1, containing the existing house and garage, would be at 21% where 25% is the maximum allowed.

The lot coverage of the proposed lot #2 would adhere to the lot coverage requirements.

Open Space: With the proposed subdivision, Lot #1, containing the existing house and garage, would be at 21% where 25% is the maximum allowed.

Zoning Relief Required:

Lot Frontage: where 100 LF is required in Zone GRA, 63'-0" would be the proposed frontage on Woodbury Avenue for the newly created Lot 2. As shown on the Figure 1 drawing, the prosed and remaining lot frontage is typical for lot frontage and average for the pattern and character of the neighborhood.

Figure 1. West End Neighborhood

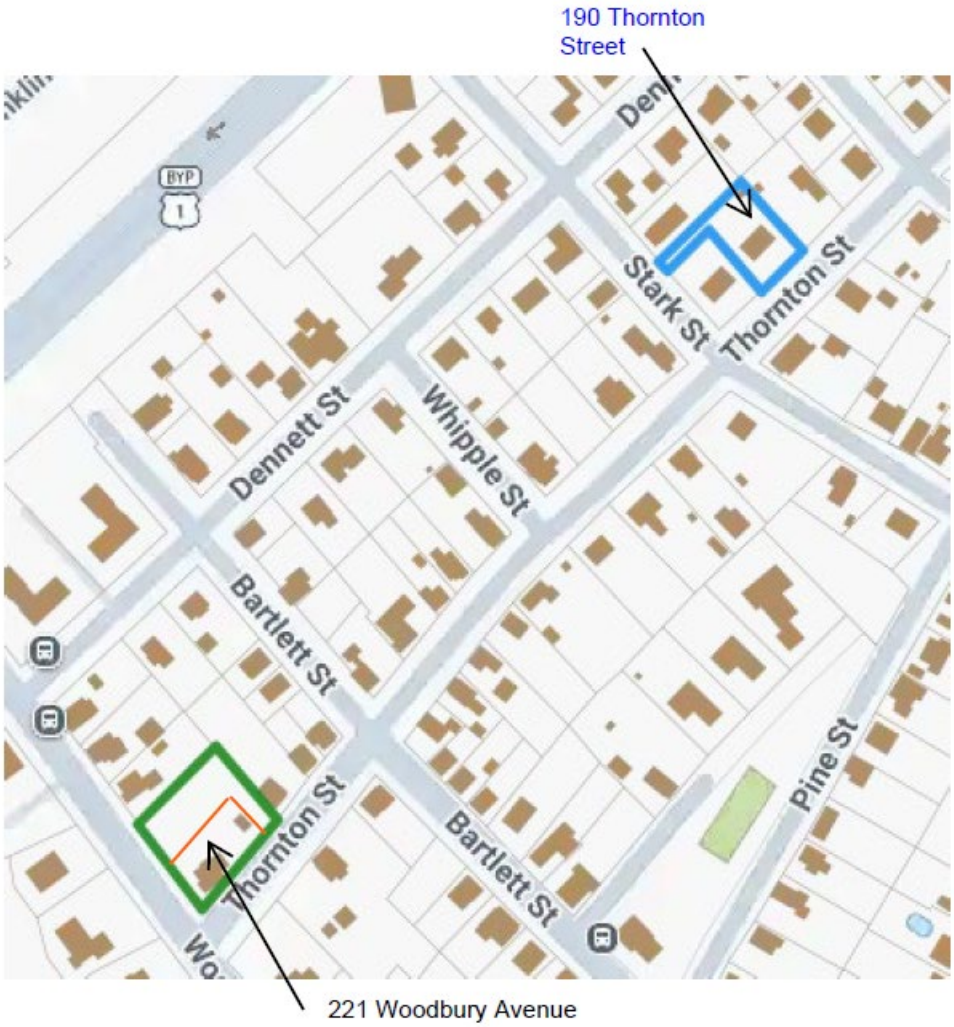


Figure 2- Precedent for lot configuration.

The proposed subdivision is deliberately designed to maintain the neighborhood's character by preventing driveways and garages from dominating the property's architectural facade. By relocating these visual elements to the interior of the lot, the proposed lot configuration successfully preserves the existing streetscape and the historic charm of the area. This approach would maintain the historic language of the “urban street wall”. Additionally, this driveway configuration eliminates the danger of backing into street traffic. A comparable precedent for this L-shaped lot and driveway configuration can be found at 190 Thornton Street.

CRITERIA

The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))

A. Public Interest:

Granting the requested variances will not be contrary to the spirit and intent of the ordinance nor will it be contrary to the public interest. The "public interest" and "spirit and intent" requirements are considered together pursuant to Malachy Glen Associates v. Chichester, 152 NH 102 (2007). The test for whether or not granting a variance would be contrary to the public interest or contrary to the spirit and intent of the ordinance is whether or not the variance being granted would substantially alter the characteristics of the neighborhood or threaten the health, safety and welfare of the public.

In this case, were the variance to be granted, there would be no change in the essential characteristics of the neighborhood, nor would any public health, safety or welfare be threatened. A second dwelling lot is entirely appropriate and consistent with the existing subdivision in which this property sits. It does not increase the amount of residential density beyond what is permitted by right. Thus, the fundamental residential character of the neighborhood will not be altered and the health, safety and welfare of the public will not be threatened.

B. Spirit of the Ordinance:

"The spirit of the Ordinance will be observed". If "there is no benefit to the public that would outweigh the hardship to the applicant" this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508 (2011). That is, "any loss to the owner that is not outweighed by a gain to the general public is an injustice." Malachy Glen, supra at 109.

The neighborhood is diverse with older traditional homes and more contemporary homes where driveways and garages are present. The lot is also adjacent to a newly developed residential block and existing commercial buildings. The intent of Section 10.1113.20 is presumably to create and preserve a consistent aesthetic where buildings are visible from the street and separated from the street by landscaping or other similarly landscaping, fencing and garden features. The location of automobiles and driveways and garage doors are minimized. Much of the area between the buildings and the street will remain grassed and landscaped, thus preserving that aesthetic of the neighborhood.

C. Substantial Justice:

"Substantial justice will be done" If this variance is granted, the applicants will be allowed to continue to reside in the community. If "there is no benefit to the public that would outweigh the hardship to the applicant" this factor is satisfied. Harborside

Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508 (2011). That is, “any loss to the owner that is not outweighed by a gain to the general public is an injustice.” Malachy Glen, supra at 109. The owners are constitutionally entitled to the use of the lot as it sees fit; including redevelopment for a permitted single-family home with an incorporated garage, fully zoning compliant except for frontage, which is being sought. “The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions.” N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 126 N.H. 64 (1985) at 68.

Approval of the frontage variance, supports a development that adheres to the character of the neighborhood and all substantive zoning criteria. As the variance entails no detriment to adjacent properties, there is no public interest served by its denial. In contrast, the owners face undue hardship if the request is rejected.

D. Property Values:

“The values of the surrounding properties will not be diminished”. "The Project, as designed and presented in this application, will result in no diminution of value to surrounding properties. The traditional style, single family structure is consistent with the neighborhood land use pattern and quality and character of the existing structures in the neighborhood. The request is limited to lot frontage variance necessitated by a site constraint that cannot be remedied. As the development enhances the property without impacting adjacent owners, it successfully fulfills the fourth prong of the variance requirements.

E. Unnecessary Hardship:

“Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship”. Allowing this proposed use is fair and reasonable.

The occupants of the property wish to remain in the neighborhood. This can be accomplished by allowing the separate sale of the existing home and allowing the owners to build a new home on the newly approved lot.

The proposed use is a reasonable use. Residential use is permitted in this zone and is identical in character and consistent with the existing use of the adjacent and abutting properties. There is no fair and substantial relationship between the purpose of the ordinance as it is applied to this particular property. The purpose of the 100 foot road

frontage requirement within the GRA zone is presumably to protect from overcrowding and overburdening lots and maintaining appropriate residential densities.

The dimensional requirements and expansion restrictions are to prevent overcrowding of land, promote adequate light and air, protect natural resources and promote health and general welfare, among other reasons. Since the proposed project will maintain the existing footprint of the home within the side yard setback, there is no fair and substantial relationship between the general purpose of the ordinance and this specific application. The proposed use as a single-family home is consistent with the neighborhood and is a permitted use in the zoning district; since the proposed use is permitted, it is considered reasonable. Granting this variance is essential for the owners to remain in the community and provide for their family's needs.

Thank you for your fair consideration on this matter.

Respectfully Submitted,

Martin Ryan

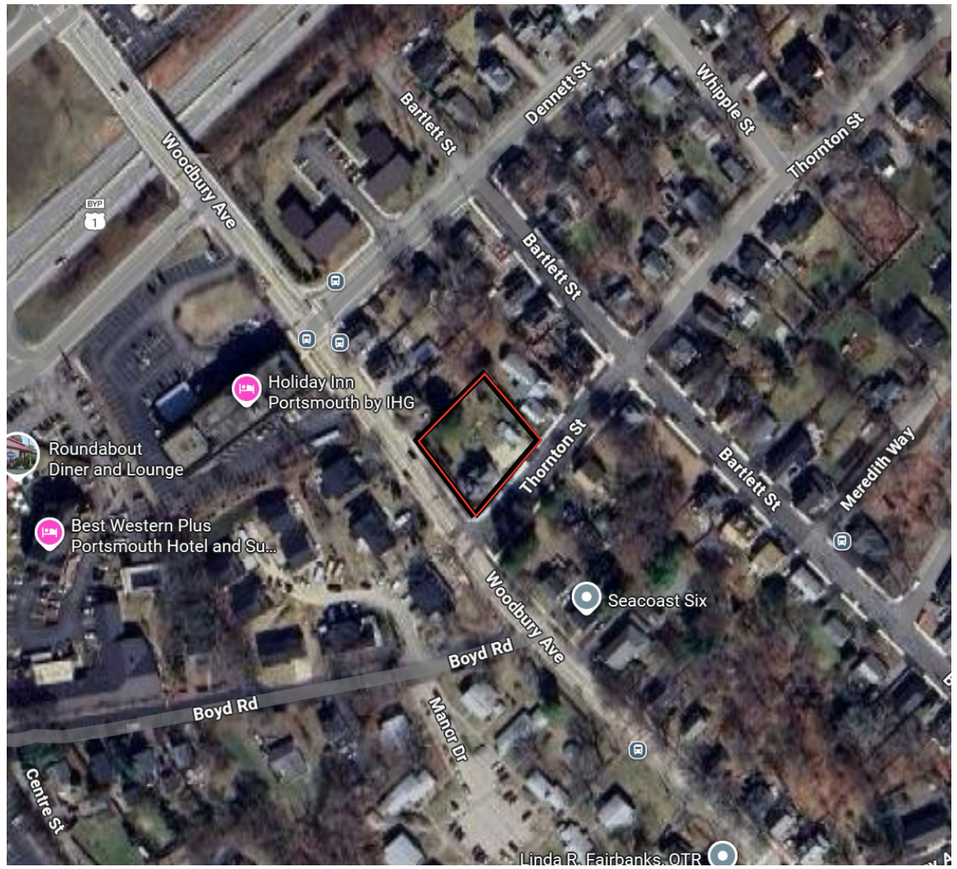
221 WOODBURY AVENUE
PORTSMOUTH, NH 03801
SUBDIVISION PROPOSAL PLAN

OWNER- RYAN TRUST

APRIL 22, 2026

DRAWING LIST

NO	TITLE
T1	TITLE SHEET
C1	HISTORIC MAP & FIGURE GROUND
C2	EXISTING SITE PLAN
C3	PROPOSED SITE PLAN
C4	SITE DIAGRAMS
A1	SITE ELEVATIONS
A2	SITE ELEVATIONS
P1	CONTEXT PHOTOGRAPHS
P2	CONTEXT PHOTOGRAPHS



AERIAL VIEW
SCALE: NTS

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

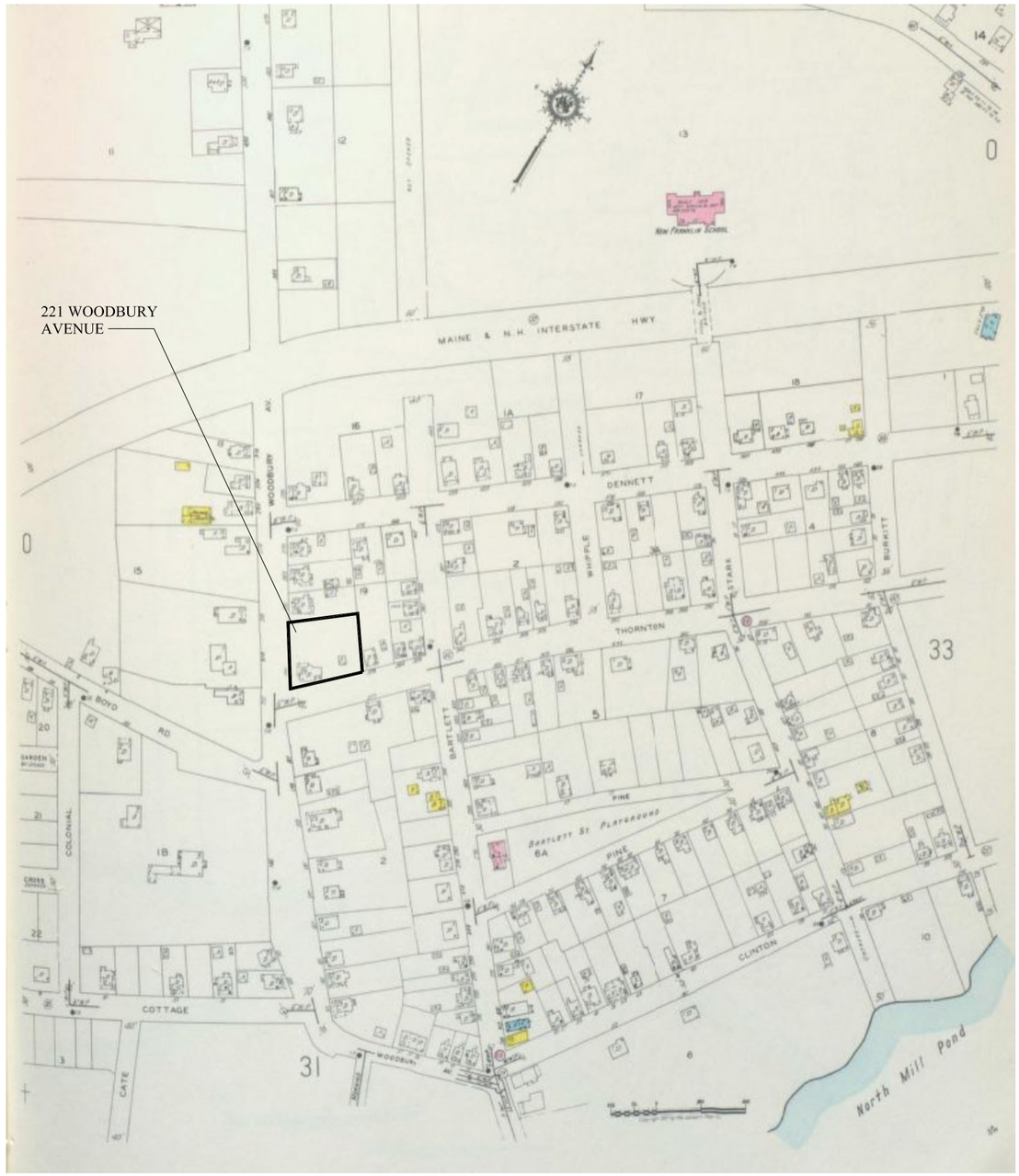
APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

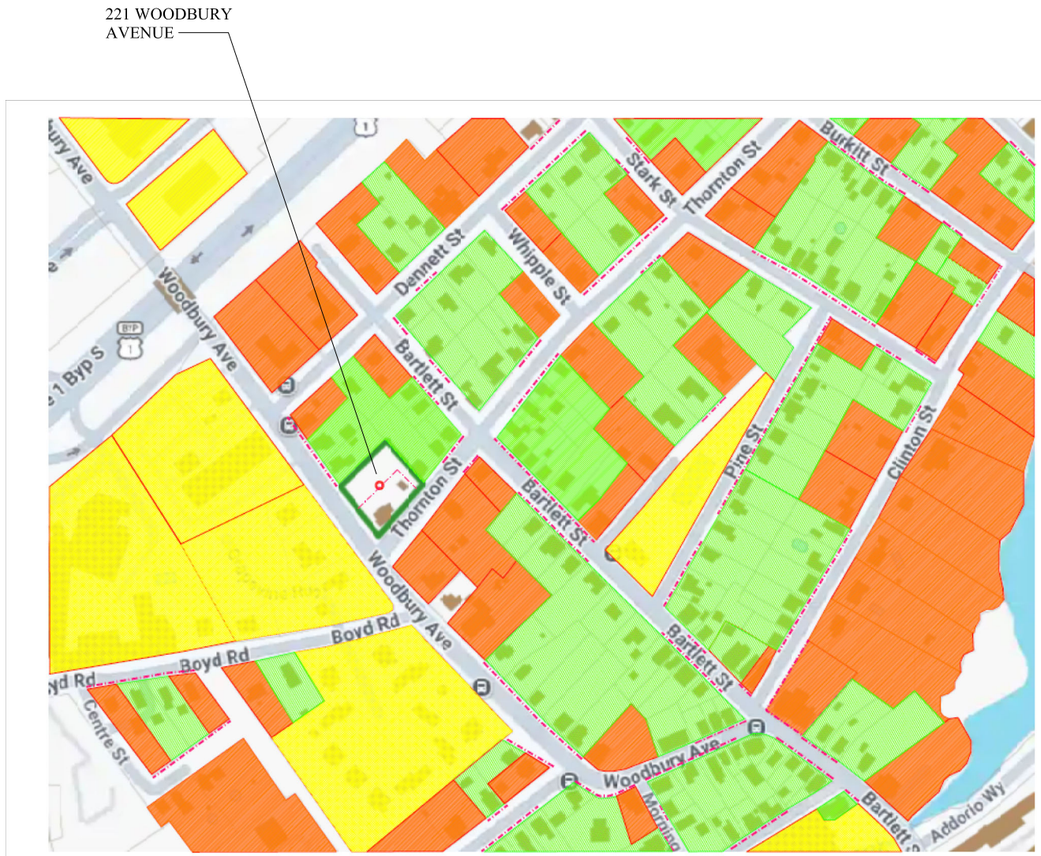
DATE:	04–22–26
DESIGN:	
DRAWN:	
CHECKED:	
SCALE:	
JOB:	

TITLE SHEET

T1



SANBORNE MAP 1920
SCALE: NTS



GREEN– LOTS WITH LESS THAN THE 100LF REQUIRED STREET FRONTAGE
ORANGE– LOTS THAT MEET THE 100 LF STREET FRONTAGE REQUIREMENT
YELLOW– COMMERCIAL OR MULT–FAMILY LOTS
FRONTAGE EQUAL OR LESS THAN 63 LF

FIGURE GROUND
SCALE: NTS

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

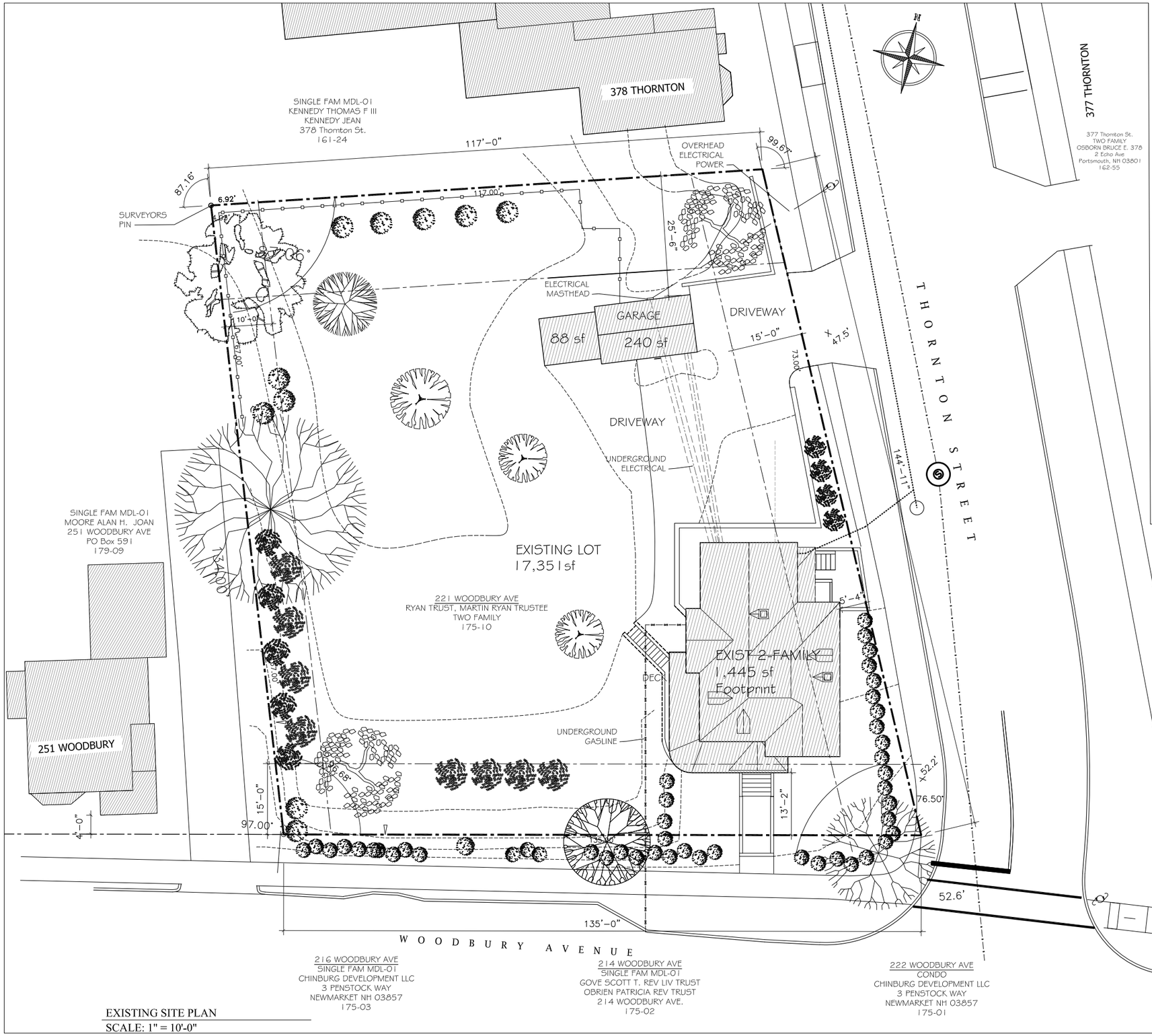
APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

DATE: 04–22–26
DESIGN:
DRAWN:
CHECKED:
SCALE:
JOB:

HISTORIC MAP &
FIGURE GROUND

C1



EXISTING SITE PLAN
SCALE: 1" = 10'-0"

SITE NOTES:

OWNER OF RECORD: RYAN TRUST

ADDRESS: 221 WOODBURY AVE

PORTSMOUTH, NEW HAMPSHIRE

PARCEL: AS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 175 AS LOT 10.

PARCEL AREA = ~17,351 SF = 0.403 ACRES

ZONING DISTRICT: GENERAL RESIDENTIAL A (GRA)

ZONING DIMENSIONS AND DENSITY REQUIREMENTS:

		REQUIRED	EXISTING
A)	MINIMUM LOT SIZE	7,500 SF	17,351 SF
B)	MINIMUM LOT FRONTAGE		
	WOODBURY AVE	100 LF	135.0 LF
	THORNTON STREET	100 LF	144.9 LF
C)	MINIMUM FRONT SETBACK		
	WOODBURY AVE	15 LF	13.1 LF
	THORNTON STREET	15 LF	5.33 LF
D)	MINIMUM SIDE SETBACK	10 LF	66 LF
E)	MINIMUM REAR SETBACK	20 LF	25.5 LF
F)	MAXIMUM LOT COVERAGE		
	25%	4,337 SF	1,767 SF
			10.18%
G)	MINIMUM OPEN SPACE		
	30%	5,205 SF	13,018 SF
			89.82%

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

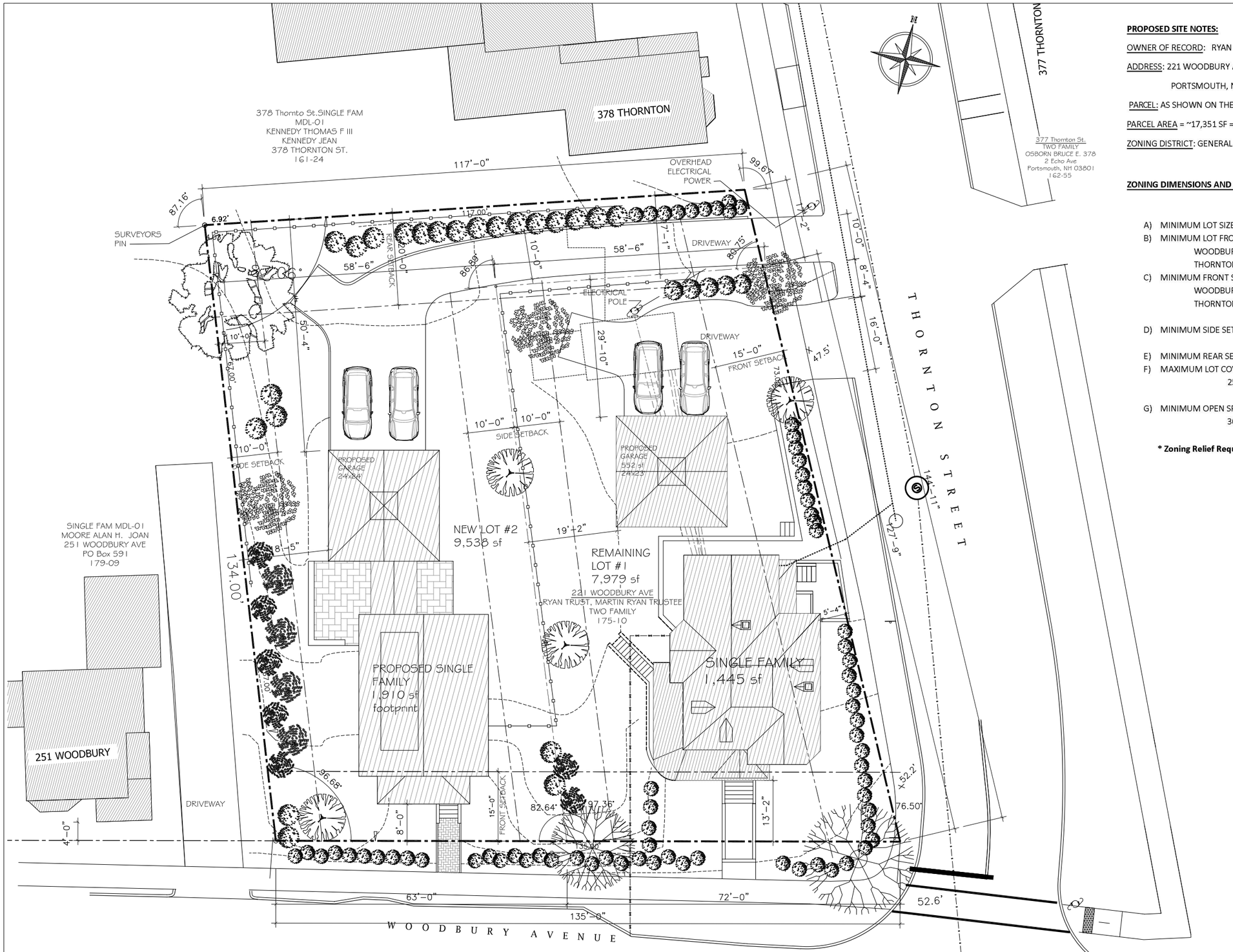
APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

DATE:	04-22-26
DESIGN:	
DRAWN:	
CHECKED:	
SCALE:	
JOB:	

EXISTING SITE PLAN

C2



SITE PLAN
SCALE: 1" = 10'-0"

PROPOSED SITE NOTES:

OWNER OF RECORD: RYAN TRUST

ADDRESS: 221 WOODBURY AVE

PORTSMOUTH, NEW HAMPSHIRE

PARCEL: AS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 175 AS LOT 10.

