

29 Burkitt St (FRONT)



LOT LINE WITH 21 BURKITT

Variances in question for this project:

New Proposed addition - Lot Coverage- the variance will be equivalent to the current 26 % coverage that we have including the deck. However, Ive been told that after tear down of the deck, we then need re-approval to go back to that same coverage. We are minimizing impact by staying in the current footprint and not asking for more lot coverage than that of our current structures.

New proposed addition - Mini Split Location within sideline setback- the new dual zone mini split would sit 8 feet from the abutting lot line and has been fully approved by the abutting neighbors.

“After the fact” existing Mini Split location within sideline setback- we have a preexisting mini split that I am informed was not approved as it was before the code changed. The project for that was fully approved and Peter suggested we ask for an “after the fact” variance for the existing mini split shown in the pictures. The existing unit sits at just 6 feet from the lot line and has been fully approved by the abutting neighbors

Description of Proposed Project

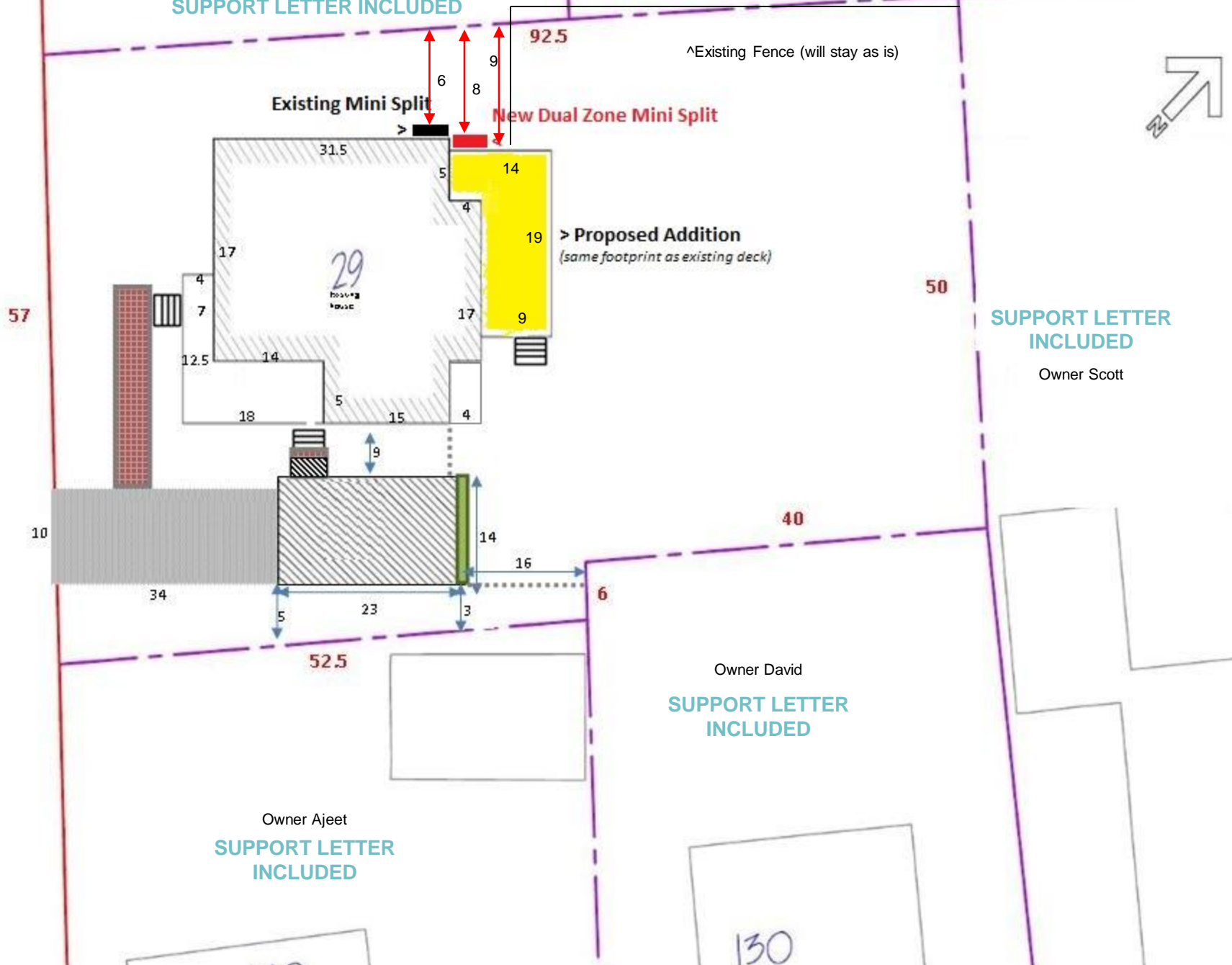
upon approval, we would like to remove the existing deck, which is not attached to the house. We would then like to dig roughly 4 feet down into the ground to enable a full slab floor with frost wall foundation. This foundation would join to the existing rock/brick foundation of the main house, but we do not plan to connect any doorways in through that existing foundation, at this time. We would have a legal sized opening that meets easement standard, which would be a metal rollup door at ground level on the exterior. This would have a ramp leading down into the new basement structure. On top of that foundation, we would build two stories up, with connection into the existing house via an existing doorway that currently leads onto the deck, and two windows on the second floor, which would become doors. These three openings are the only connections into the current house. As you will see by the plans for the first floor, we will build around the existing bump out. On the second level, access will be via a new hallway created by cutting the existing bedroom in half. This new hall would lead to the new rear bedroom on the second floor of the proposed structure. The new proposed addition would have a shed style metal roof that would terminate, at the highest point, just under the third-floor bath window that is pre-existing. For heating and cooling, a new dual zone mini split would be attached to the exterior of the house, on the west side facing 21 Burkitt st. This would be located near the existing mini split that we currently have for our third-floor master suite, built in 2017.

