

**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.

March 24, 2026

AGENDA

I. OLD BUSINESS

A. 238 Austin Street – Rehearing Request

II. NEW BUSINESS

- A.** The request of **Gregory Sheive and Diane Lamprey (Owners)**, for property located at **893 Woodbury Avenue** whereas relief is needed to construct a 168 square foot addition to the rear of the structure which requires the following: 1) Variance from Section 10.521 to allow a) 27.5 foot rear yard where 30 feet are required, and b) 23% building coverage where 20% is maximum allowed. Said property is located on Assessor Map 219 Lot 36 and lies within the Single Residence B (SRB) District. (LU-26-8)
- B. POSTPONE TO APRIL** The request of **William and Virginia Osborn (Owners)**, for property located at **133 Miller Avenue** whereas relief is needed to demolish the existing one-story garage and construct a new two-story attached garage which requires the following: 1) Variance from Section 10.521 to allow a) a 6-foot rear yard where 20 feet is required; and b) 3-foot left side yard where 10 feet is required. Said property is located on Assessor Map 129 Lot 26 and lies within the General Residence A (GRA) District. **POSTPONE TO APRIL** (LU-26-21)
- C.** The request of **Emily and Michael Glynn (Owners)**, for property located at **387 Richards Avenue** whereas relief is needed for the construction of a two-story addition in place of an existing deck structure which requires the following: 1) Variance from Section 10.521 to allow a) a 4-foot left side yard where 10 feet is required. Said property is located on Assessor Map 112 Lot 17 and lies within the General Residence A (GRA) District. (LU-26-23)
- D. REQUEST TO POSTPONE** The request of **John C and Janice D Carpenter (Owners)**, for property located at **614 Broad Street** whereas relief is needed to

construct a front porch and rear addition to the primary dwelling, to demolish the existing detached garage and construct a new two-story garage with Accessory Dwelling Unit above which requires the following: 1) Variance from Section 10.521 to allow a) a 0.5 foot rear yard where 20 feet is required; b) 2.5 foot left side yard where 10 feet is required; and c) 34% building coverage where 25% is the maximum. Said property is located on Assessor Map 221 Lot 54 and lies within the General Residence A (GRA) District. (LU-26-24) **REQUEST TO POSTPONE**

II. 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_t0CS00nqTmabQtBm4WMgIw



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: March 18, 2026
RE: Zoning Board of Adjustment March 24, 2026

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

- I. **Old Business**
 - A. **238 Austin St – Rehearing Request**
- II. **New Business**
 - A. 893 Woodbury Ave
 - B. 133 Miller Ave – **REQUEST TO POSTPONE**
 - C. 387 Richards Ave
 - D. 614 Broad St - **REQUEST TO POSTPONE**

March 24, 2026 Meeting

I. OLD BUSINESS

- A. The request of **John W. Mayer, Debora D. Mayer, John Ragonese, Lynda Schmidt, Evan Baker, Laura Stewart, Keith Smith and Cindy Smith** for property located at **238 Austin Street** to rehear the granted Variances from the February 18, 2026 BOA meeting.

Planning Department Comments

At the February 18, 2026 Board of Adjustment meeting the Board considered the request of **Lisa Paige Reyes (Owner)** and **Chris Ward (Applicant)**, for property located at **238 Austin Street** whereas relief is needed to demolish the existing structures, subdivide the lot and construct a new home on each lot which requires the following for the proposed Austin Street Lot: 1) Variance from Section 10.521 to allow a) 49.75 feet of frontage where 70 feet is required; and b) an 8.5 foot right side yard where 10 feet is required. The following is required for the proposed Coffins Court Lot: 1) Variance from Section 10.521 to allow a) 2,884 sq.ft. of lot area where 3,500 sq.ft. is required, b) 2,884 sq.ft. of lot area per dwelling unit where 3,500 sq.ft. is required, c) a 5.5 ft. side yard where 10 feet is required; and d) an 18 foot rear yard where 20 feet is required.

*The Board voted to **grant** the variances as presented and advertised.*

A request for rehearing has been filed within 30 days of the Board's decision and the Board must consider the request at the next scheduled meeting. The Board must vote to grant or deny the request or stay the decision pending further consideration. If the Board votes to grant the request, a hearing will be scheduled for next month's Board meeting or at another time to be determined by the Board.

The decision to grant or deny a rehearing request must occur at a public meeting, but this is not a public hearing. The Board should evaluate the information provided in the request and make its decision based upon that document. The Board should grant the rehearing request if a majority of the Board is convinced that some error of procedure or law was committed during the original consideration of the case.

The past application can be referenced in February 18, 2026 meeting packet found at the following link:

https://files.portsmouthnh.gov/files/planning/apps/AustinSt_238/AustinSt_238_BOA_021826.pdf

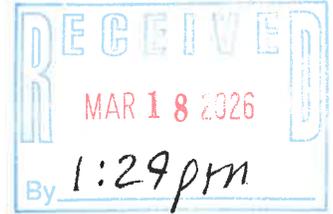
THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, ss.

CITY OF PORTSMOUTH

ZONING BOARD OF ADJUSTMENT

**In re Application of Lisa Paige Reyes and Chris Ward
regarding the property located at 238 Austin Street**



MOTION FOR REHEARING

Pursuant to RSA 677:2, John W. Mayer, Debora D. Mayer, John Ragonese, Lynda Schmidt, Evan Baker, Laura Stewart, Keith Smith, and Cindy Smith, all of whom are abutters or near-abutters of the property at 238 Austin Street which is the subject of the above-referenced application and who will be directly affected by this Board's decision, respectfully move this Board to reconsider its decision of February 18, 2026, in which the Board granted variances from the area, coverage, and setback requirements of section 10.521 of the Zoning Ordinance and also granted the applicants other relief, and to conduct a rehearing on the applicants' petition. As grounds in support of their motion, the movants state the following:

1. The movants have received conflicting information from this Board and the Planning Department concerning the role of the city's Demolition Committee and concerning the movants' options in opposing demolition of the old barn which sits on the subject property at 238 Austin Street. During the February 18, 2026 hearing, several members of this Board volunteered the observation that the applicants' project "still has to go through Demolition" and the like, meaning, the project still had to go before the Demolition Committee and that therefore the movants

and other opponents will have ample opportunity to voice their concerns concerning the proposed demolition of the subject building at that juncture. However, the movants have been told by the Planning Department that once the Zoning Board of Adjustment grants a variance, the granting of that variance has the effect of approving demolition and renders moot the role of the Demolition Committee. In addition, the movants have received reliable information that the Demolition Committee has not held a meeting in almost four years.

2. Thus, by simply deferring to the Demolition Committee on the question of whether the old barn should be demolished, this Board abdicated its responsibilities. The Board should have entertained and considered the issue of whether demolition of the barn is appropriate, and that issue should have informed this Board's decision, especially in the light of the barn's historical significance.

3. Further, at the February 18, 2026 hearing some of the citizen opponents, including some of the movants herein, specifically asked this Board for an explanation of the Demolition Committee's role and the procedure for bringing this project before the latter, and such an explanation was not forthcoming.

4. For these reasons, a rehearing by this Board is warranted so that the Board can fully vet and consider the issue of whether demolition of the barn is appropriate.

5. On that same subject, the applicants' assertion, articulated through their attorney at the February 18, 2026 hearing, that it would be impossible and/or infeasible to rehabilitate, renovate, and restore the old barn, and that therefore demolition is necessary, is simply untrue. It is, indeed, feasible and entirely possible to rehabilitate and restore the barn. The movants are submitting concurrently herewith a letter from Drew Bedard, an experienced general contractor, carpenter, and historic preservationist, who has personally examined the barn and who concludes

that it is entirely feasible, financially and otherwise, to rehabilitate, renovate, and restore the old barn. The applicants' representation to the contrary was incorrect.

6. In addition, in the letter which is being submitted Mr. Bedard also explains the importance of the barn from a historic preservation standpoint. Among other things, the barn in question is "an extremely rare example of an urban barn" and, moreover, preserving it helps maintain the essential character of the neighborhood. At the February 18, 2026 hearing, this Board failed to consider the historic significance of the barn, and indeed that significance was downplayed by the applicants' misleading representation that the barn could not be saved and that there was no choice but to demolish it.

7. Finally, as the chairwoman correctly noted during the February 18, 2026 hearing, the city's policy of promoting historic preservation extends not only to buildings that are located within the historic district, but to all buildings that have historical significance, no matter where situated.

8. For all of these reasons, a rehearing should be conducted so that the Board can substantively consider the issues of whether the applicants should be allowed to demolish the barn and, if demolished, whether the loss of the barn will change the character of the neighborhood.

9. There is absolutely no hardship associated with the subject property which would justify the granting of a variance. There is no reason why the property cannot be utilized for the purpose for which it is zoned while complying with all of the requirements of the Zoning Ordinance, including the area, coverage, and setback requirements. It is perfectly feasible for the applicants to erect a structure that complies with all of those requirements. Therefore, no relief from the requirements of the Zoning Ordinance is justified.

10. Further, no hardship exists for another reason: The subject property is perfectly typical of the other properties in the neighborhood and in the zoning district in general, similarly compelling the conclusion that no hardship exists. There is nothing unique about the subject property which differentiates it in any meaningful way from the surrounding properties and the others in the neighborhood, and thus no "special conditions" exist which serve as the basis for a finding of hardship. In terms of its size, the subject property falls roughly in the middle of the spectrum of sizes of the surrounding properties. The subject property has an area of 6,384 sq. ft., according to the tax map. In the surrounding neighborhood, the number of lots which are larger than that--as many as 9,147 sq. ft., in one instance--is roughly the same as the number of ones that are smaller. (Appended hereto as Attachment A is a list of a large sampling of properties in the immediate area, together with their sizes in terms of square feet. Appended hereto as Attachment B is a copy of the relevant portion of the tax map, with these properties highlighted.) Although a plausible argument can be made that the subject property at 238 Austin Street is irregularly shaped, it is equally true that many, if not most, of the properties on the same block and in the same neighborhood are irregularly shaped. (See Attachment B.) Presumably the City Council, with the input, advice, and recommendations of the Planning Department, took these circumstances into consideration when it chose to zone the district General Residence C and to impose a minimum lot size of 3,500 sq. ft. per dwelling unit. Ergo, the fact that the subject parcel is irregularly shaped serves as no principled basis for distinguishing it from the other properties in the neighborhood or for finding that a hardship exists.

11. The demolition of the barn and the Austin Street house and the replacement of same with two three-story residential dwellings will fundamentally change the character of the neighborhood. By now it is well settled that when the effect of the granting of a variance would

fundamentally change the character of the property's surroundings, the variance must be denied. Malachy Glen Assocs., Inc. v. Town of Chichester, 155 N.H. 102, 920 A.2d 1192 (2007). Thus, this Board erred in granting the variances requested by the applicants.

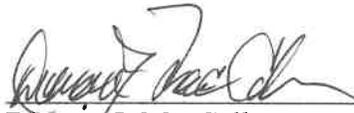
12. The granting of the variances in this case was also contrary to both the letter and spirit of the Zoning Ordinance and contrary to the city's Master Plan. Both the Master Plan and the Zoning Ordinance inveigh against the overcrowding of properties and against undue concentration of population. The area where the subject property is located, and particularly the block bounded by Austin Street, Cabot Street, Union Street, and Coffins Court, in which the property specifically sits, is already congested and overcrowded with buildings, large and small, which are situated close together with little space in between; many of those buildings are multi-unit dwellings; and Coffins Court is an extremely narrow street. The applicants propose to replace the barn and the existing house with two large, three- to four-bedroom residential buildings. The two new buildings will be massive in comparison to many of the buildings in that block, and their presence will merely exacerbate the overcrowding both of properties and of population. It is also to be noted that allowing the existing barn to remain in place on the Coffins Court side of the property, by contrast, would be a much less intensive use of the property than erecting two massive residential buildings on it and packing them with human beings

13. Thus, the relief which the applicants seek is contrary to the spirit of the Zoning Ordinance and contrary to the city's policies. The specific purpose of the provisions of the Zoning Ordinance which are at issue in the applicants' petition--setback requirements, frontage requirements, and a specified minimum of 3,500 square feet of lot area for every residential building that is to be erected thereon--is to implement the city's policy of promoting sufficient space, light, and air between buildings and properties and to enhance the quality of life of those who

reside here. People and properties need elbow room. The relief requested by the applicants is directly contrary to that purpose and that policy. Simply put, the applicants seek to erect two single-family dwellings on a parcel that is only suitable for one.