PARCEL AREA = ~17,351 SF = 0.403 ACRES

ZONING DISTRICT: GENERAL RESIDENTIAL A (GRA)

ZONING DIMENSIONS AND DENSITY REQUIREMENTS:

	REQUIRED	EXISTING	LOT#1	LOT#2
A) MINIMUM LOT SIZE	---------- ~7,500 SF	17,358 SF	7,979 SF	9,538 SF
B) MINIMUM LOT FRONTAGE				
WOODBURY AVE	----------100 LF	135.0 LF	72.0 LF	**63.0 LF ***
THORNTON STREET	---------100 LF	144.9 LF	144.9 LF	N/A
C) MINIMUM FRONT SETBACK				
WOODBURY AVE	----------15 LF	13.1 LF	13.1 LF	9.33 LF
THORNTON STREET	---------15 LF	5.33 LF	5.4 LF	N/A
D) MINIMUM SIDE SETBACK	----------10 LF	66 LF	19.1 LF	18.4 LF
E) MINIMUM REAR SETBACK	---------20 LF	25.5 LF	29.8 LF	49 LF
F) MAXIMUM LOT COVERAGE				
25%	-------4,337 SF	1,812 SF	1,997 SF	1,910 SF
			25%	20%
G) MINIMUM OPEN SPACE				
30%	------- 5,205 SF	13,018 SF	5,982 SF	7,628 SF
			75%	80%

*** Zoning Relief Required**

LEGEND

IRON ROD/ PIPE FOUND
BENCHMARK
SEWER MANHOLE
DRAIN MANHOLE
UTILITY POLE
CATCH BASIN
HYDRANT
GATE VALVE

SIGN
PROPERTY LINE
EDGE OF PAVEMENT
EXISTING CONTOUR
PROPOSED CONTOUR
WATER LINE
STORM DRAIN LINE
SANITARY SEWER LINE
OVERHEAD UTILITY LINE
UNDERGROUND ELECTRIC LINE

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

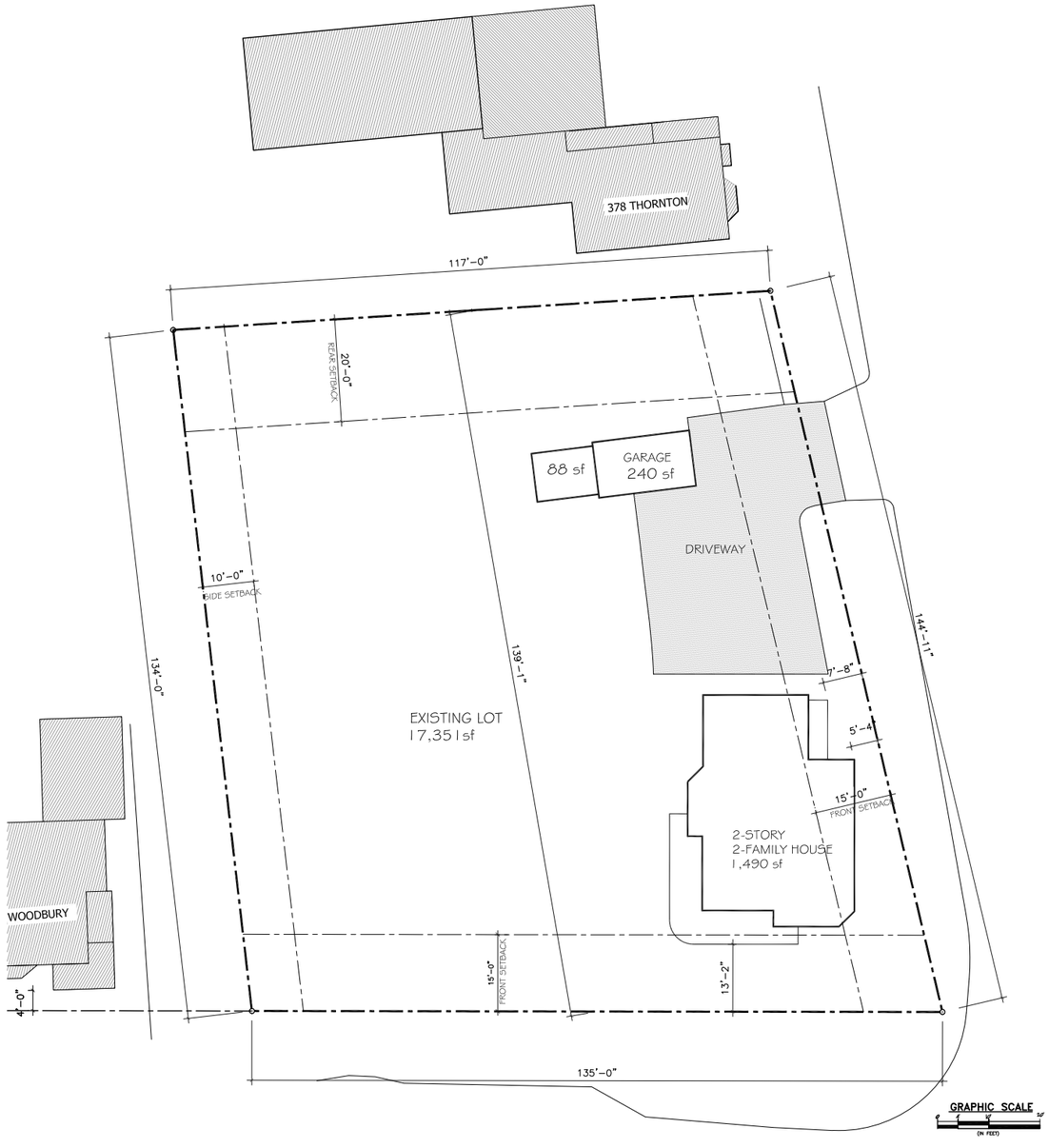
APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

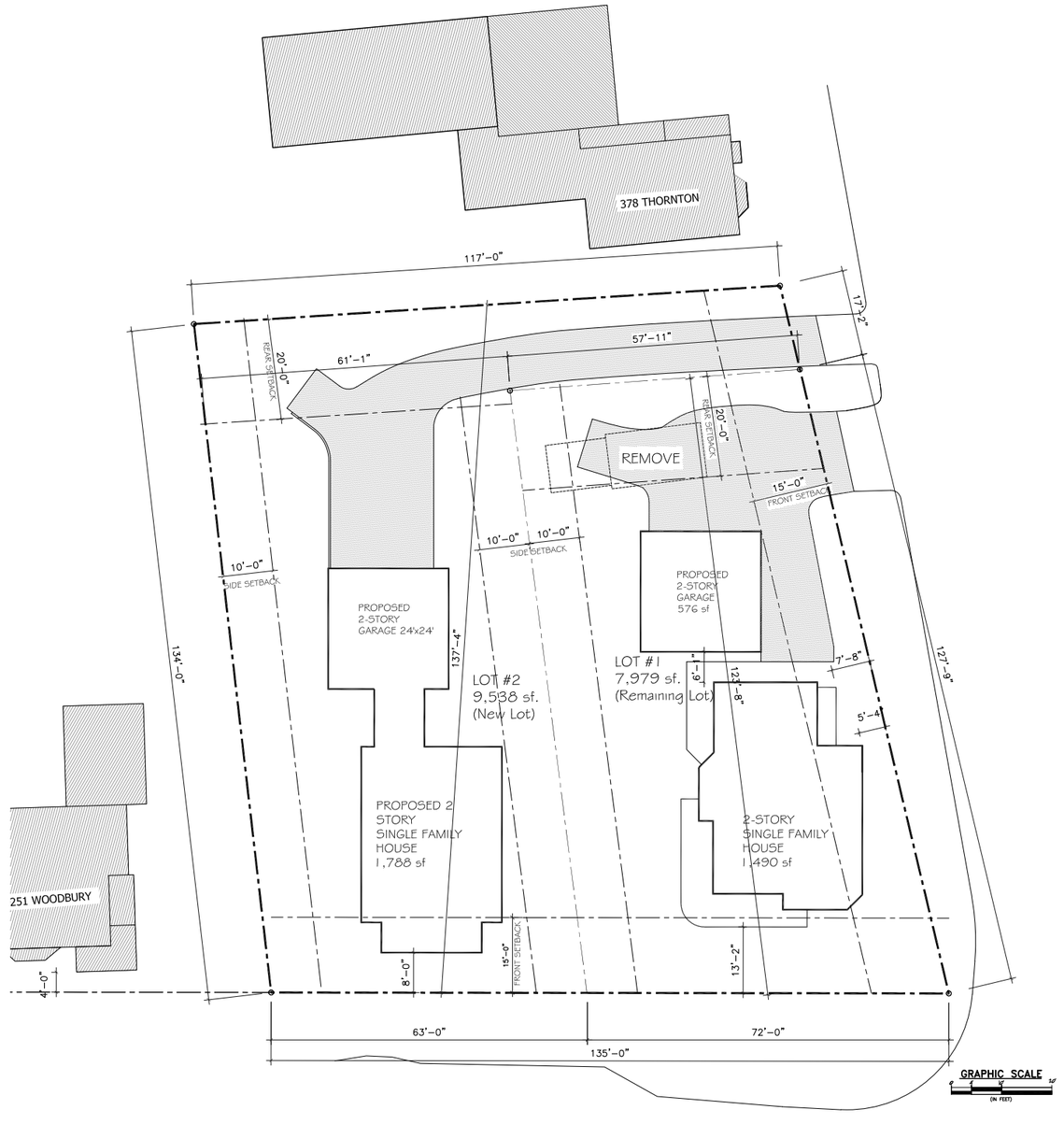
DATE: 04-22-26
DESIGN:
DRAWN:
CHECKED:
SCALE:
JOB:

PROPOSED SITE PLAN

C3



EXISTING SITE DIAGRAM
SCALE: NTS



PROPOSED SITE DIAGRAM
SCALE: NTS

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

DATE:	04–22–26
DESIGN:	
DRAWN:	
CHECKED:	
SCALE:	
JOB:	

SITE
DIAGRAMS

C4

PROPOSED LOT

REMAINING LOT

1 WOODBURY AVENUE ELEVATION

2 WEST ELEVATION

GRAPHIC SCALE

0 4 8 20

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

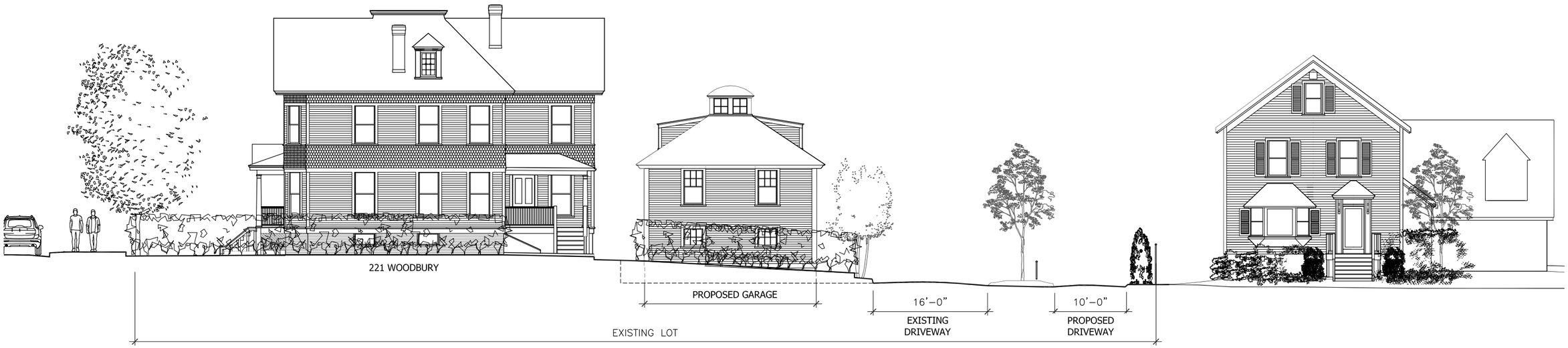
APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

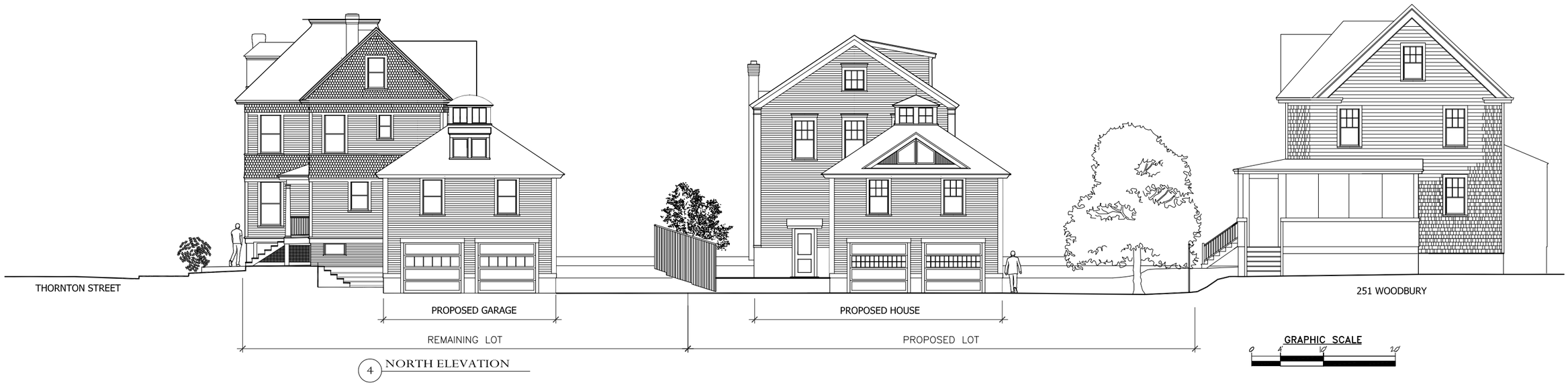
DATE: 04-22-26
DESIGN:
DRAWN:
CHECKED:
SCALE:
JOB:

SITE
ELEVATIONS

A1



3 THORNTON STREET ELEVATION



4 NORTH ELEVATION

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

DATE: 04–22–26
DESIGN:
DRAWN:
CHECKED:
SCALE:
JOB:

SITE ELEVATIONS

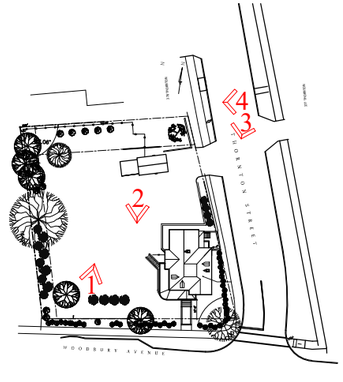
A2

PHOTOGRAPH #1

PHOTOGRAPH #2

PHOTOGRAPH #3

PHOTOGRAPH #4



SITE KEY PLAN
SCALE: NTS

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

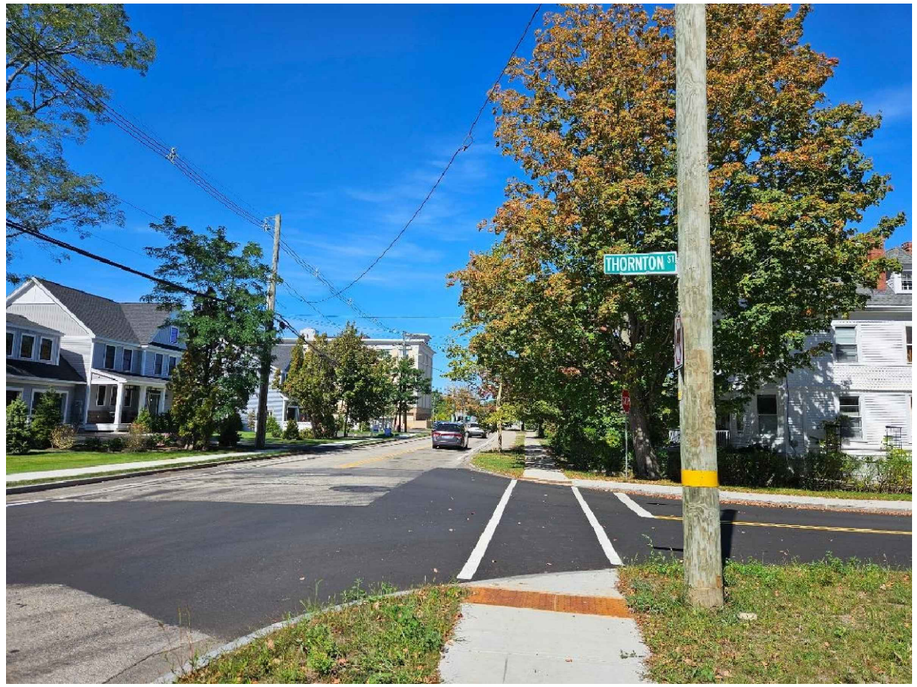
31 MARCH 2026

221 WOODBURY AVE
PORTSMOUTH, NH
PROPOSAL

DATE:	08-01-21
DESIGN:	
DRAWN:	
CHECKED:	
SCALE:	
JOB:	

CONTEXT PHOTOGRAPHS

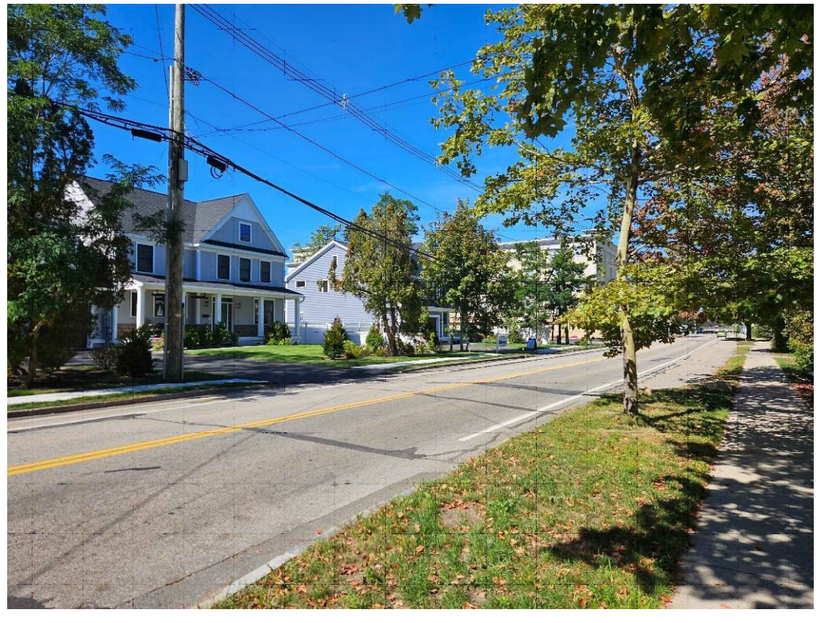
P1



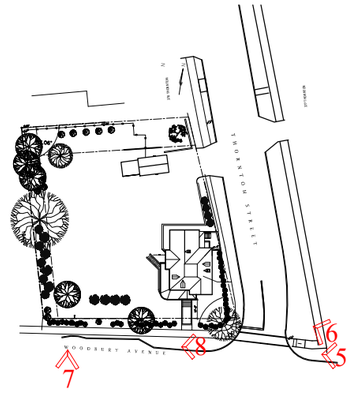
PHOTOGRAPH #5

PHOTOGRAPH #6

PHOTOGRAPH #7



PHOTOGRAPH #8



SITE KEY PLAN
SCALE: NTS

MARTIN RYAN ARCHITECT
221 Woodbury Ave
Portsmouth, NH 03801

APRIL 22, 2026

221 WOODBURY AVE
PORTSMOUTH, NH
SUBDIVISION PLAN

DATE: 08-01-21
DESIGN:
DRAWN:
CHECKED:
SCALE:
JOB:

CONTEXT PHOTOGRAPHS

P2

I. NEW BUSINESS

D. The request of **Maximillian Kolbe Hochschwender (Owner)**, and **Flybird LLC** (**Applicant**) for property located at **44 Rogers Street** whereas relief is needed to construct a rear addition to the existing residential structure which requires the following: 1) Variance from Section 10.521 to allow a 3-foot side yard where 10 feet 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 located on Assessor Map 116 Lot 45 and lies within the Mixed Residential Office (MRO) and Historic Districts. (LU-26-55)

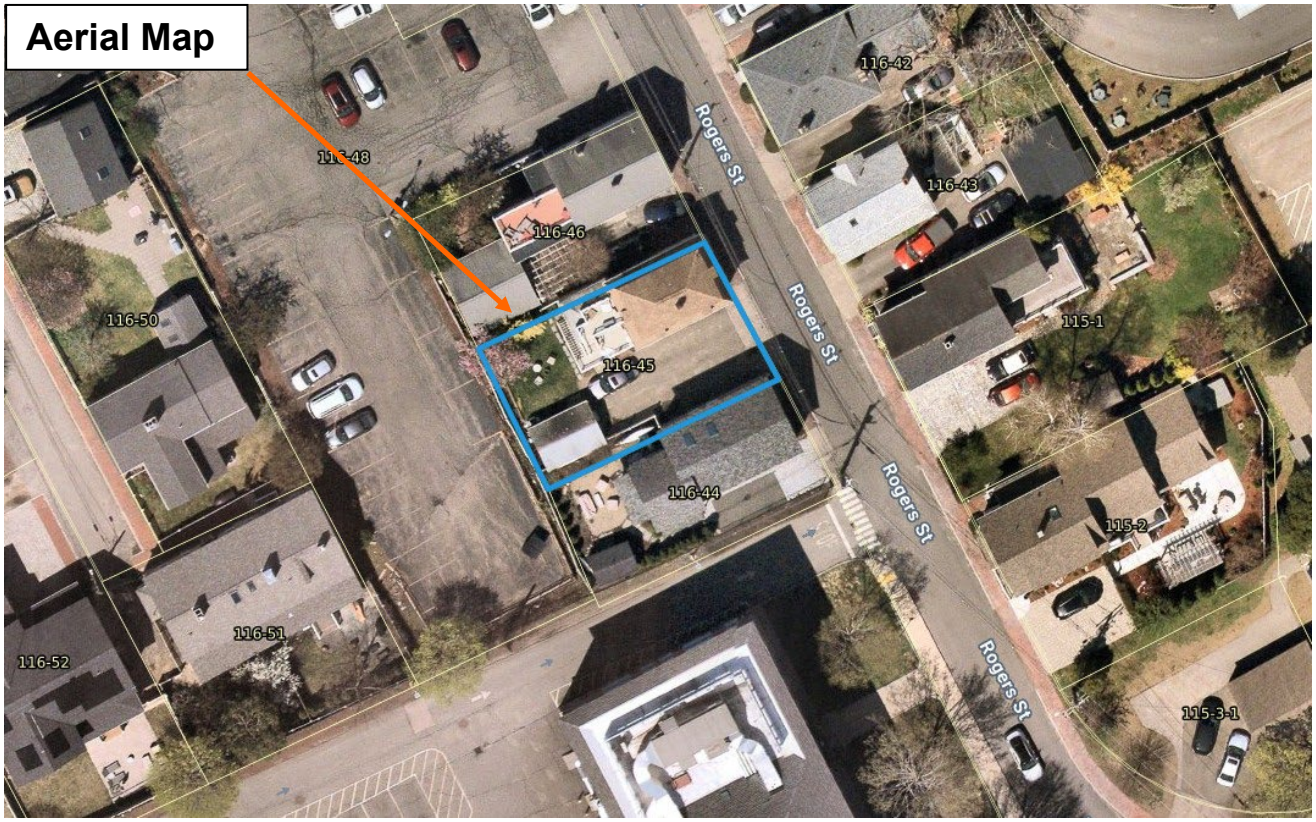
Existing & Proposed Conditions

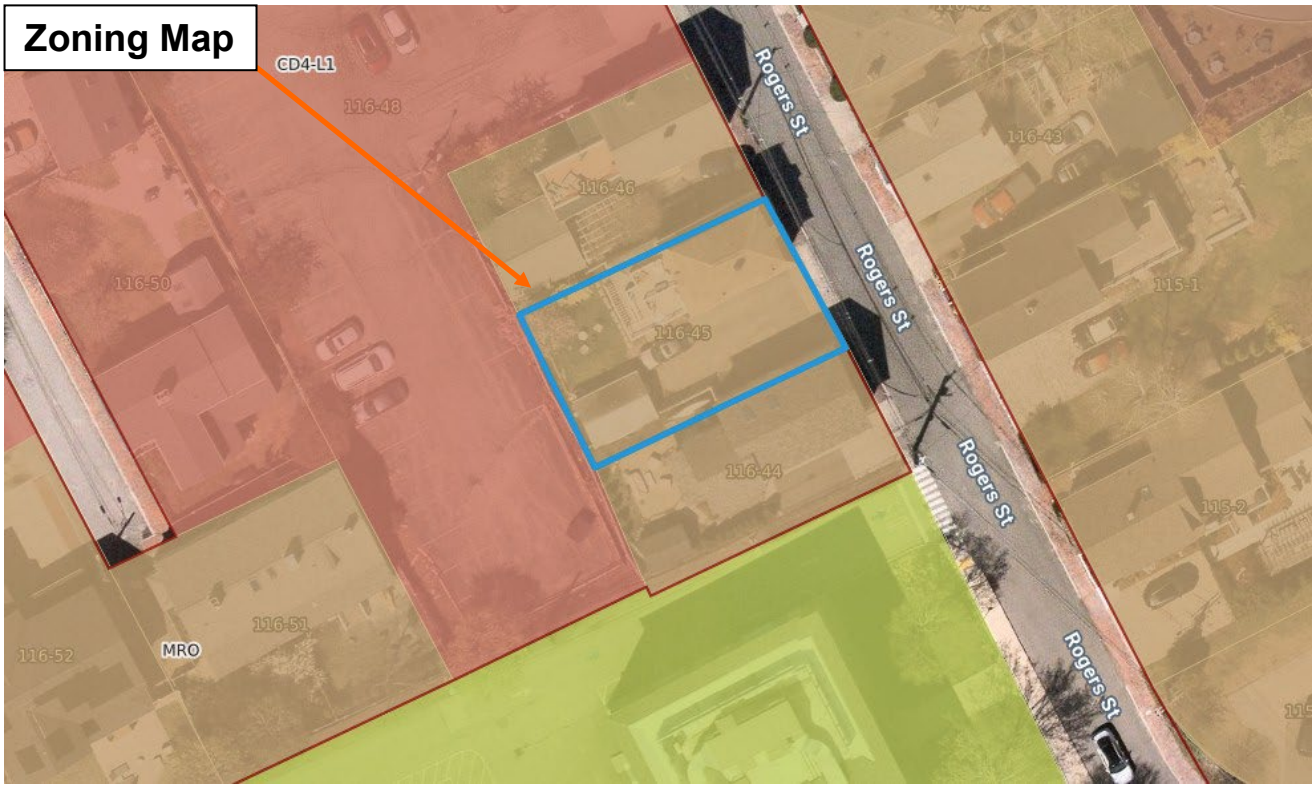
	Existing	Proposed	Permitted / Required	
Land Use:	Single-family Residential	construct addition	Mostly Residential	
Lot area (sq. ft.):	3,485	3,485	7,500	min.
Lot area per dwelling unit (sq. ft.)	3,485	3,485	7,500	min
Street Frontage (ft.):	45.5	45.5	100	min.
Lot depth (ft.):	74	74	80	min.
Front Yard (ft.):	<1	<1	5	min.
Right Yard (ft.):	3	3	10	min.
Left Yard (ft.)	House: >10 Garage: 0	House: >10 Garage: 0	10	min.
Rear Yard (ft.):	House: 26.5 Garage: 3	House: 26.5 Garage: 3	15	min.
Height (ft.):	29	29	40	max.
Building Coverage (%):	38	38	40	max.
Open Space (%):	25	25	25	min.
Estimated Age of Structure:	1864	Variance request(s) shown in red.		