| Requirement | Explanation | Justification |
|---|---|---|
| <p>1.The variance is not contrary to the public interest</p> <p>2.The spirit of the ordinance is observed</p> | <p>The proposed use must not conflict with the explicit or implicit purpose of the ordinance, and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”</p> | <p>The variance is not contrary to public interest. The location on my property conforms to many other single family homes in the area and does not create any detriment to public health, safety, or welfare, or otherwise injure “public rights.”</p> <p>The spirit of the ordinance has been observed. The purpose of the ordinance is not to deter type of application.</p> |
| <p>3.Substantial justice is done</p> | <p>The benefit to the applicant should not be outweighed by harm to the general public or to the other individuals.</p> | <p>The benefit to me is not outweighed by harm to the general public because there is no harm to the general public or to the other individuals. I have the support of all surrounding neighbors as shown in the attached support letters.</p> |
| <p>4.The values of surrounding properties are not diminished</p> | <p>Expert testimony on this question is not conclusive, but cannot be ignored. The board may also consider other evidence of the effect on property values, including personal knowledge of the members themselves.</p> | <p>The values of surrounding properties will not be diminished. Many other similar properties have additions and home values have generally increased in the surrounding area. If anything, this added structure is an improvement and should increase the value of the surrounding properties as well as mine. I have had comps run against the new proposed square footage of my house to prove that my investment will be returned in the event of a future sale.</p> |
| <p>5.Literal enforcement of the ordinance would result in unnecessary hardship. Unnecessary hardship means:</p> <p>Because of special conditions of the property that distinguish it from other properties in the area:</p> <p>1.There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property; AND</p> <p>2.The proposed use is a reasonable one.</p> <p>Alternatively, unnecessary hardship means that, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance.</p> | <p>The applicant must establish that the property is burdened by the zoning restriction in a manner that is distinct from other similarly situated property.</p> <p>1. Determine the purpose of the zoning restriction in question. The applicant must establish that, because of the special conditions of the property, the restriction as applied to the property does not serve that purpose in a “Fair and substantial” way.</p> <p>2.The applicant must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood.</p> <p>As an alternative to A and B, the applicant can satisfy the unnecessary hardship requirement by establishing that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use that is permitted under the ordinance, this alternative is not available.</p> | <p>Because of the special conditions of the property that distinguish it from other properties in the area:</p> <p>1.There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property; AND</p> <p>2.The proposed use is a reasonable one.</p> <p>The property boundary line between 21 Burkitt st and 29 Burkitt angles towards 29 Burkitt as it runs from back yard to front street, unfavorably. This causes the 10 foot sideline setback to be just inside the limit for the structure, at 9 feet. The new mini split would be 1 foot inside of that since it bumps out from the building. The existing mini split is 6 feet, but has been in place for a few years and was an approved project prior to that approval requirement. Overall lot coverage will remain constant after removal of the existing deck and replacement of the new foundation footprint. I am doing my best to fit the proposed structure in a reasonable way, by reusing the same footprint. The addition will match the design features of the existing home and aspects of my surrounding neighbors to maintain the atmosphere of the community. This addition would allow me to have the same benefits that other homes already enjoy with larger footage for raising my young family.</p> |