14. For all of these reasons, the Board should conduct a rehearing on the applicants' petition.

WHEREFORE, the movants respectfully pray that this Board reconsider its decision of February 18, 2026 and that it conduct a rehearing on the applicants' petition for variances.



Duncan J. MacCallum
NHBA #1576
536 State Street
Portsmouth, New Hampshire 03801
(603) 431-1230
madbarrister@aol.com
Attorney for Moving Parties

Dated: March 18, 2026

John and Debora Mayer
68 Cabot St.
Portsmouth, NH 03801
603.969.3913 – mobile
Jmayer.nh@gmail.com

March 3, 2026

Atty. Duncan MacCallum
536 State St.
Portsmouth, NH 03801

Dear. Atty MacCallum –

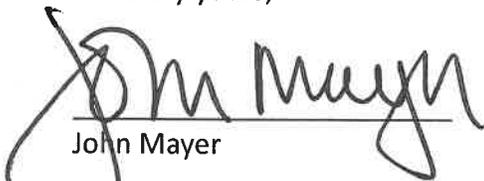
We – John and Debora Mayer - are pleased to authorize you to act on our behalf in matters regarding the request for a rehearing of the application to the Portsmouth ZBA involving the property listed at 238 Austin St., Portsmouth. This application was decided by the ZBA at their meeting on Wednesday, February 18, 2026.

Our authorization includes, but is not limited to drafting the written request for a rehearing, preparing information needed for this request, and speaking on our behalf at a future meeting of the Portsmouth ZBA.

This authorization is effective from 3/3/2026 until further notice.

Please contact me at the above phone or email address if you require verification or have any other questions.

Sincerely yours,


John Mayer


Debora Mayer

Keith and Cynthia Smith
30 Coffins Court
Portsmouth, NH 03801
(603)498-2159
30smith@comcast.net
March 9, 2026

Atty. Duncan MacCallum
536 State St.
Portsmouth, NH 03801

Dear. Atty MacCallum,
We – Keith and Cynthia Smith - are pleased to authorize you to act on our behalf in matters regarding the request for a rehearing of the application to the Portsmouth ZBA involving the property listed at 238 Austin St., Portsmouth NH. This application was decided by the ZBA at their meeting on Wednesday, February 18, 2026.

Our authorization includes but is not limited to drafting the written request for a rehearing, preparing information needed for this request, and speaking on our behalf at a future meeting of the Portsmouth ZBA.

This authorization is effective from 3/9/2026 until further notice.

Please contact me at the above phone or email address if you require verification or have any other questions.

Sincerely yours,


Keith P Smith


Cynthia B Smith

Laura Stewart and Evan Baker
20 Coffins Court, Portsmouth, NH 03801
Evan – mobile - 484-467-5975
evanallenbaker@gmail.com

March 12, 2026

Atty. Duncan MacCallum

536 State St.

Portsmouth, NH 03801

Dear. Atty MacCallum –

We – Laura Stewart and Evan Baker - are pleased to authorize you to act on our behalf in matters regarding the request for a rehearing of the application to the Portsmouth ZBA involving the property listed at 238 Austin St., Portsmouth. This application was decided by the ZBA at their meeting on Wednesday, February 18, 2026.

Our authorization includes, but is not limited to drafting the written request for a rehearing, preparing information needed for this request, and speaking on our behalf at a future meeting of the Portsmouth ZBA.

This authorization is effective from 3/12/2026 until further notice.

Please contact me at the above phone or email address if you require verification or have any other questions.

Sincerely yours,

Laura Stewart

Laura Stewart

Evan Baker

Evan Baker

Representation before the ZBA re: 238 Austin Street

From: John Ragonese (john.ragonese@gmail.com)

To: madbarrister@aol.com

Date: Sunday, March 8, 2026 at 02:05 PM EDT

Dear. Atty MacCallum –

We, John Ragonese and Lynda Schmidt, owners of 74 Cabot Street and as direct abutter to the subject property of 238 Austin Street, are pleased to authorize you to act on our behalf in matters regarding the request for a rehearing of the application to the Portsmouth ZBA involving this property. Variances were granted by the ZBA at their meeting on Wednesday, February 18, 2026.

Our authorization includes, but is not limited to drafting the written request for a rehearing, preparing information needed for this request, and speaking on our behalf at a future meeting of the Portsmouth ZBA.

This authorization is effective from 3/3/2026 until further notice.

Please contact me by phone number or email address if you require verification or have any questions.

Sincerely,

John Ragonese & Lynda Schmidt
john.ragonese@gmail.com
603.828.4215

ATTACHMENT A

Property ID	Site Address	Acreege	Sq Ft	Dwelling Units
0135-0052-0000	68 CABOT ST	0.11	4791.6	1
0135-0053-0000	20 COFFINS CT	0.05	2178	1
0135-0054-0000	30 COFFINS CT	0.09	3920.4	1
0135-0055-0000	45 COFFINS CT	0.03	1306.8	2
0135-0056-0000	37 COFFINS CT	0.05	2178	1
0135-0057-0000	74 CABOT ST	0.08	3484.8	1
0135-0058-0000	82 CABOT ST	0.16	6969.6	5
0135-0059-0000	96 CABOT ST	0.08	3484.8	4
0135-0060-0000	224 AUSTIN ST	0.07	3049.2	4
0135-0061-0000	238 AUSTIN ST	0.15	6534	1
0135-0062-0000	244 AUSTIN ST	0.03	1306.8	1
0135-0063-0000	246 AUSTIN ST	0.03	1306.8	2
0135-0064-0000	256 AUSTIN ST	0.06	2613.6	3
0135-0065-0000	165 UNION ST	0.1	4356	2
0135-0066-0000	171 UNION ST	0.04	1742.4	3
0135-0067-0000	179 UNION ST	0.06	2613.6	3
0135-0068-0000	187 UNION ST	0.12	5227.2	1
0145-0059-0000	273 AUSTIN ST	0.07	3049.2	1
0145-0071-0000	257 AUSTIN ST	0.09	3920.4	2
0145-0072-0000	245 AUSTIN ST	0.04	1742.4	1
0145-0073-0000	235 AUSTIN ST	0.17	7405.2	4
0145-0074-0000	223 AUSTIN ST	0.06	2613.6	2
0145-0075-0000	217 AUSTIN ST	0.05	2178	2
0145-0076-0000	114 CABOT ST	0.06	2613.6	1
0145-0091-0000	183 AUSTIN ST #'s A-C	0.12	5227.2	3
0135-0027-0000	188 UNION ST	0.11	4791.6	2
0135-0028-0000	180 UNION ST	0.11	4791.6	1
0135-0029-0000	170 UNION ST	0.21	9147.6	4
0136-0032-0000	188 AUSTIN ST	0.07	3049.2	1
0136-0031-0000	274 AUSTIN ST	0.03	1306.8	1
0136-0033-0000	87 CABOT ST	0.06	2613.6	1
0136-0034-0000	83 CABOT ST	0.14	6098.4	2
0136-0036-0000	61 CABOT ST	0.14	6098.4	3
0136-0035-0001	67 CABOT ST #'s 1-5	0.13	5662.8	5

Total Acres/Sq Ft	2.97	129373.2	
Total Number of Dwelling Units			72
Dwelling Units per Acre			24.2
Ave Lot size	0.087	3805.1	



ATTACHMENT B

ATTACHMENT C
LETTER OF DREW BEDARD

HALL & PARLOR



HISTORIC PRESERVATION

Hall & Parlor Historic Preservation LLC
57A Lovell Rd
Stratham, NH 03885

Mar 6, 2026

Mr. John Mayer
68 Cabot St.
Portsmouth, NH 03801

RE: 238 Austin St. - and the barn on Coffins Court, Portsmouth, NH

Dear Mr. Mayer,

It was a pleasure meeting you on January 19th while assessing the Coffin's Court barn. Thank you for your request for a written report and preliminary assessment of this historic structure. I look forward to continuing our conversation about ways to preserve and reuse the barn, and other structures as well, so that future generations may continue to appreciate and enjoy them.

My Qualifications. I am a second-generation preservationist with more than fifteen years of hands-on experience as a carpenter, general contractor, and consultant throughout the greater New Hampshire area. My work focuses primarily on historic structures, including barns, schoolhouses, and homes dating from the 18th, 19th, and early 20th centuries. Over the past decade, I have worked closely with the *New Hampshire Preservation Alliance* on numerous restoration projects and building assessments. I frequently serve as a consultant and advisor, and offer my expertise regarding the preservation of historic structures to organizations such as the NH Preservation Alliance, municipalities, and individual property owners. Historic buildings can feel intimidating to many people without preservation experience. Helping educate and guide individuals through the preservation process is both important and deeply rewarding.

Site visit and review of the Coffins Court Barn. On January 19th, at the request of Beverly Thomas of the NH Preservation Alliance, I conducted an on-site building assessment of the 19th-century barn located on Coffin's Court. During the visit, I toured the structure with you, several local neighbors, Mike Garrepy, representing the applicant, and Cindy Bronzetti, the listing agent. The purpose of my visit was to inspect this historic structure, answer questions regarding the barn's condition, and provide general insight into the feasibility and rough costs that may be involved in stabilizing, restoring, and reusing the structure.

During my interior inspection, it was clear that structural updates had already been completed, including the installation of a new central carrying beam and additional interior posts to support the load of the second-floor framing. Much of the exterior wall and roof sheathing, framing, and flooring appear to remain largely original, with only minor updates and changes made throughout the barn's history. One particularly exciting and uncommon feature was the interior cistern located in the basement of the barn, accessed by a hatch on the first floor. This architectural element further reflects the historic character of the structure.

From the exterior, it is evident that the building envelope has not been maintained or updated in several decades, resulting in areas of deterioration primarily related to deferred maintenance. The small wing located at the northwestern corner of the east elevation has sustained significant damage to its roof and top plate framing, and preservation of that portion of the structure would likely not be realistic. However, the primary structure of the barn itself remains in comparatively good condition, with the majority of its challenges related to exterior maintenance and weather protection rather than fundamental structural failure.

Statement of Significance. Preserving and rehabilitating this barn is vitally important. The building (which is a contributing structure in Portsmouth's *National Register Downtown Historic District*) is an extremely rare example of an urban barn. There simply are few other buildings like this in any other New Hampshire city or town. Notably, the building retains its original features, is in stable condition, and can easily be rehabilitated. Preserving the barn maintains the essential character of the neighborhood, and supports the efforts of many neighbors to maintain their historic homes that abut the property. Rehabilitating the barn would preserve these relationships, increase the value of the adjacent homes, and maintain the unique character of the neighborhood. These are the important and proven benefits from an investment in historic preservation.

Summary. Given the current condition and prominent location of the barn, it is an excellent candidate for preservation and adaptive reuse, *not* demolition. From a professional standpoint, it is entirely feasible to save the primary structure. It represents a worthy building to restore either in its traditional role as a barn or to rehabilitate for an appropriate future use. Preserving the barn would also maintain the historic character of this tightly knit neighborhood and contribute meaningfully to the integrity of the surrounding historic district.

I appreciate the opportunity to assess the property and to share my perspective. Please feel free to reach out if I can provide any additional information or assistance as discussions about the future of the barn continue.

