

**CITY OF PORTSMOUTH**  
**Zoning Board of Adjustment Application**

Department Use Only

Assessor Plan # \_\_\_\_\_

Lot # \_\_\_\_\_

Zone \_\_\_\_\_

Lot area \_\_\_\_\_

Date \_\_\_\_\_

Fee \_\_\_\_\_

By \_\_\_\_\_

Fill in below by printing in ink or typing / Complete all Blanks or indicate "N/A" if not applicable

Applicant Jon R. Allard and Karin E. Allard Owner of Record Jon R. Allard and Karin E. Allard

Applicant Street Address 24 Burkitt St. Owner Street Address same

Applicant City / State / Zip Portsmouth, NH 03801 Owner City / State / Zip same

Applicant phone (same) \_\_\_\_\_ Owner phone (617) 947-2458

Applicant e-mail jallard33118@gmail.com

Location (street address) of proposed work: 24 Burkitt St., Portsmouth, NH

Existing use: single family residence

Undersigned hereby requests:

Article and Section

☐ Appeal from an Administrative Decision  
See Article 2, Section 10.234.30

☐ Special Exception  
See Article 2, Section 10.232.20

☒ Variance  
See Article 2, Section 10.233.20

☐ Other \_\_\_\_\_  
See Article 2, Section 10.233.20

10.521 (Dimentional Requirements)

To permit the following:

The removal of an existing enclosed porch with rot damage (less than 10' from lot line), and  
replacing that structure with newly constructed enclosed porch (less than 10' from lot line).

5' left yard set back is requested

The undersigned alleges that the required conditions exist for granting of this request according to the terms of the Zoning Ordinance as demonstrated in the attached submittals.

Only complete applications will be accepted by the deadline date. A complete application shall consist of: a completely filled out application with original signatures, the application fee, and 12 packets of required plans and any supporting documents or photos. Incomplete applications will not be accepted. Applications received after the deadline will be scheduled for the following month. The owner or his/her representative is required to attend the Public Hearing for the above appeal.

Signature of Owner

K. E. Allard

11/26/18  
Date

Please PRINT name here Jon R. Allard and Karin E. Allard

## Board of Adjustment Application Check-List

Please complete and submit one (1) copy with your completed application.

Property Address 24 Burkitt St. Portsmouth, NH 03801  
Completed By Jon R. Allard and Karin E. Allard

### APPLICATION TYPE:

- ☒ Variance or Special Exception for Dimensional Requirements
- ☐ Variance or Special Exception for Use Requirements
- ☐ Other \_\_\_\_\_

### FOR APPLICATIONS REQUESTING DIMENSIONAL RELIEF, THE FOLLOWING SUBMISSIONS MUST BE INCLUDED:

- ☐ Site Plan(s) showing existing and proposed conditions including:
  - ☒ Front, side and rear setback / yard dimensions (this is the distance from a structure to the lot line)
  - ☒ Lot dimensions
  - ☒ Abutting street(s) and street names
  - ☒ Driveways / accessways
  - ☒ Dimensions (size and height) of structures
  - ☒ Dimensions and location of parking spaces
  - ☐ Scale of all drawings and plans (the scale is the ratio of the drawing's size relative to the actual size)
- ☒ Labeled photo(s) of existing conditions
- ☒ Building plans and elevations of any proposed structures or additions
- ☒ Interior floor plans for any renovations or expansion to existing structures

### FOR APPLICATIONS REQUESTING LAND USE RELIEF, THE FOLLOWING SUBMISSIONS MUST BE INCLUDED:

- ☐ Site Plan(s) showing:
  - ☐ Location of the proposed use(s) on the property
  - ☐ Site plan showing location and dimensions of parking spaces
- ☐ Interior floor plans showing the location and layout of the proposed use
- ☐ Labeled photo(s) of existing conditions

### ALL APPLICATIONS

- ☒ Complete application checklist (1 original)
  - ☒ Complete and signed Building Permit application (1 original) Permit # 34642
    - ☒ filed previously
    - ☐ included with this packet
  - ☒ Complete and signed Board of Adjustment Application Form (1 original, 11 copies)
    - ☒ Property Owner signatures (on front and back of Board of Adjustment application form)
  - ☒ Written statement explaining how the request complies with the requirements of the Zoning Ordinance as provided in Article 2 (see Section 10.234.30 for Administrative Appeals, Section 10.233.20 for Variances, Section 10.232.20 for Special Exceptions) (12 copies)
  - ☒ Required plans / exhibits are 8 1/2" x 11" or 11" x 17" in size (12 copies)
  - ☐ Additional information as requested by the Planning Department staff
- 
- ☐ Electronic file in Portable Document Format (PDF)
    - ☐ Sent by e-mail
    - ☐ Provided on CD-ROM
    - ☒ Provided on flash drive