BURKITT STREET
^SUPPORT LETTER INCLUDED
(across the street)

21 Burkitt St- owner Marianne
SUPPORT LETTER INCLUDED

SUPPORT LETTER INCLUDED



SUPPORT LETTER INCLUDED
Owner Scott

Owner David
SUPPORT LETTER INCLUDED

Owner Ajeet
SUPPORT LETTER INCLUDED

140

130

PROPOSED
ADDITION

Proposed Mini Split
(Dual Zone)
8 ft from line

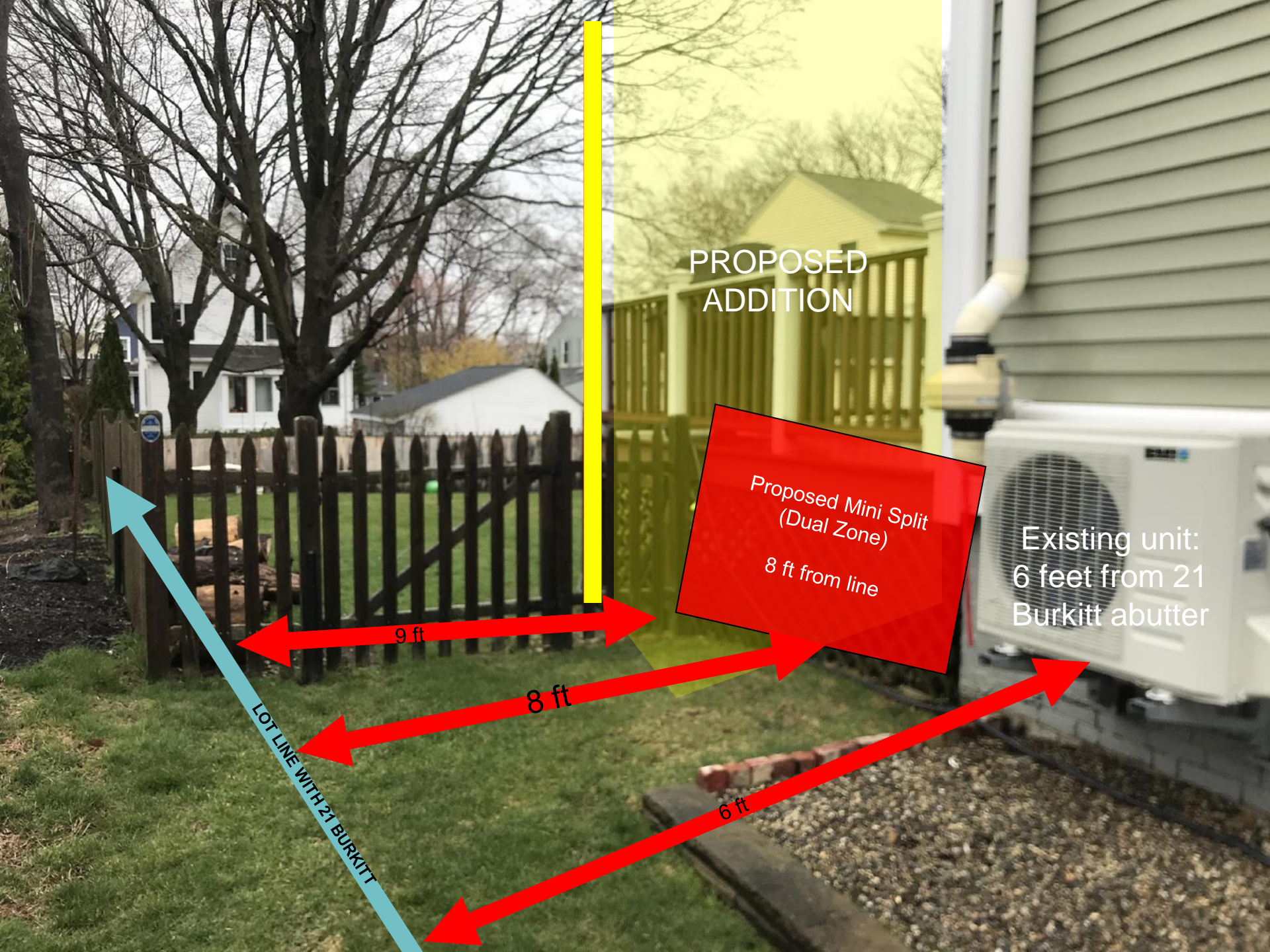
Existing unit:
6 feet from 21
Burkitt abutter