Sincerely,

Drew Bedard
Owner and Preservation Specialist



END

II. NEW BUSINESS

A. The request of **Gregory Sheive and Diane Lamprey (Owners)**, for property located at **893 Woodbury Avenue** whereas relief is needed to construct a 168 square foot addition to the rear of the structure which requires the following: 1) Variance from Section 10.521 to allow a) 27.5 foot rear yard where 30 feet are required, and b) 23% building coverage where 20% is maximum allowed. Said property is located on Assessor Map 219 Lot 36 and lies within the Single Residence B (SRB) District. (LU-26-8)

Existing & Proposed Conditions

	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	Single-family Residential	Construct addition	Mostly Residential
<u>Lot area (sq. ft.):</u>	10,018	10,018	15,000 min.
<u>Lot area per dwelling unit (sq. ft.)</u>	10,018	10,018	15,000 min
<u>Street Frontage (ft.):</u>	100	100	100 min.
<u>Lot depth (ft.):</u>	100	100	100 min.
<u>Front Yard (ft.):</u>	27	27	30 min.
<u>Left Yard (ft.):</u>	17.5	17.5	10 min.
<u>Right Yard (ft.)</u>	8	8	10 min.
<u>Rear Yard (ft.):</u>	Primary Garage: 23	Addition: 27.5	30 min.
<u>Height (ft.):</u>	<35	<35	35 max.
<u>Building Coverage (%):</u>	21	23	20 max.
<u>Open Space (%):</u>	78.9	76.9	40 min.
<u>Estimated Age of Structure:</u>	1951	Variance request(s) shown in red.	

Other Permits/Approvals Required

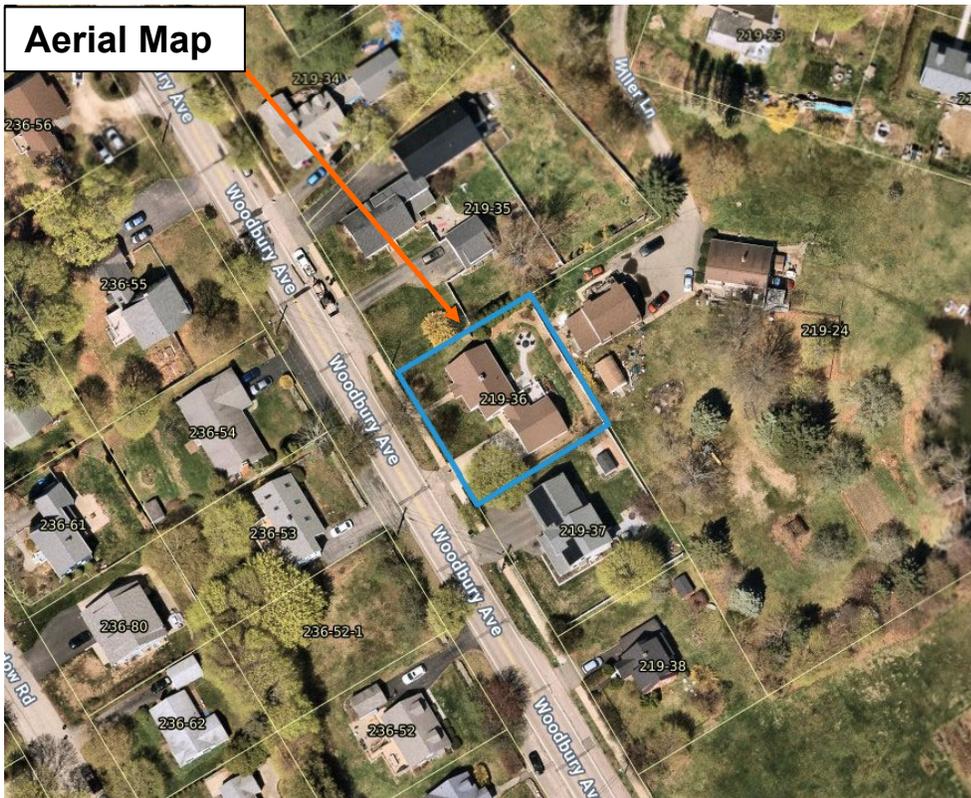
- Building Permit

Neighborhood Context

Zoning Map



Aerial Map



Previous Board of Adjustment Actions

- **December 20, 2005** – a Variance from Article III, Section 10-302(A) was requested to allow a 216 sf irregular shaped deck with a 24'3" rear yard where 30' is the minimum required. The Board voted to **grant** the request as presented with the following **conditions**:
 - I. That the deck remain open to the sky and not enclosed.
- **July 24, 2018** – Replace existing garage with an attached two-car garage which requires relief from the following: a) a Variance from Section 10.521 to allow an 8'± right side yard where 10' is required; b) a Variance from Section 10.521 to allow a 23'± rear yard where 30' is required; and c) a 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. The Board voted to **grant** the request as presented and advertised.

Planning Department Comments

The applicant is requesting relief to construct a 12 ft. x 14 ft. addition to the rear of the existing home. The applicant has provided an example of what the addition will look like, but the Board may wish to clarify the details. If the Board decides to grant the requested variances, the following condition is recommended:

1) The applicant is granted flexibility to adjust doors and windows as construction details are finalized.

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.

Dear Members of the City Planning Board,

I am writing to formally request approval for a 12-foot by 14-foot addition to my existing single-family home located at 893 Woodbury Road. The proposed addition is intended to improve the functionality of our home while remaining consistent with the character of the surrounding neighborhood.

Due to the size, shape, and existing placement of the home on the lot, the proposed addition requires both a setback variance and a lot coverage variance. These variances are necessary to allow the addition to be constructed in a way that is practical and architecturally cohesive with the existing structure, while avoiding more significant disruption to the property or neighborhood.

The addition has been designed to minimize its visual impact and will be compatible with neighboring homes in scale, massing, and materials. It will not negatively affect light, air, drainage, or privacy for adjacent properties. The requested variances represent the minimum relief necessary to allow for reasonable use of the property.

The addition will serve as a first floor primary suite and primary bath to allow for aging in place. Access and location enhances the set up for us to reasonably use the home for now and in the future.

Granting these variances will enable us to make modest improvements that enhance the livability of our home, allowing us to age in place, without altering the residential character of the area. We believe the proposal meets the intent of the zoning ordinance and supports the overall goals of thoughtful neighborhood development.

Thank you for your time and consideration of this request. I appreciate the Board's review and would be happy to provide any additional information or answer any questions as needed.

Sincerely,

Diane Lamprey and Greg Sheive

STATUS: AS BUILT - EXISTING CONDITIONS PLAN

LAYOUT PAGE TABLE		
LABEL	TITLE	DESCRIPTION/COMMENTS
A-1	ELEVATIONS	
A-2	ELEVATIONS	
A-3	FIRST FLOOR PLAN	
A-4	SECOND FLOOR PLAN	
A-5	BASEMENT	



E3 EXTERIOR ELEVATION FRONT
1/4 IN = 1 FT



E4 EXTERIOR ELEVATION LEFT
1/4 IN = 1 FT



*893 Woodbury Avenue
Portsmouth, NH*

NOTE:
THE CONTENT OF THIS PLAN SHEET IS PROVIDED BY B.E. BATSON DESIGN LLC FOR THE PURPOSE OF CONVEYING THE DESIGNERS INTENT TO THE ENGINEER OF RECORD, CONTRACTOR OR HOME OWNER. IF NO STRUCTURAL ENGINEERS STAMP APPEARS ON THIS PLAN SHEET THE CONTRACTOR AND / OR HOME OWNER SHALL BE RESPONSIBLE FOR ASSURING THE STRUCTURAL INTEGRITY OF THE BUILDING.

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WHILE GREAT EFFORT HAS BEEN EXERTED TO INSURE THAT THIS PLAN IS COMPLETE AND ACCURATE, B.E. BATSON DESIGN LLC ASSUMES NO LIABILITY FOR ANY BUILDING CONSTRUCTED FROM THIS PLAN. ALL CONSTRUCTION DOCUMENTS PROVIDED BY B.E. BATSON DESIGN LLC ARE PROVIDED AS-IS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR OR OWNER TO PERFORM BUILDING REVIEWS BEFORE BEGINNING CONSTRUCTION. THESE INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:
A. VERIFY ALL DIMENSIONS
B. REVIEW ALL STAR REQUIREMENTS
C. VERIFY COMPLIANCE WITH LOCAL BUILDING CODES
D. VERIFY ACTUAL SITE CONDITIONS
ANY DISCREPANCIES ON THIS PLAN MUST BE RESOLVED BY THE CONTRACTOR / OWNER PRIOR TO CONSTRUCTION. ROOF TRUSS DESIGN AND LAYOUT IS THE RESPONSIBILITY OF THE TRUSS MANUFACTURER. CONSTRUCTION OF ANY BUILDING SHOULD NOT BE UNDERTAKEN WITHOUT THE ASSISTANCE OF A QUALIFIED BUILDING PROFESSIONAL.

REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION

PROJECT:
Diane Lamprey / Gregory Sheive
893 Woodbury Avenue
Portsmouth, NH 03801

Elevations

DESIGN COPYRIGHT PROTECTED BY:
B.E. Batson Design LLC
155 Pine Hill Road
Cape Neddick, Maine 05902
Email: bbatsondesign@gmail.com
Cell: 207-337-1171

DATE:

11/15/2025

SCALE:

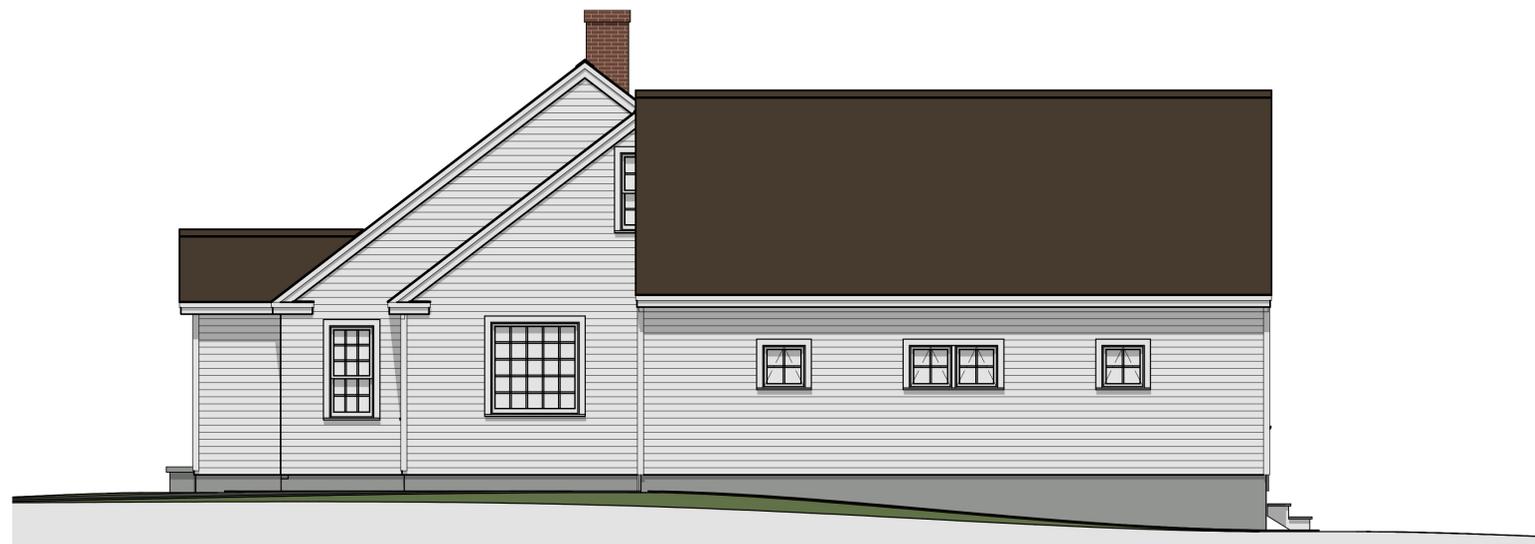
1/4"=1'

SHEET:

A-1



E5 EXTERIOR ELEVATION BACK
1/4 IN = 1 FT



E6 EXTERIOR ELEVATION RIGHT
1/4 IN = 1 FT



NOTE:
THE CONTENT OF THIS PLAN SHEET IS PROVIDED BY B.E. BATSON DESIGN LLC FOR THE PURPOSE OF CONVEYING THE DESIGNERS INTENT TO THE ENGINEER OF RECORD, CONTRACTOR OR HOME OWNER. IF NO STRUCTURAL ENGINEERS STAMP APPEARS ON THIS PLAN SHEET THE CONTRACTOR AND / OR HOME OWNER SHALL BE RESPONSIBLE FOR ASSURING THE STRUCTURAL INTEGRITY OF THE BUILDING.