Other Permits/Approvals Required

- Historic District Commission
- Building Permit

Neighborhood Context





Previous Board of Adjustment Actions

- No previous BOA history was found.

Planning Department Comments

The applicant intends to renovate the existing house and to demolish the existing two-story "ell" addition at the rear of the property and replace it in the same location with a three-story addition within the existing footprint. The proposed vertical expansion will also remove the rear exterior staircase and access that presently exists. The existing house is located within the side yard and therefore the applicant is requesting relief for a side yard setback of 3 feet for the addition.

Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
   (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.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

NARRATIVE
VARIANCE APPLICATION

44 Rogers Street
Tax Map 116, Lot 45

Flybird LLC, Applicant

INTRODUCTION

Flybird LLC (the "Applicant") is seeking to remodel the property located at 44 Rogers Street, identified as Portsmouth Tax Map 116, Lot 45 (the "Property"). The Property is located within the Mixed Residential Office ("MRO") Zoning District.

The Property is a 3,485 square foot lot containing a three-story single-family home with a detached garage, constructed in 1864 according to Portsmouth assessing records. The dwelling on the Property contains approximately 2,260 square feet of living area with a footprint of 1,321 square feet. The Property is presently nonconforming in most respects, so any proposed expansion on the Property will require variances from provisions of the City of Portsmouth Zoning Ordinance (the "Ordinance"). The Property is non-conforming to the MRO Zoning District requirements in the following respects:

Provision	**Requirement**	**Existing Condition**	**Non-Conforming Feature**
Lot Area / Lot Area per Dwelling Unit	7,500 sq. ft.	3,485 sq. ft.	Lot
Continuous Frontage	100'	45' 7"	Lot
Depth	80'	74'	Lot
Front Yard Setback	5'	0' 11"	House
Left Yard Setback	10'	3'	House
Right Yard Setback	10'	0'	Garage
Rear Setback	15'	3' 2"	Garage

Proposed Conditions

The Applicant seeks to demolish the existing two-story "ell" addition at the rear of the property and replace it in the same location with a three-story addition entirely within the existing footprint. The proposed vertical expansion will 'in-fill' the third story and remove the rear exterior staircase and access that presently exists. There will be no exterior third story access, but an existing first floor rear entry way will remain on the west face of the building. The third floor addition will be used as an additional bedroom and bathroom. Because the addition will be located entirely within the existing footprint, the addition will not result in any greater nonconformity with the terms of the Ordinance. There will be no increase to any setback encroachment, and no increase to the Property's building coverage.

ZONING RELIEF SUMMARY

The Applicant seeks the following variance approvals from the Board:

Section 10.321

To allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance (vertical expansion).

Section 10.521

To allow a 3' left side yard setback where 10' is required and 3' exists.

VARIANCE CRITERIA

Granting the variances will not be contrary to the spirit and intent of the Zoning Ordinance or the public interest.

In the case of Chester Rod & Gun Club, Inc. v. Town of Chester, the Court noted that since the provisions of all ordinances represent a declaration of public interest, any variance will, in some measure, be contrary to the ordinance, but to be contrary to the public interest or injurious to public rights of others, "the variance must 'unduly, and in a marked degree' conflict with the ordinance such that it violates the ordinance's 'basic zoning objectives." "Id. The Court observed that "[t]here are two methods of ascertaining whether granting a variance would violate an ordinance's basic zoning objectives: (1) examining whether granting the variance would alter the essential character of the neighborhood or, in the alternative; and (2) examining whether granting the variance would threaten the public health, safety, or welfare." Id.

In this instance because there is no expansion of the building's footprint nor any increase to any existing encroachment, there is no argument that granting the variance would be contrary to the spirit and intent of the Ordinance or the public interest. The lot is undersized and the existing structures sit almost directly on the boundary lines on four sides. These nonconformities are not atypical of this neighborhood, where many of the historic buildings and homes likely predate the Ordinance by one hundred years or more. There is no proposed expansion of any of these nonconformities but simply a vertical expansion of the existing nonconforming structure. This modest expansion will have little to no impact on the air, light and space of any abutter in this densely settled area. The expansion and accompanying renovation of the Property will be in keeping with the existing aesthetic of the home and the larger neighborhood. Accordingly, there will be no change to the character of the neighborhood and no threat to the public health, safety or welfare.

Substantial Justice will be done in granting the variances.

To determine whether substantial justice is done, the Board must balance the equities between the rights of a private landowner and the public interest in deciding whether to grant or

deny a variance request. The "only guiding rule is that any loss to the individual that is not outweighed by a gain to the general public is an injustice." New Hampshire Office of State Planning, The Board of Adjustment in New Hampshire, A Handbook for Local Officials (1997); *Malachy Glen Assocs., Inc. v. Town of Chichester*, 155 N.H. 102 (2007).

It would represent a significant loss to the Applicant for the Board to deny the variances necessary to modestly expand the existing home to create a small amount of additional living space. There is no proposed increase to building coverage or encroachment into the setbacks than what presently exists, and accordingly the proposal will not alter the character of the neighborhood. The street is characterized by historic buildings and homes where many lots are undersized and have encroaching structures. The expansion and renovation will result in a structure that has a cohesive exterior and streamlined roof compared to what exists presently. Accordingly, there would be no gain to the public by denying the variances. In balancing the equities, it would constitute an injustice to deny the variances. It would deprive the Applicant of the ability to reasonably expand upon the Property to add living space

Surrounding property values will not be diminished by granting the variances.

The neighborhood is characterized by undersized lots with many structures sitting directly on or close to boundary lines. The vertical addition is tastefully designed and will be in keeping with the character of homes and structures on surrounding properties. The renovation will add a small amount of living space and also update the exterior with a fresh and attractive appearance. Therefore, the proposed improvements should only help to preserve or enhance surrounding property values.

Literal enforcement of the provisions of the Ordinance would result in unnecessary hardship.

There is little to no relation to the setback or lot area requirements set forth in the Ordinance and their application to this Property. The City tax maps appear to indicate that most homes or structures sit directly upon one or more property lines. Exhibit A. The Property has special conditions that distinguish it from surrounding properties such that it is unreasonably burdened if the MRO Zoning standards are strictly applied to it.

The most prominent special conditions of the Property are its size and the fact that both structures, which predate the Ordinance, are located substantially within the setbacks. The provisions of the Ordinance cannot be literally enforced with respect to this Property or almost any surrounding properties because nearly all are nonconforming with respect to lot area and setbacks. The Applicant seeks to add living space by expanding within the existing footprint so as to not increase any nonconformity. Additionally, the home on abutting property at 36 Rogers Street extends right up to both the side and rear property lines. If the Applicant wanted to expand the footprint of the building at all, they would likely be unable to because there would be no room to leave a buffer between the homes. The proposed vertical expansion will allow the Applicant to gain a small amount of living space while having the least amount of impact possible on surrounding properties compared to any footprint expansion. The inapplicability of the MRO provisions to the Property, and the location of the existing structures upon the Property constitute

special conditions such that there is no fair and substantial relationship between the general purposes of the lot area and setback restrictions and their application to the Property. The Property could not be used in strict conformance with the Ordinance without a complete demolition and relocation of the home, which would make little sense.

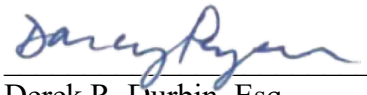
The proposed use of the Property is also reasonable. The Property will continue to be used for single-family residential purposes and the detached structure will be used as a garage, uses which are all permitted within the MRO Zoning District.

CONCLUSION

The Applicant, Flybird LLC, thanks you for your time and consideration of the application and respectfully requests your approval of the variances being requested.

Respectfully Submitted,
Flybird LLC

May 6, 2026

By: 

Derek R. Durbin, Esq.
Darcy Peyser, Esq.
DURBIN LAW OFFICES PLLC
154 Maplewood Avenue
Portsmouth, NH 03801
(603)-287-4764
derek@durbinlawoffices.com
darcy@durbinlawoffices.com

EXHIBIT A

Property Information

Property ID	0116-0045-0000
Location	44 ROGERS ST
Owner	HOCHSCHWENDER MAXIMILIAN KOLBE

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 03/06/2026

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

44 ROGERS STREET RENOVATION

HISTORIC DISTRICT PUBLIC HEARING - MAY 2026

BUILDING HISTORY:

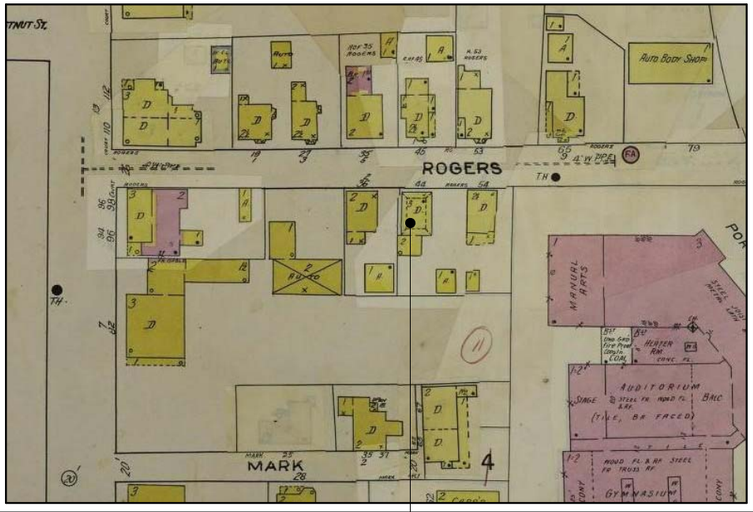
- CONSTRUCTED IN 1864, 44 ROGERS STREET IS A THREE-STORY SECOND EMPIRE–STYLE RESIDENCE CHARACTERIZED BY A MANSARD ROOF WITH DORMERS AND A TWO-STORY REAR ELL.
- THE REAR ELL REFLECTS TWO PERIODS OF EXPANSION: AN ADDITION CONSTRUCTED IN THE 1890S AND A SUBSEQUENT ADDITION COMPLETED AFTER 1949.

GENERAL PROJECT DESCRIPTION:

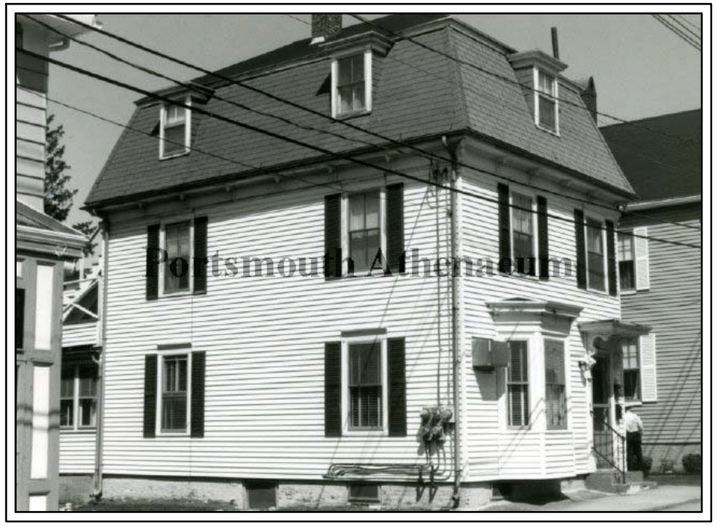
- PRESERVE, RESTORE, AND SENSITIVELY UPDATE THE EXISTING SINGLE-FAMILY RESIDENCE WHILE MAINTAINING ITS HISTORIC CHARACTER.
- RECONSTRUCT REAR ELL AND EXPAND TO A FULL 3-STORIES WITHIN THE EXISTING FOOTPRINT. THREE MASSING OPTIONS PROVIDED FOR REVIEW.
- REMOVE EXISTING VINYL SIDING AND TRIM; REPLACE WITH WOOD CLAPBOARD SIDING, AND COMPOSITE TRIM WITH PROFILES MATCHING THE ORIGINAL HISTORIC DETAILING.
- REMOVE EXISTING VINYL SHUTTERS; REPLACE WITH WOOD SHUTTERS AND HISTORICALLY APPROPRIATE METAL HARDWARE
- REPAIR AND REPLACE EXISTING EXTERIOR WOOD TRIM AND MOLDING IN KIND, MATCHING ORIGINAL PROFILES AND DETAILS.
- RECONSTRUCT DORMERS TO INCLUDE HISTORICALLY APPROPRIATE EAVE TRIM CONSISTENT WITH THE ORIGINAL DESIGN.
- REPLACE VINYL WINDOWS WITH CLAD WOOD WINDOWS, MACHINING EXISTING SIZES AND TRIM DETAILS.
- REPLACE THE EXISTING CHIMNEY WITH A NON-FUNCTIONAL (FAUX) CHIMNEY ABOVE THE ROOFLINE, MATCHING THE EXISTING DESIGN AND PROFILE.
- RECONSTRUCT THE EXISTING MANSARD ROOF IN KIND, MAINTAINING ORIGINAL FORM, SLOPE, AND DETAILING CONSISTENT WITH THE BUILDING'S HISTORIC CHARACTER.

SHEET LIST	
Sheet Number	Sheet Name
A0	COVER
A1	EXISTING PHOTOGRAPHS
A2	ARCHITECTURAL SITE PLAN
A3	EXISTING ELEVATIONS
A4	MASSING
A5	ELEVATIONS
A6	FLOOR PLANS
A7	MATERIALS
A8	TRIM PROFILES

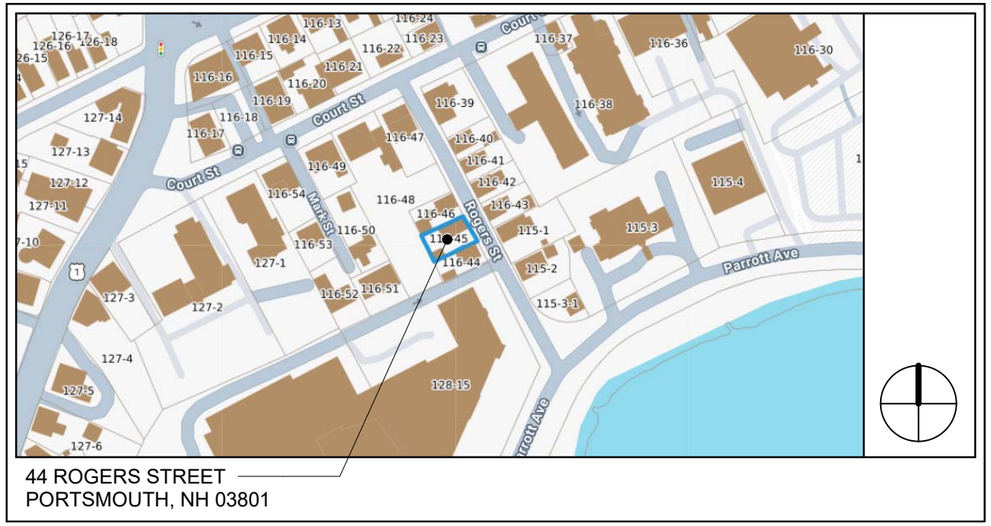
EXISTING PERSPECTIVE FROM ROGERS STREET LOOKING AT 44 ROGERS STREET



SANBORN INSURANCE MAP 1949
44 ROGERS STREET



44 ROGERS STREET FROM THE HISTORIC DISTRICT SURVEY, BY THE PORTSMOUTH ADVOCATES INC. IMAGE DATE: 1982. COURTESY OF PORTSMOUTH ATHENAEUM.



44 ROGERS STREET
PORTSMOUTH, NH 03801

© 2026 Portsmouth Architects

SINGLE FAMILY RENOVATION

44 ROGERS STREET
PORTSMOUTH, NH 03801

COVER

HISTORIC DISTRICT COMMISSION - PUBLIC HEARING,
MAY 2026

4 Market Street
Portsmouth, New Hampshire
603.430.0274

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McHENRY ARCHITECTURE

A0

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PERSPECTIVE OF BACK DECK

PERSPECTIVE OF SUN ROOM FROM DRIVEWAY

PERSPECTIVE OF ENTRANCE FROM ROGERS ST

PERSPECTIVE FROM ROGERS STREET LOOKING NORTH WEST

PERSPECTIVE FROM ROGERS STREET LOOKING SOUTH WEST

PERSPECTIVE OF GARAGE

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SINGLE FAMILY RENOVATION

44 ROGERS STREET
PORTSMOUTH, NH 03801

EXISTING PHOTOGRAPHS

HISTORIC DISTRICT COMMISSION - PUBLIC HEARING,
MAY 2026

4 Market Street
Portsmouth, New Hampshire
603.430.0274

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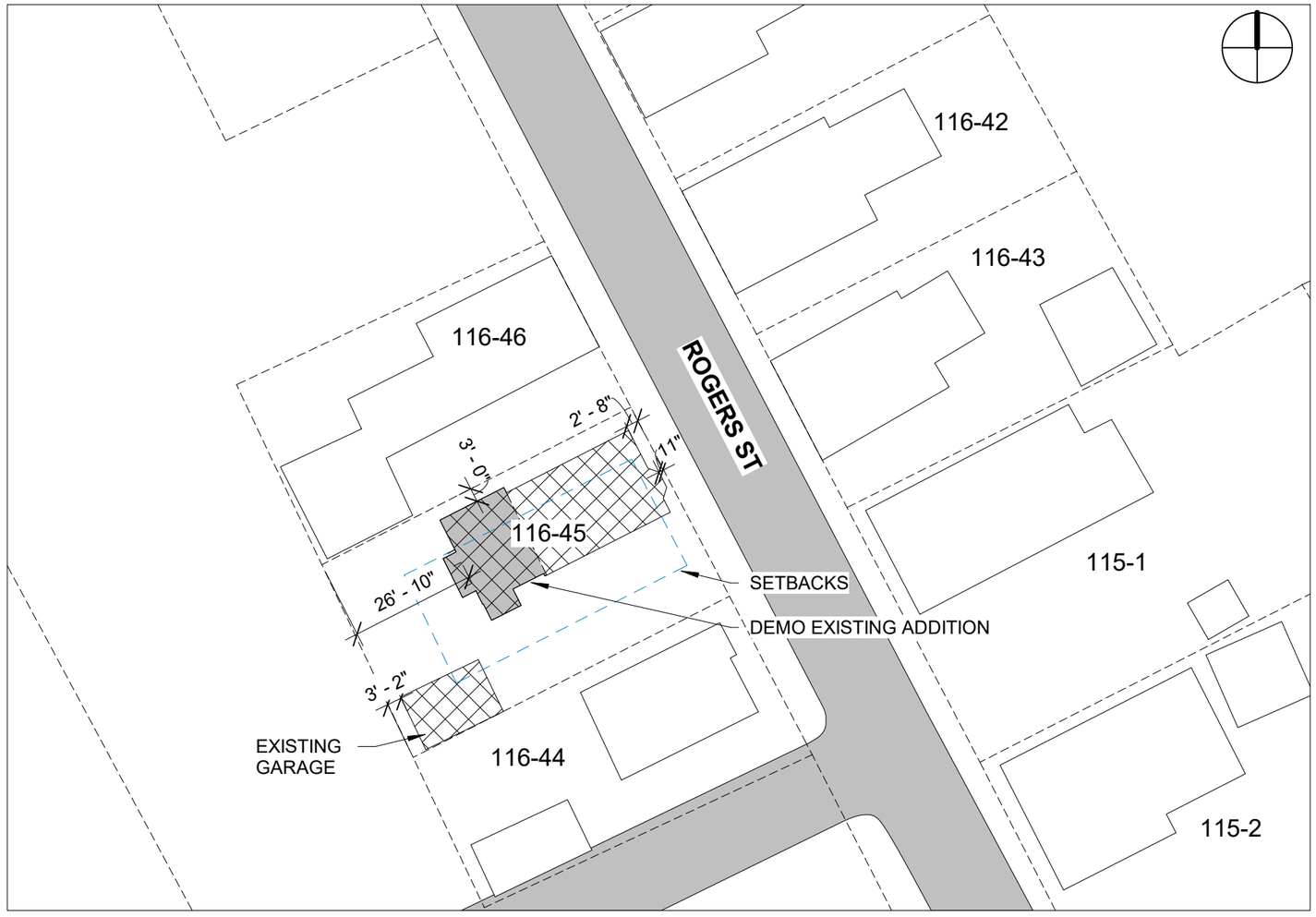
DIMENSIONAL CRITERIA (10.521, ARTICLE 5) MIXED RESIDENTIAL OFFICE (MRO), HISTORIC DISTRICT (HDC)			
ALLOWED USE - SINGLE FAMILY	REQUIRED	EXISTING	PROPOSED
BUILDING FOOTPRINT	-	1,321 SF	1,321 SF
LOT AREA	7,500 SF	3,485 SF	3,485 SF
CONTINUOUS STREET FRONTAGE	100'	45'-7" FT	45'-7" FT
DEPTH	80'	74'-0" FT	74'-0" FT
MINIMUM YARD DIMENSIONS			
FRONT YARD (MAX PRIMARY)	5'-0"	0'-11"+/- [1]	0'-11"+/- [1]
SIDE YARD SETBACK (NORTH)	10'-0"	3'-0"+/- [1]	3'-0"+/- [1]
SIDE YARD SETBACK (SOUTH)	10'-0"	0'-0"+/- [1]	0'-0"+/- [1]
REAR YARD SETBACK	15'-0"	3'-2"+/- [1]	3'-2"+/- [1]
MAXIMUM STRUCTURE DIMENSIONS			
BUILDING HEIGHT	40' SLOPED	28'-10" SLOPED	28-10" SLOPED
PARKING	1 SPOT	3 SPOTS	3 SPOTS
BUILDING COVERAGE	40% MAX	32%+/-	32% +/-
OPEN SPACE	25% MIN	25% +/-	25% +/-

1. EXISTING NON-CONFORMING

ZONING TABLE



EXISTING ARCHITECTURAL SITE PLAN

1" = 30'-0"

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ARCHITECTURAL SITE PLAN

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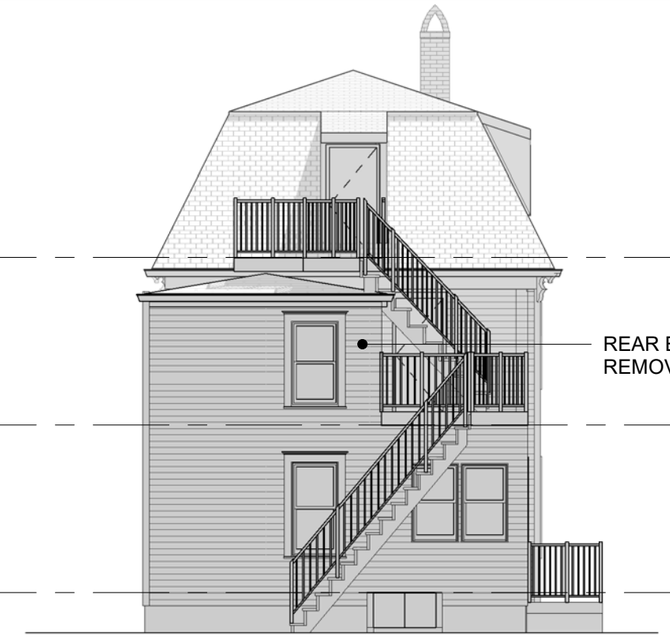
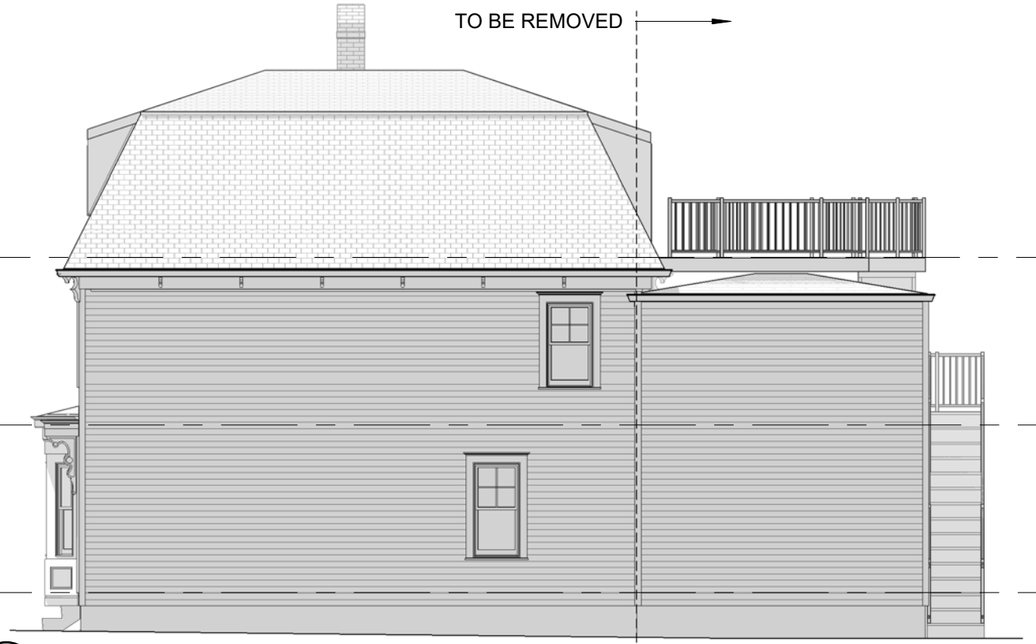
AS INDICATED



2 EXISTING WEST ELEVATION
1/8" = 1'-0"



1 EXISTING NORTH ELEVATION
1/8" = 1'-0"

3 EXISTING EAST ELEVATION
1/8" = 1'-0"

4 EXISTING SOUTH ELEVATION
1/8" = 1'-0"

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EXISTING ELEVATIONS

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Project Number:	26031
Scale:	1/8" = 1'-0"

EXTERIOR MODIFICATIONS

- EXTEND THE MANSARD ROOF FORM OVER THE RECONSTRUCTED REAR ADDITION TO CREATE A COHESIVE, UNIFIED MASSING.
- INTRODUCE LARGER DORMERS WITH PAIRED WINDOWS AT THE ADDITION, CONSISTENT IN PROPORTION AND DETAILING WITH THE PRIMARY STRUCTURE.
- RESTORE AND REPLICATE HISTORIC TRIM, MOLDING PROFILES, AND BRACKETS TO MATCH ORIGINAL DETAILING.
- REINFORCES THE HISTORIC ARCHITECTURAL CHARACTER THROUGH A CONSISTENT ROOF FORM AND DETAILING, RESULTING IN A UNIFIED COMPOSITION THAT IS HIGHLY COMPATIBLE WITH THE ORIGINAL STRUCTURE.

