

LU-26-95

Brian & Martha Ratay

Garage Plan Change Narrative

475 Broad Street

June 24, 2026

June 24, 2026

Garage build change – seeking new approval.

We are Brian and Martha Ratay, and we are submitting this application to the Board of Adjustments.

We appeared before you in the Summer of 2024, requesting 6 variances, in order to build a single single-family residence (our new home) along with a single car, two-story garage. You approved the project and all variances.

Due to several unforeseen items and the resulting budget impact during the construction of our new home, as well as, the significant cost of building the originally planned and approved garage, we are seeking a new approval to build a smaller garage, with two changes:

- The new garage will be one-story, rather than two-stories.
- The new garage will be a traditional gabled roof, rather than a modern, taller, single plane roof.

This also means the new garage will not include the second-floor square footage and will also not include the back staircase to access it. Beyond this, the new garage will have the same dimensions and exterior finish as originally planned.

We believe the city will find the new design more in keeping with the surrounding homes and garages and will therefore, prefer its single-story design.

As before we have spoken with all of our abutting neighbors. They are all in favor of the new design and have no issues with the changes.

Thank you.

In addition to the above, and relative to the City Zoning Ordinance, section 10.233.20, our responses to the criteria and rationale for variance authorization are as follows:

10.233.21 The variance will not be contrary to the public interest:

The requested approval is not contrary to the public interest, as the garage for the property does not impact the health, safety and/or welfare of the public. With this change, the visual environment and natural resources are better preserved for both the public and the city. The proposed one car garage is consistent with over half the lots on the same side of the Broad Street, which are identical in lot size and frontage, and therefore, complimentary to the overall neighborhood.

10.233.22 The spirit of the Ordinance will be observed:

The requested approval remains in the spirit of the Ordinance, due to the fact that the newly proposed garage is smaller in dimension and more traditional in roof design than the previously approved garage. As mentioned, it is also consistent with neighboring and surrounding homes. Additionally, it is surrounded by a 6' cedar privacy fence along the rear and right side of the property line, bordered in the rear by 6x45 ft Arborvitae Trees and on the right by a large Japanese Maple. This additional tree border is owned by either abutting neighbor and grows well over our current lot lines. We mutually maintain these trees with our neighbors. Because of this, the proposed garage will not interfere with the adjoining property's views, property use or privacy. Lastly, the proposed garage was specifically designed to minimally infringe with specific angles, door placement, structure placement and smaller privacy windows on the East (right) side.

10.233.23 Substantial justice will be done:

The requested approval will provide substantial justice as we require weather protection for at least one car and is consistent with our neighbors and surrounding homes. We have forgone our original plan to include a taller garage with office above, as well as, a larger garage with parking for two cars. Without this approval, injustice and inequity will be done.

10.233.24 The values of the surrounding properties will not be diminished:

The relief requested does not diminish surrounding properties as the proposed one car garage is consistent with over half the homes on the same side of Broad Street. In addition, the new garage design will be better in keeping with the aesthetic and layout of the neighborhood and will, therefore, elevate the properties in the surrounding neighborhood.

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

Without the approval literal enforcement would result in unnecessary hardship for us. This garage has been reduced to its minimal size and use and will only include parking for one vehicle and reasonable storage for a standard sized home.



ENGINE DATA, SEE CITY OF PORTSMOUTH ZONING ORDINANCE
LATEST AMENDED, REVISED, 11, 2022, SEE NOTE 11.

200% OVERLAY, REZONE (P) (P)

REQUIREMENTS:

MINIMUM LOT AREA: 7,500 SQ. FT.

MINIMUM LOT DEPTH: 100 FT.

MINIMUM LOT WIDTH: 75 FT.

MINIMUM SETBACK: 10 FT.

MINIMUM SIDE YARD: 10 FT.

MINIMUM REAR YARD: 10 FT.

MINIMUM BUILDING COVERAGE: 30 FT. (COVERED ROOF)

MINIMUM OPEN SPACE: 20%

DESIGNATED BUILDING COVERAGE:

DESIGNATED OPEN SPACE CALCULATION:

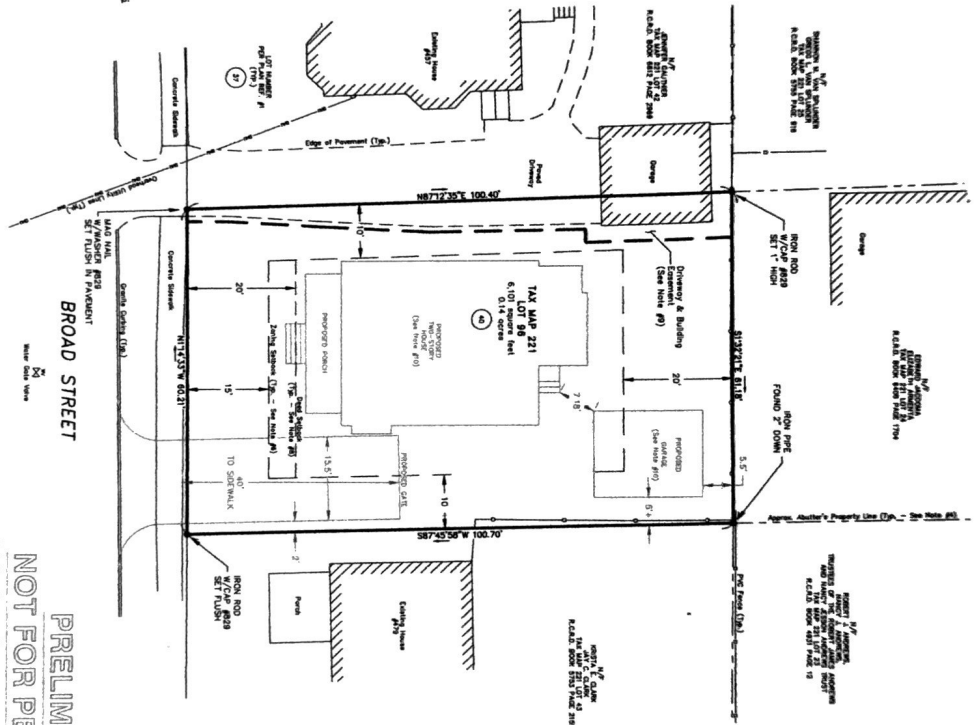
LOT AREA: 6,101 SQ. FT.

OPEN SPACE: 3,168 SQ. FT.

PERCENTAGE: 51.9%

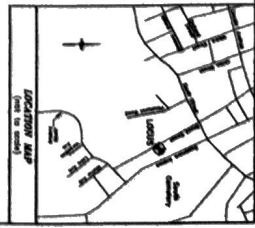
TOTAL: 1,444 SQ. FT. (CALC)

- DESIGNATED BUILDING COVERAGE, REZONE (P) (P)
- DESIGNATED OPEN SPACE CALCULATION:
- LOT AREA: 6,101 SQ. FT.
- OPEN SPACE: 3,168 SQ. FT.
- PERCENTAGE: 51.9%
- TOTAL: 1,444 SQ. FT. (CALC)



- SCALE REFERENCES:
1. PLAN OF LOT 1 OF JAMES C. GIBSON, JR. ROAD TO THE CITY OF PORTSMOUTH, MAINE, REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.
 2. "CONDOMINIUM SITE PLAN, 400 BROAD STREET, PORTSMOUTH, MAINE, REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.
 3. "STANDARD PROPERTY SURVEY FOR PROPERTY AT 400 BROAD STREET, PORTSMOUTH, MAINE, REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.
 4. "PROPOSED EXISTING PLAN FOR PROPERTY AT 400 BROAD STREET, PORTSMOUTH, MAINE, REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.

- NOTES:
1. OWNER OF RECORD: LOT 16, MARINA BLVD, R.C.L.D. BOOK 642 PAGE 200, DATED SEPTEMBER 28, 2022.
 2. TOTAL EXISTING PARCELS: 16, 6,101 SQ. FT. LOT 16, 6,101 SQ. FT.
 3. BASIS OF RECORD: FOR VARIANCE OBSERVATION UNDER 10 MAY 2022.
 4. APPROXIMATE LATTERS LINES SHOWN HEREIN ARE FOR REFERENCE INFORMATION ONLY AND SHALL NOT BE USED FOR CONVEYANCE OR BOUNDARY.
 5. EXISTENTS OR OTHER UNLATTERED RIGHTS MAY EXIST THAT INCLUDE OR BENEFIT THE PROPERTY NOT SHOWN HEREIN.
 6. ZONING INFORMATION AND SETBACKS SHOWN HEREIN ARE FOR REFERENCE INFORMATION ONLY AND SHALL NOT BE USED FOR CONVEYANCE OR BOUNDARY.
 7. THE BOUNDARY SHOWN HEREIN IS DETERMINED FROM WRITTEN RECORDS, FIELD SURVEY, AND PHOTOGRAPHIC RECORDING AT THE CITY OF PORTSMOUTH, MAINE, REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.
 8. LOCUS PARCELS IS SUBJECT TO THE CONDITION THAT NO BUILDING OR OTHER STRUCTURE SHALL BE CONSTRUCTED OR PLACED ON ANY LOT OR PART OF THE EASTERLY SIDE LINE OF BROAD STREET, SEE REFERENCE TO BROAD STREET, 11/21/2024, OR RECORD AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.
 9. LOCUS PARCELS IS SUBJECT TO A VARIANCE AND BUILDING SETBACK EASEMENT, SEE REFERENCE TO BROAD STREET, 11/21/2024, OR RECORD AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.
 10. REFERENCE IS MADE TO LETTER SENT FROM THE CITY OF PORTSMOUTH, MAINE, REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971, AND REZONE (P) (P) AT THE R.C.L.D. AS PLAN NO. 1, 1971.
 11. LUNARON & SUSTAINABILITY DEPARTMENT, ZONING BOARD OF ADJUDICATION, TO BOUNDARY & BOUNDARY, DATED 07/27/2024.