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NUMBER	DATE	REVISED BY	DESCRIPTION

PROJECT:
Diane Lamprey / Gregory Sheive
893 Woodbury Avenue
Portsmouth, NH 03801

Elevations

© DESIGN COPYRIGHT PROTECTED BY:
B.E. Batson Design LLC
155 Pine Hill Road
Cape Neddick, Maine 05902
Email: bbatsondesign@gmail.com
Cell: 207-337-1171

DATE:

11/15/2025

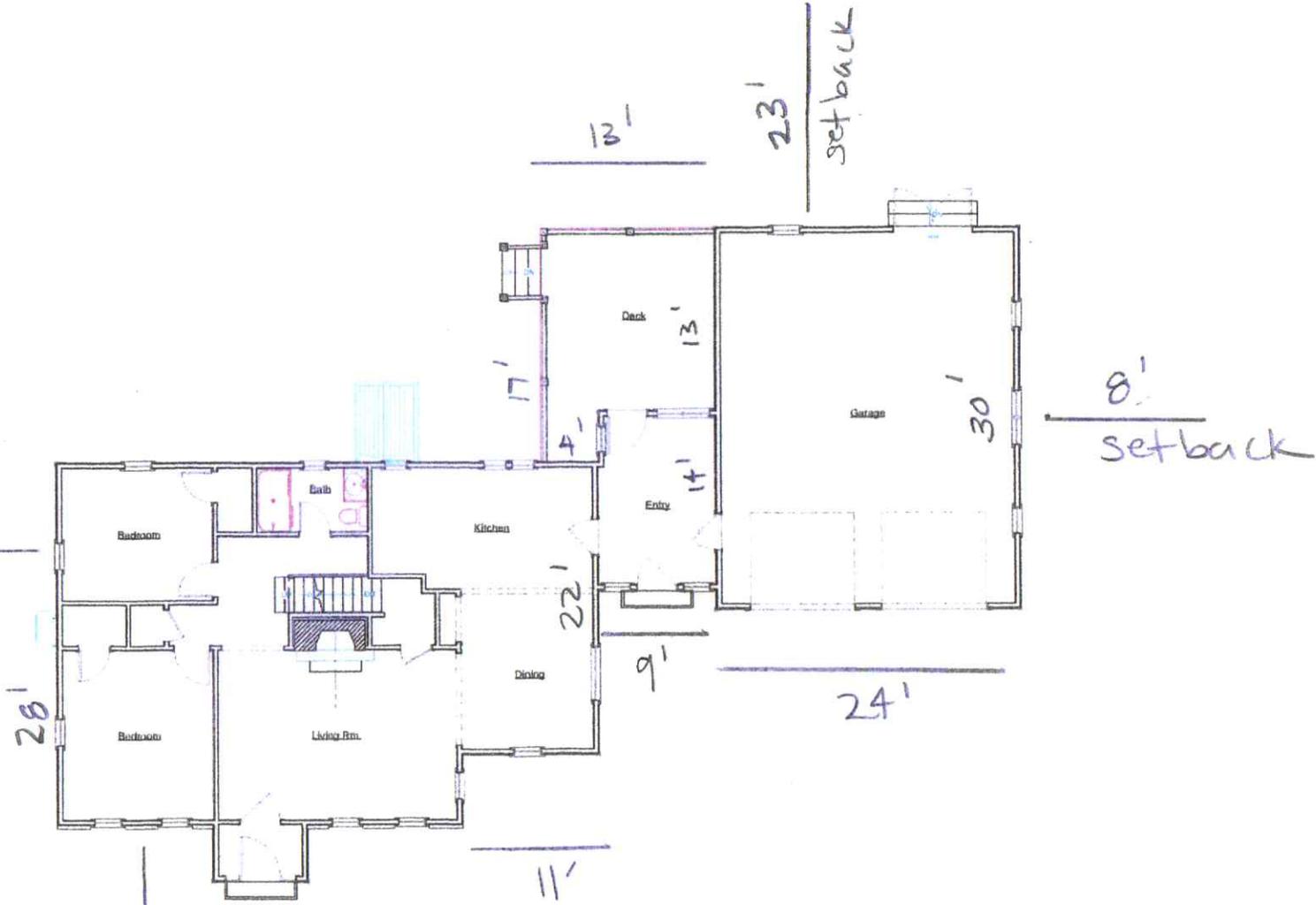
SCALE:

1/4"=1'

SHEET:

A-2

AS IS



1ST FLOOR
1/4 IN = 1 FT

w/ deck 21% lot coverage

19.5% lot coverage w/out deck

NO.	REVISIONS

PROJECT:
Diane Lamprey / Gregory Shreve
693 Woodbury Avenue
Portsmouth, NH 03801

First Floor Plan

DESIGN, CONSTRUCTION SERVICES
RZ PASTORIS DESIGN LLC
100 Pine Hill Road
Portsmouth, NH 03801
Phone: 603.882.1111
Email: rzpastorisdesign@gmail.com

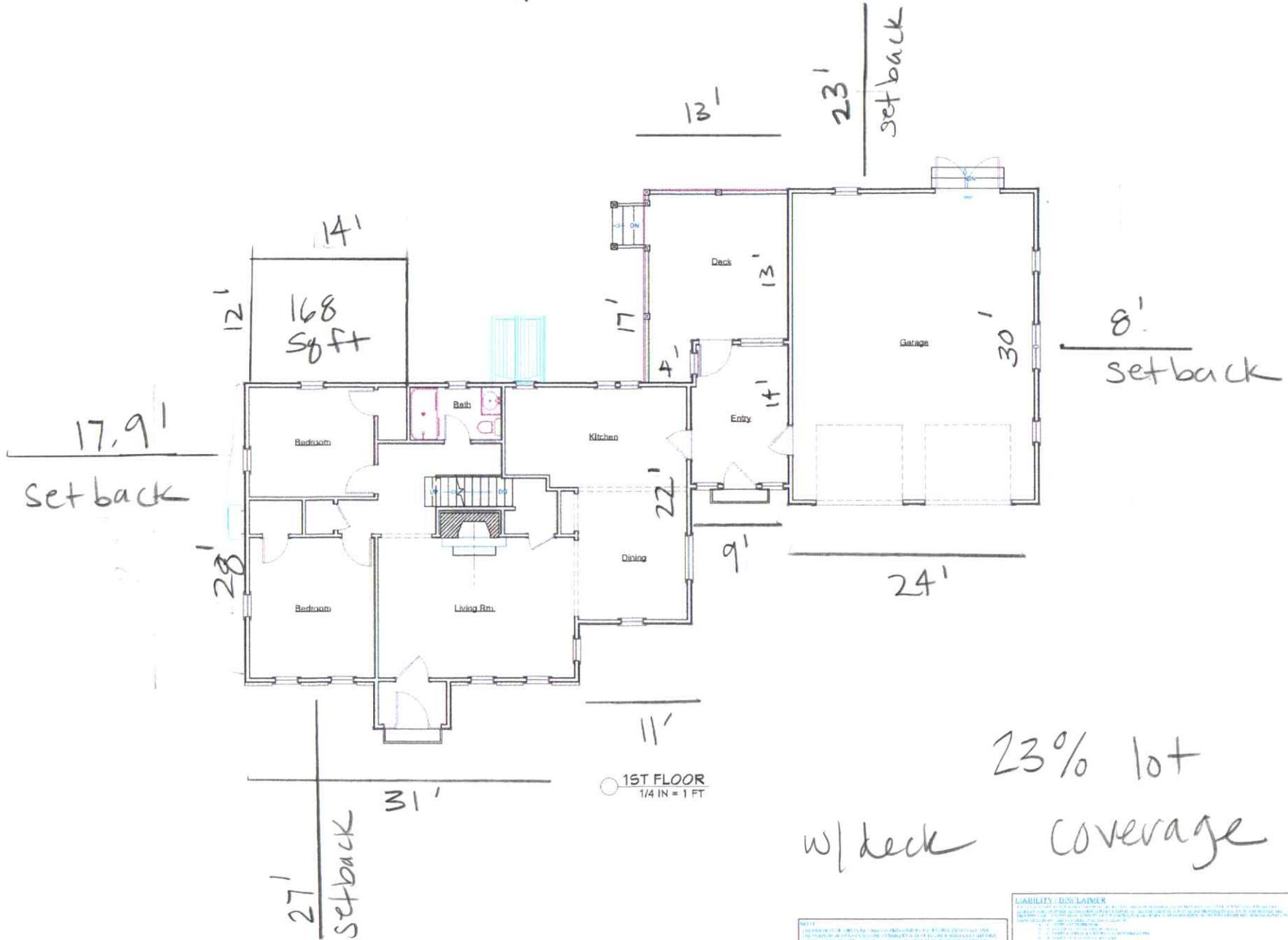
DATE:
1.17.2025

SCALE:
1/4"=1'

SHEET:
A-3

LAUREY'S DISCLAIMER
THIS PLAN IS THE PROPERTY OF LAUREY'S ARCHITECTURE AND DESIGN, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LAUREY'S ARCHITECTURE AND DESIGN, INC.

Proposed Addition



REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION

PROJECT:
 Diane Lamprey / Gregory Shelve
 883 Woodbury Avenue
 Portsmouth, NH 03801

First Floor Plan

DESIGN COPYRIGHT PROTECTED BY:
RAE Architects Designs LLC
 100 Pine Hill Road
 Cape Nottak, Maine 03902
 P: 603-882-2222
 F: 603-882-2222

DATE:
 11/26/2025

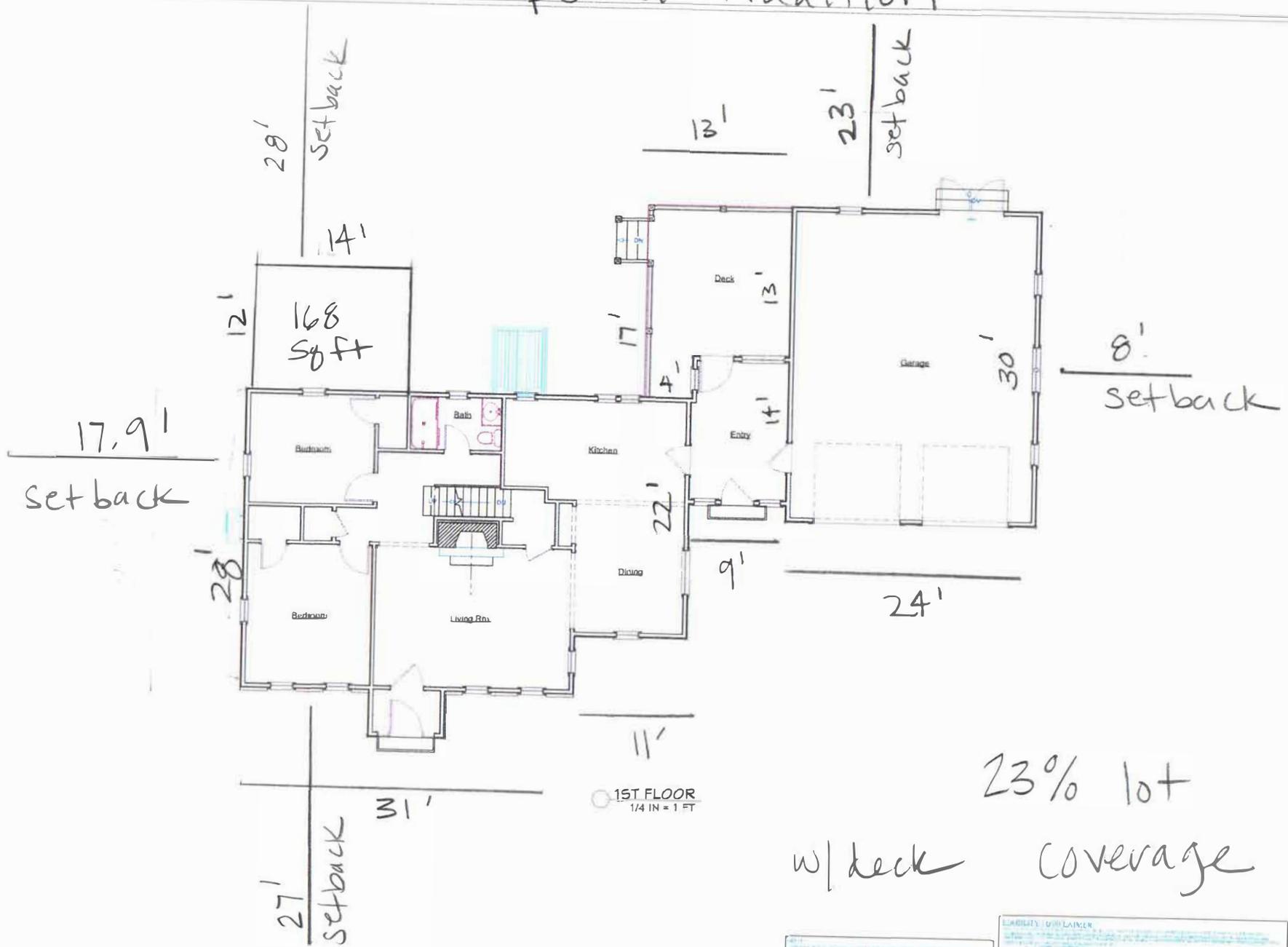
SCALE:
 1/4" = 1'