### Applicant's Responsibilities

1. All applications for Variances and Special Exceptions must be submitted to the Planning Department prior to the published deadline. In the case of Appeals from an Administrative Decision, the appeal shall be filed no later than 30 days from the date of the action which is being appealed.
2. A Building Permit application must also be filed for the project for which zoning relief is being sought. The Building Permit application can be submitted with the Board of Adjustment application or filed prior. The Planning Department may waive this requirement when the application is for a substandard lot for subdivision purposes and no other zoning relief is required.
3. An applicant shall be one of the following: a) the owner of record of the property, or b) the holder of a valid purchase and sales agreement for the purchase of the subject property, or c) the holder of a valid option for the purchase of the subject property.
4. All applications shall include a written statement explaining how the request complies with the requirements of the Zoning Ordinance as provided in Article 2 (see Section 10.234.30 for Administrative Appeals, Section 10.233.20 for Variances, Section 10.232.20 for Special Exceptions).
5. It is the obligation of the applicant to submit adequate plans and exhibits in accordance with the terms of the Zoning Ordinance for all applications for Administrative Appeals, Variances, Special Exceptions, and Equitable Waivers.
6. One (1) original copy of a completed and signed "Board of Adjustment Application Check-List" shall accompany all applications.
7. For applications requesting dimensional relief, the minimum requirements for adequate plans shall include the following:



<input checked="" type="checkbox"/> Site Plan(s) showing existing and proposed conditions including: <ul style="list-style-type: none"><li>- Front, side and rear setback / yard dimensions (this is the distance from a structure to the lot line)</li><li>- Lot dimensions</li><li>- Abutting street(s) and street names</li><li>- Driveways / accessways</li><li>- Dimensions (size and height) of structures</li><li>- Dimensions and location of parking spaces</li></ul>	<input type="checkbox"/> Scale of all drawings and plans (the scale is the ratio of the drawing's size relative to the actual size) <input type="checkbox"/> Labeled photo(s) of existing conditions <input type="checkbox"/> Building plans and elevations of any <i>proposed</i> structures or additions <input type="checkbox"/> Interior floor plans for any renovations or expansion to existing structures
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8. For applications requesting relief from land use requirements, the minimum requirements for adequate plans shall include the following:

<input type="checkbox"/> Site Plan showing dimensions and location of parking spaces including the scale (the scale is the ratio of the drawing's size relative to the actual size)
<input type="checkbox"/> Interior floor plans and/or exterior site plans showing the location of the proposed use(s)
<input type="checkbox"/> Labeled photo(s) of existing conditions

9. Plans should be 8 1/2" x 11" in size, 11" x 17" plans may be used only if the plan would otherwise be unreadable.
10. The Planning Department is authorized by the Board of Adjustment to refuse applications which do not meet these minimum requirements. The Planning Department may also require additional information and/or exhibits as needed to illustrate the scope of the project. Public Hearings shall not be scheduled, advertised or held until such time as the minimum requirements for adequate plans have been submitted. The Board may postpone any application requiring more information prior to any action being taken.
11. The applicant shall submit one (1) original and eleven (11) copies of the application and any plans, exhibits, and supporting documents.
12. The applicant shall provide electronic files in Portable Document Format (PDF) of all submittals.

I have read the above list of responsibilities, have provided all required information, and such information is current, accurate, and complete to the best of my knowledge.

  11/26/18  
(Applicant's Signature, date)

The Applicant is encouraged to consider the following when completing the application:

- ☐ Provide neat and clear plans
- ☐ Use of color or highlights is encouraged in order to identify pertinent areas on plans
- ☐ Applicants are encouraged to review the application with a member of the Planning Department staff prior to submittal
- ☐ All applicants are encouraged to discuss the project with impacted neighbors

11/26/18

City of Portsmouth <sup>JA</sup>Planning Board *of Adjustment*  
 1 Junkins Avenue, 3rd FL  
 Portsmouth, NH

Dear <sup>JA</sup>Planning Board Members,

This is our written statement to accompany our zoning board of adjustment application. We are requesting a variance for a side setback requirement in order to tear down an existing enclosed porch structure with rot damage on the back of our home, and to replace that structure with an enclosed porch that is safer, will provide more usable space, and will be more aesthetically in keeping with the history of the home.

Our neighbors on the side where the setback variance is requested (Jodi and Mitchell Foster, from 30 Burkitt St.), are in full support of our request for a variance (see letter of support). Upon attempting to obtain a building permit for the new structure, we were advised that the proposed landing and steps of our addition would increase the existing non-conformity with the side setback, and would require a variance to be granted from the Zoning Board of Adjustment.

The existing enclosed porch structure that we are planning to remove is already less than the required setback, as it is 8' from the side property line. The new enclosed porch will replace the existing structure, and will be built on the existing location, with the same side setback as the existing. It will also include a landing and stairs which will be 5' from the side property line. All other requirements for Front, other Side, and Rear setbacks, as well as Building Coverage Max percentages, are well within the required setbacks for the General Residence A (GRA) District.