LOT LINE WITH 21
BURKITT

9 ft

8 ft

6 ft





PROPOSED
ADDITION

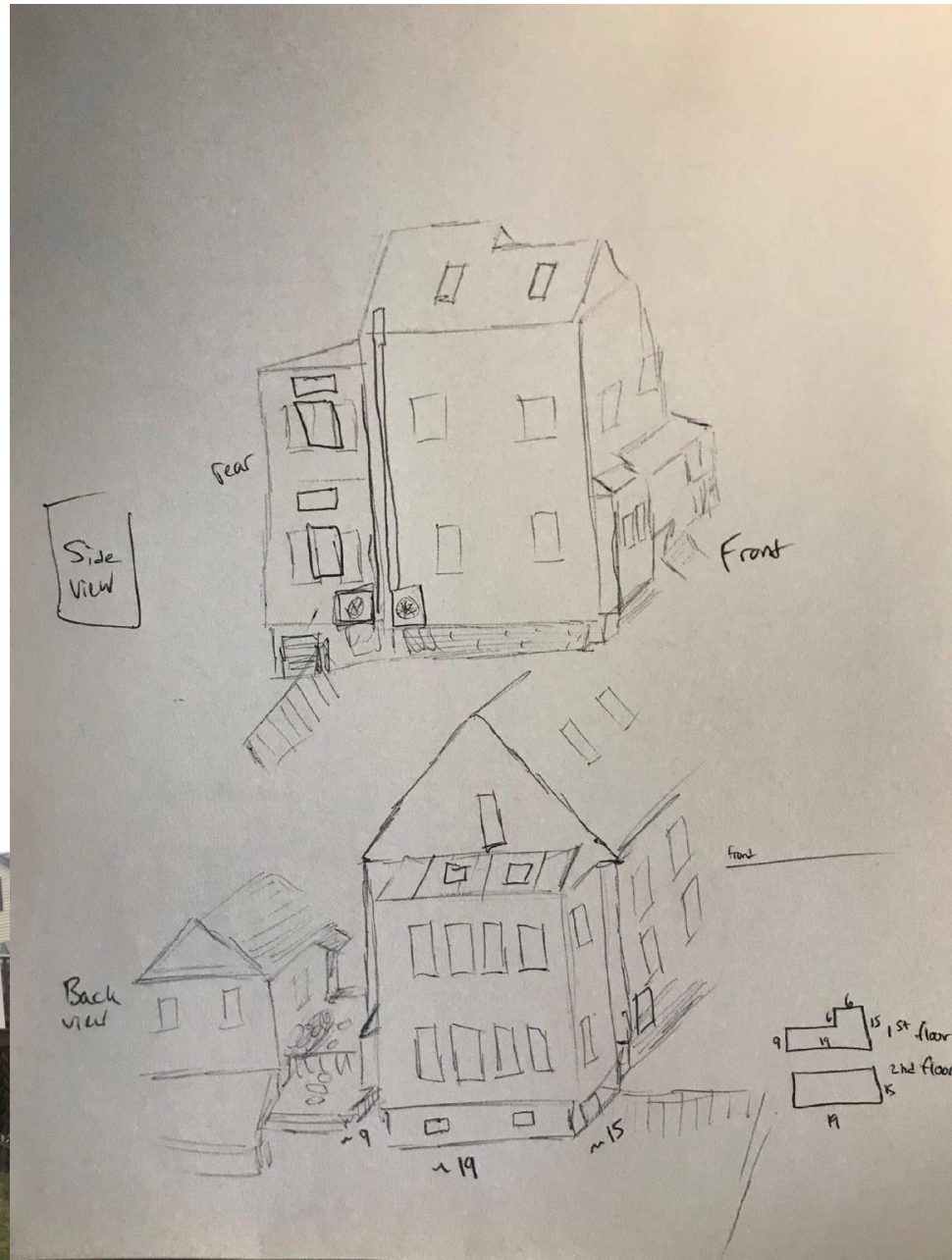
Proposed Mini Split
(Dual Zone)