SHEET:
 A-3

LIABILITY DISCLAIMER
 THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AS SHOWN ON THESE PLANS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHER PROFESSIONALS OR SOURCES. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR OMISSIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN OF THE BUILDING AS SHOWN ON THESE PLANS.

NOTES
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
 3. SEE NOTES ON OTHER SHEETS FOR FINISHES AND MATERIALS.
 4. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR OMISSIONS.

Proposed Addition



REVISION	DATE	DESCRIPTION

PROJECT: Diane Lamprey / Gregory Sheive
893 Woodbury Avenue
Portsmouth, NH 03801

First Floor Plan

DESIGN COPYRIGHT PROTECTED BY:
BE BARNES Design, LLC
166 Pine Hill Road
Cape Noddick, Maine 03902
E-mail: dolan@bebarnesdesign.com
Cell: 207-531-1171

DATE: 11/26/2025

SCALE: 1/4"=1'

SHEET: A-3

LEGEND & DISCLAIMER

This drawing is a preliminary design and is not to be used for construction without the approval of the architect. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any conditions or circumstances that may affect the construction of the project.

893 WOODBURY AVE

Location 893 WOODBURY AVE

Mblu 0219/ 0036/ 0000/ /

Acct# 29332

Owner SHEIVE GREGORY

PBN

Assessment \$700,500

Appraisal \$700,500

PID 29332

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$426,700	\$273,800	\$700,500

Assessment			
Valuation Year	Improvements	Land	Total
2025	\$426,700	\$273,800	\$700,500

Owner of Record

Owner SHEIVE GREGORY
Co-Owner LAMPREY DIANE
Address 893 WOODBURY AVE
PORTSMOUTH, NH 03801

Sale Price \$765,000
Certificate
Book & Page 6546/1993
Sale Date 05/08/2024
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
SHEIVE GREGORY	\$765,000		6546/1993	00	05/08/2024
CLARK BRUCE A REV TRUST	\$0		6495/2513	38	07/20/2023
CLARK BRUCE A	\$0		0/0		

Building Information

Building 1 : Section 1

Year Built: 1951
Living Area: 1,499

Replacement Cost: \$472,716

Building Percent Good: 90

Replacement Cost

Less Depreciation: \$425,400

Building Attributes

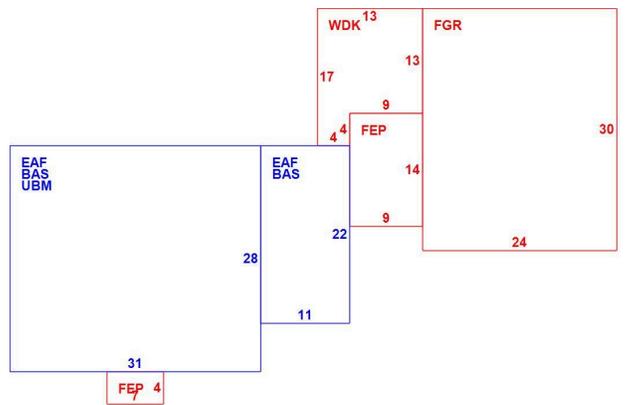
Field	Description
Style:	Cape Cod
Model	Residential
Grade:	C+
Stories:	1
Occupancy	1
Exterior Wall 1	Aluminum Sidng
Exterior Wall 2	Brick/Masonry
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	Heat Pump
Total Bedrooms:	4 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Xtra Fixtrs:	0
Total Rooms:	8
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	1
Extra Openings	0
Metal Fireplaces	0
Extra Openings 2	0
Bsmt Garage	

Building Photo



(https://images.vgsi.com/photos2/PortsmouthNHPhotos/\0045\29332_293

Building Layout



(ParcelSketch.ashx?pid=29332&bid=29332)

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,110	1,110	
EAF	Attic Expansion	1,110	389	
FEP	Porch, Enclosed	154	0	
FGR	Garage, Attached	720	0	
UBM	Basement, Unfinished	868	0	
WDK	Deck, Wood	185	0	
		4,147	1,499	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone SRB
Neighborhood 129
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 0.23
Frontage
Depth
Assessed Value \$273,800
Appraised Value \$273,800

Outbuildings

Outbuildings						<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD3	METAL			80.00 S.F.	\$400	1
PAT1	PATIO-AVG			96.00 S.F.	\$400	1
PAT1	PATIO-AVG			113.00 S.F.	\$500	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$426,700	\$273,800	\$700,500
2024	\$390,900	\$273,800	\$664,700
2023	\$257,200	\$182,600	\$439,800

Assessment			
Valuation Year	Improvements	Land	Total
2025	\$426,700	\$273,800	\$700,500
2024	\$390,900	\$273,800	\$664,700
2023	\$257,200	\$182,600	\$439,800



I understand that in order to authorize a variance the Board has to find that the variance meets all the below criteria.

1. 10.233.21 The variance will not be contrary to the public interest.

Granting this variance will not be contrary to the public interest. The improvements to the existing property, which was originally built in 1951, do not create a threat to public health, safety, and welfare.

2. 10.233.22 The spirit of the Ordinance will be observed.

The spirit of the Ordinance will be Observed. The project will maintain the essential character of the neighborhood since the expansion is modest in nature and consistent with existing architectural details. The project does not pose any hazard to the public or adjacent property.

3. 10.233.23 Substantial justice will be done.

The proposed project provides future reasonable use of the property for years to come. There will be no detriment to property values in the vicinity or change in the essential characteristics of the area.

4. 10.233.24 The values of surrounding properties will not be diminished, and ***

The proposed addition will have no negative impact on the essential character of the home and therefore the neighborhood and there is no evidence that the proposed project will diminish the value of surrounding properties. The addition will be in the back of the property so not visible from the street, the visual look of the property by the public is maintained.

5. 10.233.25 ***Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.

The home design is currently not suitable for aging in place and first floor living. Not granting this variance would prevent us from being allowed to use our property for reasonable use and increase its functionality to meet our needs currently and in the future.

II. NEW BUSINESS

- B. REQUEST TO POSTPONE** The request of **William and Virginia Osborn (Owners)**, for property located at **133 Miller Avenue** whereas relief is needed to demolish the existing one-story garage and construct a new two-story attached garage which requires the following: 1) Variance from Section 10.521 to allow a) a 6-foot rear yard where 20 feet is required; and b) 3-foot left side yard where 10 feet is required. Said property is located on Assessor Map 129 Lot 26 and lies within the General Residence A (GRA) District. (LU-26-21) **REQUEST TO POSTPONE**

Planning Department Comments

At the request of the applicant, the application has been postponed to the April 21, 2026 Zoning Board of Adjustment meeting.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

127 Parrott Avenue | Portsmouth, NH, 03801

Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

March 16, 2026

HAND DELIVERED

Stefanie Casella, Principal Planner
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: LU-26-21
Owners: William H. Osborn, IV and Virginia W. Osborn
Applicant: Persson Construction
Property: 133 Miller Avenue
Tax Map 129, Lot 26
Single Residence

Dear Ms. Casella & Zoning Board Members:

This matter is scheduled to be heard before the City of Portsmouth Zoning Board of Adjustment on March 24, 2026. Staff informed us that only five members of the ZBA are available that evening. Accordingly, we respectfully request the Application be continued to the April 21, 2026 meeting.

Very truly yours,



R. Timothy Phoenix

Monica F. Kieser

cc: Persson Construction (email)
TFMoran (email)
Willow & Sage Designs (email)

DANIEL C. HOEFLE

ALEC L. MCEACHERN

PETER V. DOYLE

STEPHEN H. ROBERTS In Memoriam

R. TIMOTHY PHOENIX

KEVIN M. BAUM

MONICA F. KIESER

OF COUNSEL:

LAWRENCE B. GORMLEY

JACOB J.B. MARVELLEY

CHRISTOPHER P. MULLIGAN

SAMUEL R. REID

R. PETER TAYLOR

GREGORY D. ROBBINS

KAREN W. OLIVER

JOHN AHLGREN

II. NEW BUSINESS

C. The request of **Emily and Michael Glynn (Owners)**, for property located at **387 Richards Avenue** whereas relief is needed for the construction of a two-story addition in place of an existing deck structure which requires the following: 1) Variance from Section 10.521 to allow a) a 4-foot left side yard where 10 feet is required. Said property is located on Assessor Map 112 Lot 17 and lies within the General Residence A (GRA) District. (LU-26-23)