We believe this request complies with the requirements of the Zoning Ordinance as provided in Article 2, Section 10.233.20, in that:

- Neighbors approve of our plans to improve our property, in keeping with public interest (10.233.21);
- We are in keeping with all other sections of the Ordinance, in keeping with the "spirit of the Ordinance" (10.233.22)
- We will be improving our property by removing a dilapidated porch and replacing it with a new enclosed porch structure, which will in turn have a positive impact on the values of surrounding properties (10.233.23; 10.233.24); and
- Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship because the existing structure is already less than the required side setback, an in its current condition it is a dilapidated eyesore. In addition, building the steps

further back into the yard would not be practical or aesthetically in keeping with the rest of the home structure (10.233.25). To meet the standard of "unnecessary hardship (10.233.25), we believe "(a) no fair and substantial relationship exists between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and (b) the proposed use is a reasonable one" (10.233.31).

We appreciate the opportunity to present this request for a variance to the Board.

Sincerely,

 11/26/18

Jon R. Allard  
24 Burkitt Street  
Portsmouth, NH 03801  
617-947-2458

 11/26/18

Karin E. Allard  
24 Burkitt Street  
Portsmouth, NH 03801  
603-289-4000

Jodi and Mitchell Foster  
30 Burkitt St  
Portsmouth, NH  
03801

11/25/2018

To Whom it May Concern,

We are writing to you to express our support for our neighbors, Jon and Karin Allard of 24 Burkitt Street, who are requesting a variance from the city of Portsmouth, NH to tear down an existing porch in order to rebuild it to make it safe and usable for their family. This will be a very lovely addition to the house and neighborhood.

If you have any further questions please feel free to contact us at 603-674-1067.