PRELIMINARY
NOT FOR PERMITTING
NOT FOR CONVEYANCE
NOT VALID WITHOUT STAMP

REV	DATE	STATUS	BY	CHKD	APPD

CHARGE OF PLAN:

THE PURPOSE OF THIS PLAN IS TO SHOW PROPOSED IMPROVEMENTS TO THE PROPERTY SHOWN HEREIN. THIS PLAN IS NOT TO BE USED FOR CONVEYANCE OR BOUNDARY.

PROPOSED SITE PLAN

475 Broad Street
Martha Raley
Brian Raley

475 Broad Street, Portsmouth, NH 03801

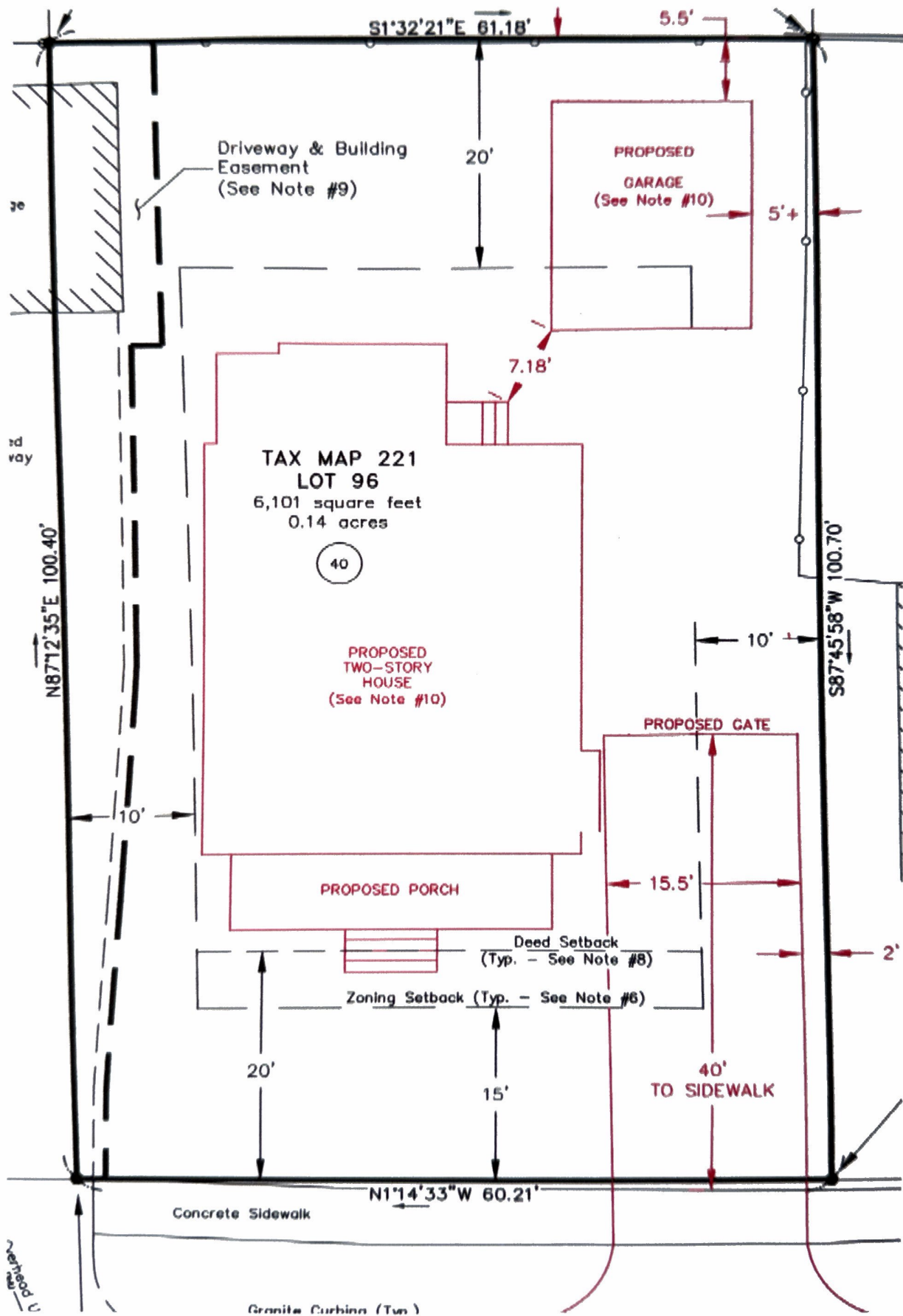
W. EASTERLY SURVEYING

SURVEYORS IN N.H. & MAINE 1041 GOODWIN ROAD, UNIT #1
(603) 438-0328

DATE: 5/14/2024
SCALE: 1" = 20' (SEE NOTE 11)

REVISIONS: 1. 5/14/2024
2. 5/14/2024
3. 5/14/2024

Tax Map 221 Lot 16





CITY OF PORTSMOUTH

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

ZONING BOARD OF ADJUSTMENT

August 27, 2024

Martha & Brian Ratay
457 Broad Street
Portsmouth, New Hampshire 03801

RE: Board of Adjustment request for property located at 0 Broad Street, Portsmouth, NH (LU-24-119)

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **Tuesday, August 20, 2024**, considered your application for constructing a primary structure and detached garage on a vacant lot which requires the following: 1) Variance from Section 10.521 to allow a) 6,101 square feet of