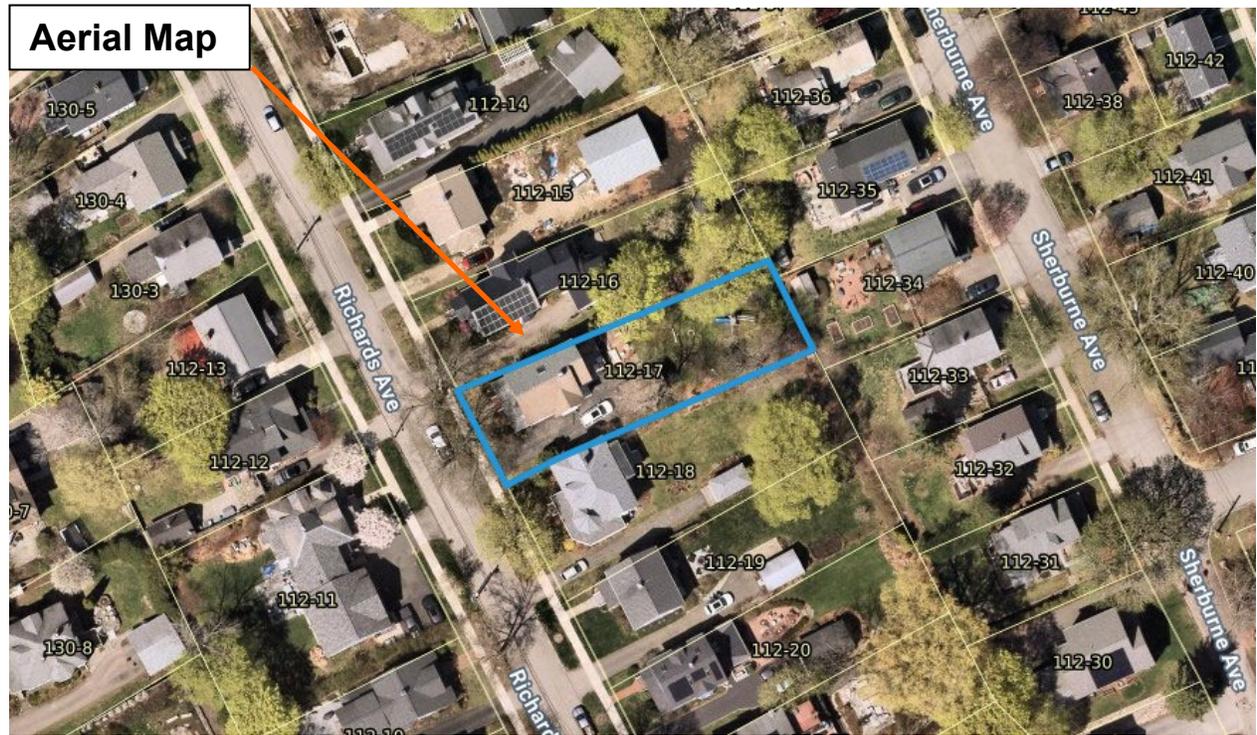
Existing & Proposed Conditions

	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	Single-family Residential	Remove rear deck and construct addition	Mostly Residential
<u>Lot area (sq. ft.):</u>	8,712	8,712	7,500 min.
<u>Lot area per dwelling unit (sq. ft.)</u>	8,712	8,712	7,500 min
<u>Street Frontage (ft.):</u>	53.5	53.5	100 min.
<u>Lot depth (ft.):</u>	170	170	70 min.
<u>Front Yard (ft.):</u>	>15	>15	15 min.
<u>Left Yard (ft.):</u>	4	4	10 min.
<u>Right Yard (ft.)</u>	Primary: >10	Primary: >10	10 min.
<u>Rear Yard (ft.):</u>	>20	>20	20 min.
<u>Height (ft.):</u>	31	31	35 max.
<u>Building Coverage (%):</u>	17.8	18.9	25 max.
<u>Open Space (%):</u>	71.8	70.7	30 min.
<u>Estimated Age of Structure:</u>	1905	Variance request(s) shown in red.	

Other Permits/Approvals Required

- Building Permit

Neighborhood Context



Previous Board of Adjustment Actions

- No previous BOA history was found.

Planning Department Comments

The applicant is requesting relief to demolish the existing deck and to construct a two-story addition in the existing footprint. Portions of the existing home and rear deck encroach upon the 10-foot left-side setback.

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.

City of Portsmouth

Zoning Board of Adjustment

1 Junkins Avenue

Portsmouth, NH 03801

Re: Variance Application

387 Richards Ave

Portsmouth, NH 03801

To Whom it May Concern:

Please find the attached documents in support of zoning relief for the construction of an addition in place of an existing deck structure including a kitchen and living space addition on the first floor and a primary bedroom suite on the second floor of the property at 387 Richards Ave. Portions of the existing home and the existing rear deck encroach upon the 10 foot left-side setback.

We hope to be considered by the ZBA at the March 17, 2026 meeting.

Property/Project

387 Richards Ave is currently a four bedroom single-family home with street frontage on Richards Ave. We are proposing to maintain its use as a single-family home.

We are proposing to replace the existing rear deck structure with a two-story addition and entry stairs, which will add 96 square feet to the building footprint. The first floor addition will allow for a kitchen expansion and small living space, while the second floor addition will allow for a primary ensuite off the rear of the building.

The existing height of the home (~31 feet where 35 feet is the maximum) will remain unchanged since the roof of the new addition will be lower than the main ridge of the home. The property does not exceed its building coverage (existing: 17.8%; proposed 18.9%) where 25% is the maximum. Lastly, the property does not exceed its minimum open space requirement (existing: 71.8%; proposed 70.7%) where 30% open space is required.

The project is seeking a variance, to the extent required, due to the fact that:

- **A portion of the existing footprint to be replaced is within the 10 foot left-side yard setback (4' existing; 4' proposed).**
 - *We are not proposing to expand the non-conforming footprint; only to replace it.*
 - *The proposed new footprint does not encroach into the 10 foot side yard setback.*

Variance Criteria

The variance will not be contrary to the public interest, and the spirit of the ordinance will be observed

Granting this variance will not be contrary to the public interest and the spirit of ordinance is observed for the improvements to the existing property, which was originally built in 1905. The proposed improvements do not conflict with the basic zoning objectives of the ordinance, nor do they create a threat to public health, safety, and welfare. The project will maintain the essential character of the neighborhood since the expansion is modest in nature and consistent with existing architectural details. Additionally, the proposed use does not expand the existing footprint of the home in a non-conforming way. Therefore, it's reasonable to conclude that granting this variance is not contrary to the public interest and that the spirit of the ordinance is observed.

Substantial justice will be done

The benefit to the Owner does not outweigh any harm to the general public. The proposed project complies with all other zoning requirements and will increase the value and curb appeal of the home, which in turn will help to preserve the value of surrounding properties.

The values of surrounding properties will not be diminished

The proposed project will increase the value of the home, which will help preserve surrounding property values. The project will have no negative impact on the essential character of the home and therefore the neighborhood and there is no evidence that the proposed project will diminish the value of surrounding properties.

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

This existing structure is built within the side yard setback, which means that the replacement of any part of the structure in the setback would require a variance under the current zoning ordinance. 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. By not granting this variance, the Owner would not be able to reasonably improve their property to increase its functionality and meet the needs of their family.

For the reasons described above, we respectfully request the Board grant this variance.

Respectfully,

A handwritten signature in cursive script that reads "Chris Atwood".

Chris Atwood

Otter Creek Homes

SITE PLAN

PREPARED BY:
Chris Atwood
Other Creek Homes

387 Richards Ave.

1" = 20' SCALE

MAP - 112

LOT - 17

ZONE - GRA

FRONTAGE - 100' (53.5' Existing & Proposed)

DEPTH - 70' (170' Existing & Proposed)

SETBACKS

FRONT - 15' (17' Existing & Proposed)

SIDE - 10' (4' Existing & Proposed)

REAR - 20' (20' Existing & Proposed)

MAX BUILDING HEIGHT - 35' (31' Existing & Proposed)

BUILDING COVERAGE MAX - 25% (17.8% Existing, 18.9% Proposed)

MINIMUM OPEN SPACE - 30% (71.8% Existing, 70.7% Proposed)

Building Setback

Existing Garage

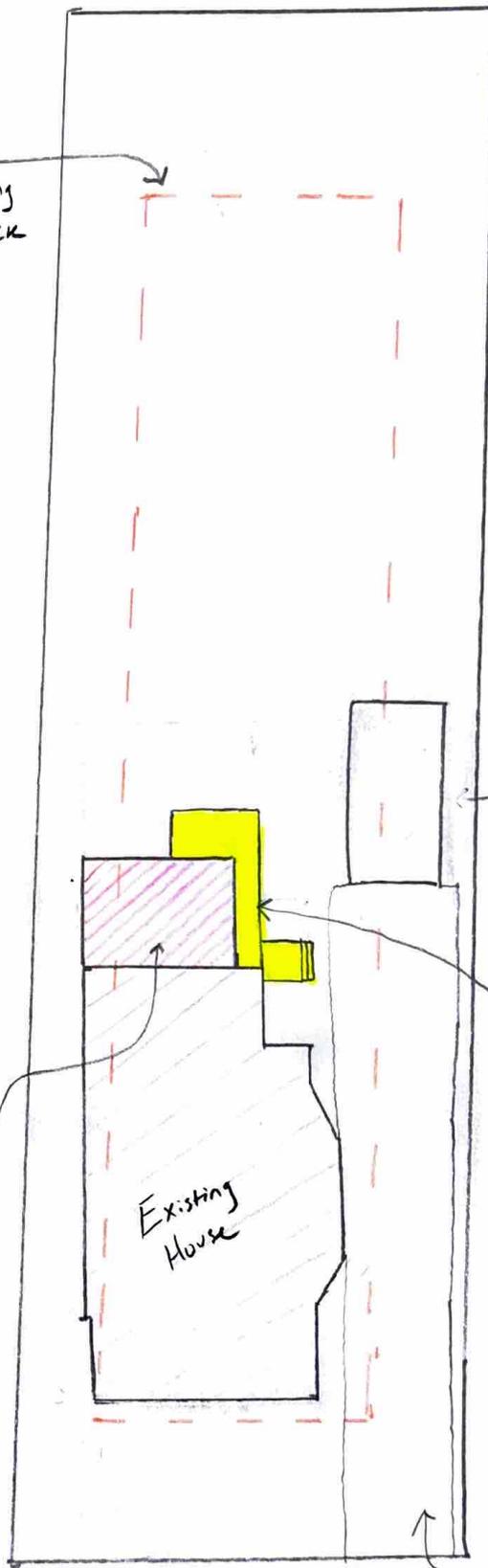
170' DEPTH

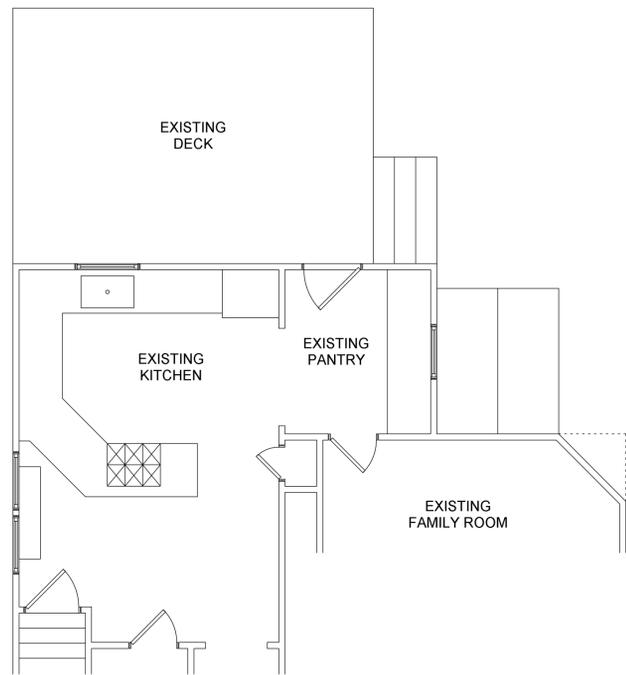
■ - New addition

/// - Existing deck, Convert to living space

Existing Driveway 75' x 10'