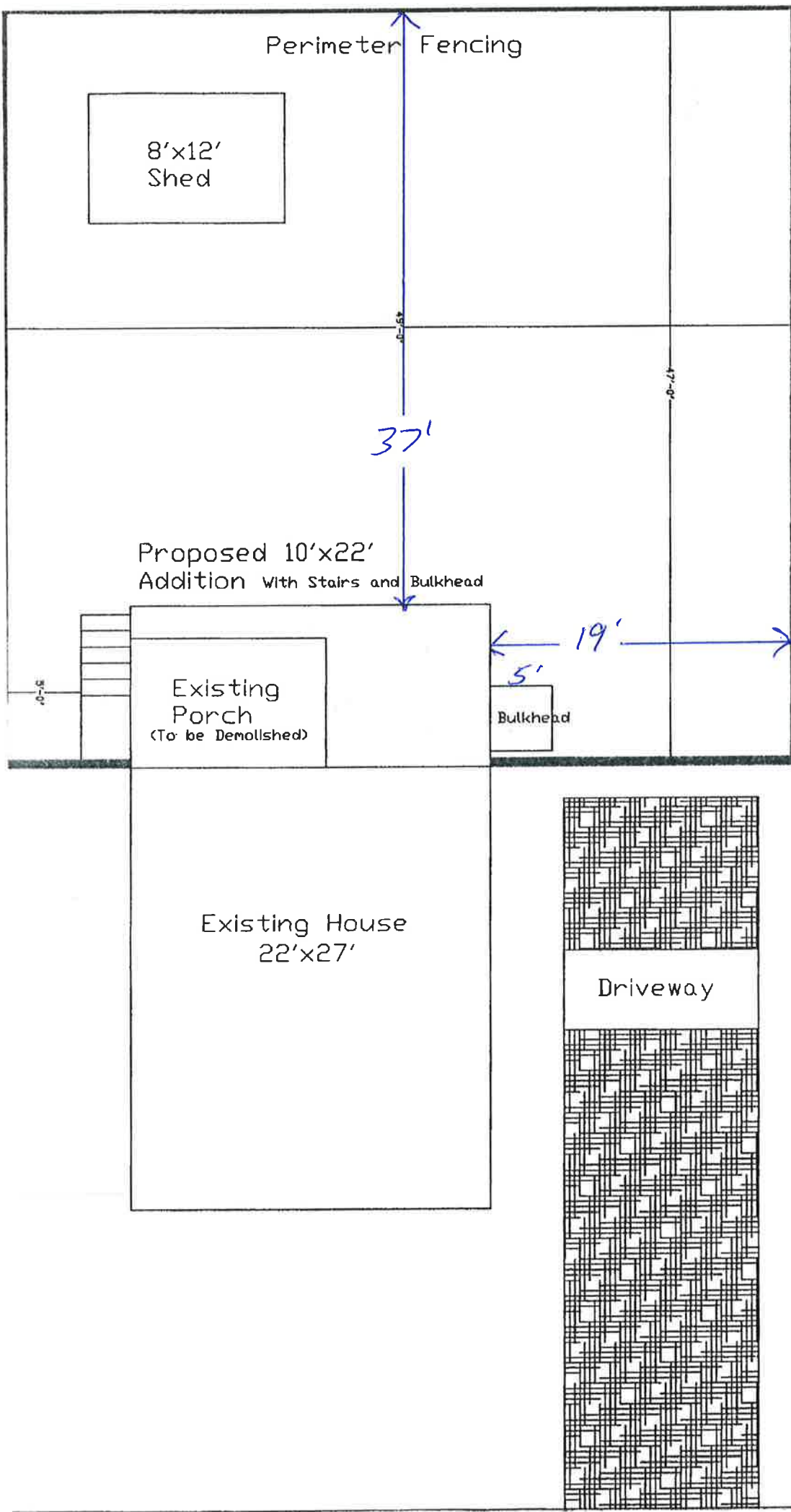
Sincerely,

A handwritten signature in cursive script that reads "Jodi & Mitchell Foster". The signature is written in dark ink and is positioned above the printed name.