lot area where 7,500 is required, b) 6,101 square feet of lot area per dwelling unit where 7,500 is required, c) 60 feet of street frontage where 100 feet are required, d) 31% building coverage where 25% is allowed, e) 5 foot right side yard where 10 feet are required, and f) 2 foot rear yard where 20 feet are required. Said property is shown on Assessor Map 221 Lot 96 and lies within the General Residence A (GRA) District. As a result of said consideration, the Board voted to **grant** the request as presented and advertised.

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

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

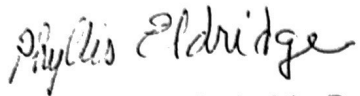
This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

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

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

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

Very truly yours,

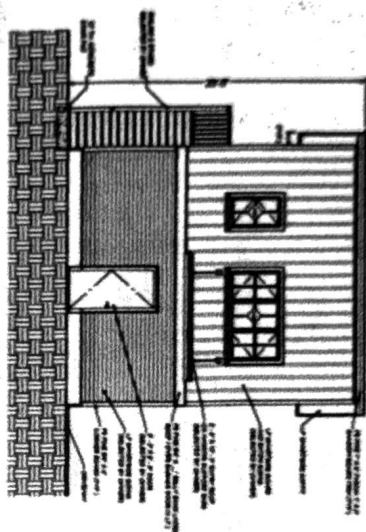
A handwritten signature in cursive script that reads "Phyllis Eldridge".

Phyllis Eldridge, Chair of the Zoning Board of Adjustment

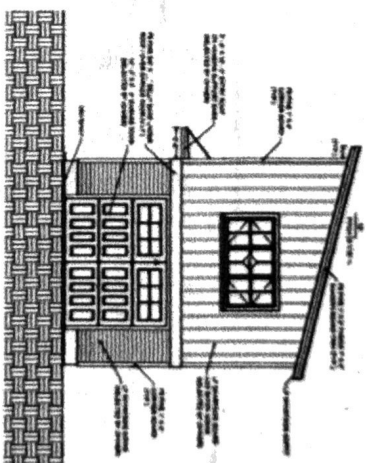
cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