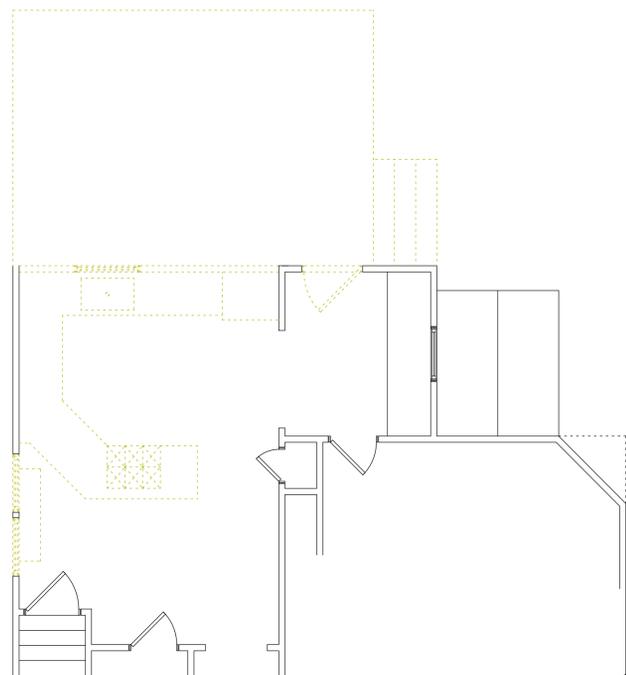
53.5' FRONTAGE





EXISTING FIRST FLOOR PLAN

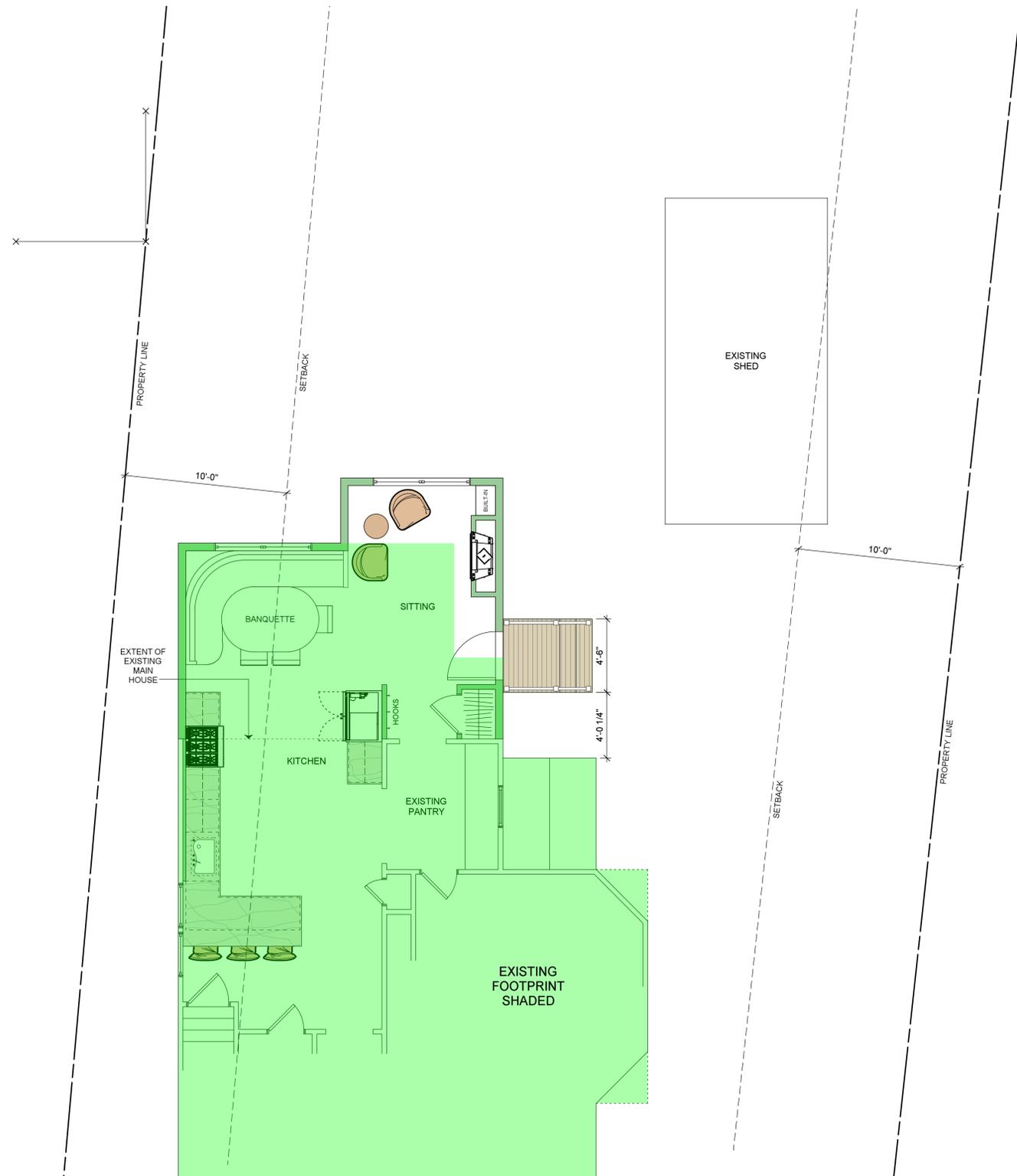
Scale: 1/4" = 1'-0"



FIRST FLOOR DEMO PLAN

Scale: 1/4" = 1'-0"

- EXISTING TO REMAIN
- TO BE REMOVED



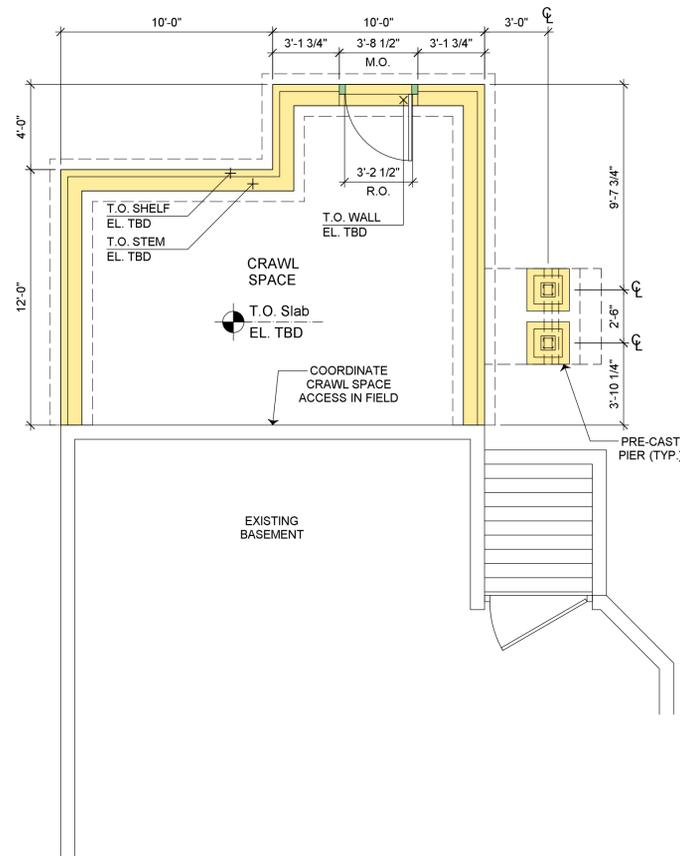
PROPOSED FIRST FLOOR PLAN

Scale: 1/4" = 1'-0"

- EXISTING TO REMAIN
- NEW STUD WALL

Glynn Residence
 387 Richards Ave, PORTSMOUTH, NH

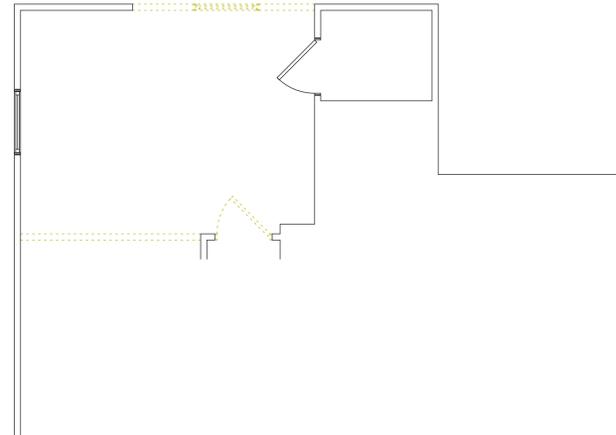
Design
 WORTH CALLING
HOME LLC



PROPOSED BASEMENT PLAN

Scale: 1/4" = 1'-0"

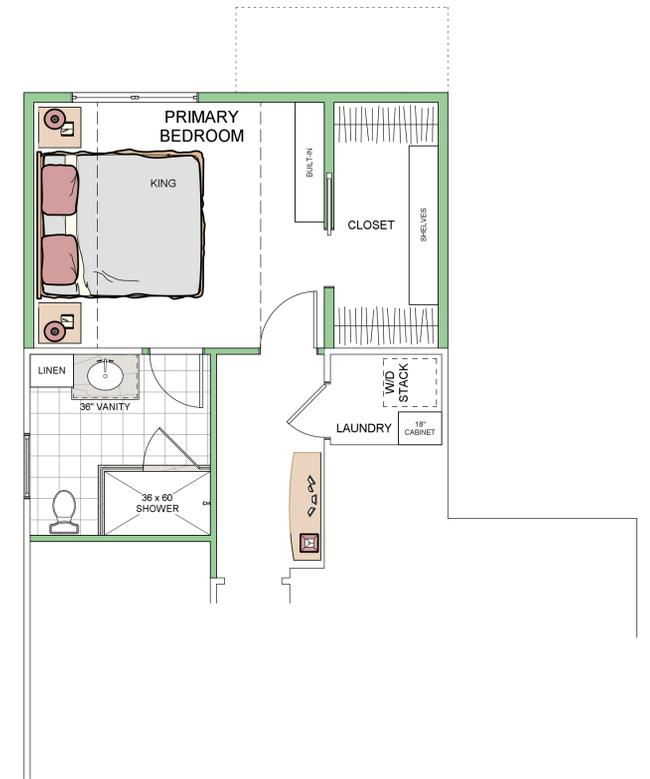
- EXISTING TO REMAIN
- NEW STUD WALL
- NEW FOUNDATION WALL



SECOND FLOOR DEMO PLAN

Scale: 1/4" = 1'-0"

- EXISTING TO REMAIN
- TO BE REMOVED



PROPOSED SECOND FLOOR PLAN

Scale: 1/4" = 1'-0"

- EXISTING TO REMAIN
- NEW STUD WALL

Glynn Residence
387 Richards Ave, PORTSMOUTH, NH

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WORTH CALLING
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EXISTING FRONT CONDITIONS



EXISTING SIDE CONDITIONS

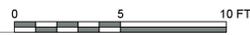


EXISTING REAR CONDITIONS



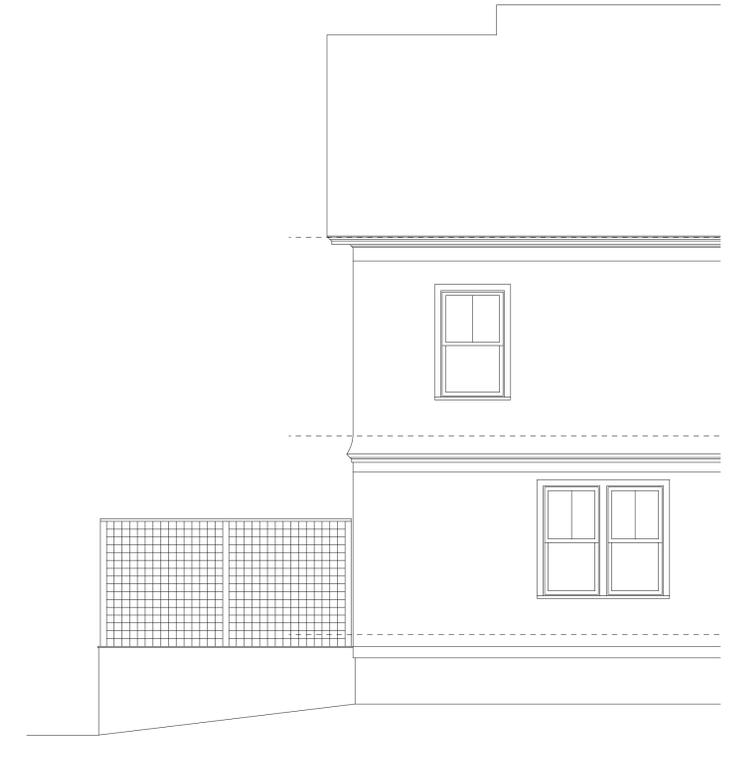
EXISTING SIDE ELEVATION

Scale: 1/4" = 1'-0"



EXISTING REAR ELEVATION

Scale: 1/4" = 1'-0"



EXISTING SIDE ELEVATION

Scale: 1/4" = 1'-0"