PERSPECTIVE FROM REAR YARD LOOKING EAST

PERSPECTIVE FROM ROGERS STREET LOOKING WEST

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MASSING

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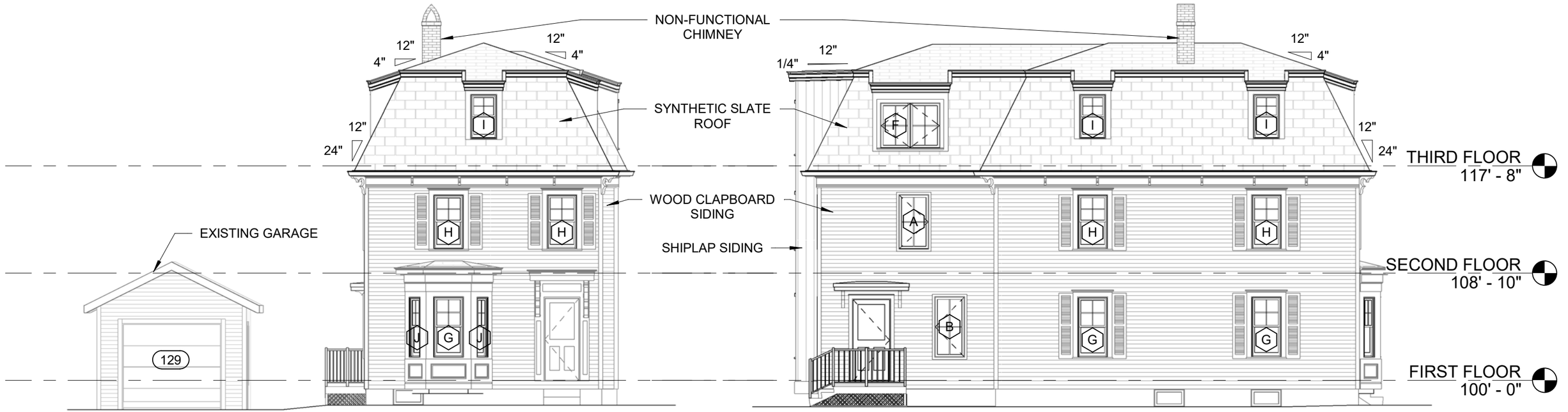
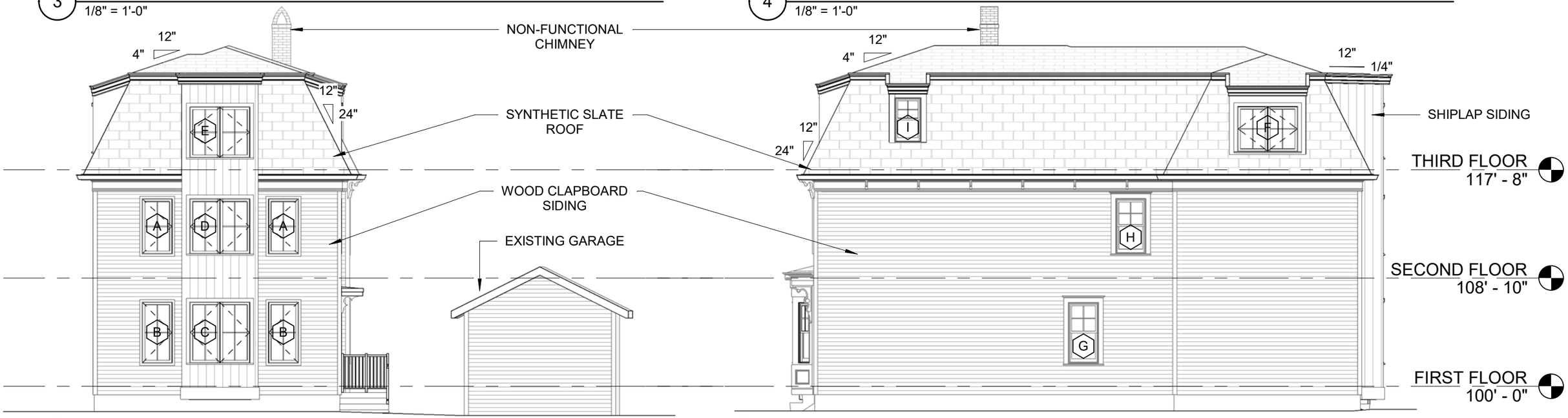


3 SOUTH ELEVATION
1/8" = 1'-0"

4 WEST ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"

1 EAST ELEVATION
1/8" = 1'-0"

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SINGLE FAMILY RENOVATION

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ELEVATIONS

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Project Number: 26031
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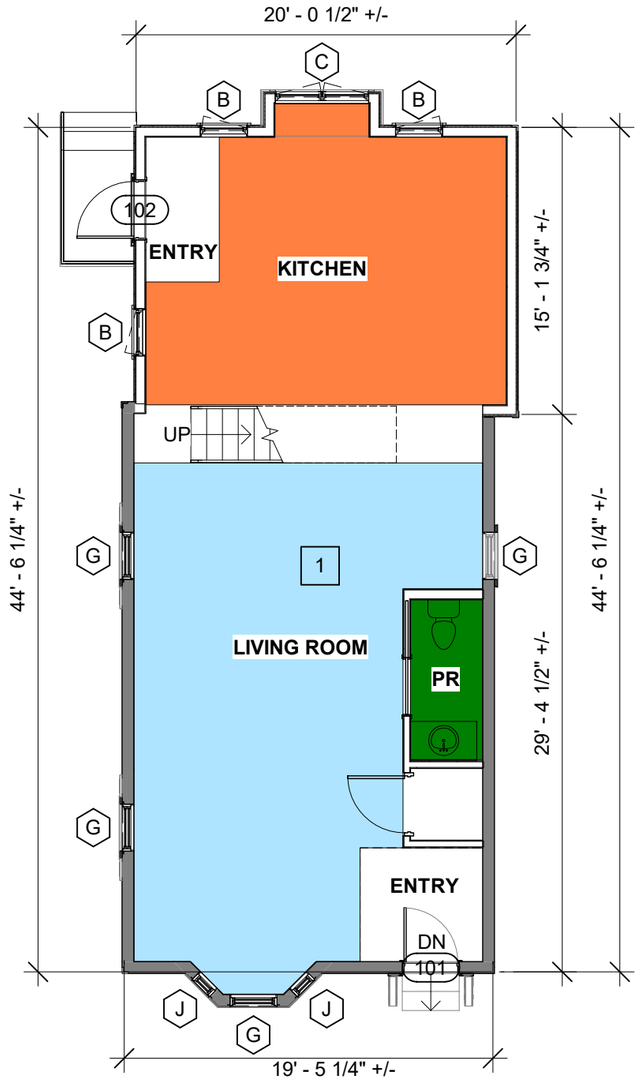
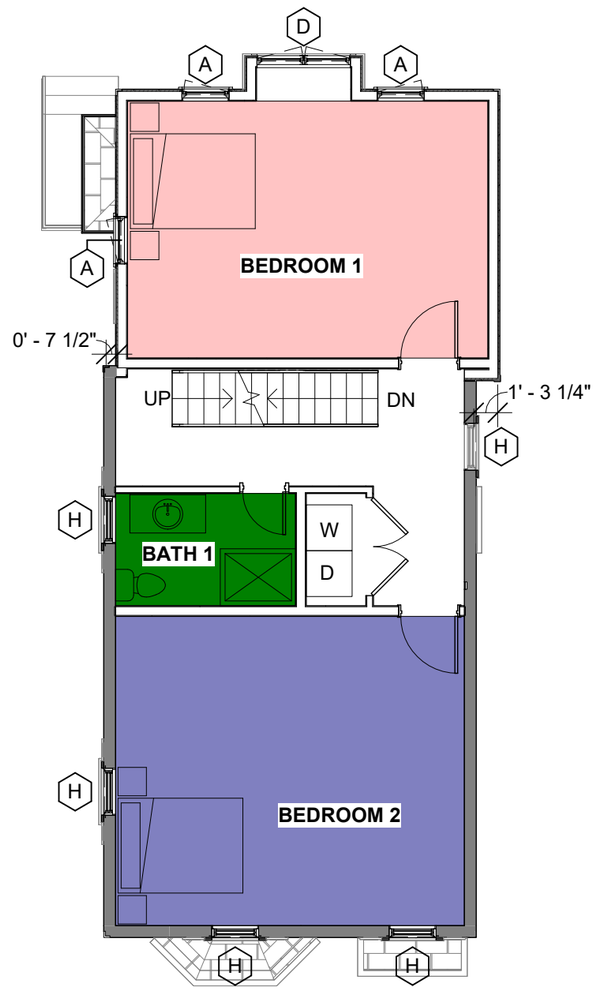
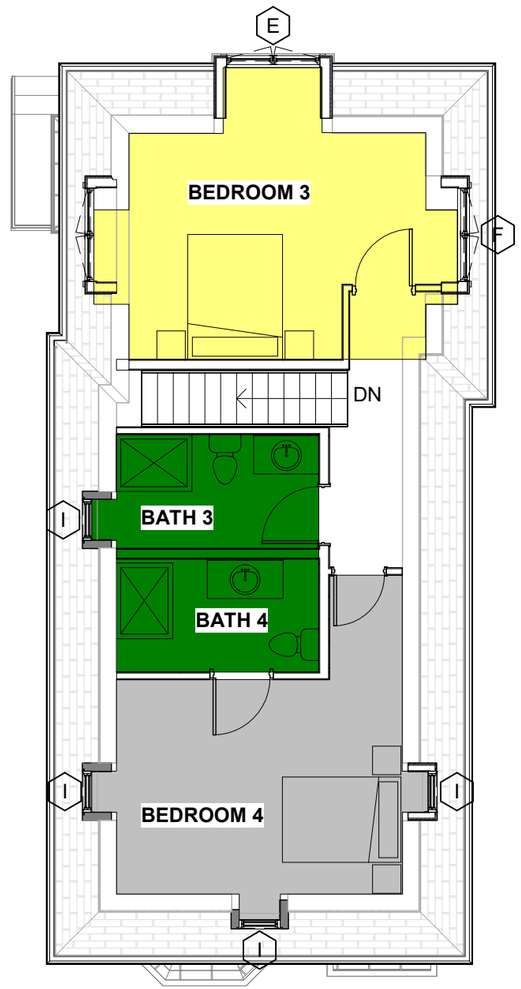


1 FIRST FLOOR PLAN
1/8" = 1'-0"



2 SECOND FLOOR PLAN
1/8" = 1'-0"



3 THIRD FLOOR hdc
1/8" = 1'-0"

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SINGLE FAMILY RENOVATION

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FLOOR PLANS

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Project Number:	26031
Scale:	1/8" = 1'-0"

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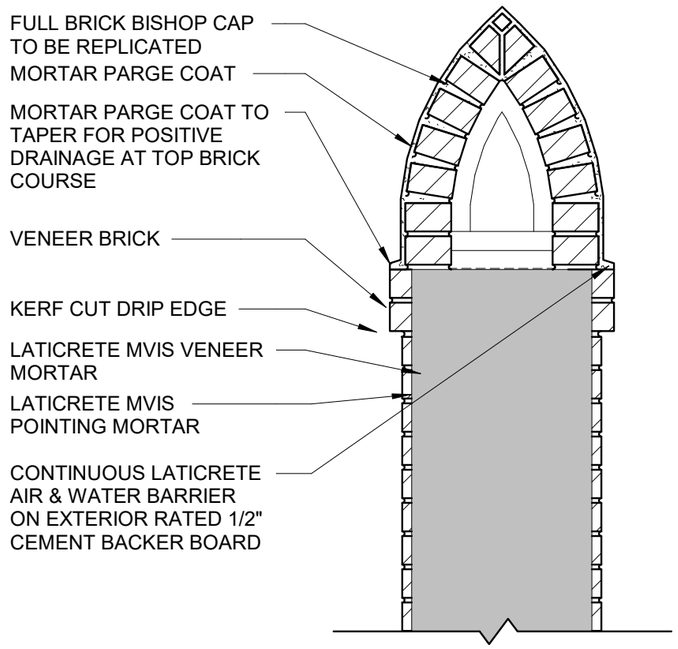
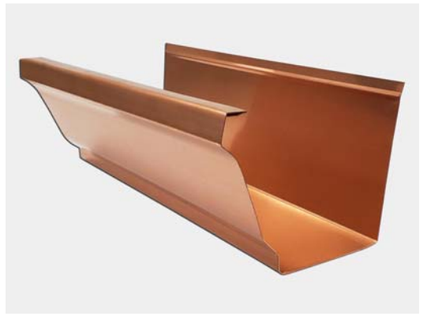


NOTES:
1. GC TO FOLLOW MANUFACTURERS STEPS TO PROVIDE 25 YEAR LATICRETE MVIS WARRANTY
2. METAL STEP FLASHING WITH COUNTER FLASHING AT BASE

SHUTTER HARDWARE



K STYLE COPPER GUTTER AND DOWNSPOUT

COMPOSITE TRIM BOARD AT ENTRY STAIR
BORAL TRUEXTERIOR COMPOSITE TRIM

RAILING AT SIDE ENTRANCE
TIMBERTECH IMPRESSIONS RAIL EXPRESS, MODERN TOP RAIL, ALUMINUM BALUSTERS WITH OPEN MID RAIL, 3"x3" POSTS WITH CAP AND SKIRT, BLACK

FAUX CHIMNEY SECTION DETAIL

VERTICAL SHIPLAP SIDING

DECKING MATERIAL
TIMBERTECH AZEK

SYNTHETIC SLATE ROOFING

WOOD CLAPBOARD SIDING

SHUTTERS
COMPOSITE FIXED LOUVER SHUTTERS

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MATERIALS

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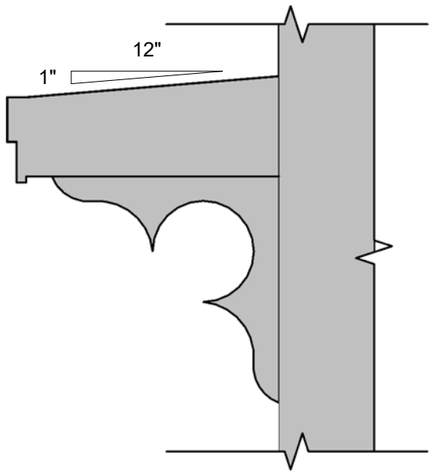
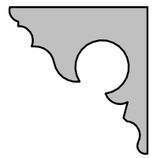
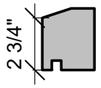


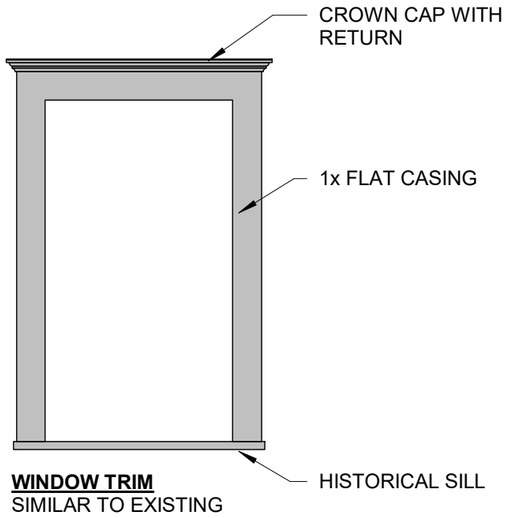
CANOPY BRACKET PROFILE



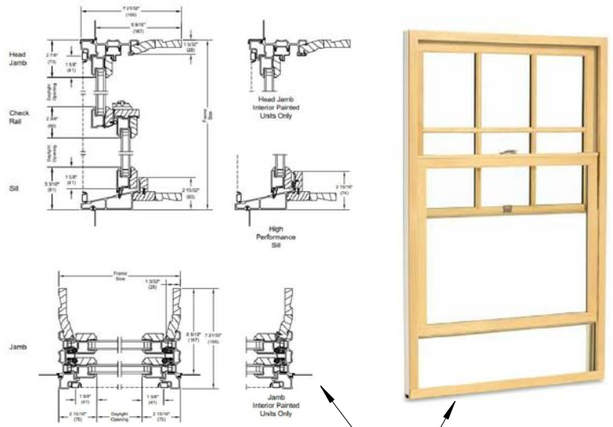
ROOF BRACKET PROFILE
MATCH EXISTING



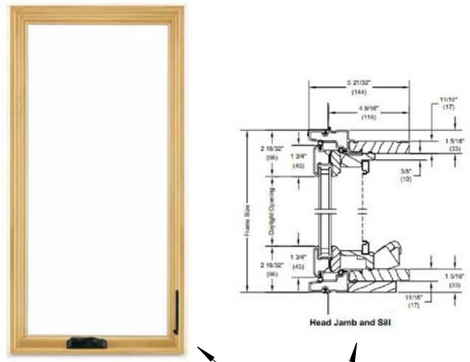
HISTORICAL SILL PROFILE



WINDOW TRIM
SIMILAR TO EXISTING

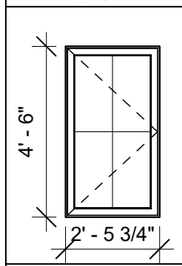


WINDOWS
MARVIN ELEVATE DOUBLE HUNG

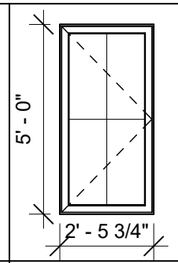


WINDOWS
MARVIN ELEVATE CASEMENT

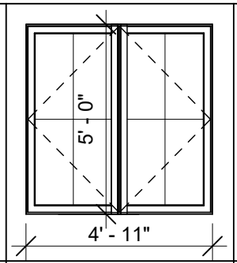
WINDOW TYPES



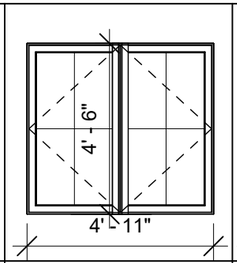
TYPE A:
2 OVER 2 ALUMINUM CLAD WOOD CASEMENT WINDOW



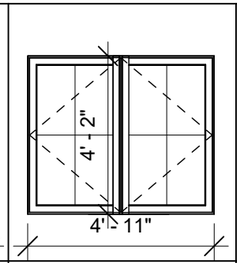
TYPE B:
2 OVER 2 ALUMINUM CLAD WOOD CASEMENT WINDOW



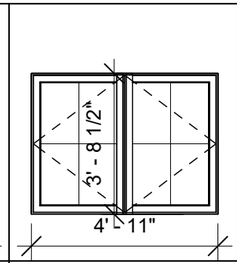
TYPE C:
2 OVER 2 ALUMINUM CLAD WOOD DOUBLE CASEMENT WINDOW



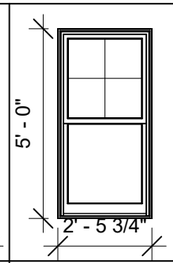
TYPE D:
2 OVER 2 ALUMINUM CLAD WOOD DOUBLE CASEMENT WINDOW



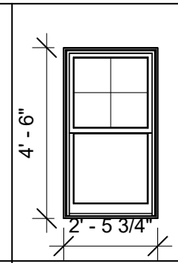
TYPE E:
2 OVER 2 ALUMINUM CLAD WOOD DOUBLE CASEMENT WINDOW



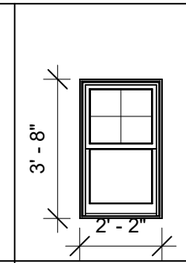
TYPE F:
2 OVER 2 ALUMINUM CLAD WOOD DOUBLE CASEMENT WINDOW



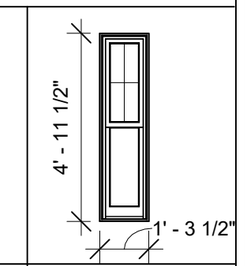
TYPE G:
4 OVER 1 ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW



TYPE H:
4 OVER 1 ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW

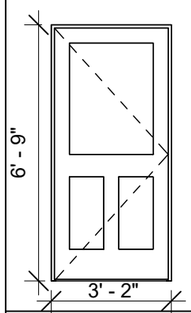


TYPE I:
4 OVER 1 ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW



TYPE J:
4 OVER 1 ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW

DOOR TYPES



TYPE A:
ENTRY WOOD DOOR HALF GLASS

WINDOW NOTES:
1. HALF-SCREENS ON ALL DOUBLE HUNG-UNITS.
2. BASIS OF DESIGN: MARVIN ELEVATE WINDOWS.

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SINGLE FAMILY RENOVATION

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TRIM PROFILES

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Project Number: 26031
NOT TO SCALE

I. NEW BUSINESS

E. The request of **RRNR Revocable Trust (Owner)**, for property located at **111 Crescent Way** whereas relief is needed to demolish and reconstruct a detached garage which requires the following: 1) Variance from Section 10.573.20 to allow a 3-foot left side yard and a 4-foot rear yard where 8 feet is required from any lot line. Said property is located on Assessor Map 212 Lot 151 and lies within the General Residence B (GRB) District. (LU-26-58)

Existing & Proposed Conditions

	Existing	Proposed	Permitted / Required	
Land Use:	Single-family Residential	demo and reconstruct detached garage	Mostly Residential	
Lot area (sq. ft.):	3,920	3,920	5,000	min.
Lot area per dwelling unit (sq. ft.)	3,920	3,920	5,000	min
Street Frontage (ft.):	57	57	80	min.
Lot depth (ft.):	79.5	79.5	60	min.
Front Yard (ft.):	>5	>5	5	min.
Left Yard (ft.):	Garage: 3	Garage: 3	*Garage:8*	min.
Right Yard (ft.)	Garage:18	Garage:18	*Garage:8*	min.
Rear Yard (ft.):	Garage: 4	Garage: 4	*Garage:8*	min.
Height (ft.):	8	8	35	max.
Building Coverage (%):	30	30	30	max.
Open Space (%):	48	48	25	min.
Estimated Age of Structure:	1917	Variance request(s) shown in red.		

Other Permits/Approvals Required

- Building Permit

Neighborhood Context

Previous Board of Adjustment Actions

- **February 27, 1973** – construct a two-story addition to the northerly side of an existing building, said addition to come within two (2) feet of the side property line. The Board voted to grant the request as presented and advertised.

Planning Department Comments

The applicant intends to demolish and reconstruct the existing one-level detached garage and replace it within the same footprint with a new garage of the same dimensions.

Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
   (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.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

Variance Application Narrative

Property Address: 111 Crescent Way, Portsmouth, NH

Owners: Russ and Nancy Rogers

Representative: Jeff Trovato (Dwelling Design & Build LLC)

Project: Replacement of existing detached garage in the same footprint.

Project Overview

The applicants seek to replace an existing, severely dilapidated detached garage with a new structure of the same dimensions in the same footprint. The property is a "small lot" (3,920.4 sq. ft.) in a zone requiring 5,000 sq. ft. and has less than the required street frontage. The existing garage is nonconforming as it sits within the side and rear setbacks. Due to advanced dry rot, concrete cracking, and structural racking, the garage has reached the end of its useful life and requires a full replacement, including the foundation.

Zoning: General Residence B

Use: Single Family Dwelling (and accessory garage)

Garage area: 460 sf (see plans)

The Five Variance Criteria

1. The variance will not be contrary to the public interest. Granting this variance is not contrary to the public interest because the project maintains the status quo of the neighborhood's density and layout. Replacing a structurally unsound and aesthetically deteriorating building with a safe, code-compliant structure enhances the safety and visual character of the neighborhood. Since the footprint is not expanding, there is no new encroachment on neighbors or public space.

2. The spirit of the ordinance is observed. The spirit of the ordinance regarding setbacks is to ensure adequate light, air, and safety between structures. Because this is a replacement of a long-standing structure in a neighborhood of similarly sized small lots, the essential character of the locality is preserved. The new garage will meet modern building codes, which actually improves the "safety" aspect of the ordinance's intent compared to the current failing structure.

3. Substantial justice is done. Substantial justice is done when the benefit to the applicant is not outweighed by any harm to the general public. There is no public harm in replacing a rotting garage with a new one in the same location. Conversely, denying the variance would impose a

significant hardship on the owners by preventing them from maintaining a functional and safe garage on a lot that was legally created but is now dimensionally nonconforming.

4. The values of surrounding properties are not diminished. The replacement of a "racking" and "dry-rotted" building with a brand-new, architecturally consistent garage will likely increase, rather than diminish, surrounding property values. The new structure will eliminate a potential safety hazard and an eyesore, benefiting the immediate abutters.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

- **Special Conditions:** The property has unique physical conditions—specifically, it is an undersized lot (3,920.4 sq. ft. vs the 5,000 sq. ft. requirement) with deficient frontage. These "small lot" conditions make it impossible to site a standard garage while strictly adhering to modern setback requirements.
- **Reasonable Use:** A garage is a standard and reasonable accessory use for a residential property in Portsmouth.
- **No Functional Relationship:** There is no fair and substantial relationship between the general public purposes of the setback ordinance and their specific application to this lot. Moving the garage to a "compliant" location would likely interfere with the primary dwelling's use or eliminate the small amount of remaining open space, which would be contrary to the goal of efficient land use on small lots.