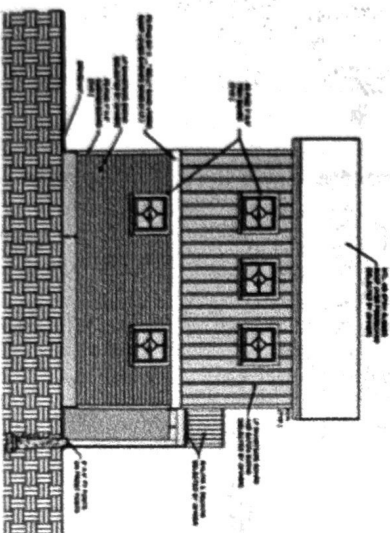
OLD - APPROVED



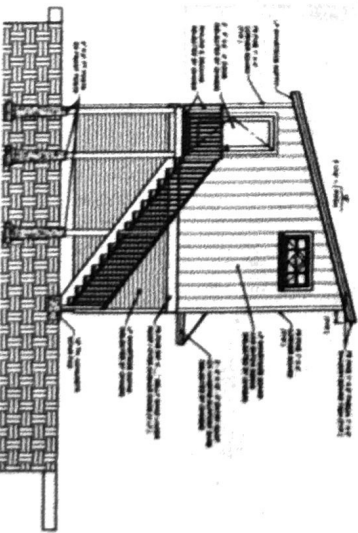
GARAGE LEFT SIDE ELEVATION



GARAGE STREET VIEW/FRONT ELEVATION

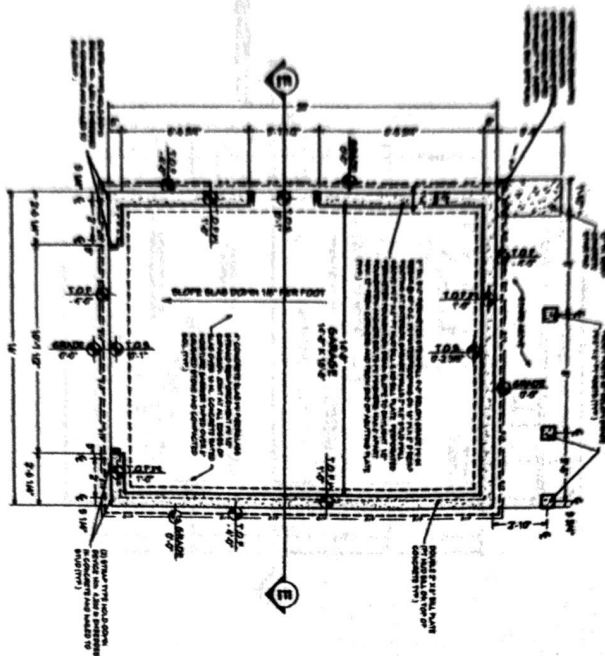


GARAGE RIGHT SIDE ELEVATION

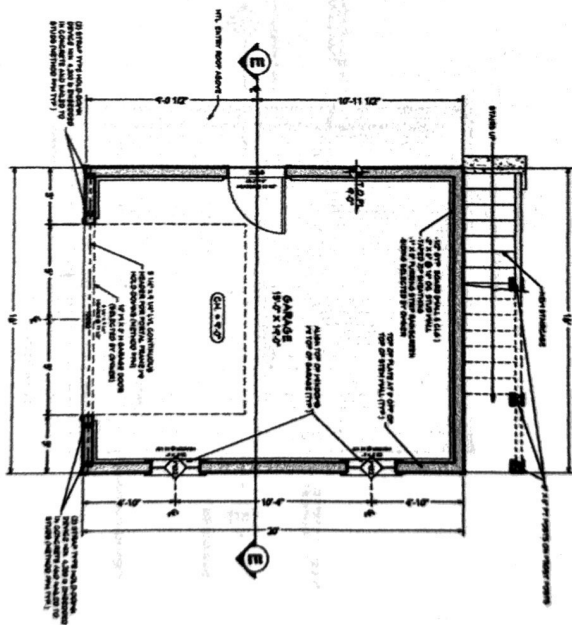


GARAGE REAR ELEVATION

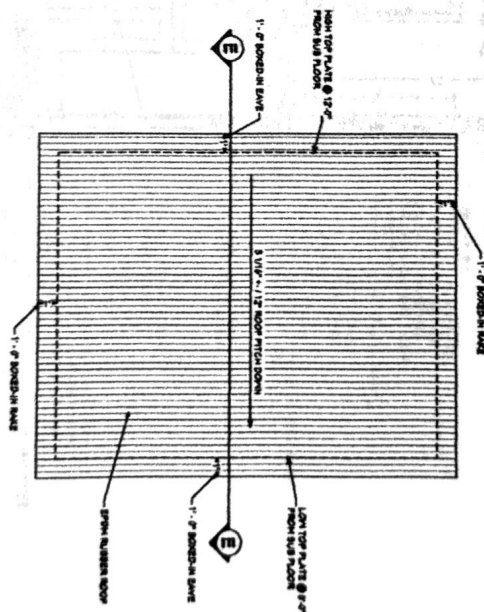