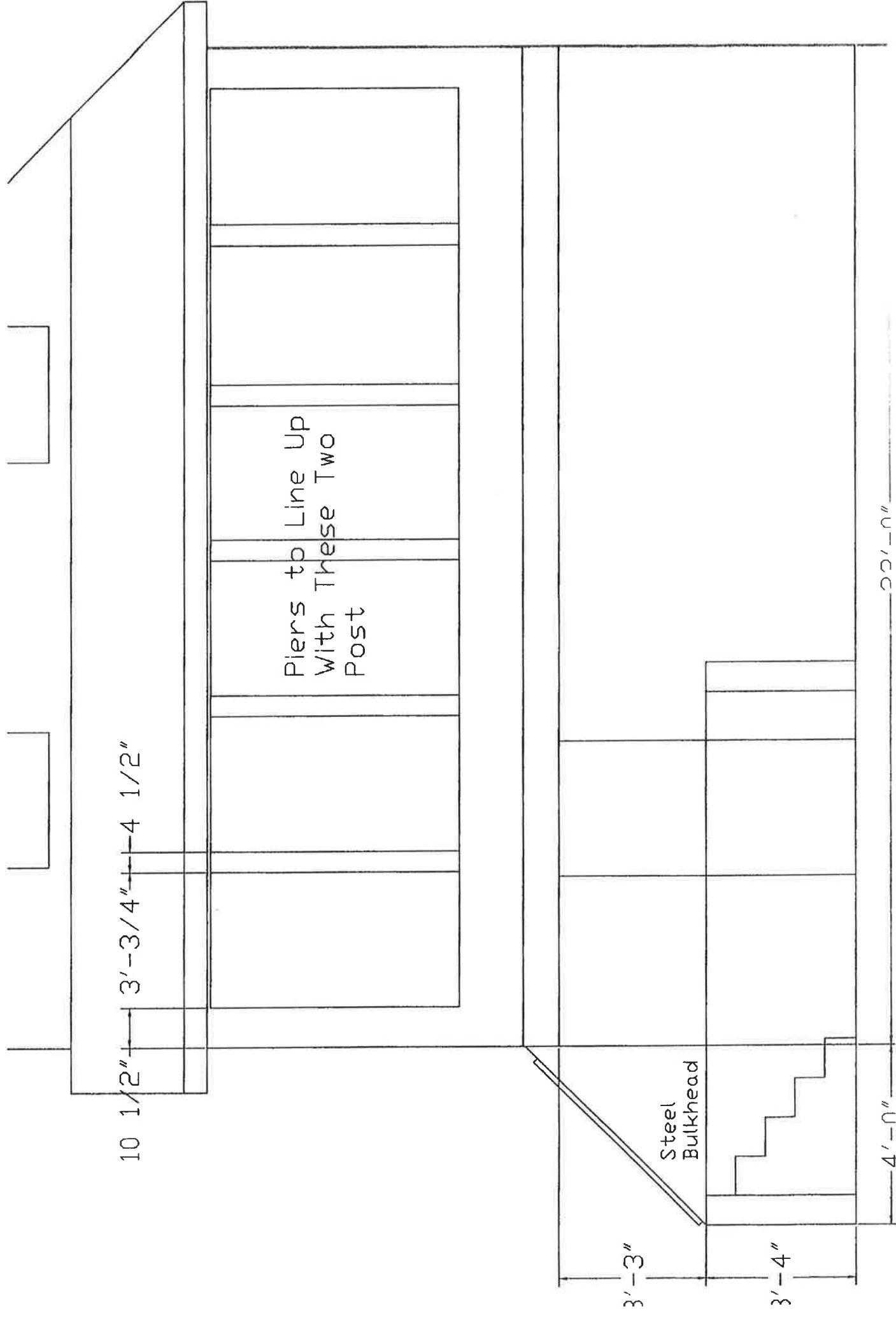
Jodi and Mitchell Foster



Allard House and Lot

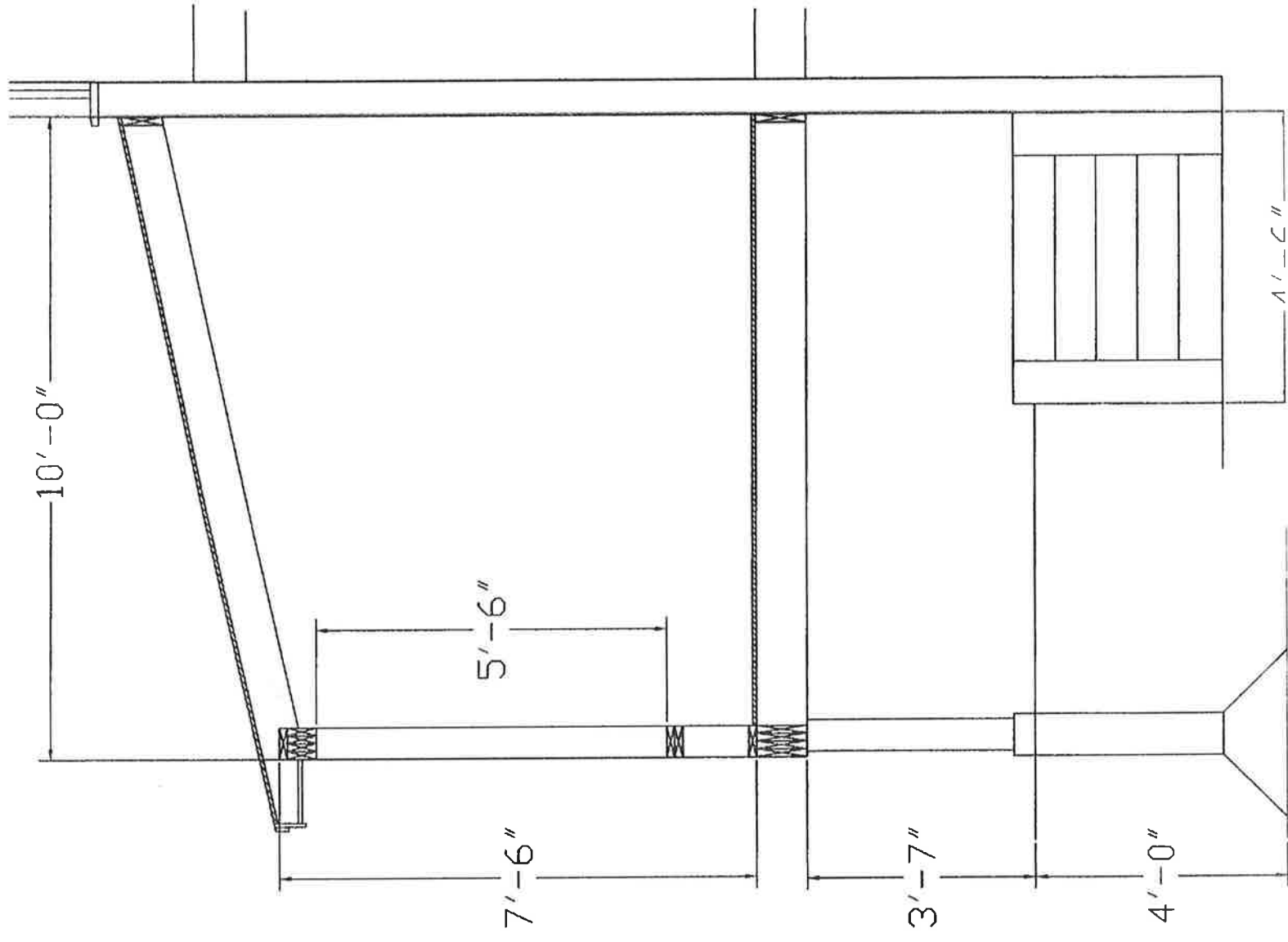


# Allard Sunroom

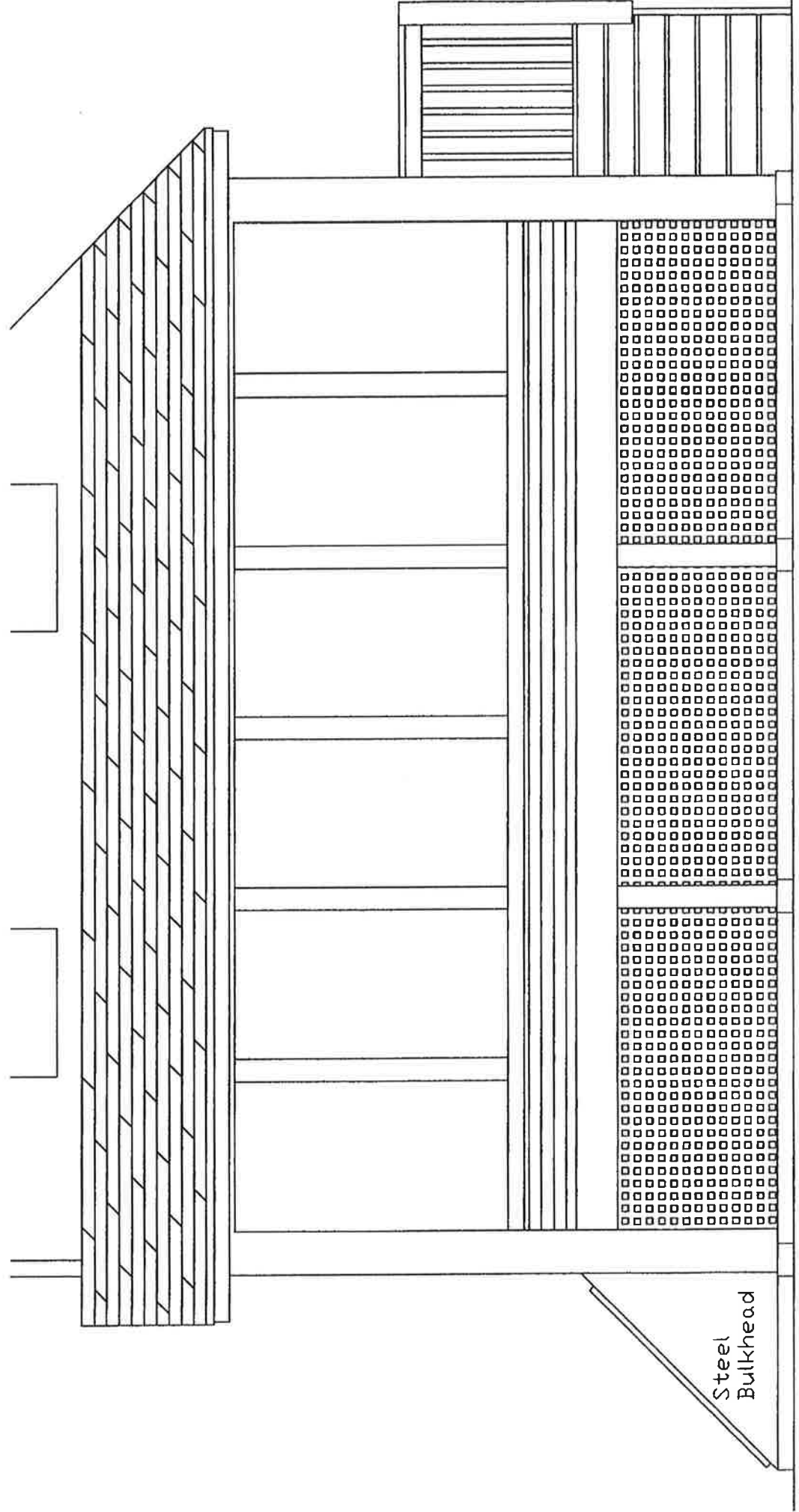




# Allard Sunroom

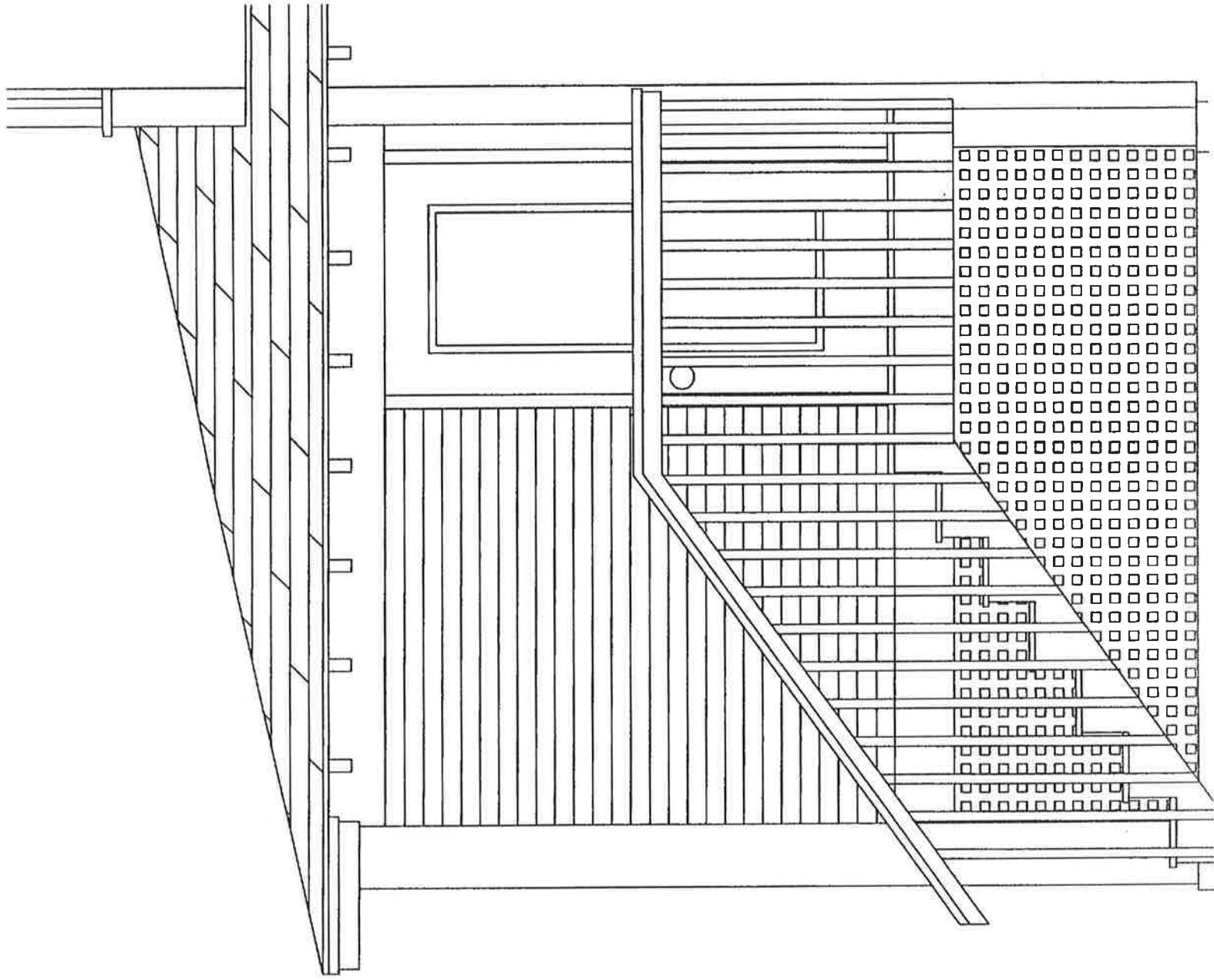


# Allard Sunroom

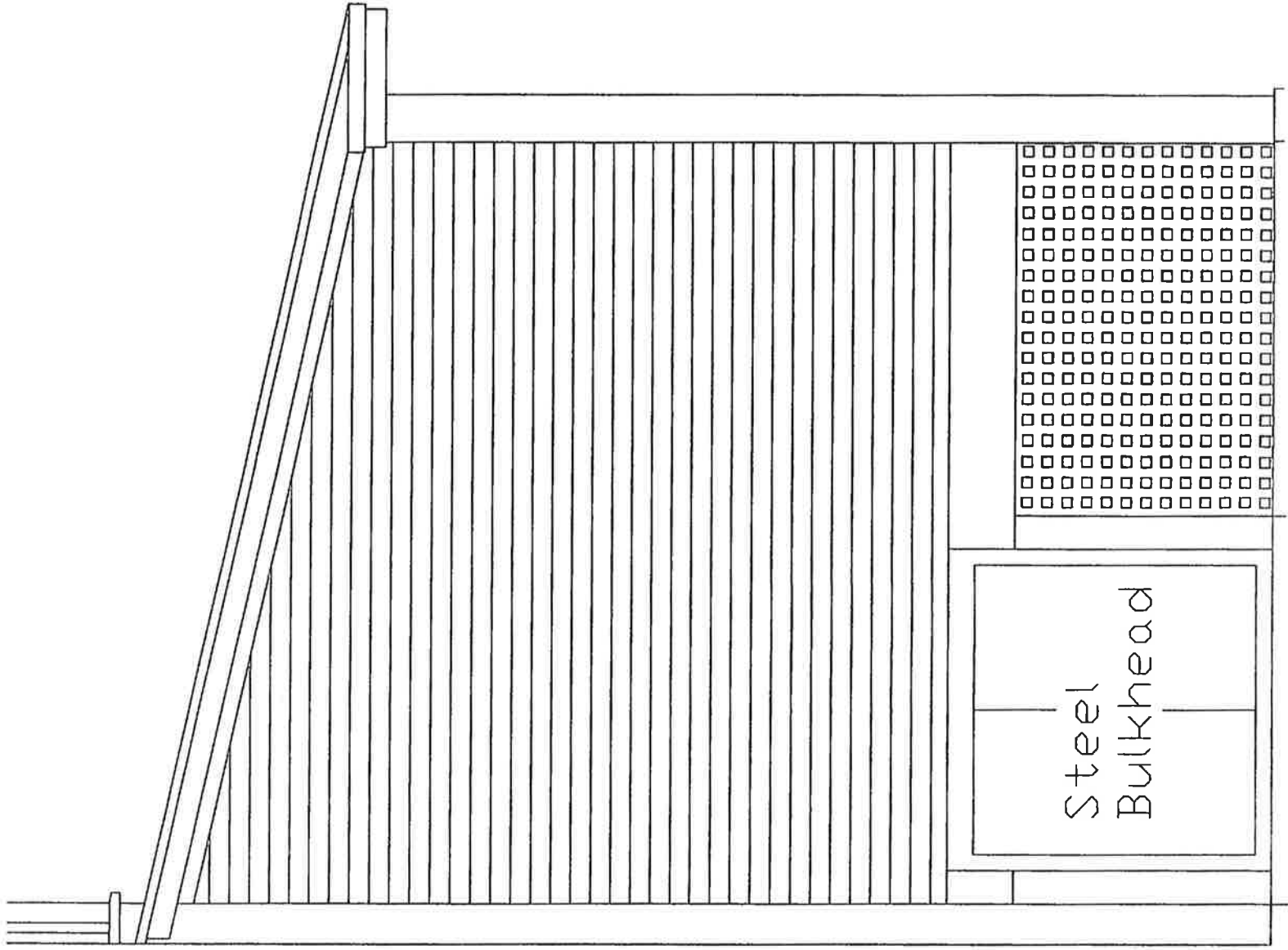


The Lattice Work is Hinged at These Three Locations

# Allard Sunroom



# Allard Sunroom



# FLOORPLAN SKETCH

Borrower: ALLARD, John R. & Karin E.

File No.: 180490

Property Address: 24 Burkitt Street

Case No.: 40011003

City: Portsmouth

State: NH

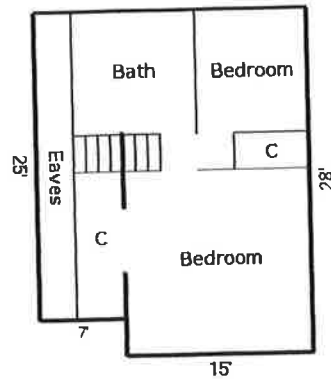