8 ft from 21 Burkitt
abutter

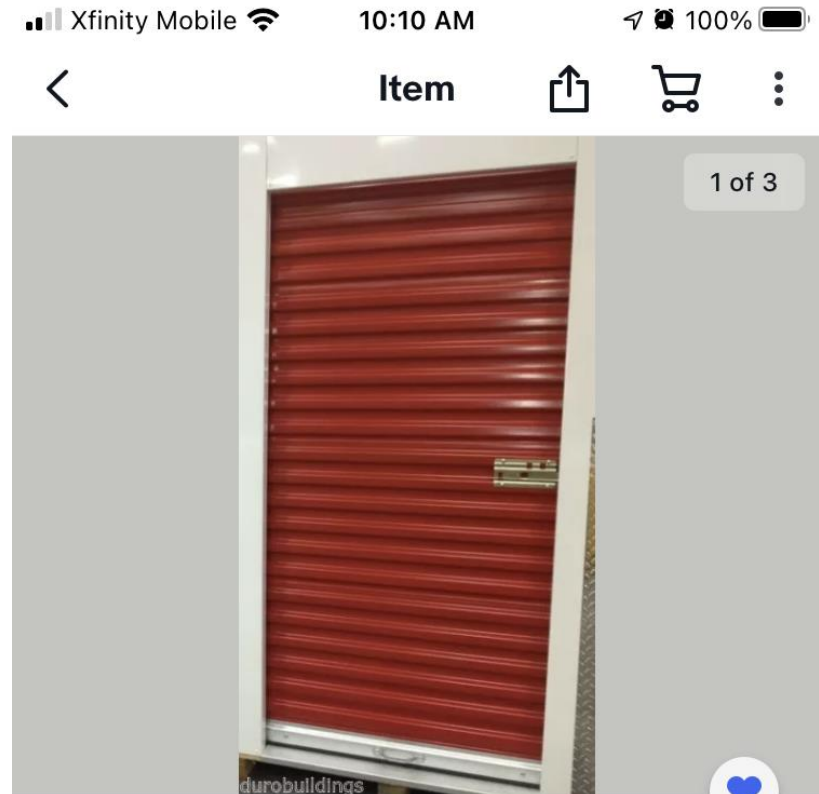