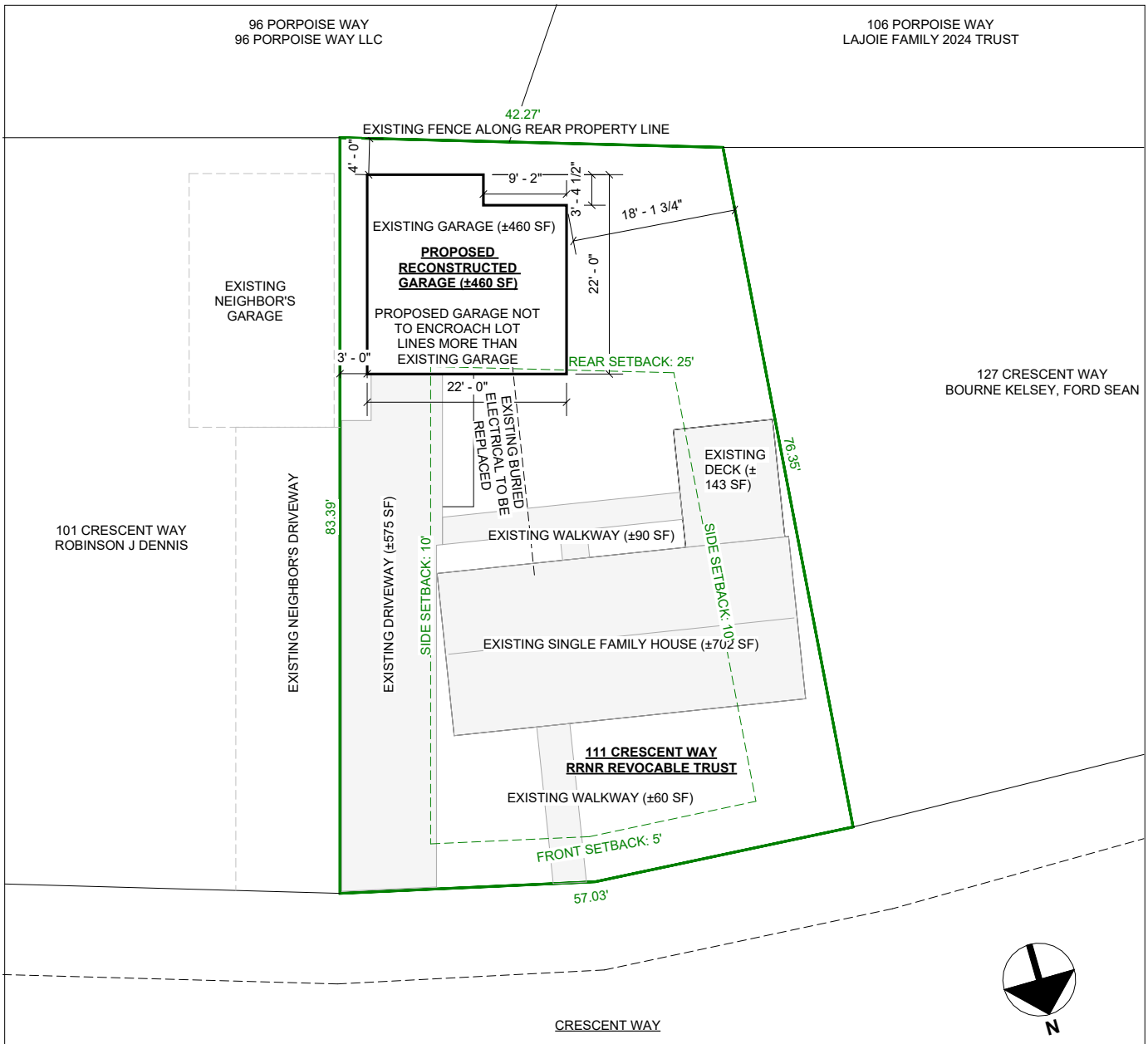
PHOTO 1: AERIAL VIEW OF PROPERTY. GARAGE ROOF AT END OF LIFE

PHOTO 2: FRONT VIEW OF PROPERTY. GARAGE OPENING SHOWING VISIBLE SIGNS OF STRUCTURAL RACKING

PHOTO 3: AERIAL VIEW OF PROPERTY. PROXIMITY VIEW. GARAGE ROOF AT END OF LIFE

PHOTO 4: FRONT VIEW OF GARAGE, GARAGE OPENING SHOWING VISIBLE SIGNS OF STRUCTURAL RACKING

PHOTO 5: FRONT VIEW OF GARAGE, GARAGE OPENING SHOWING VISIBLE SIGNS OF STRUCTURAL RACKING. ROTTED SIDING & TRIM



SITE DATA:
ZONING: GRB (5000SF LOT MIN.)
LOT: 0.09 ACRE (3920.4 SF)
EXISTING COVERAGE: TOTAL 2030SF (51.8%)
- HOUSE: 702SF
- DECK: 143SF
- DRIVEWAY: 575SF
- WALKWAYS: 150SF
- GARAGE: 460SF

PROPOSED COVERAGE: TOTAL 2030SF (51.8%) (COVERAGE TO REMAIN THE SAME)
FRONTAGE: 57.03' (80' MIN. GRB FRONTAGE)

NOTES:
1. PROJECT SCOPE: RAZE & RECONSTRUCT EXISTING GARAGE IN THE SAME FOOTPRINT.
2. ZONING DISCLOSURE: THIS PLAN HAS BEEN PREPARED SPECIFICALLY TO DEMONSTRATE THE REPLACEMENT OF AN EXISTING STRUCTURE WITHIN ITS CURRENT FOOTPRINT. SITE DATA IS SOURCED FROM PORTSMOUTH PUBLIC RECORDS AND CITY GIS. NO INSTRUMENT BOUNDARY SURVEY WAS PERFORMED. THE PROPOSED GARAGE LOCATION IS TO REMAIN IDENTICAL TO THE EXISTING FOOTPRINT.

SITE SCHEMATIC (SCALE 1/16" = 1')

GARAGE RECONSTRUCTION

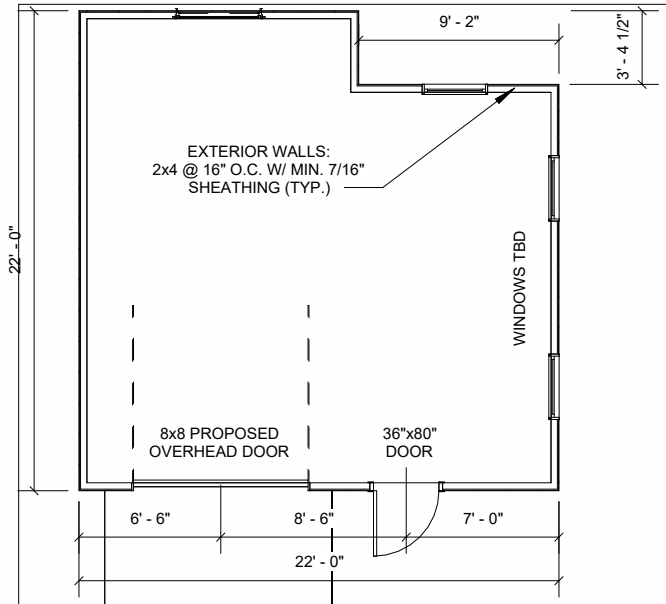
111 CRESCENT WAY, PORTSMOUTH, NH

SHEET: 1 of 4

PROXIMITY MAP

GARAGE RECONSTRUCTION

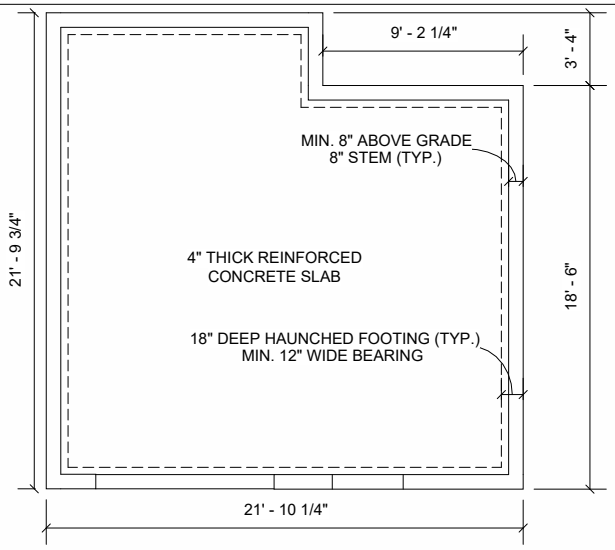
111 CRESCENT WAY, PORTSMOUTH, NH



LAYOUT PLAN NOTES:

1. GARAGE IS INTENDED TO BE LOCATED IN EXACT FOOTPRINT OF EXISTING GARAGE. DIMENSIONS ARE APPROXIMATE--EXISTING DIMENSIONS TO BE MAINTAINED AND VERIFIED IN FIELD.
2. WINDOWS AND DOORS ARE SHOWN FOR ILLUSTRATIVE PURPOSES. EXACT LOCATIONS AND SIZES TBD.

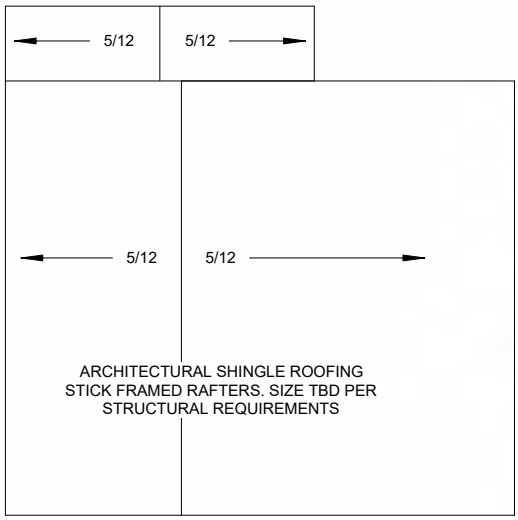
1 GARAGE PLAN
1/8" = 1'-0"



FOUNDATION PLAN NOTES:

1. FOUNDATION IS INTENDED TO BE LOCATED IN EXACT FOOTPRINT OF EXISTING GARAGE. DIMENSIONS ARE APPROXIMATE--EXISTING DIMENSIONS TO BE MAINTAINED AND VERIFIED IN FIELD.
2. TO AVOID UNDERMINING ADJACENT STRUCTURES, PROPOSED NEW FOUNDATION TO BE 'MONOLITHIC SLAB' WITH HAUNCHED FOOTINGS AT 18" DEEP. SEE IRC R4031.4.1

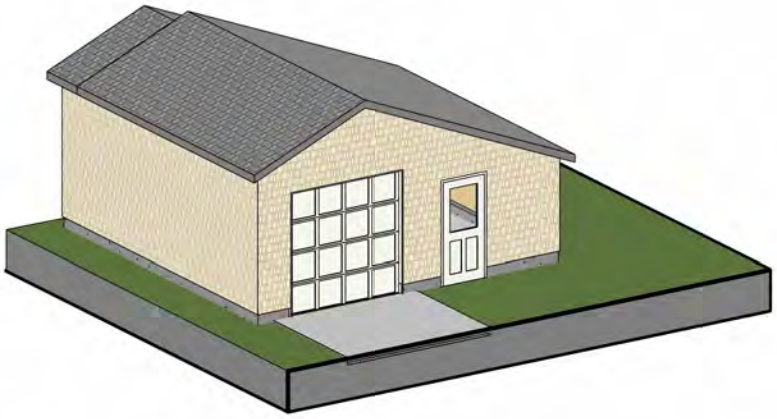
2 GARAGE FOUNDATION PLAN
1/8" = 1'-0"



ROOF PLAN NOTES:

1. ROOF IS INTENDED TO BE LOCATED IN EXACT LOCATION OF EXISTING GARAGE ROOF. DIMENSIONS ARE APPROXIMATE--EXISTING DIMENSIONS TO BE MAINTAINED AND VERIFIED IN FIELD.

3 ROOF PLAN
1/8" = 1'-0"



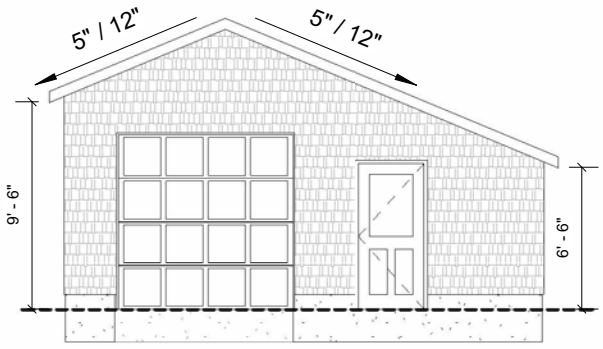
4 3D VIEW

GARAGE PLANS

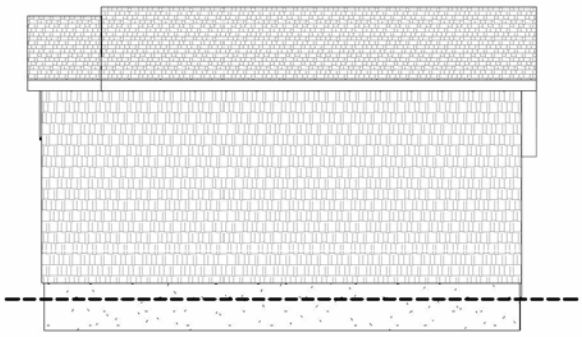
GARAGE RECONSTRUCTION

111 CRESCENT WAY, PORTSMOUTH, NH

SHEET: 3 of 4



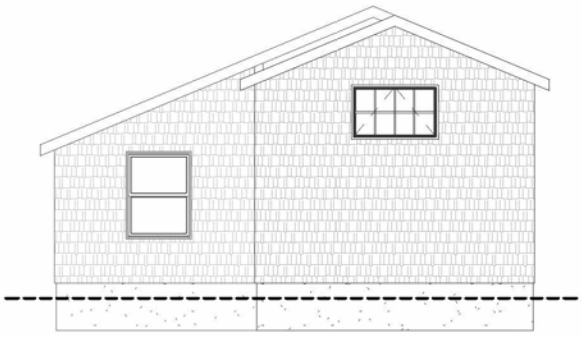
1 FRONT ELEVATION
1/8" = 1'-0"



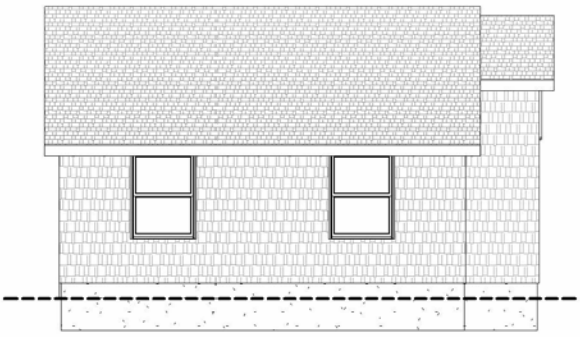
2 LEFT ELEVATION
1/8" = 1'-0"

EXTERIOR FINISH MATERIALS:

1. WALLS TO BE CLAD IN STANDARD VINYL SIDING, COLOR TO MATCH EXISTING PRIMARY RESIDENCE.
2. ROOFING TO BE ASPHALT ARCHITECTURAL SHINGLES, COLOR TO MATCH EXISTING PRIMARY RESIDENCE.



3 REAR ELEVATION
1/8" = 1'-0"



4 RIGHT ELEVATION
1/8" = 1'-0"

GARAGE ELEVATIONS

GARAGE RECONSTRUCTION

111 CRESCENT WAY, PORTSMOUTH, NH

SHEET: 4 of 4

I. NEW BUSINESS

F. The request of **Hill Hanover Group LLC C/O JPK Properties LLC (Owner)**, for property located at **181 Hill Street** whereas relief is needed to demolish three existing multi-family buildings and to construct two new three-story multi-family buildings connected by an underground parking garage and elevated courtyard area which requires the following: 1) Variance from Section 10.5A41.10A to allow a) 1,008 square feet of lot area per dwelling unit where 3,000 feet is required, b) a building footprint of 5,232 square feet where 2,500 square feet is the maximum, c) a building footprint of 3,035 square feet where 2,500 square feet is the maximum, d) 18% open space where 25% is required; and 2) Variance from Section 10.440 to allow 10 dwelling units in a building where up to 8 dwelling units are permitted. Said property is located on Assessor Map 125 Lot 14 and lies within the Character District 4-L1 (CD4-L1). (LU-26-59)

Existing & Proposed Conditions

	Existing	Proposed	Permitted / Required	
Land Use:	Residential multi-family	Residential multi-family*	Mixed use	
Lot area (sq. ft.):	16,127	16,127	3,000	min.
Lot area per dwelling unit (sq.ft.)	1,344	1,008	3,000	min.
Primary Front (Hanover St) Yard (ft.):	2.5	Bldg. A: 5 Bldg. B: 1.6	15	max.
Secondary Front Yard (Autumn St) (ft.):	4	A: n/a B: 6.8	12	max
Rear Yard (Hill St) (ft.):	14.5	A: 26.5 B: 24	10	min.
Side Yard (ft.):	6.5	A: 11.5 B: N/A	5-20	max.
Height (ft.):	25	A: 35.5 B: 39	3 stories and 40	max.
Ground Floor Height (ft)	10	11	11	min.
Max Building Block Length (ft.)	114.8	A: 44 B: 80	80	max.
Max Façade Modulation (ft.)	42.5	44	50	max.
Max Building Footprint (sq.ft.)	1: 2,330 2: 2,337 3: 2,343	A: 3,035 B: 5,232	2,500	max.
Building Coverage (%):	50.5	60	60	max.

Open Space Coverage (%):	3.3	18	25 min.
Roof type	flat	hip, mansard	flat, gable, hip, gambrel, mansard
Parking:	24	35	20
Estimated Age of Structure:	1850	Variance request(s) shown in red.	

* Variance from Section 10.440 to allow 10 dwelling units in a building where up to 8 dwelling units are permitted

Full CD4-L1 Zoning Table can be found on Sheet A0 of the application materials.

Other Permits/Approvals Required

- Site Plan Approval – Technical Advisory Committee and Planning Board
- Building Permit

Neighborhood Context

Previous Board of Adjustment Actions

- **June 15, 1993** – a Variance from Article II, Section 10-207 to allow the conversion of 2100+/- s.f. of former office space into a one bedroom apartment including an adjacent carpentry workshop, in a district where apartments are not allowed.The Board voted to **grant** the request as presented and advertised.

- **January 22, 2014** – Parking and dimensional relief as a result of a proposed lot line adjustment which requires relief from the following: 1) a Special Exception under Section 10.1113.112 to allow required off-street parking spaces to be located on a lot separate from the principal use which is under the same ownership and within 300' of the property in question. If the Special Exception is not grated: 2) a Variance from Section 10.1113.11 to allow ten of the required off-street parking spaces to be located on a lot separate from the principal use. In addition, the following Variance requests: 3) a Variance from Section 10.1111.20 to allow alterations to a nonconforming use without complying with off-street parking requirements; 4) a Variance from Section 10.1114.20 to allow off-street parking that does not comply with the minimum dimensions for stall layout and provision of bumper stops within 4 feet of a building or public street; 5) a Variance from Section 10.1114.32 to allow off-street parking areas that require vehicles to enter or leave by crossing over another parking space or by backing into or from a public street or way; 6) a Variance from Section 10.311 to allow modification to an existing nonconforming lot; 7) a Variance from Section 10.521 to allow a lot area per dwelling unit of 1,344± s.f. where 5,000± s.f. per dwelling unit is required; 8) a Variance from Section 10.521 to allow building coverage of 51%± where 30% is the maximum allowed; and 9) a Variance from Section 10.521 to allow open space of 9% where 25% open space is the minimum required.
    - After a discussion of existing and proposed ownership and a proposed parking easement, the Board voted to deny the Special Exception, as it was determined that a Special Exception does not apply in this situation.
    - It was determined that Variances 3 and 4 were not required. The Board clarified that Variance 2 incorrectly listed ten spaces where in fact the requested relief was for nine off-street parking spaces.
    - The Board voted to grant Variances 2, 5, 6, 7, 8, and 9 as presented and with the following conditions:
        1) The nine off-street parking spaces that are approved to be located on a lot other than the principal use are located on a portion of land that was removed from the parcel designated as Map 124, Lot 14 and added to the parcel designated as Map 138, Lot 62 by a lot line relocation approved by the Planning Board subject to separate action of the Board of Adjustment. It is the intent of this Board that the use of the nine parking spots, presented as part of a proposed easement, continue to be available to current and future owners of the parcel designated as Map 124, Lot 14 by a permanent easement that runs with the land in perpetuity and is not terminable for any reason.
        2) The Legal Department of the City of Portsmouth will review and approve the language of the easement so that it fulfills the intent of the Board of Adjustment conveyed in the first stipulation and in the taped proceedings of the hearing.

Planning Department Comments

The applicant is proposing to demolish the three existing multi-family buildings with a total of 12 residential units and to construct two new three-story multi-family buildings with a total of 16 residential units connected by an underground parking garage and elevated courtyard area.

If the Board decides to grant approval of the requested variances, staff recommends the following condition for consideration:

1. The design and location of the buildings may change as a result of Planning Board review and approval.

Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
   (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.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

DURBIN LAW

Derek R. Durbin, Esq.
603.287.4764
derek@durbinlawoffices.com

BY: VIEWPOINT & HAND DELIVERY

April 22, 2026

City of Portsmouth
Attn: Stefanie Casella, Planner
Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

RE: Variance Application of Hill Hanover Group, LLC
181 Hill Street, Tax Map 125, Lot 14

Dear Stefanie,

Please find a copy of the following materials relative to the above referenced variance application filed through Viewpoint for property located at 181 Hill Street, Portsmouth (the "Property"):

1) Landowner Letter of Authorization
2) Narrative to Variance Application with Exhibit(s)
3) Plan Set with Site Plan, Floor Plans, Elevations and Photographs

A copy of the above application materials is being delivered to the Planning Department today. Should you have any questions or concerns regarding the enclosed application materials, do not hesitate to contact me at your convenience.

Sincerely,

Derek R. Durbin, Esq.

LANDOWNER LETTER OF AUTHORIZATION

Hill Hanover Group, LLC, record owner of property located at **181 Hill Street, Portsmouth, New Hampshire**, identified on **Tax Map 125, Lot 14** (the "Property"), hereby authorizes **Durbin Law Offices PLLC,** to file any building, zoning, planning or other municipal permit applications with the City of Portsmouth for said Property and to appear before its land use boards. This Letter of Authorization shall be valid until expressly revoked in writing.

Bruce Sommer (Feb 9, 2026 18:40:35 CST)

Bruce Sommer, Sole Member

CITY OF PORTSMOUTH
VARIANCE APPLICATION NARRATIVE

Hill Hanover Group, LLC

(Owner/Applicant)

181 Hill Street
Portsmouth, NH 03801
Tax Map 125, Lot 14

INTRODUCTION

The Property

The property at 181 Hill Street is a 16,127 square foot lot with three (3) separate, 2-story multi-family buildings on it containing four (4) units in each building (12 units altogether) (the "Property" or "Applicant's Property"). The Property is zoned CD4-L1 but is bordered to the North and West by the CD4 Zoning District (recently rezoned from CD5). The Property is bordered to the South by Hanover Street, Autum Drive to the East and Hill Street to the North. The portion of Hill Street West of Autum Street is privately owned by the Applicant and the owner of the Foundry Place property who both own to the centerline of the street. The City picks up trash and recycling and plows Hill Street but does not maintain the portion West of Autumn Street.

The Property lies within a transitional area between the downtown center and the west end of Portsmouth. The prevailing building and residential densities are higher than what would be found in many other parts of the west end but perhaps lesser than the downtown core. The size and massing of the buildings also start to taper from the downtown to the west end. There is not one particular use that defines the area immediately surrounding the Property. It is surrounded by a mixture of residential uses and commercial uses, including the 4-story Foundry Place building which abuts it to the North and contains fifty (51) condominium units on a 22,651 square foot parcel (444 sf per dwelling unit). In addition, forty (40) dwelling units in five (5) separate 3-4 story multi-family buildings are proposed for 361 Hanover Street, which is a 38,528 square foot parcel.

The Property is non-conforming in the following respects in its existing condition:

Dimension	Ordinance Provision	Standard	Existing Condition
Max Building Block Length	Fig. 10.5A41.10.A	80'	114.8'[1]
Open Space	Fig. 10.5A41.10.A	25%	3.3%
Lot Area Per D.U.	Fig. 10.5A41.10.A	3,000 sf.	1,344 sf.

[1] See notes on Plan Sheet A-0 of Applicant's Application Submission.

There are twenty-four (24) parking spaces associated with the Property. There are ten (10) surface spaces on the Property and another fourteen (14) spaces located in the garage associated with the Residences at Foundry Place pursuant to a three-way agreement with the owner of that property and the City.

The City's assessing records indicate that the buildings on the Property were originally constructed in 1850, although historic maps do not show the Applicant's buildings appearing until approximately 1920. Notwithstanding the age of the buildings, they are each in need of substantial renovation as opposed to cure their existing deficiencies and defects and to bring them up to current building and life-safety codes. It makes little sense from a practical perspective to try to save the existing buildings and renovate them. As such, the Applicant would like to demolish the existing buildings and redevelop the Property, as more specifically outlined below.

Redevelopment Plans

The Applicant is seeking to redevelop the Property to include two (2) 3-story multi-family buildings connected by an underground parking garage and elevated courtyard area. Six (6) residential units are proposed for Building A while ten (10) are proposed for Building B. The unit sizes in Building A would vary from 1,007 square feet to 1,387 square feet. In Building B the unit sizes would range from 807 square feet to 2,194 square feet with only two (2) of the two units being above 1,387 square feet. The proposed redevelopment provides a unique opportunity for the City to add a diversified range of mixed-income housing designed to attract younger individuals and couples and those that are downsizing but want to remain in the area and have the conveniences associated with being in the greater downtown area. The project calls for thirty-five (35) parking spaces[2]. Total open space on the Property would be increased from 3.3% to approximately 21.3%[3] with the redevelopment. The proposed building heights and massing are consistent with the spirit and intent of CD4-L1 zoning, which encourages a "stepping down" from what is permitted in the CD5 zoning district to what is permitted in the GRC district.

Original Proposal / Feedback

The Applicant appeared before the Planning Board for a preliminary conceptual review and the Technical Advisory Committee for a work session in February 2026. At the time, one (1) building with eighteen (18) dwelling units was proposed, as shown on Plan Sheet A-18 of the Applicant's Application Submission Overall, the feedback received from the Board was positive; however, one or more members expressed a desire to see the building mass broken up to better resemble what presently exists. The Applicant also met with a group of residents in the neighborhood, who the Applicant has communicated with frequently since the original design plans were created, to obtain their feedback. They also echoed a similar sentiment. As a result of the collective feedback received and further site analysis, the Applicant re-designed the site to have two separate buildings with more open space and two (2) fewer dwelling units.

[2] Breakdown of parking can be found on Plan Sheet A-0 of Applicant's Application Submission.