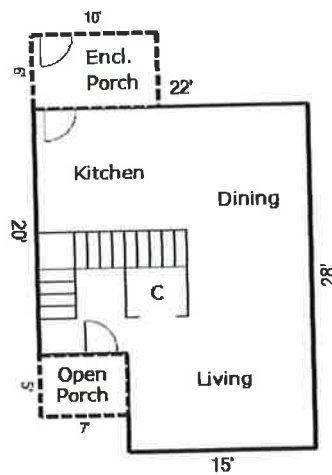
Zip: 03801

Lender: HarborOne Mortgage, LLC

Sketch

## First Floor

## Second Floor



*Existing house*

Note: Interior Layout and Room Sizes are Approximate

10 ft

Area Calculation					
Living Area	580 ft <sup>2</sup>	First Floor	8' x 15' x 1.00 =	120 ft <sup>2</sup>	
First Floor	420 ft <sup>2</sup>		20' x 22' x 1.00 =	440 ft <sup>2</sup>	
Second Floor	67.5 ft <sup>2</sup>	Second Floor	28' x 15' x 1.00 =	420 ft <sup>2</sup>	
Nonliving Area	80 ft <sup>2</sup>		36' x 0.50 =	175 ft <sup>2</sup>	
Closed Porch	36 ft <sup>2</sup>	Second Floor			