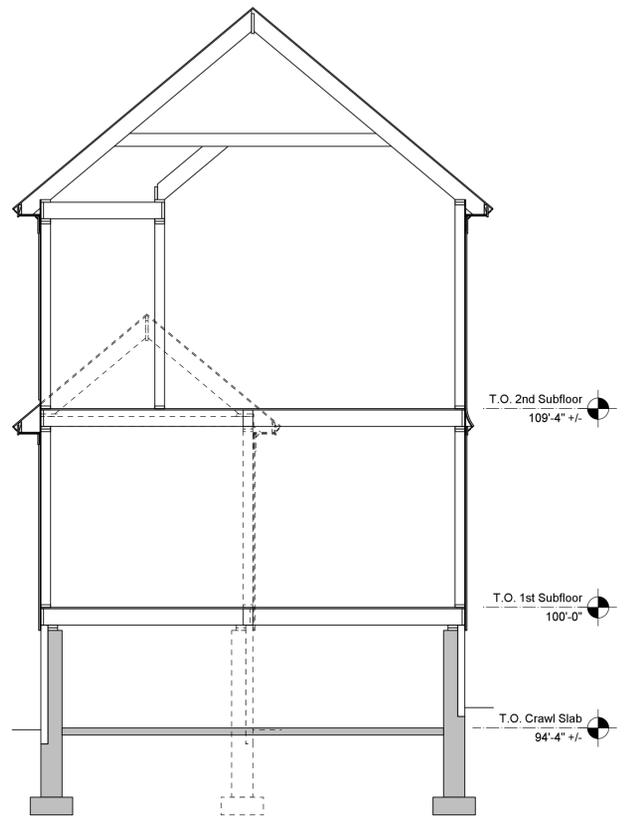


Glynn Residence

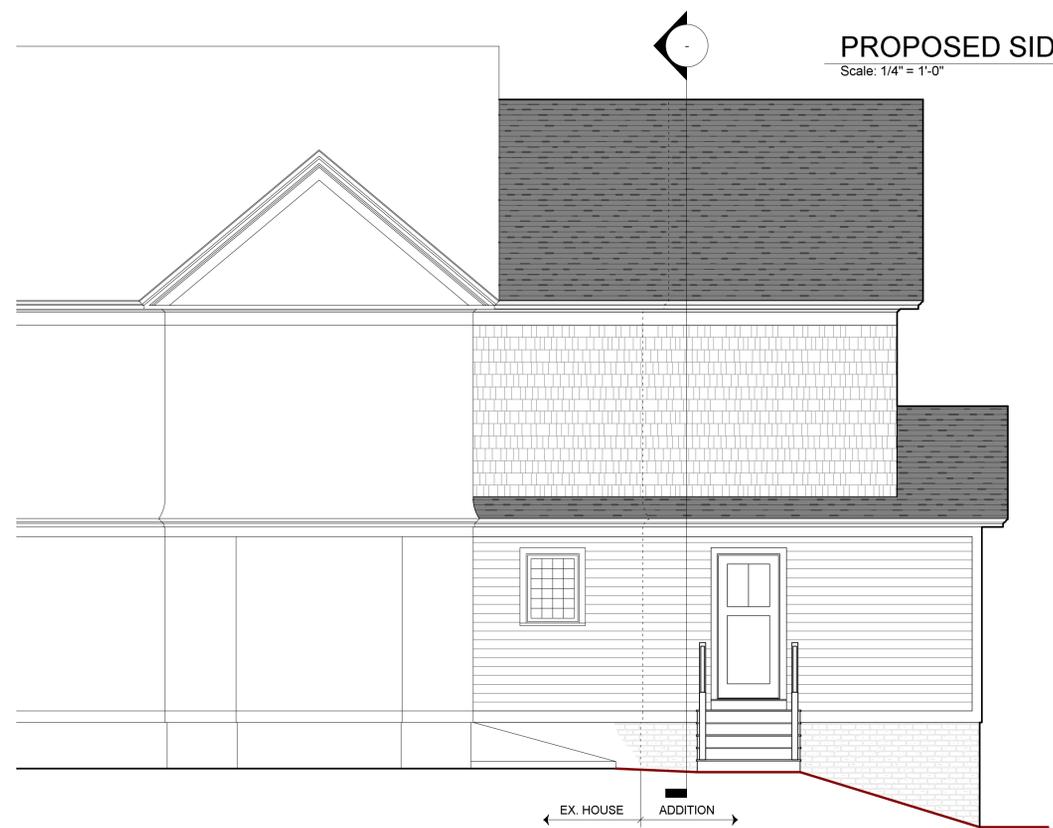
387 Richards Ave, PORTSMOUTH, NH



PROPOSED SIDE ELEVATION
 Scale: 1/4" = 1'-0"
 0 5 10 FT



BUILDING SECTION
 Scale: 1/4" = 1'-0"
 0 5 10 FT



PROPOSED SIDE ELEVATION
 Scale: 1/4" = 1'-0"
 0 5 10 FT



PROPOSED REAR ELEVATION
 Scale: 1/4" = 1'-0"
 0 5 10 FT

Glynn Residence
 387 Richards Ave, PORTSMOUTH, NH

Design
 WORTH CALLING
HOME LLC



Property Information

Property ID 0112-0017-0000
Location 387 RICHARDS AVE
Owner GLYNN EMILY JEANNE & MICHAEL KEVIN



**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 10/23/2025

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

387 RICHARDS AVE

Location 387 RICHARDS AVE

Mblu 0112/ 0017/ 0000/ /

Acct# 33293

Owner GLYNN EMILY JEANNE &
MICHAEL KEVIN

PBN

Assessment \$1,757,100

Appraisal \$1,757,100

PID 33293

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$911,000	\$846,100	\$1,757,100

Assessment			
Valuation Year	Improvements	Land	Total
2025	\$911,000	\$846,100	\$1,757,100

Owner of Record

Owner GLYNN EMILY JEANNE & MICHAEL KEVIN
Co-Owner
Address 387 RICHARDS AVE
PORTSMOUTH, NH 03801

Sale Price \$1,766,933
Certificate
Book & Page 6613/1912
Sale Date 04/15/2025
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
GLYNN EMILY JEANNE & MICHAEL KEVIN	\$1,766,933		6613/1912	00	04/15/2025
BOUCHER FAMILY REVOCABLE TRUST	\$0		5911/2261		05/09/2018
BOUCHER FAMILY REVOCABLE TRUST	\$0		5911/0617		05/07/2018
BOUCHER JUDITH A	\$700,000		5419/1629	00	03/18/2013
ANDERSON KRISTEN ELAINE TRUST 2010	\$0		5120/1852	47	06/23/2010

Building Information

Building 1 : Section 1

Year Built: 1905
Living Area: 2,212
Replacement Cost: \$1,149,588
Building Percent Good: 79
Replacement Cost Less Depreciation: \$908,200

Building Attributes

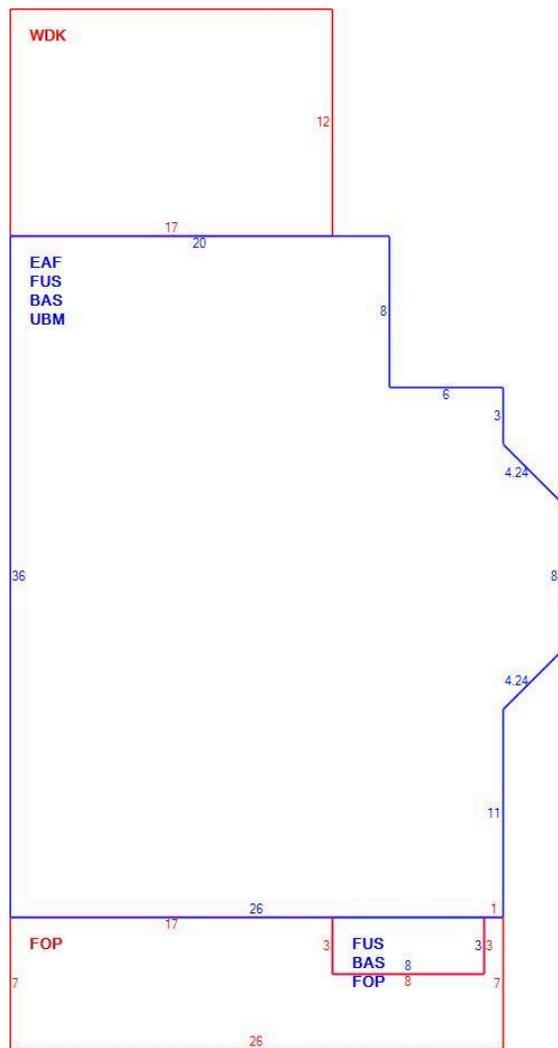
Field	Description
Style:	Conventional
Model	Residential
Grade:	A
Stories:	2
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	Wood Shingle
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	Ceram Clay Til
Heat Fuel	Gas
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	2
Total Half Baths:	1
Total Xtra Fixtrs:	1
Total Rooms:	8
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	0
Extra Openings	0
Metal Fireplaces	0
Extra Openings 2	0
Bsmt Garage	

Building Photo



(https://images.vgsi.com/photos2/PortsmouthNHPhotos/\0038\33293_33)

Building Layout



(ParcelSketch.ashx?pid=33293&bid=33293)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area

BAS	First Floor	945	945
FUS	Upper Story, Finished	945	945
EAF	Attic Expansion	921	322
FOP	Porch, Open	182	0
UBM	Basement, Unfinished	921	0
WDK	Deck, Wood	204	0
		4,118	2,212

Extra Features

Extra Features	<u>Legend</u>
No Data for Extra Features	

Land

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone GRA
Neighborhood 103A
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 0.20
Frontage
Depth
Assessed Value \$846,100
Appraised Value \$846,100

Outbuildings

Outbuildings						<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			240.00 S.F.	\$2,200	1
PAT1	PATIO-AVG			160.00 S.F.	\$600	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$911,000	\$846,100	\$1,757,100
2024	\$910,400	\$846,100	\$1,756,500
2023	\$466,300	\$430,500	\$896,800

Assessment			
Valuation Year	Improvements	Land	Total
2025	\$911,000	\$846,100	\$1,757,100
2024	\$910,400	\$846,100	\$1,756,500
2023	\$466,300	\$430,500	\$896,800

387 Richards Ave

Building Coverage - 25% Maximum

Lot Total = 8,712 ft² (.2 Acres)

Existing = 17.8%

(1547 / 8712)

204 (Deck)

945 (1st Floor)

158 (Porch)

240 (shed)

1547

Proposed = 18.9%

(1643 / 8712)

204 (Deck converted to living space)

945 (1st Floor)

158 (Porch)

240 (shed)

96 (Additional living space & landing/stairs to addition)

1643

Open Space - 30% Minimum

Lot Total = 8,712 ft² (.2 Acres)

Existing = 71.8% Open

Proposed = 70.7% Open

(Coverage → 2457 / 8712) (Coverage → 2553 / 8712)

Calculation:

1547 (Building)

160 (Patio)

750 (Driveway)

2457

1643 (Building + Additional living space)
160 (Patio) 96 ft²
750 (Driveway)

2553

II. NEW BUSINESS

- D. The request of **John C and Janice D Carpenter (Owners)**, for property located at **614 Broad Street** whereas relief is needed to construct a front porch and rear addition to the primary dwelling, to demolish the existing detached garage and construct a new two-story garage with Accessory Dwelling Unit above which requires the following: 1) Variance from Section 10.521 to allow a) a 0.5 foot rear yard where 20 feet is required; b) 2.5 foot left side yard where 10 feet is required; and c) 34% building coverage where 25% is the maximum. Said property is located on Assessor Map 221 Lot 54 and lies within the General Residence A (GRA) District. (LU-26-24)

Planning Department Comments

The applicant has requested to postpone the application to the April 21, 2026 Zoning Board of Adjustment meeting per the Board's rules where there are less than 6 voting members present.

BY: VIEWPOINT & HAND DELIVERY

March 23, 2026

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

**RE: Variance Application of John C. Carpenter & Janice D. Carpenter
614 Broad Street, Tax Map 221, Lot 54**

Dear Stefanie,

Please accept the following letter requesting a 1-month postponement of the above-referenced variance application pending before the Zoning Board of Adjustment. The Applicant is exercising their right to postpone since there will only be five (5) voting members for their application. A copy of this letter will be delivered to the Planning Department today.

Please do not hesitate to contact me with any questions.

Sincerely,



Derek R. Durbin, Esq.