[3] The Applicant has requested an open space variance of 18% but is showing 21.3% to allow flexibility for modifications that may be required to the site following site plan review.

SUMMARY OF ZONING RELIEF

The Applicant is seeking the following variances from the Portsmouth Zoning Ordinance (the "Ordinance"):

Figure 10.5A41.10A:

1. To allow 1,008 square feet of lot area per dwelling unit where 3,000 square feet is required and 1,344 square feet exists.

2. To allow a building footprint of 3,035 square feet where 2,500 square feet is allowed for proposed Building A.

3. To allow a building footprint of 5,232 square feet where 2,500 square feet is allowed for proposed Building B.

4. To allow 18% open space where 25% is required and 3.3% exists.

Section 10.440

5. To allow 10 dwelling units in a building where only 8 are permitted.

VARIANCE CRITERIA

Granting the variances will not be contrary to the spirit and intent of the Zoning Ordinance or the public interest.

In the case of Chester Rod & Gun Club, Inc. v. Town of Chester, the Court noted that since the provisions of all ordinances represent a declaration of public interest, any variance will, in some measure, be contrary to the ordinance, but to be contrary to the public interest or injurious to public rights of others, "the variance must 'unduly, and in a marked degree' conflict with the ordinance such that it violates the ordinance's 'basic zoning objectives." "Id. The Court observed that "[t]here are two methods of ascertaining whether granting a variance would violate an ordinance's basic zoning objectives: (1) examining whether granting the variance would alter the essential character of the neighborhood or, in the alternative; and (2) examining whether granting the variance would threaten the public health, safety, or welfare." Id.

Use Variances (Density)

The Applicant is seeking two (2) separate variances to allow for greater residential density than is permitted by the Ordinance. The Applicant is asking for the Board to allow 1,008 square feet of lot area per dwelling unit where 3,000 square feet is required and 1,344 square feet exist and to allow ten (10) dwelling units in a building where only eight (8) are permitted. The City's 2017 Master Plan emphasizes the need to provide more opportunities for diverse, attainable housing and to add density to the West End where an adequate supply of parking can be provided. Master Plan, Pgs. 112-113. This City's objective of providing a diversity of housing types and density in and around the downtown is also emphasized in the current Master Plan. These objectives have not changed over time.

The Property is truly an outlier relative to the other CD4-L1 zoned properties in this area of Portsmouth. It is by far the largest lot, being several times larger than many of the properties it is surrounded by. Surrounding lot sizes primarily range from approximately 1,000 square feet to 3,000 square feet. The largest adjacent CD4-L1-zoned property is the abutting property at 349 Hanover Street (TM 138-64). It is an approximately 5,227 square foot lot with a six (6) unit multi-family building on it (871.2 square feet per dwelling unit). The Property is also abutted by the properties at 89 Foundry Place (TM 138-62) and 361 Hanover Street (TM 138-63), which are zoned CD4 (previously CD5). The property at 89 Foundry Place has a density of 442 square feet per dwelling unit while 361 Hanover Street will have a density of 963 square feet per dwelling unit once the redevelopment of that lot is complete. Regardless of zoning designation, the proposed density is consistent with surrounding properties as demonstrated by Plan Sheet A-1 in the Applicant's application submission.

One of the unique aspects of the proposed redevelopment is the abundance of off-street parking that the Property can support. The Ordinance only requires the Applicant to provide one (1) off-street parking space per dwelling unit (regardless of size) and one (1) additional space for every five (5) dwelling units (20 total spaces). The Applicant is providing thirty-five (35) off-street spaces, which is likely to result in less vehicles parking on the surrounding streets. The plan is also to re-stripe Hanover Street to add an additional parking spot on the street for public access.

Dimensional Variances

Of the three (3) dimensional variances being sought, two (2) relate to the footprint size of each proposed building. The third variance request concerns the percentage of open space being provided, which will be improved upon from the existing condition of the Property.

Maximum Building Footprint

The Applicant is seeking relief from the 2,500 square foot building footprint requirement. This provision of the Ordinance dictates that buildings cannot occupy more than 2,500 square feet of the total lot area of a property. The proposed buildings will have individual footprints of 5,232 square feet and 3,035 square feet respectively.

The maximum building footprint restriction was intended to restrict building density on the smaller lots that characterize much of the CD4-L1 Zoning District to avoid "overcrowding". However, there are very few properties within this area of the CD4-L1 Zoning District that could support a 2,500 square foot building footprint when all the dimensional requirements are applied, particularly the 60% building coverage limitation, which the Applicant's Property will comply with. With respect to the Applicant's Property, the restriction also runs counter to the purpose of 60-80% front lot line buildout requirement, which encourages building density along streetways, when you consider the fact that it has two "front yards" (Hanover and Autumn Streets), and is bordered on a third side by a private street. The Applicant has proposed a context sensitive development where the massing, volume and height of the buildings act as an appropriate transition and "step down" from the Residences at Foundry Place and the proposed buildings at 361 Hanover Street to the surrounding CD4-L1 properties. The redevelopment of the Property will allow for greater setbacks to neighboring buildings on all sides except for Hanover Street, more separation and more green space, thus giving it a more open feel that allows for more light and air circulation between buildings than what exists. This is evidenced by the fact that the proposed redevelopment will conform to the maximum building block length requirement, which the Property does conform to in its existing condition (114.8') due to the buildings having minimal separation from one another (<15').

Open Space

With respect to open space, the Applicant is making a significant improvement to the Property that brings it into greater conformance with the Ordinance. A lot of the improvement relates to the elimination of paved and gravel areas that presently serve as exterior parking for the tenants of the existing buildings. Outside of the existing buildings, the Property is a sea of pavement.

The surrounding area is already densely built out. In the case of *Belanger v. Nashua*, the NH Supreme Court determined that municipalities have an obligation to have their zoning ordinances reflect the current character of neighborhoods. Belanger v. Nashua, 121 N.H. 389 (1981). Absent this, the Board must consider the prevailing character of a neighborhood as part of its analysis. If you did an analysis of what surrounding properties comply with the dimensional restrictions of the Ordinance, particularly in the CD4-L1 zone, you would find that very few comply. The area is characterized by its building and population density.

For the foregoing reasons, granting the variances will not alter the essential character of the neighborhood or threaten public, health, safety or welfare, or otherwise conflict in any marked degree with the basic objectives of the Ordinance provisions. Granting the variances will result in two new code-compliant and accessible residential buildings that add diversity to the Portsmouth housing stock in an area where it is appropriate.

Substantial Justice will be done in granting the variances.

To determine whether substantial justice is done, the Board must balance the equities between the rights of a private landowner and the public interest in deciding whether to grant or deny a variance request. The "only guiding rule is that any loss to the individual that is not outweighed by a gain to the general public is an injustice." New Hampshire Office of State Planning, The Board of Adjustment in New Hampshire, A Handbook for Local Officials (1997); Malachy Glen Assocs., Inc. v. Town of Chichester, 155 N.H. 102 (2007).

The buildings on the Property are very costly to maintain given their age and condition to the point where it makes little sense financially or otherwise to try to rehabilitate them. The most feasible alternative is to redevelop the Property. The Applicant has put forth a plan that is contextually sensitive to the surrounding neighborhood and primarily provides smaller housing units aimed at a demographic of younger individuals and those that are downsizing, consistent with the City's planning objectives. Strict compliance with the Ordinance would result in a vastly underdeveloped and underutilized lot that inconsistent with the character of the surrounding neighborhood, or in the Applicant continuing to maintain the existing buildings at significant cost with little or no corresponding benefit to the public.

Surrounding property values will not be diminished by granting the variances.

If anything, surrounding property values will benefit from the demolition and replacement of the existing buildings on the Property with buildings that have similar design elements and retain the original character of the Property. The design and appearance of the proposed buildings will be consistent with and integrate seamlessly with the surrounding neighborhood which has a mixture of building types and facades By separating the massing of the buildings, the proposed development provides a unique void not typically found in multi-family structures, that introduces more life to the street scape, light, air, and open space. All of which are desirable elements in a densely populated urban setting. The proposed buildings will provide a natural transition and step down from the Residences at Foundry Place to the properties along Hanover Street. The proposed structures utilize the Character Based zoning requirements of roof types to its advantage, emphasizing the buildings stepping down along the sloping Hanover Street (5'+/- downward slope from left to right). Both roof forms are consistent with the context this property is nestled in however, the mansard of Building B allows for the third floor to be completely encapsulated by the roof reducing the visual mass and height of this structure. It is important to point out that up to four (4) stories and 50' of building height is permitted on a portion of the Property pursuant to the Ordinance's Regulating Plan, Map 10.5A21B (Building Height Standards). **Exhibit A**. The Applicant has chosen not to pursue the additional building height to keep the proposed buildings sensitive to their context and maintain a more traditional building mass and typology aligned with the Ordinance. Surrounding properties will ultimately benefit from increased light, air and open space from what exists due to this development approach.

Literal enforcement of the provisions of the Ordinance would result in unnecessary hardship.

The Property has special conditions that distinguish it from surrounding properties. Its most prominent, overarching special conditions are its size, location, and the fact that it is bordered on two sides by public streets (Hanover and Autumn) while a private street borders and crosses it on a third side. The Property is by far the largest CD4-L1-zoned property in this area of Portsmouth at 16,127 square feet, making it more than 2.5x the size of the second largest lot. **Exhibit B**. It, along with the abutting property to the left at 349 Hanover Street (TM 138-64) are in a transitional zone between the larger CD4-zoned (formerly CD5-zoned) properties at 361 Hanover Street and 89 Foundry Place and the smaller surrounding CD4-L1-zoned properties. The CD5 and CD4 districts allow for larger buildings (15,000-20,000 sf. building footprints) with almost unlimited front lot line buildouts and unit density. The properties at 361 Hanover Street and 89 Foundry Place exemplify this.

The 2,500 square foot maximum building footprint standard that applies to CD4-L1 zone appears to be more a reflection of the smaller lot sizes that characterize this district than anything else. By requiring a front lot line buildout of 60-80% in the CD4-L1 zone, the Ordinance is encouraging building density along streetways while leaving some open space between and around buildings to break up the massing and promote a more pedestrian-friendly environment. When you consider the sheer size of the Property in comparison with other surrounding CD4-L1 zoned properties and the fact that it is bordered on two sides by public streets where building density is strongly encouraged, the result is a situation where it is nearly impossible, if not impossible, to redevelop the Property in a way that aligns with primary objectives of the front lot line buildout provision of the Ordinance without exceeding the maximum building footprint requirement. As proposed, the total footprints of the two (2) buildings will account for just 51% of the total lot area. For these reasons, the Ordinance burdens and restricts development of the Property is a manner that is disproportionate to its size and other characteristics.

The proposed redevelopment balances the competing objectives of the Ordinance by providing building density along the public streetways bordering the Property while leaving more open space between and around the proposed buildings than presently exists. What is proposed will also bring the Property into compliance with the max building block length requirement, which it does not presently conform to due to the lack of open space between the existing buildings.

The Property also benefits from fourteen (14) deeded parking spaces on the adjacent parcel at 89 Foundry Place. Between these spaces and the number of parking spaces the Property itself can yield, it has sufficient off-street parking to support twenty-eight (28) dwelling units, which distinguishes it from the other CD4-L1 zoned properties in this area of Portsmouth.

Together, these special conditions make it such that CD4-L1 zoning standards apply to the Property in a manner that is disproportionate to its size and inconsistent with the prevailing character of the surrounding area, which is densely developed and populated. More properties in this CD4-L1 zoned area of Portsmouth fail to conform to the residential and building density requirements than those that do. In the end, the proposed density is consistent with the surrounding CD4-L1 zoned properties. Reducing the number of dwelling units would only result in larger

dwelling units, which is inconsistent with the City's objective of encouraging a mixture of housing types with a focus on smaller units that are attainable at a lower price point than larger units. For these reasons, CD4-L1 zoning imposes an unreasonable and unique burden on the Property such that there is no fair and substantial relationship between the general purposes of the Ordinance provisions and their application to the Property.

The proposed use is reasonable. While the Applicant is requesting separate variances from the residential density requirements, what is proposed is reasonable and in line with surrounding land uses, as demonstrated on Sheet A-1 of the plan set submitted with the foregoing variance application. The Property can support the use based on its size and the availability of off-street parking.

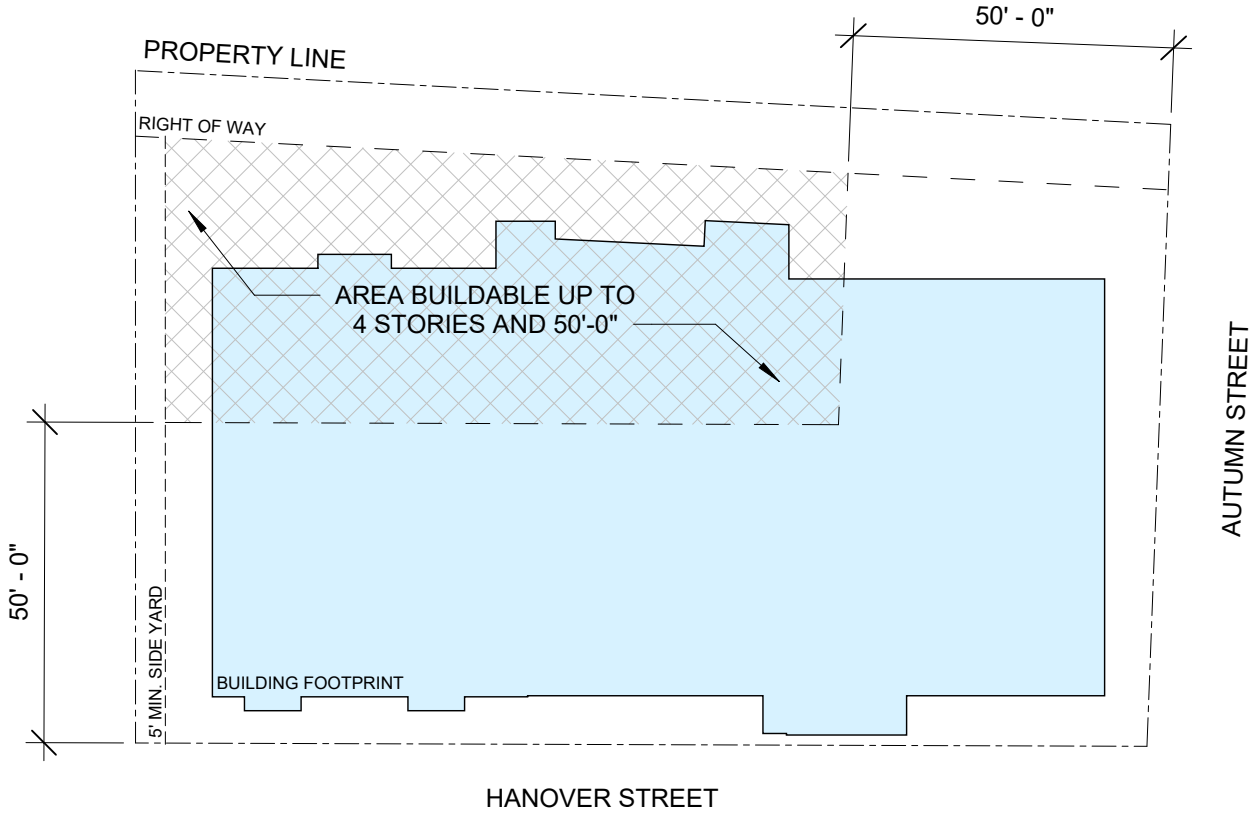
CONCLUSION

The Applicant thanks you for your time and consideration of its variance requests and respectfully requests your approval thereof.

Respectfully submitted,
Hill Hanover Group, LLC
By and Through Its Attorneys,

Durbin Law Offices, PLLC
Derek R. Durbin, Esq.
154 Maplewood Avenue
Portsmouth, NH 03801
derek@durbinlawoffices.com

EXHIBIT A



LOT AREA:	16,127 SF (.37 ACRES)
BUILDABLE LOT AREA (BY RIGHT):	14,029 SF
LOT AREA BUILDABLE UP TO 4 STORIES AND 50'-0":	4,424 SF
LOT AREA BUILDABLE UP TO 3 STORIES AND 40'-0":	9,605 SF

PLAN NORTH

Project True North Angle: 45.00°

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HILL / HANOVER MULTI-FAMILY
181 HILL STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

MAXIMUM BUILDING HEIGHT DIAGRAM

4 Market Street
Portsmouth, New Hampshire
603.430.0274
brought to you by McHENRY ARCHITECTURE

Project Number:	24083
Date:	04/16/2026
Drawn By:	RD
Checked By:	MG

SK-A2

Scale 1" = 30'-0"

EXHIBIT B

Address	Tax Lot	Zone	Size (AC)	Sq. Ft. (approx)
349 Hanover Street	138-64	CD4-L1	0.12	5227
299 Hanover Street	125-10	CD4-L1	0.07	3049
136 Hill Street	125-11	CD4-L1	0.07	3049
350 Hanover Street	126-29	CD4-L1	0.06	2614
332 Hanover Street	126-43	CD4-L1	0.1	4356
324 Hanover Street	126-42	CD4-L1	0.06	2614
314 Hanover Street	126-40	CD4-L1	0.08	3485
306 Hanover Street	126-39	CD4-L1	0.05	2178
296 Hanover Street	126-38	CD4-L1	0.04	1742
45 Pearl Street	126-30	CD4-L1	0.08	3485
126 Hill Street	125-7	CD4-L1	0.04	1742
285 Hanover Street	125-8	CD4-L1	0.04	1742
263 Hanover Street	125-9	CD4-L1	0.03	1307
13 Tanner Court	126-44	CD4-L1	0.05	2178
9 Tanner Court	126-45	CD4-L1	0.03	1307
52 Tanner Court	126-37	CD4-L1	0.03	1307
288 Hanover Street	126-58	CD4-L1	0.04	1742
282 Hanover Street	126-57	CD4-L1	0.03	1307
53 Tanner Street	126-46	CD4-L1	0.05	2178
45 Tanner Street	126-47	CD4-L1	0.05	2178
37 Tanner Street	126-48	CD4-L1	0.05	2178
29 Tanner Street	126-49	CD4-L1	0.07	3049
19 Islington Street	126-50	CD4-L1	0.14	6098
7 Islington Street	126-51	CD4-L1	0.12	5227

HILL / HANOVER MULTI-FAMILY

CITY OF PORTSMOUTH ZONING BOARD OF ADJUSTMENT - MAY 2026

SHEET LIST - CONCEPT	
Sheet Number	Sheet Name
A0	COVER
C1	EXISTING CONDITIONS PLAN
C.2	ZBA SITE PLAN
C.3	NEIGHBORHOOD PLAN
A1	DENSITY ANALYSIS
A2	EXISTING - PERSPECTIVES
A3	EXISTING CONTEXT - APPROACH
A4	EXISTING CONTEXT - APPROACH
A5	AERIAL RENDERING
A6	AERIAL RENDERING
A7	AERIAL MASSING
A8	PUBLIC VIEW MASSING
A9	HANOVER STREET ELEVATION
A10	SOUTH ELEVATION
A11	WEST ELEVATION
A12	NORTH ELEVATION
A13	EAST ELEVATION
A14	BASEMENT FLOOR PLAN
A15	1ST FLOOR PLAN
A16	2ND & 3RD FLOOR PLAN
A17	ROOF PLAN
A18	INITIAL DESIGN CONCEPT

181 HILL STREET (339-319 HANOVER STREET)
PORTSMOUTH, NEW HAMPSHIRE 03801

PROPOSED:

- 9,647 SF BUILDING COVERAGE
  - REFER TO C.2 FOR BUILDING COVERAGE BREAKDOWN
- 2 BUILDINGS CONNECTED AT THE BASEMENT WITH TWO DISTINCT BUILDING MASSES (BUILDINGS A & B) FROM THE FIRST TO THIRD FLOORS SEPARATED BY AN ELEVATED COURTYARD TERRACE.
- 34,827 GROSS BUILDING(S) SF +/-
  - BASEMENT: 8,945 GROSS SF
  - FIRST FLOOR: 9,242 GROSS SF (INCLUDES COURTYARD)
    - COURTYARD: 975 SF
  - SECOND AND THIRD FLOOR: 8,319 GROSS SF PER FLOOR
- BUILDING HEIGHT: BUILDING A: 38'-11" +/- | BUILDING B: 35'-5" +/-
- 16 TOTAL UNITS (BUILDING A: 6 | BUILDING B: 10)
- 35 PARKING SPACES
  - 16 GARAGE PARKING SPOTS
  - 14 GARAGE SPOTS IN ADJACENT GARAGE BY EASEMENT
  - 5 OUTDOOR PARALLEL SPOTS

RELIEF REQUIRED:

- BUILDING FOOTPRINT:
  - 2,500 MAX SF ALLOWED
  - BUILDING A: 3,035 SF PROVIDED
  - BUILDING B: 5,232 SF PROVIDED
- LOT AREA PER DWELLING UNIT:
  - 3,000 SF REQUIRED
  - 1,008 +/- SF PROVIDED
- OPEN SPACE:
  - 25% REQUIRED
  - 18% +/- PROVIDED
- LOT USE:
  - 8 UNIT MAX. MULTI-FAMILY DWELLING ALLOWED
  - BUILDING B: 10 UNIT MULTI-FAMILY DWELLING

181 HILL STREET PORTSMOUTH, NH 03801			
CHARACTER DISTRICT ZONING REQUIREMENTS: CD4-L1			
	REQUIRED	EXISTING	PROPOSED
MAX. PRINCIPAL FRONT YARD (HANOVER STREET)	15' - 0"	2' - 9" +/-	1.6' +/-
MAX. SECONDARY FRONT YARD (AUTUMN STREET)	12' - 0"	4' - 1" +/-	6.8' +/-
MIN. REAR YARD (HILL STREET)	10' - 0" FROM CENTER ALLEY	14' - 5" +/-	24.3' +/-
SIDE YARD SETBACK	5' – 0" MIN TO 20' - 0" MAX.	6' - 11" +/-	11.9' +/-
FRONT LOT LINE BUILDOUT	60% MIN. TO 80% MAX.	72.80%	78.7%[6]
MAX BUILDING BLOCK LENGTH	80' - 0"	114.8 +/-[5]	A: 44' - 0" B: 80' - 0"
MAX. FAÇADE MODULATION	50' - 0"	42' - 8"	44' - 0"
MAX. BUILDING COVERAGE	60%	8,128 SF +/-: 50.4%	9,647 SF +/-: 59.8%
MAX. BUILDING FOOTPRINT	2,500 SF	319 (B3): 2,330 SF+/- 329 (B2): 2,337 SF+/- 339 (B1): 2,343 SF+/- TOTAL: 7,010 SF+/-	A: 3,035 SF B: 5,232 SF TOTAL: 8,267 SF
MIN. LOT AREA	3,000 SF	16,127 SF +/-	16,127 SF +/-
MIN. LOT AREA PER DWELLING UNIT	3,000 SF	1,344 SF +/- (12 Units)	1,008 SF +/- (16 TOTAL UNITS)
MIN. OPEN SPACE	25%	3.3% +/-	18.0% +/-[4]
MAX. BUILDING HEIGHT[7]	2-3 STORIES (PARTIAL 4)	2 STORIES	3 STORIES
	40' - 0"	25' - 0" +/-	A: 38'-11" B: 35'-5"
MAX. FINISH FLOOR ABOVE GRADE	3' - 0"	3'-0" +/- *VARIES*	2' - 10"[5]
FAÇADE GLAZING	20% MIN. TO 40% MAX.	NOT CALCULATED	NOT CALCULATED
ROOF TYPE	FLAT, GABLE 6:12 – 12:12, HIP 3:12 MIN., GAMBREL 6:12 - 30:12, MANSARD 6:12 - 30:12	FLAT	A: HIP 10:12 B: MANSARD 30:12
LOT USE	MULTI-FAMILY UP TO 8 UNITS	4 UNITS PER BUILDING	A: 6 UNITS B: 10 UNITS
FAÇADE TYPES	PORCH	PORCH	PORCH
	STOOP		
	STEP		
	FORECOURT		FORECOURT
	RECESSED-ENTRY		
	DOORYARD		
PARKING	1 SPACE PER UNIT	24 TOTAL	35 TOTAL
		14 OFF-SITE[3]	14 OFF SITE[3]
	1 VISITOR SPACES PER 5 UNITS	10 ON-SITE	16 GARAGE 5 OUTDOOR

1. RED INDICATED VARIANCE REQUEST
2. BLUE INDICATES EXISTING NONCONFORMITY
3. OFF-SITE PARKING IN ADJACENT BUILDING (99 FOUNDRY PLACE) GARAGE BY EASEMENT
4. OPEN SPACE CALCULATIONS SHOW 21.3%. REQUESTING 18% FOR UNKNOWN CHANGES, REFER TO SHEET C.2
5. BASED ON CONTIGUOUS FOUNDATION AND FINISHED FIRST FLOOR ELEVATION
6. BUILDING A: 44.2' + BUILDING B: 80' = 124.2' / LOT FRONTAGE: 157.76' = 78.7%
7. REFER TO ROOF PLAN AND ELEVATIONS FOR AREA OF PROPERTY WHERE MAX BUILDING HEIGHT IS 3-4 STORIES AND 50'-0"
8. CALCULATED WITH ALL BUILDINGS BECAUSE SPACE BETWEEN BUILDINGS IS LESS THAN 15'-0" (BUILDING BLOCK LENGTH DEFINITION)
   IF SPACE BETWEEN BUILDINGS IS INCLUDED IN BUILDING BLOCK LENGTH: 143.4'

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4 Market Street
Portsmouth, New Hampshire
603.430.0274
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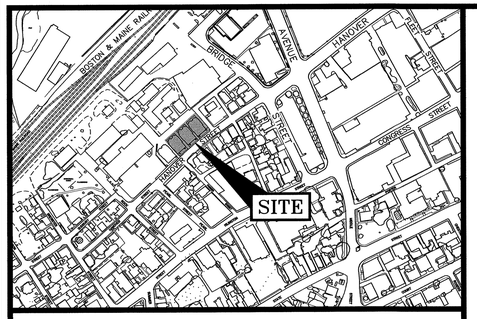


LOCATION MAP SCALE: 1" = 300'

PLAN REFERENCES:

1) LOT LINE RELOCATION PLAN TAX MAP 125, LOT 14 & TAX MAP 138, LOT 62, OWNERS OF RECORD: HILL HANOVER GROUP, LLC c/o JPK PROPERTIES, LLC 1 NEW HAMPSHIRE AVENUE. #125 FOR DEER STREET ASSOCIATES, 159–181 HILL STREET & 317–339 HANOVER STREET, CITY OF PORTSMOUTH, COUNTY OF ROCKINGHAM, STATE OF NEW HAMPSHIRE. PREPARED BY AMBIT ENGINEERING, INC. DATED NOVEMBER 2013, FINAL REVISION DATE MARCH 6, 2014. R.C.R.D. PLAN D–38162.