Open Porch	44 ft <sup>2</sup>				
Total Living Area (rounded):	1062 ft <sup>2</sup>				

**SUBJECT PROPERTY PHOTO ADDENDUM**

Borrower: ALLARD, John R. & Karin E.  
Property Address: 24 Burkitt Street  
City: Portsmouth  
Lender: HarborOne Mortgage, LLC

File No.: 180490  
Case No.: 40011003  
State: NH  
Zip: 03801



**FRONT VIEW OF  
SUBJECT PROPERTY**

Appraised Date: May 25, 2018  
Appraised Value: \$ 416,000



**REAR VIEW OF  
SUBJECT PROPERTY**



**STREET SCENE**



# SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: ALLARD, John R. & Karin E.	File No.: 180490
Property Address: 24 Burkitt Street	Case No.: 40011003
City: Portsmouth	State: NH
Lender: HarborOne Mortgage, LLC	Zip: 03801



Alternate Front View



Alternate Rear View



Alternate Street View



Kitchen



Alternate View



Dining



Living



Full Bath



Bedroom



Bedroom



Electrical Panel



Furnace



Rear Yard



Mixed Siding



Deteriorated Wood on Porch

Existing Porch Rot



Property Information

Property ID 0160-0023-0000  
 Location 24 BURKITT ST  
 Owner ALLARD JON R



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.

Parcels updated 01/04/2018  
 Properties updated 11/12/2018