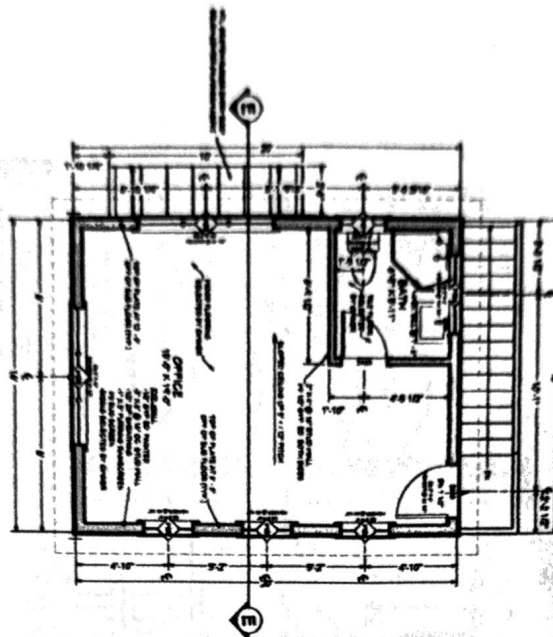
SHEET A-11	SCALE 1/4" = 1'-0"	DATE 12/4/2004	RATAY RESIDENCE BROAD STREET PORTSMOUTH, NH 02801	GARAGE ELEVATIONS	DRAWINGS PROVIDED BY: HIGHLY ROOTS 13 ALDEN AVE. GREENLAND, NH 03040	



GARAGE FOUNDATION PLAN



GARAGE 1ST FLOOR PLAN



A-10

SHEET:

300 • 1

SCN

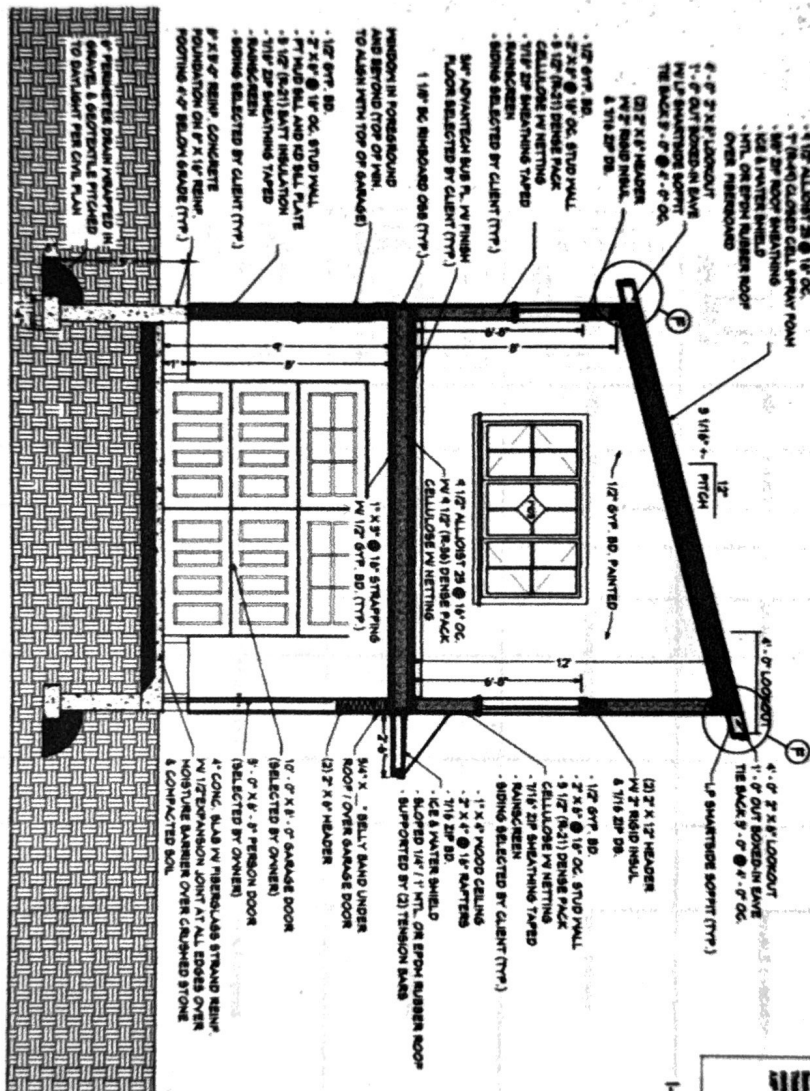
12/4/20

DATE:

**RATAY RESIDENCE
BROAD STREET
PORTSMOUTH, NH 03801**

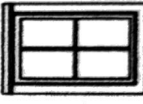
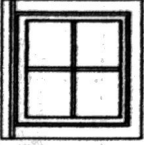
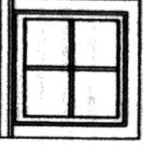
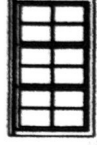
**GARAGE 2ND FLOOR
& ROOF PLAN**

DRAWINGS PROVIDED BY:
HIGHTY ROOTS
13 ALDEN AVE.
GREENLAND, NH 03840



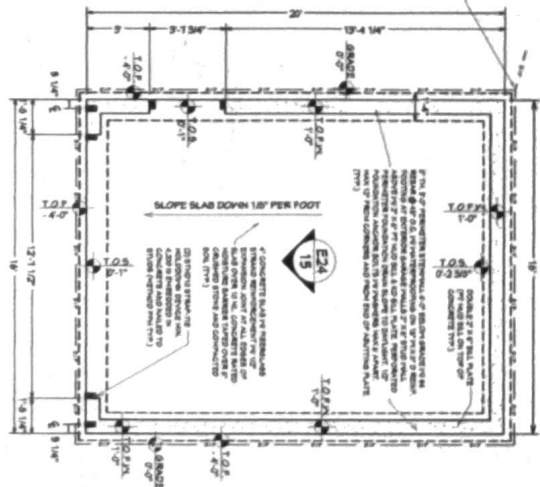
1-800-551-1111

GARAGE CROSS SECTION E-E

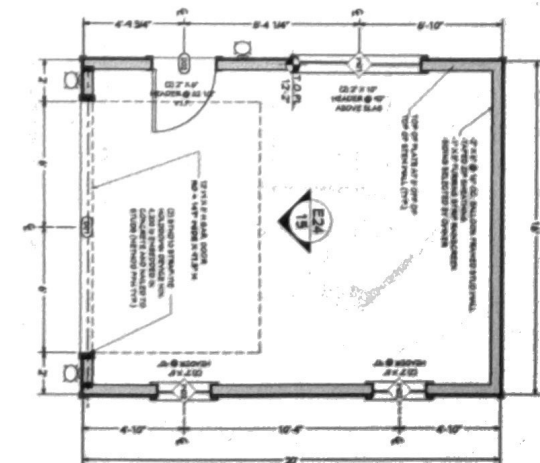
WINDOW SYMBOL	NO.	QTY	DESCRIPTION	DATE	BY	REMARKS
	W01	240SC 1	2	240SC 25 187x46 1/2"		YES SINGLE CASEMENT-AL
	W02	252AM 2	1	252AM 37x57"		SINGLE AWNING
	W03	252AM 3	2	252AM 37x57"		SINGLE AWNING
	W04	402AM 1	2	402AM 46 1/2x24 5/8"		SINGLE AWNING
	W05	1140TC 2	2	1140TC 66 1/8x46 1/2"		TRIPLE CASEMENT-LULUR

GARAGE WINDOW SCHEDULE

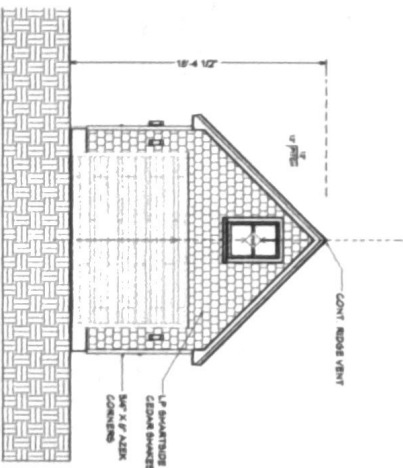
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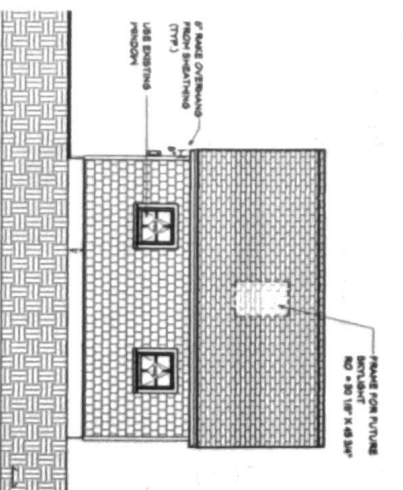
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[illegible]