2) UTILITY EASEMENT PLAN TAX MAP 125 – LOT 14 & TAX MAP 138 – LOT 62, OWNERS: HILL HANOVER GROUP, LLC & DEER STREET ASSOCIATES TO THE CITY OF PORTSMOUTH, 159–181 HILL STREET & 317–339 HANOVER STREET, CITY OF PORTSMOUTH, COUNTY OF ROCKINGHAM, STATE OF NEW HAMPSHIRE. PREPARED BY AMBIT ENGINEERING, INC. DATED MARCH 2014, FINAL REVISION DATE MARCH 6, 2014. R.C.R.D. PLAN D–38163.

3) PARKING EASEMENT PLAN TAX MAP 125 – LOT 14 & TAX MAP 138 – LOT 62, OWNERS: HILL HANOVER GROUP, LLC & DEER STREET ASSOCIATES, 159–181 HILL STREET & 317–339 HANOVER STREET, CITY OF PORTSMOUTH, COUNTY OF ROCKINGHAM, STATE OF NEW HAMPSHIRE. PREPARED BY AMBIT ENGINEERING, INC. DATED MARCH 2014, FINAL REVISION DATE MARCH 12, 2014. R.C.R.D. PLAN D–38164.

"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

JOHN R. CHAGNON, LLS DATE

ABUTTERS:

125/10 N/F JEFFREY S. NAWROCKI REVOCABLE TRUST 2001 1 AUTUMN STREET PORTSMOUTH, NH 03801 4042/2931

125/11 N/F 136 HILL STREET CONDOS C/O PATRICK & DEANNA BOWER 17 CENTRAL STREET METHUEN, MA 01844

125/16 N/F JOHN W. GRAY REVOCABLE TRUST 579 SAGAMORE AVENUE UNIT 100 PORTSMOUTH, NH 03801 3895/0653

126/29 N/F G. EDWARD GOWEN JR. 33 GREAT BAY ROAD GREENLAND, NH 03840 4327/2531

126/40 N/F SHERRY L. & JEFFREY A. WOOD 280 LOCKE ROAD RYE, NH 03870 5206/1770

126/42 N/F LAURA A. CURRIER & JOHN CARTY 324 HANOVER STREET PORTSMOUTH, NH 03801 6008/0146

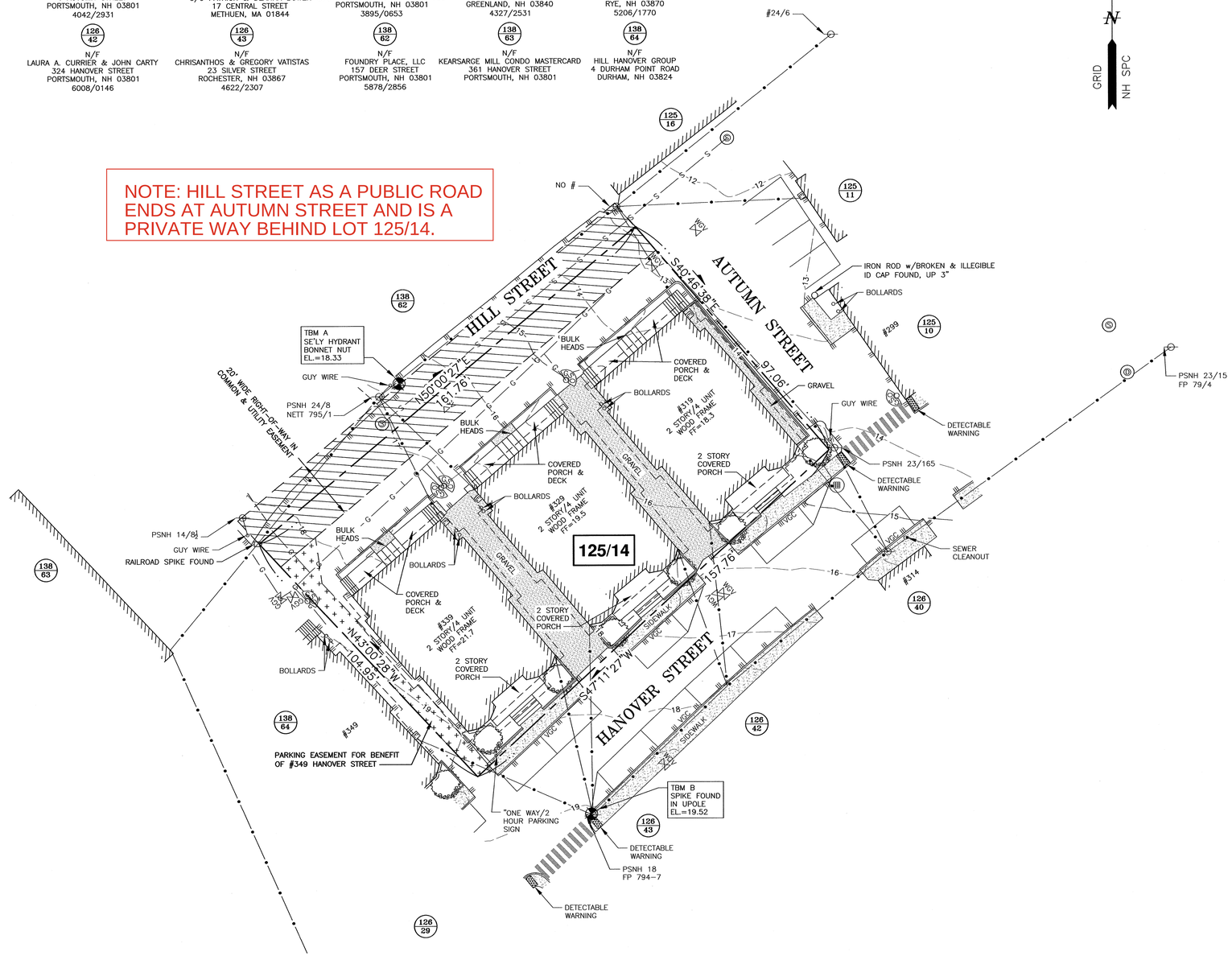
126/43 N/F CHRISANTHOS & GREGORY VATISTAS 23 SILVER STREET ROCHESTER, NH 03867 4622/2307

138/62 N/F FOUNDRY PLACE, LLC 157 DEER STREET PORTSMOUTH, NH 03801 5878/2856

138/63 N/F KEARSARGE MILL CONDO MASTERCARD 361 HANOVER STREET PORTSMOUTH, NH 03801

138/64 N/F HILL HANOVER GROUP 4 DURHAM POINT ROAD DURHAM, NH 03824

NOTE: HILL STREET AS A PUBLIC ROAD ENDS AT AUTUMN STREET AND IS A PRIVATE WAY BEHIND LOT 125/14.



GRAPHIC SCALE

10 0 20 40 60 80 FEET

5 0 5 10 15 20 25 METERS

AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road – Unit 3
Portsmouth, N.H. 03801–7114
Tel (603) 430–9282
Fax (603) 436–2315

NOTES:

1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSORS MAP 125 AS LOT 14.

2) OWNER OF RECORD:
HILL–HANOVER GROUP, LLC
c/o JPK PROPERTIES, LLC
1 NEW HAMPSHIRE AVENUE, #125
PORTSMOUTH, NH 03801
4356/10
R.C.R.D PLANS D–38162, D–38163, & D–38164

3) PARCEL IS LOCATED IN THE CHARACTER DISTRICT 4–L1 (LIMITED 1).

4) DIMENSIONAL REQUIREMENTS:
CHARACTER DISTRICT 4–L1 (CD4–L1):

MIN. LOT AREA:	3,000 S.F.
FRONTAGE:	NO REQUIREMENT
SETBACKS:	
FRONT (MAX.)	15 FEET (PRIMARY)
FRONT (MAX.)	12 FEET (SECONDARY)
SIDE	5–20 FEET (MAX)
REAR	5/10
MAXIMUM STRUCTURE HEIGHT:	2–3 STORIES 40 FEET
MAXIMUM STRUCTURE COVERAGE:	60%
MAXIMUM BUILDING FOOTPRINT:	2,500 S.F.
MINIMUM OPEN SPACE:	25%
MINIMUM FRONT LOT LINE BUILDOUT:	60–80%

5) LOT AREA: 16,127 S.F., 0.3702 ACRES.

6) PARCEL IS NOT IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 33015C0259F, EFFECTIVE JANUARY 29, 2021

7) THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON TAX MAP 125, LOT 14 IN PORTSMOUTH, NH.

8) VERTICAL DATUM IS NAVD88. BASIS OF VERTICAL DATUM IS NGS PID OC0290 – B 2 1923.

9) PARCEL IS SUBJECT TO A 20' WIDE UTILITY EASEMENT. SEE R.C.R.D. 5518/2759.

10) PARCEL IS SUBJECT TO AND BENEFITED BY A 20' WIDE RIGHT–OF–WAY IN COMMON. SEE R.C.R.D. 829/130.

11) PARCEL BENEFITS FROM AN EASEMENT FOR PARKING. SEE R.C.R.D. 5518/2747, SEE ALSO PARTIAL RELEASE R.C.R.D. 5751/1463.

RESIDENTIAL BUILDING
HILL–HANOVER GROUP, LLC
181 HILL STREET
PORTSMOUTH, N.H.

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	9/27/21

REVISIONS

SCALE 1" = 20' SEPTEMBER 2021

EXISTING CONDITIONS PLAN

C1

FB 265 PG 13

2725

J:\CIVIL\2700\2725\Dwg\2725 Site 2021.dwg, 9/28/2021 4:39:33 PM, Canon TX-8000 (3rd Pty)

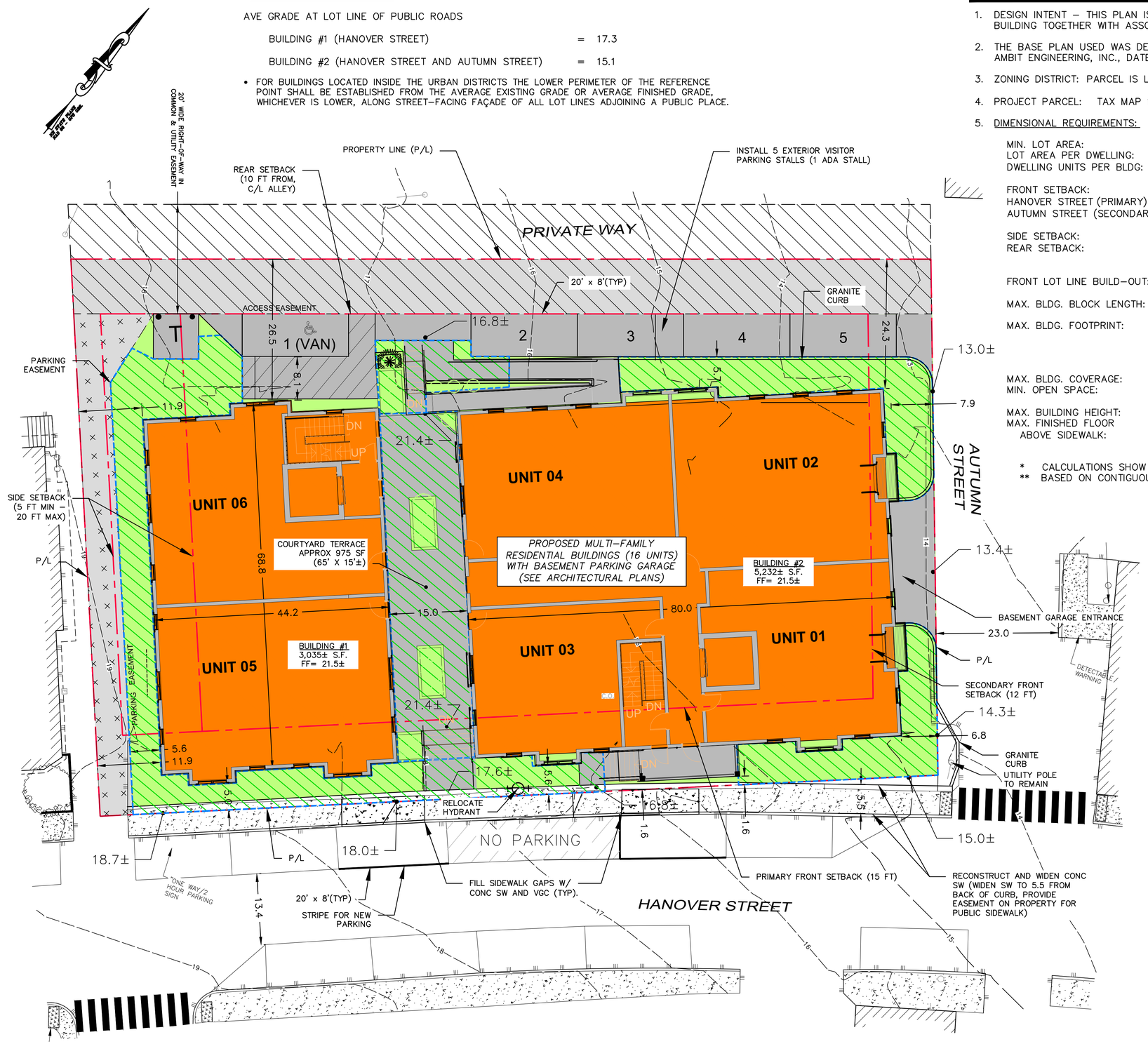
GRADE PLANE CALCULATION:

AVE GRADE AT LOT LINE OF PUBLIC ROADS

BUILDING #1 (HANOVER STREET) = 17.3

BUILDING #2 (HANOVER STREET AND AUTUMN STREET) = 15.1

- FOR BUILDINGS LOCATED INSIDE THE URBAN DISTRICTS THE LOWER PERIMETER OF THE REFERENCE POINT SHALL BE ESTABLISHED FROM THE AVERAGE EXISTING GRADE OR AVERAGE FINISHED GRADE, WHICHEVER IS LOWER, ALONG STREET–FACING FAÇADE OF ALL LOT LINES ADJOINING A PUBLIC PLACE.



SITE SUMMARY

1. DESIGN INTENT – THIS PLAN IS INTENDED TO DEPICT THE PROPOSED MULTI–FAMILY RESIDENTIAL BUILDING TOGETHER WITH ASSOCIATED PARKING AND ACCESSWAYS.
2. THE BASE PLAN USED WAS DEVELOPED FROM THE EXISTING CONDITIONS PLAN PREPARED BY AMBIT ENGINEERING, INC., DATED SEPTEMBER 27, 2021.
3. ZONING DISTRICT: PARCEL IS LOCATED IN THE CHARACTER DISTRICT 4–L1 DISTRICT
4. PROJECT PARCEL: TAX MAP 125 – LOT 14 16,127 S.F. (±0.37 AC.)
5. DIMENSIONAL REQUIREMENTS:

	CD4–L1	EXISTING	PROVIDED
MIN. LOT AREA:	3,000 S.F.	16,127 S.F.	16,127 S.F.
LOT AREA PER DWELLING:	3,000 S.F.	±1,344 S.F	±1,008 S.F.
DWELLING UNITS PER BLDG:	8 (MAX)	4 (12 UNITS)	10 (16 UNITS)
FRONT SETBACK:			
HANOVER STREET (PRIMARY)	15' MAX	±2.7'	±1.6'
AUTUMN STREET (SECONDARY)	12' MAX	±4.6'	±6.8'
SIDE SETBACK:	5' MIN – 20' MAX	±6.8	±11.9'
REAR SETBACK:	5' FROM LOT LINE OR 10' FROM C/L ALLEY	±14.5'	±24.3'
FRONT LOT LINE BUILD–OUT:	60% MIN – 80% MAX	±72.8%	±78.7%
MAX. BLDG. BLOCK LENGTH:	80'	±114.8''	80'
MAX. BLDG. FOOTPRINT:	2,500 SF	B1=±2,343 SF B2=±2,337 SF B3=±2,330 SF TOTAL = ±7,010 SF	B1=±3,035 SF B2=±5,232 SF ±8,267 SF
MAX. BLDG. COVERAGE:	60%	±50.4%	±59.8%
MIN. OPEN SPACE:	25%	±3.3%	±18.0% *
MAX. BUILDING HEIGHT:	40'	(SEE ARCHITECTURAL PLANS AND ELEVATIONS)	
MAX. FINISHED FLOOR ABOVE SIDEWALK:	36" (3.0')	±36"	34"**

* CALCULATIONS SHOW 21.3% OPEN SPACE. 18% REQUESTED FOR UNKNOWN CHANGES.
** BASED ON CONTIGUOUS FOUNDATION AND FINISHED FLOOR ELEVATION.

BUILDING COVERAGE CALCULATION:

BUILDING #1 FOOTPRINT –	3,035	SF
BUILDING #2 FOOTPRINT –	5,232	SF
COURTYARD TERRACE –	975	SF
NORTH RAMP AND STAIR (>18") –	318	SF
SOUTH STAIRS (>18") –	87	SF
TOTAL	9,647±	SF
	(59.8%)	

PARKING CALCULATIONS:

DWELLING UNITS: 1.0 SPACES PER DWELLING UNIT
16 UNITS x 1.0 = 16 SPACES

VISITOR SPACES: 1.0 SPACE PER 5 UNITS
16 UNITS/5 X 1.0 = 3.1 SPACES (USE 4)

TOTAL PARKING REQUIRED: 20 SPACES TOTAL

PARKING SPACES PROVIDED: 16 (BASEMENT)
5 (EXTERIOR)
21 TOTAL

(SEE ARCH PLANS FOR BASEMENT PARKING PLAN)

OPEN SPACE CALCULATIONS:

= OPEN SPACE (MIN 5 FT WIDTH)

1) WEST AND SOUTH –	1,268	SF
2) COURTYARD TERRACE –	975	SF
3) NORTH RAMP AND PLANTERS –	245	SF
4) NORTHEAST AREA –	542	SF
5) SOUTHEAST AREA –	401	SF
TOTAL	3,431	SF (21.3%)

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

P5608

ENGINEER:

ALTUS ENGINEERING

133 Court Street Portsmouth, NH 03801
(603) 433-2335 www.altus-eng.com

STATE OF NEW HAMPSHIRE – CORY D. BELDEN No. 14239 – LICENSED PROFESSIONAL ENGINEER

5/5/26

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ARCHITECT:

4 Market Street
Portsmouth, New Hampshire
603.430.0274
brought to you by McHENRY ARCHITECTURE

ISSUED FOR: ZONING BOARD

ISSUE DATE: MAY 5, 2026

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	ZONING BOARD	CDB	04/08/26
1	REVISE BLDG CALCS	CDB	05/05/26

DRAWN BY: CDB
APPROVED BY: CDB
DRAWING FILE: 5608_SITE.DWG

SCALE:
22" X 34" = 1" = 10'
11" X 17" = 1" = 20'

OWNER:

HILL-HANOVER GROUP LLC
C/O JPK PROPERTIES LLC

1 NEW HAMPSHIRE AVENUE, SUITE #125
PORTSMOUTH, NH 03801

PROJECT:

HILL / HANOVER MULTI–FAMILY

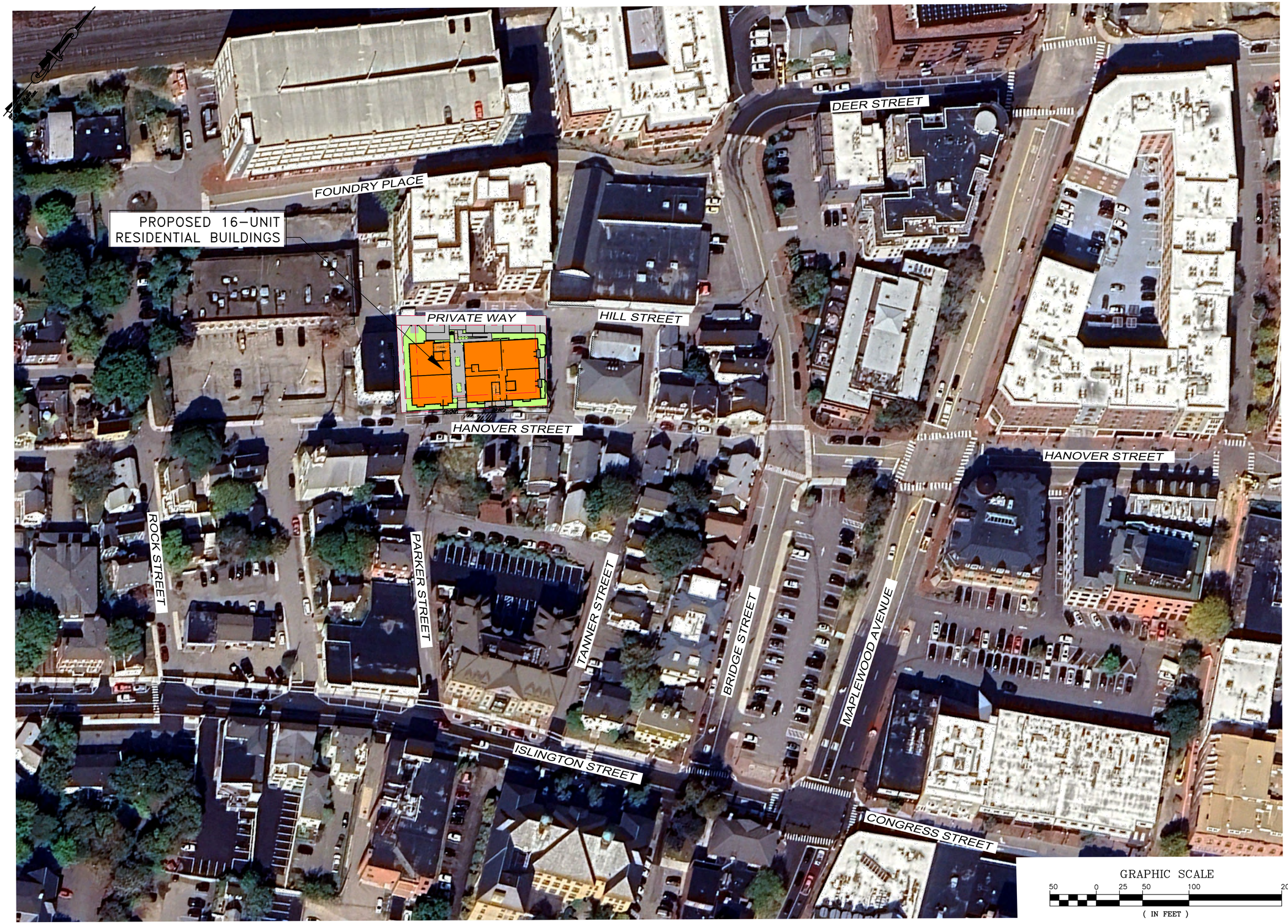
181 HILL STREET
PORTSMOUTH, NH 03801

TITLE:

ZBA SITE PLAN

SHEET NUMBER:

C.2



GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)

P5608

ENGINEER:

ALTUS ENGINEERING

133 Court Street Portsmouth, NH 03801
(603) 433-2335 www.altus-eng.com

STATE OF NEW HAMPSHIRE
CORY D. BELDEN
No. 14239
LICENSED PROFESSIONAL ENGINEER
4/07/26

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ARCHITECT:

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Portsmouth, New Hampshire
603.430.0274

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ISSUED FOR: ZONING BOARD

ISSUE DATE: APRIL 8, 2026

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	ZONING BOARD	CDB	04/08/26

DRAWN BY: CDB
APPROVED BY: CDB
DRAWING FILE: 5608_SITE.DWG

SCALE: 22" X 34" = 1" = 50'
11" X 17" = 1" = 100'

OWNER:

HILL-HANOVER GROUP LLC
C/O JPK PROPERTIES LLC

1 NEW HAMPSHIRE AVENUE, SUITE #125
PORTSMOUTH, NH 03801

PROJECT:

HILL / HANOVER MULTI-FAMILY

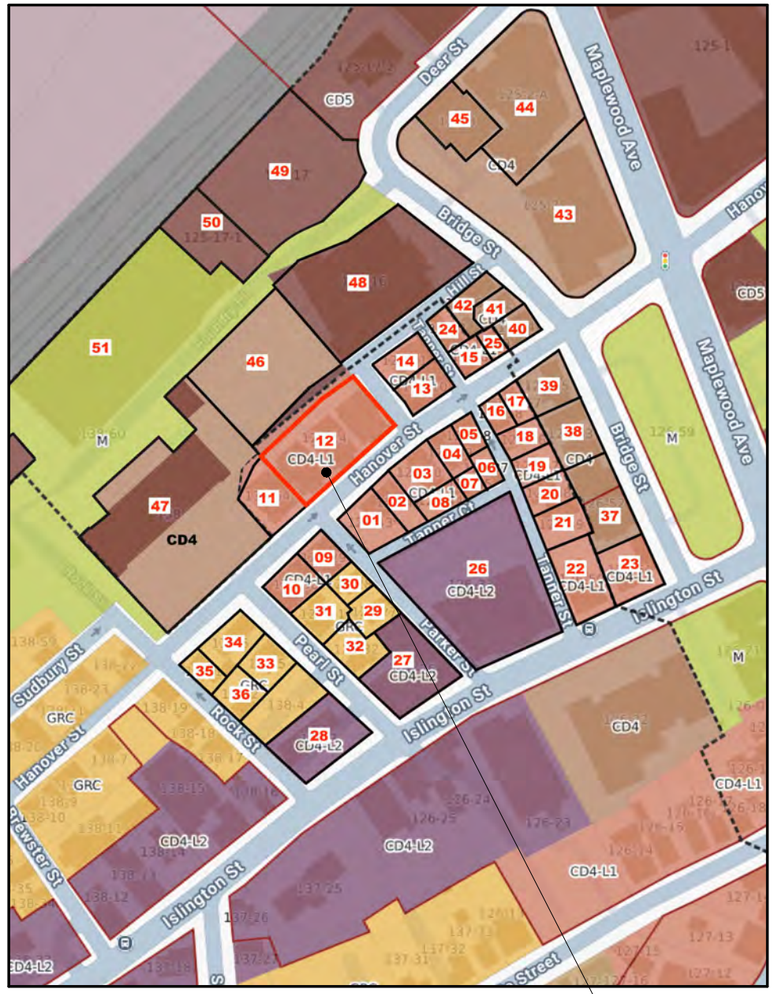
181 HILL STREET
PORTSMOUTH, NH 03801

TITLE:

NEIGHBORHOOD PLAN

SHEET NUMBER:

C.3



181 HILL STREET (339-319 HANOVER STREET)
PORTSMOUTH, NEW HAMPSHIRE 03801

PROPERTY DENSITY DATA					
KEYNOTE	ADDRESS	NUMBER OF UNITS	REQUIRED SQUARE FEET PER UNIT	SQUARE FEET PER UNIT	ZONE
1	332 HANOVER STREET	1	3,000 SF	4356	CD4-L1
2	324 HANOVER STREET	1	3,000 SF	2613.6	
3	314 HANOVER STREET	3	3,000 SF	1161.6	
4	306 HANOVER STREET	4	3,000 SF	544.5	
5	296 HANOVER STEET	3	3,000 SF	580.8	
6	52 TANNER STREET	1	3,000 SF	1306.8	
7	9 TANNER COURT	1	3,000 SF	1306.8	
8	13 TANNER COURT	1	3,000 SF	2178	
9	350 HANOVER STREET	2	3,000 SF	1306.8	
10	45 PEARL STREET	3	3,000 SF	1161.6	
11	349 HANOVER STREET	6	3,000 SF	871.2	
12	181 HILL STREET	12	3,000 SF	1343.1	
13	299 HANOVER STREET	COMMERCIAL ONLY			
14	136 HILL STREET	3	3,000 SF	1016.4	
15	285 HANOVER STREET	4	3,000 SF	435.6	
16	288 HANOVER STREET	1	3,000 SF	1742.4	
17	282 HANOVER STREET	1	3,000 SF	1,307	
18	53 TANNER STREET	1	3,000 SF	2178	
19	45 TANNER STREET	1	3,000 SF	2178	
20	37 TANNER STREET	1	3,000 SF	2178	
21	29 TANNER STREET	1	3,000 SF	3049.2	
22	19 ISLINGTON STREET	7	3,000 SF	871.2	
23	7 ISLINGTON STREET[2]	3	3,000 SF	1742.4	
24	126 HILL STREET	2	3,000 SF	871.2	
25	263 HANOVER STREET	1	3,000 SF	1306.8	

PROPERTY DENSITY DATA					
KEYNOTE	ADDRESS	NUMBER OF UNITS	REQUIRED SQUARE FEET PER UNIT	SQUARE FEET PER UNIT	ZONE
26	51 ISLINGTON STREET	26	3,000 SF	1202.5	CD4-L2
27	63 ISLINGTON STREET	COMMERCIAL ONLY			
28	93 ISLINGTON STREET	COMMERCIAL ONLY			
29	30 PARKER STREET	1	3,500 SF	2613.6	GRC
30	40 PARKER STREET	1	3,500 SF	1742.4	
31	31 PEARL STREET	6	3,500 SF	508.2	
32	19 PEARL STREET	2	3,500 SF	1742.4	
33	36 PEARL STREET	1	3,500 SF	3049.2	
34	48 PEARL STREET	2	3,500 SF	1960.2	
35	394 HANOVER STREET	1	3,500 SF	1742.4	
36	27 ROCK STREET	2	3,500 SF	1306.8	
37	40 BRIDGE STREET	10	NR	740.6	CD-4
38	44 BRIDGE STREET	COMMERCIAL ONLY			
39	64 BRIDGE STREET	COMMERCIAL ONLY			
40	78 BRIDGE STREET[2]	3	NR	726	
41	88 BRIDGE STREET[2]	2	NR	871.2	
42	96 BRIDGE STREET[2]	3	NR	871.2	
43	30 MAPLEWOOD AVE[2]	7	NR	4978.3	
44	50 MAPLEWOOD AVE	22	NR	990	
45	238 DEER STREET	21	NR	290.4	
46	89 FOUNDRY PLACE[1]	51	NR	444.2	
47	361 HANOVER STREET[1]	40	NR	963.2	
48	126 BRIDGE STREET	COMMERCIAL ONLY			CD5
49	165 DEER STREET	COMMERCIAL ONLY			
50	DEER STREET (125-17-1)	VACANT			
51	100 FOUNDRY PLACE	PARKING GARAGE			M

RED = NON CONFORMING LOT AREA PER DWELLING UNIT

1. ZONING CHANGE FROM CD5 TO CD4
2. RESIDENTIAL UNITS QUANTITY DETERMINED FROM PRIOR INSPECTIONS AND HISTORICAL PROPERTY NOTES, UNIT COUNTS MAY VARY..