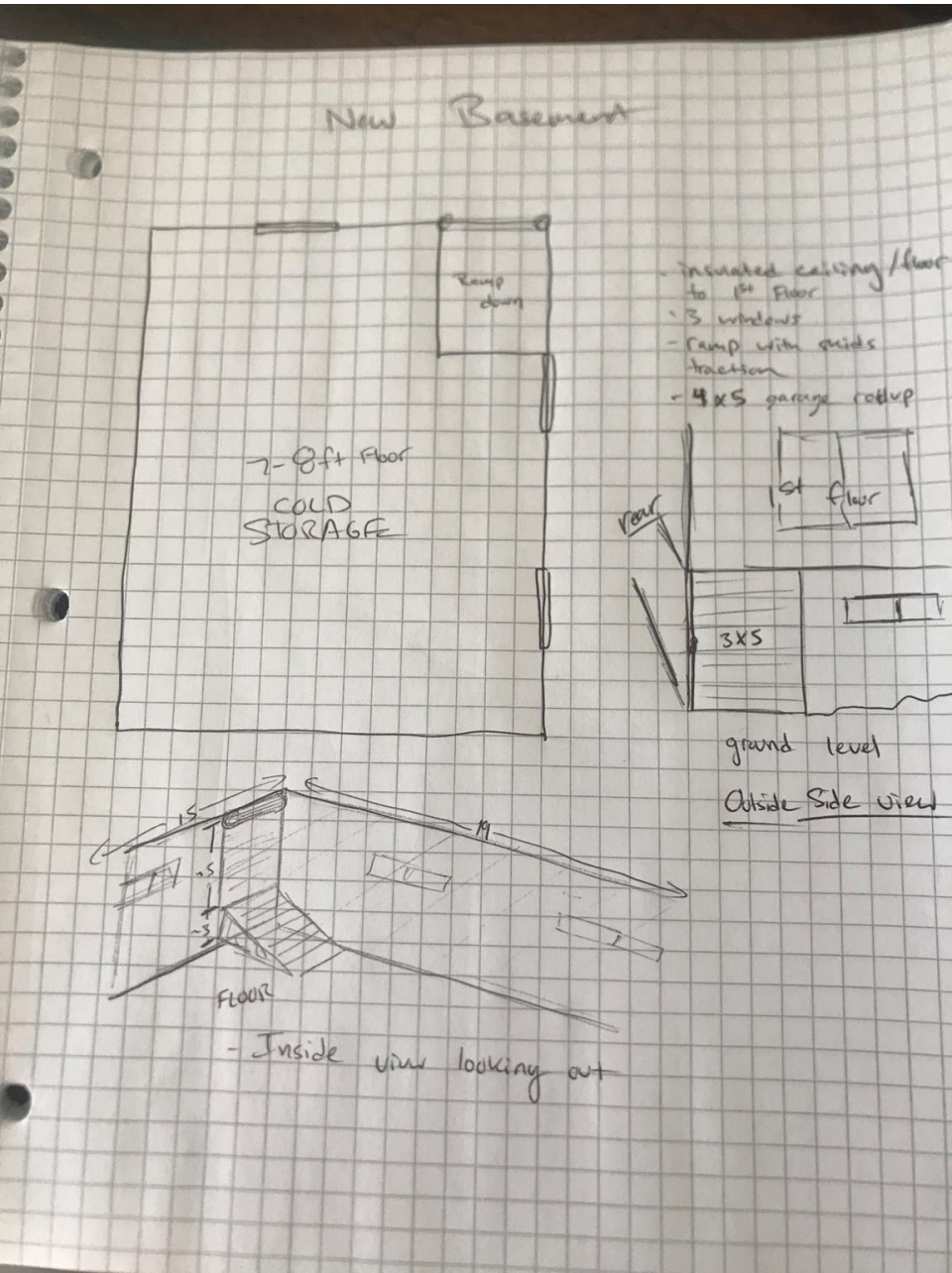
Exterior Proposed Addition