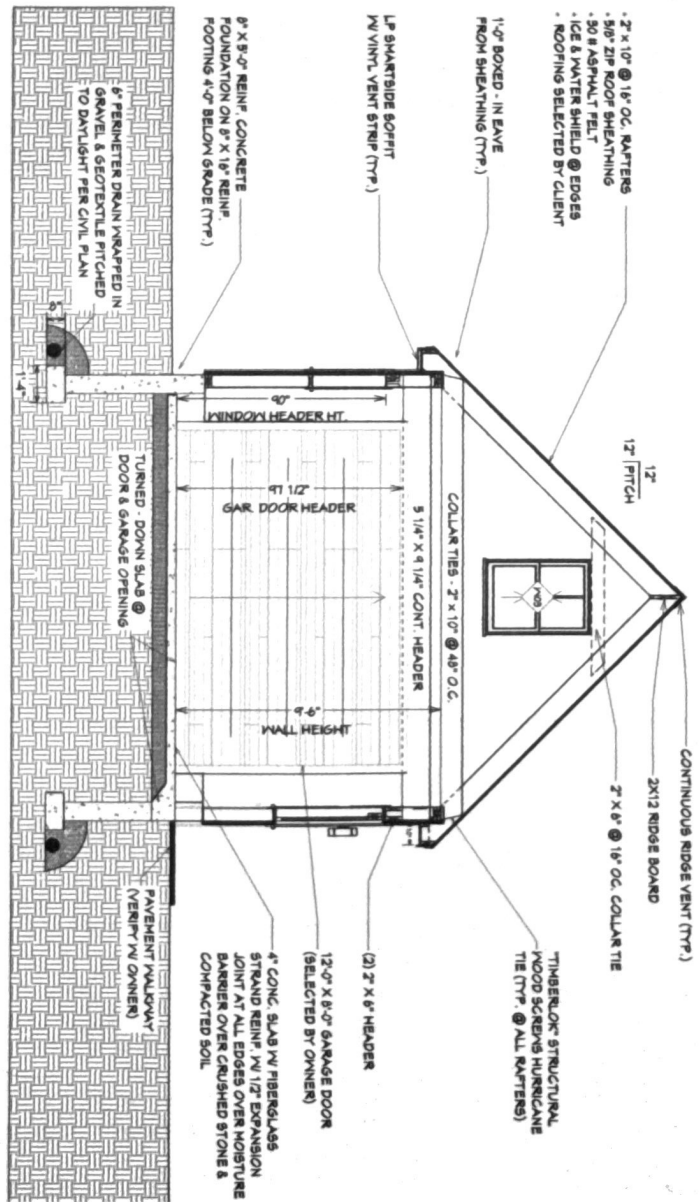
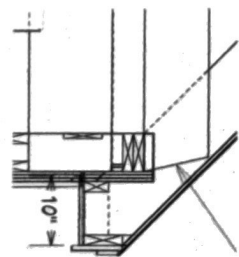
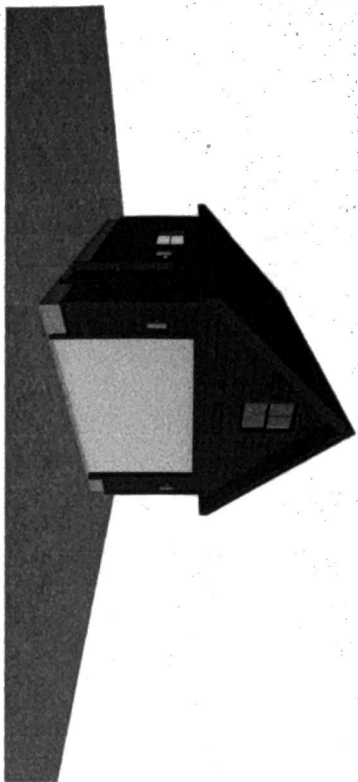
SCALE: 1/4" = 1'-0"



GARAGE STREET VIEW (FRONT) ELEVATION



SCALE: 100 = 100'



GARAGE CROSS SECTION F - F

A-12 SHEET	SCALE: 1/2" = 1'-0"	DATE: 6/17/2026	RATAY RESIDENCE BROAD STREET PORTSMOUTH, NH 03801	GARAGE CROSS SECTION F - F	DRAWINGS PROVIDED BY: MIGHTY ROOTS 13 ALDEN AVE. GREENLAND, NH 03840	REVISION NO. DATE DESCRIPTION	
						REVISION NO. DATE DESCRIPTION	