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HILL / HANOVER MULTI-FAMILY

181 HILL STREET
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DENSITY ANALYSIS

CITY OF PORTSMOUTH ZONING BOARD OF ADJUSTMENT | MAY 2026

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A1

04/22/2026
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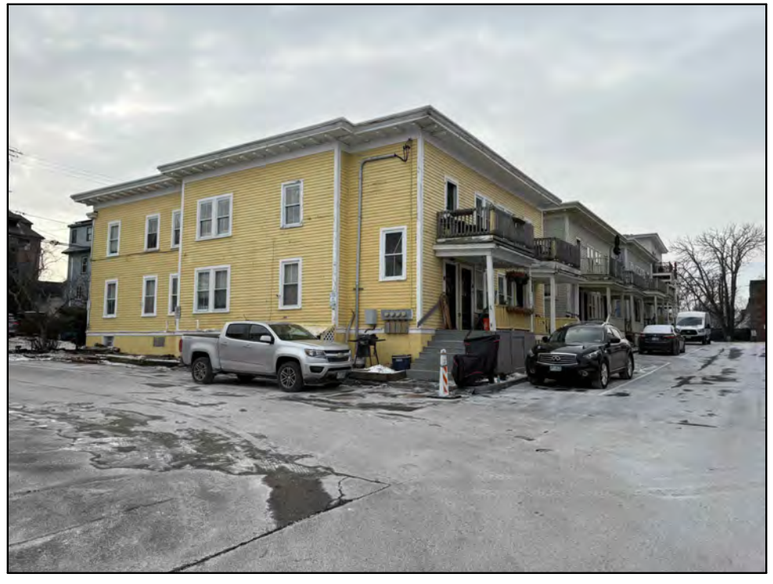
HANOVER STREET ELEVATION OF 339 HANOVER STREET

HANOVER STREET ELEVATION OF 329 HANOVER STREET

HANOVER STREET ELEVATION OF 319 HANOVER STREET

HANOVER STREET ELEVATIONS OF
339-319 HANOVER STREET



AUTUMN STREET ELEVATION OF 319 HANOVER STREET

HILL STREET ELEVATIONS OF 339-319
HANOVER STREET

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HILL / HANOVER MULTI-FAMILY

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EXISTING - PERSPECTIVES

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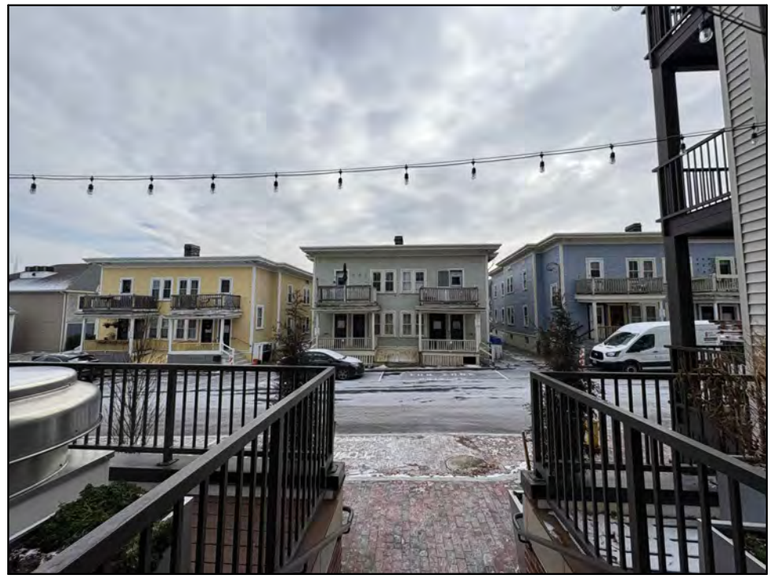
HILL STREET APPROACH FROM NORTH EAST
(BRIDGE STREET)

HILL STREET APPROACH FROM NORTH EAST

HILL STREET APPROACH FROM NORTH EAST
(AUTUMN STREET)

HILL STREET APPROACH FROM SOUTH WEST
(FROM 361 HANOVER STREET)

HILL STREET APPROACH FROM SOUTH WEST
(FROM 361 HANOVER STREET)



APPROACH FROM FOUNDRY PLACE APARTMENTS

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EXISTING CONTEXT - APPROACH

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HANOVER STREET APPROACH FROM SOUTH WEST
(PEARL STREET)

PARKER STREET APPROACH FROM SOUTH
(TANNER COURT)

PARKER STREET APPROACH FROM SOUTH

HANOVER STREET APPROACH FROM NORTH EAST
(BRIDGE STREET)

HANOVER STREET APPROACH FROM NORTH EAST
(TANNER STREET)

HANOVER STREET APPROACH FROM NORTH EAST
(AUTUMN STREET)

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HILL / HANOVER MULTI-FAMILY

181 HILL STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

EXISTING CONTEXT - APPROACH

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AERIAL RENDERING

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Project Number: 24083
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RENDERING INCLUDES THE MASSING OF THE CURRENTLY UNDER CONSTRUCTION 332 HANOVER STREET

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AERIAL RENDERING

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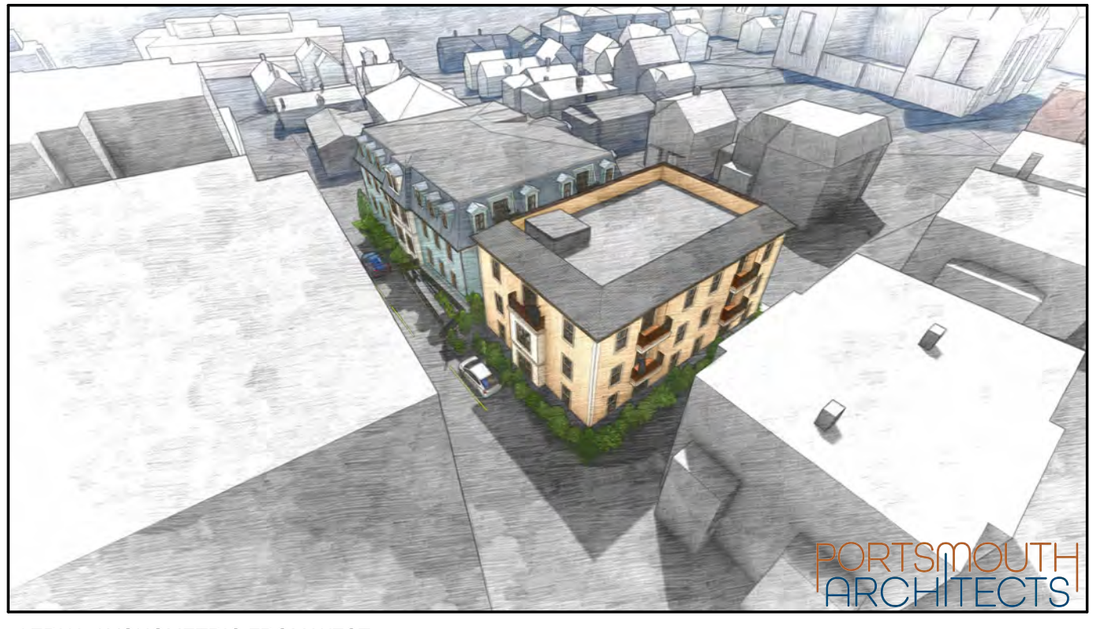
PA: MM / RD/MG
Project Number: 24083
NOT TO SCALE

AERIAL AXONOMETRIC FROM EAST

AERIAL AXONOMETRIC FROM SOUTH



AERIAL AXONOMETRIC FROM WEST

AERIAL AXONOMETRIC FROM NORTH

NOTE: ADJACENT BUILDINGS AND TOPOGRAPHY PROVIDED VIA CITY OF PORTSMOUTH 3D CITY MODEL AND MODELED BASED ON PLANS SUBMITTED TO THE CITY OF PORTSMOUTH INCLUDING APPROVED PROJECTS NOT YET CONSTRUCTED, THE ARCHITECT IS NOT RESPONSIBLE FOR DIFFERENCES IN SIZES DEPICTED IN THE CITY MODEL COMPARED TO WHAT EXISTS

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AERIAL MASSING

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Project Number: 24083
NOT TO SCALE

PERSPECTIVE FROM HANOVER STREET LOOKING WEST

PERSPECTIVE FROM PARKER STREET LOOKING NORTH

PERSPECTIVE FROM REAR PRIVATE WAY LOOKING SOUTHEAST

PERSPECTIVE FROM REAR PRIVATE WAY LOOKING EAST

NOTE: ADJACENT BUILDINGS AND TOPOGRAPHY PROVIDED VIA CITY OF PORTSMOUTH 3D CITY MODEL AND MODELED BASED ON PLANS SUBMITTED TO THE CITY OF PORTSMOUTH INCLUDING APPROVED PROJECTS NOT YET CONSTRUCTED, THE ARCHITECT IS NOT RESPONSIBLE FOR DIFFERENCES IN SIZES DEPICTED IN THE CITY MODEL COMPARED TO WHAT EXISTS

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PUBLIC VIEW MASSING

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1/16" = 1' - 0"

0 5' 10' 20' 30' 60'

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HANOVER STREET ELEVATION

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PA:	RD / MG
Project Number:	24083
Scale:	1/16" = 1'-0"

Z:\Active Project Files\24083-HILL HANOVER GROUP\Dwgs\2-SD

1 SOUTH ELEVATION - HANOVER STREET
3/32" = 1'-0"

3/32" = 1' - 0" 0 5' 10' 20' 40'

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SOUTH ELEVATION

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A10

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PA:	MM/RD / MG
Project Number:	24083
Scale:	3/32" = 1'-0"

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1 WEST ELEVATION
3/32" = 1'-0"

3/32" = 1' - 0"
0 5' 10' 20' 40'

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WEST ELEVATION

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PA: MM/RD / MG
Project Number: 24083
Scale: 3/32" = 1'-0"

1 NORTH ELEVATION - PRIVATE WAY
3/32" = 1'-0"

3/32" = 1' - 0" 0 5' 10' 20' 40'

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NORTH ELEVATION

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PA:	MM/RD / MG
Project Number:	24083
Scale:	3/32" = 1'-0"

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1 EAST ELEVATION - AUTUMN STREET
3/32" = 1'-0"

3/32" = 1' - 0" 0 5' 10' 20' 40'

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HILL / HANOVER MULTI-FAMILY

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EAST ELEVATION

CITY OF PORTSMOUTH ZONING BOARD OF ADJUSTMENT | MAY 2026

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A13

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PA: MM/RD / MG
Project Number: 24083
Scale: 3/32" = 1'-0"

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HILL / HANOVER MULTI-FAMILY

181 HILL STREET
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BASEMENT FLOOR PLAN

CITY OF PORTSMOUTH ZONING BOARD OF ADJUSTMENT | MAY 2026

4 Market Street
Portsmouth, New Hampshire
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A14

	04/09/2026
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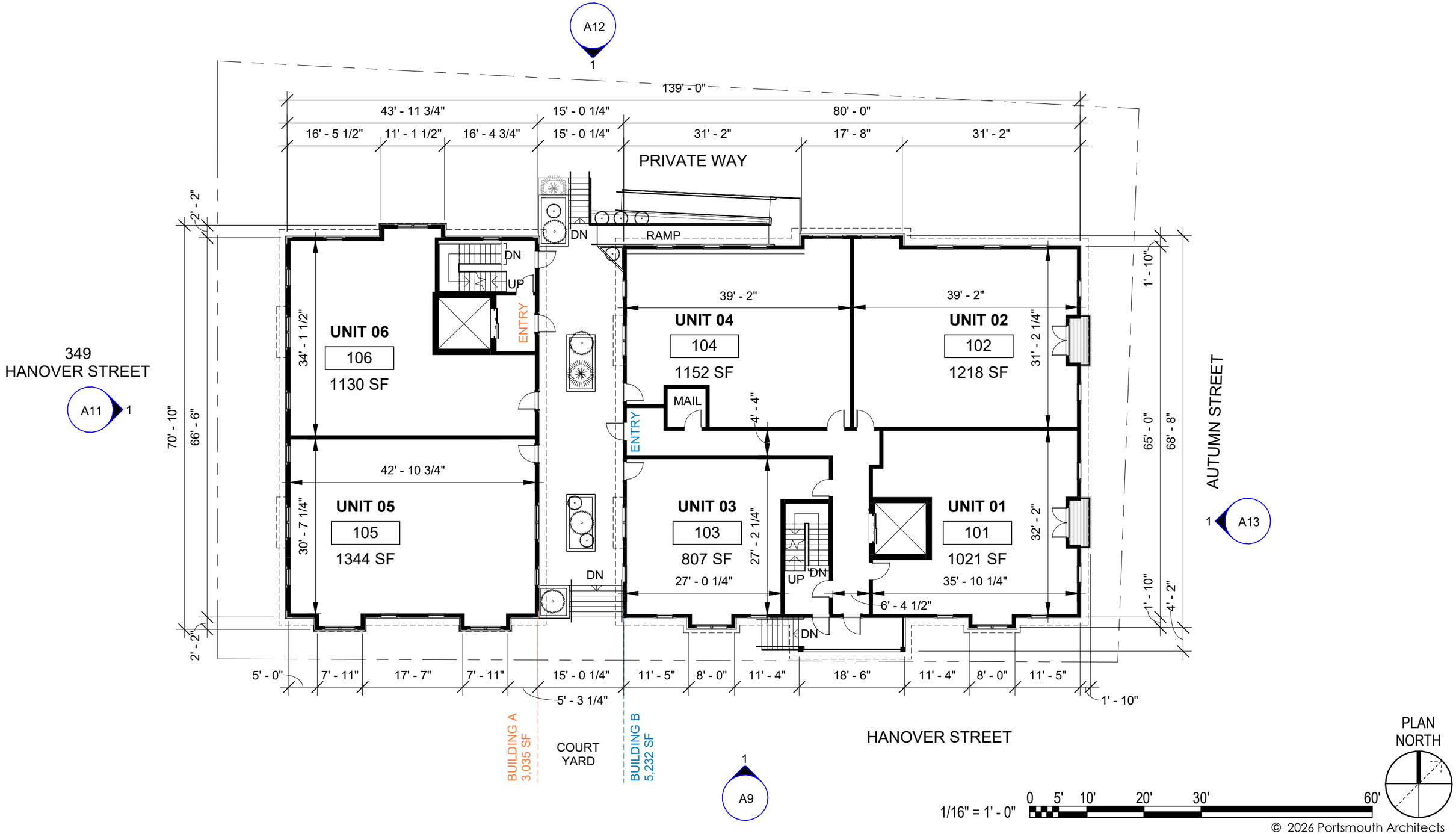

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HILL / HANOVER MULTI-FAMILY

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1ST FLOOR PLAN

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A15

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Project Number:	24083
Scale:	1/16" = 1'-0"

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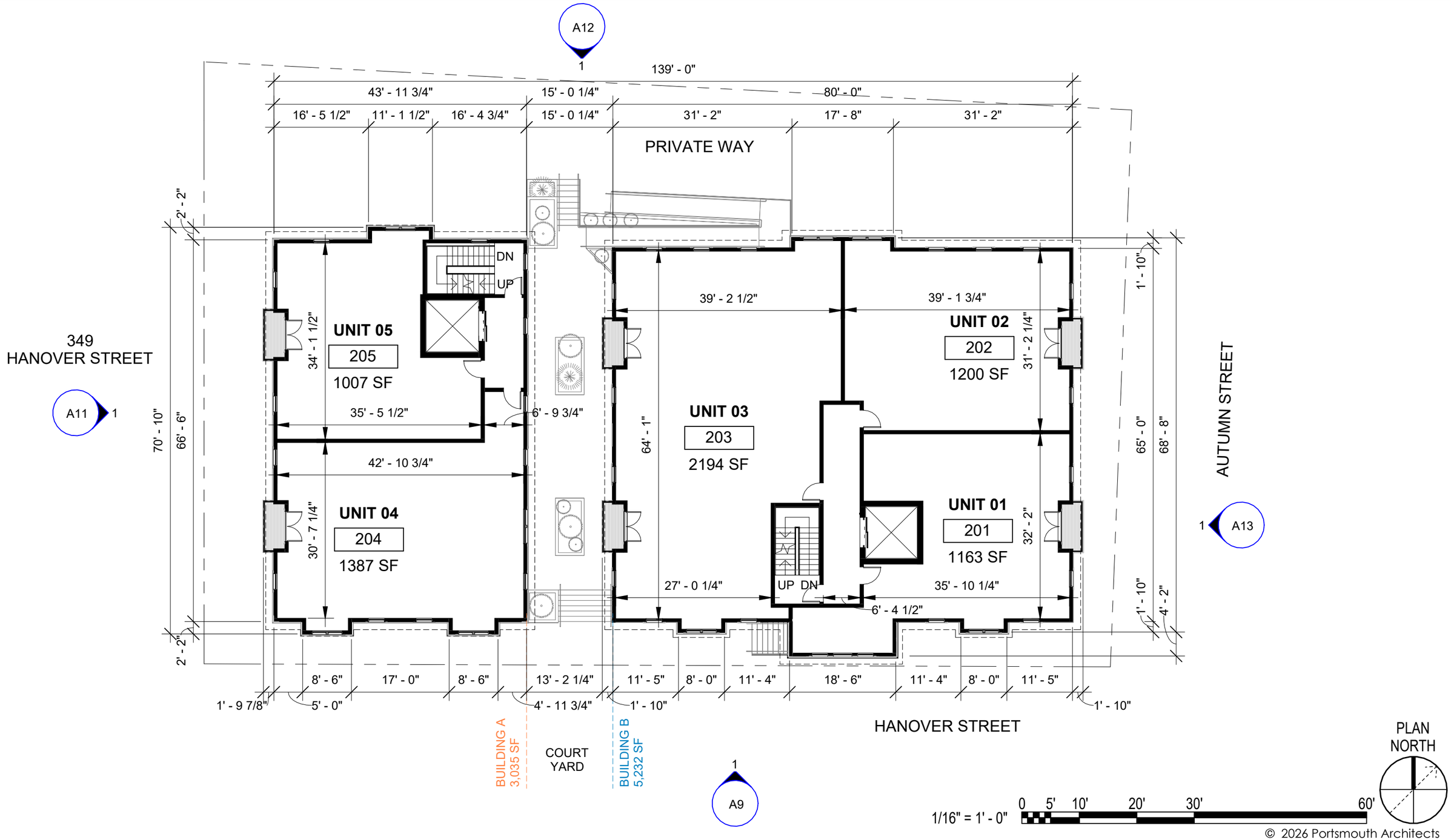

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HILL / HANOVER MULTI-FAMILY

181 HILL STREET
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2ND & 3RD FLOOR PLAN

CITY OF PORTSMOUTH ZONING BOARD OF ADJUSTMENT | MAY 2026

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A16

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PA: RD / MG
Project Number: 24083
Scale: 1/16" = 1'-0"

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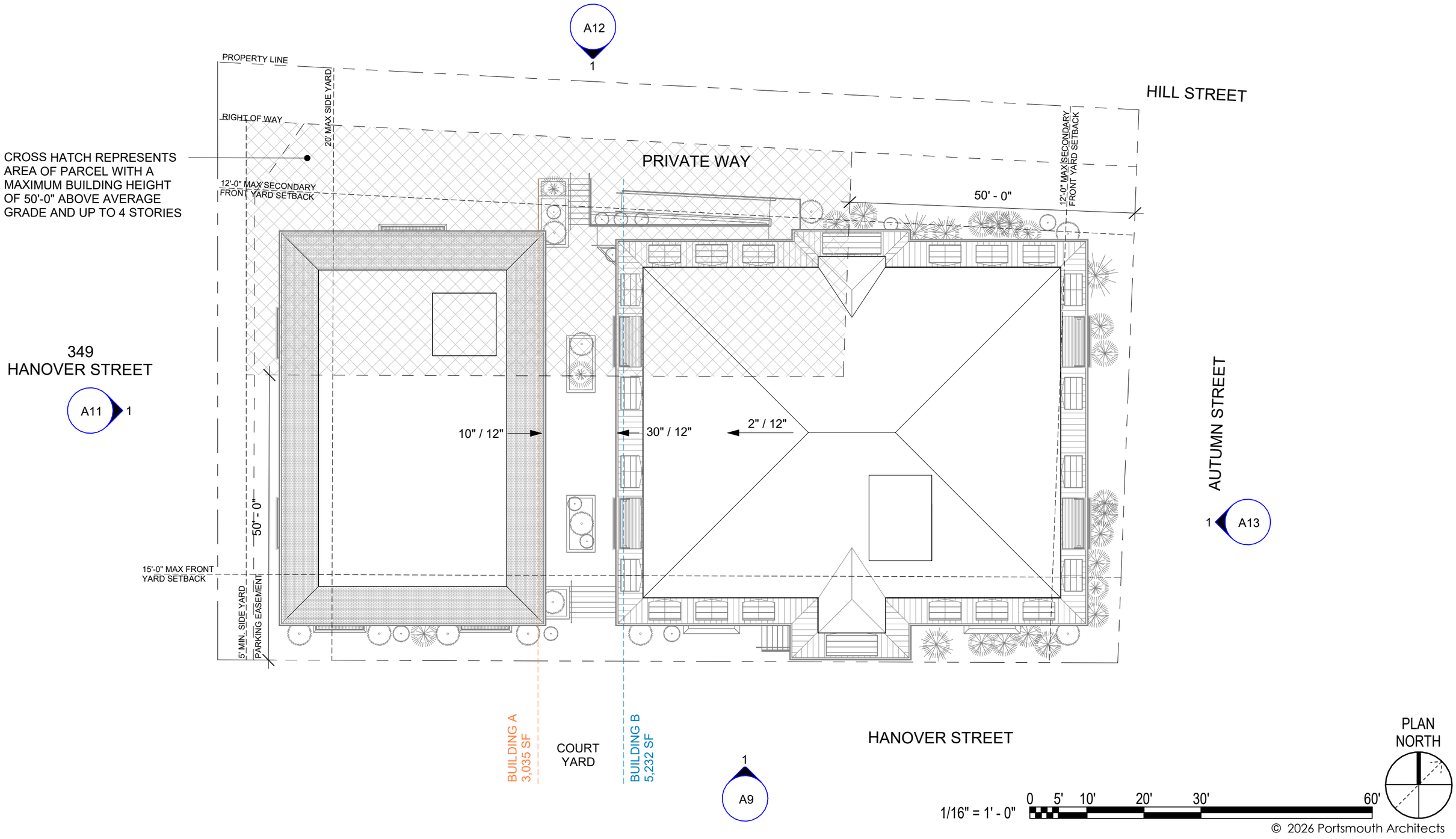

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HILL / HANOVER MULTI-FAMILY

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ROOF PLAN

CITY OF PORTSMOUTH ZONING BOARD OF ADJUSTMENT | MAY 2026

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A17

04/09/2026
PA: RD / MG
Project Number: 24083
Scale: 1/16" = 1'-0"

Z:\Active Project Files\24083-HILL HANOVER GROUP\Dwgs\2-SD

NOTE: THIS DRAWING IS TO ILLUSTRATE THE INITIAL HANOVER STREET ELEVATION DESIGN CONCEPT AS PRESENTED DURING PLANNING BOARD PRELIMINARY CONCEPTUAL REVIEW AND TECHNICAL ADVISORY COMMITTEE WORK SESSION.

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INITIAL DESIGN CONCEPT

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A18

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PA: RD / MG
Project Number: 24083
Scale: 1/16" = 1'-0"

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