I-Verter Variable Speed Multi Zone Ductless Split Systems

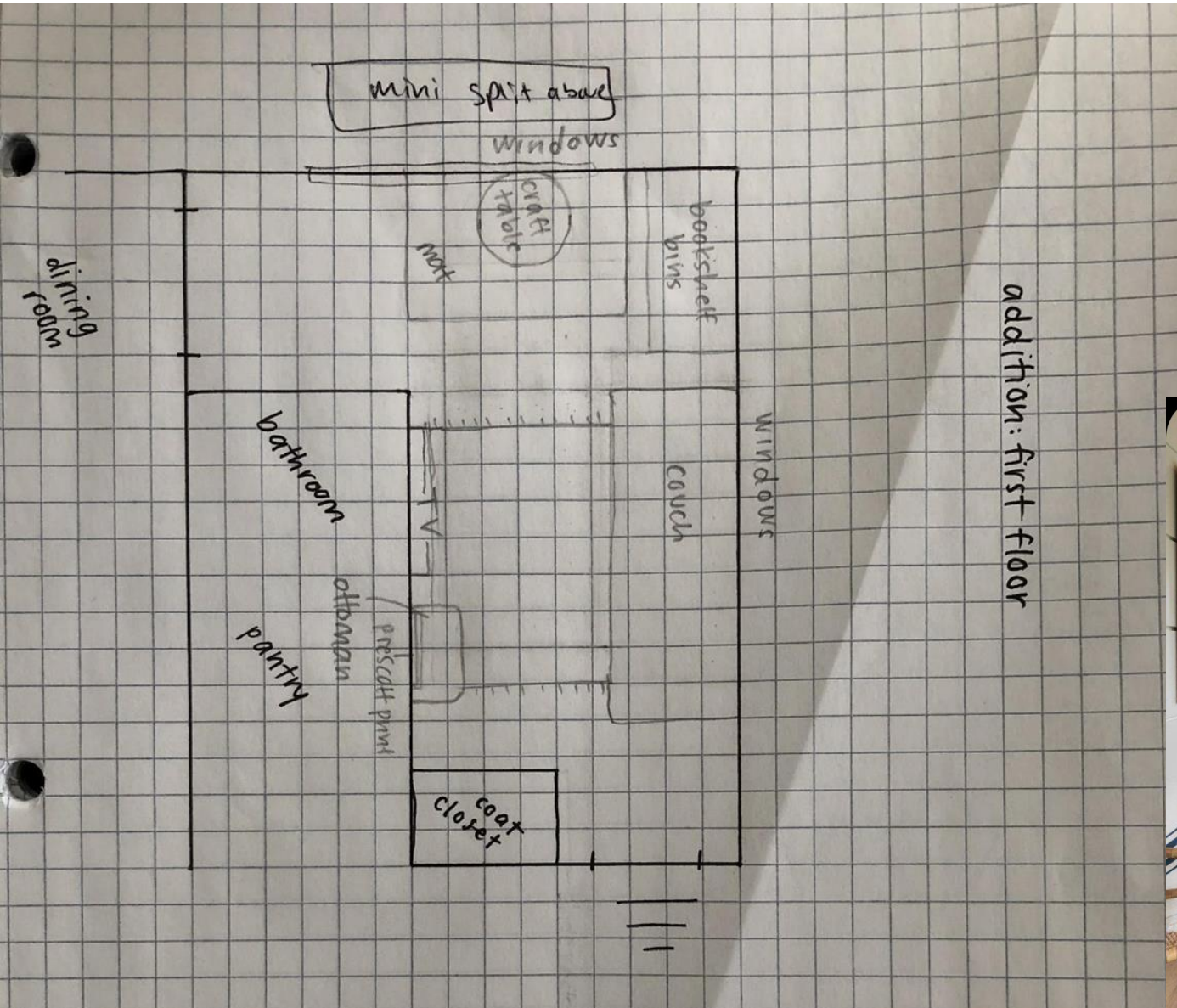


Basement

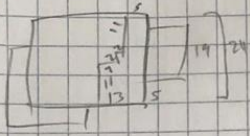


DuroSTEEL JANUS 3'x6'8" Metal Roll-up Door
650 Storage Series & Hardware DiRECT

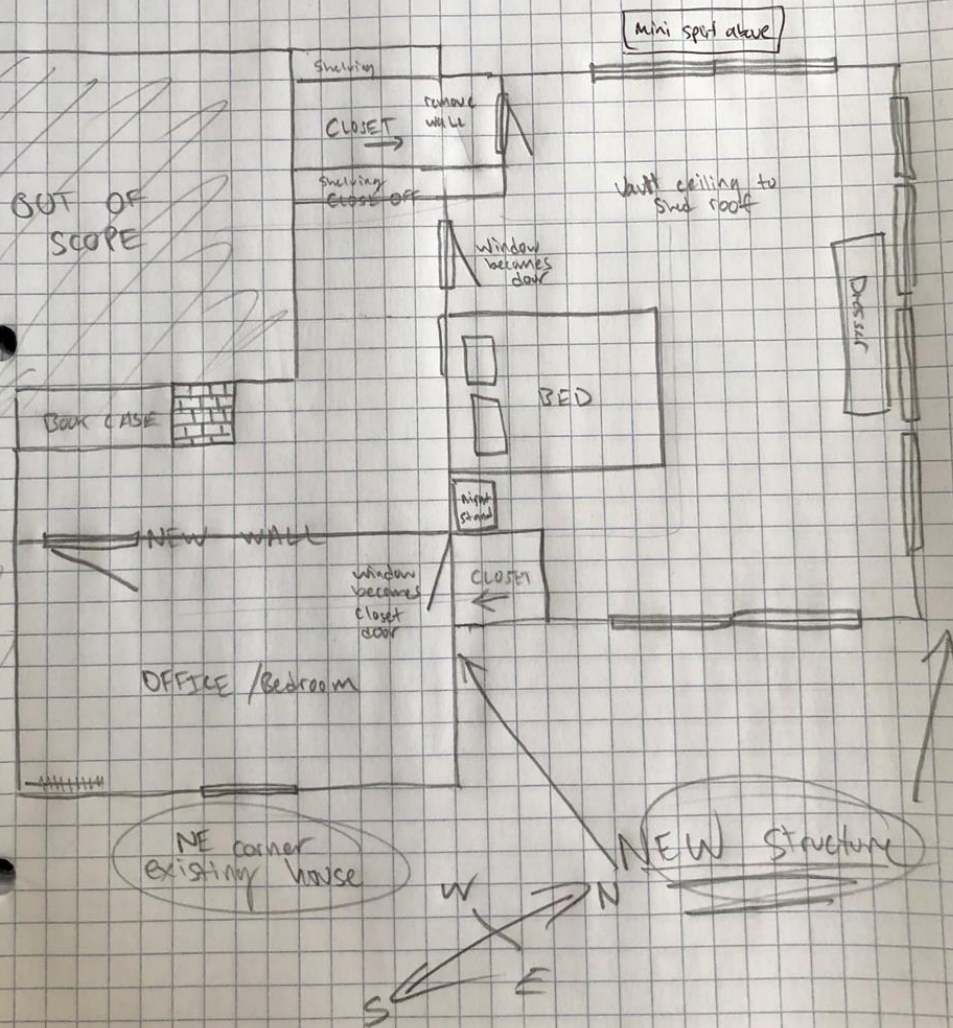
1st Floor



2nd Floor



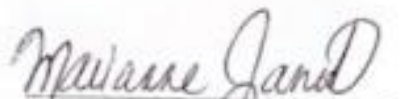
Addition 2nd FLOOR



April 21, 2021

Our neighbor, Mr. Thomas Penascovic of 29 Burkitt St, is interested in putting a two story addition in the spot of his existing rear deck space, adjacent to my property line. He has asked if we have any objection to this and if I can support him as he seeks a variance for this project. I have reviewed his plans and the placement of the proposed new structure and have found no objection. I am extending my support to his efforts.

Sincerely,



Marianne Jafik
21 Burkitt St, Portsmouth
(617-429-0920)

4/21/21

April 20, 2021

To Members of the Zoning Board of Adjustment, City of Portsmouth:

My name is David Loehwing, and I live at 130 Thornton Street in Portsmouth. My property line abuts 29 Burkitt Street, where our neighbor Mr. Thomas Penaskovic is interested in putting a two story addition in the spot of his existing rear deck space.

Mr. Penaskovic has asked if we have any objection to his planned two story addition and if we can support him as he seeks a variance for this project. We have reviewed his plans and the placement of the proposed new structure and have found no objection and would like to extend our support to his efforts.

Sincerely,

David Loehwing
130 Thornton Street
Portsmouth, NH 03801
603-427-0062

April 19, 2021

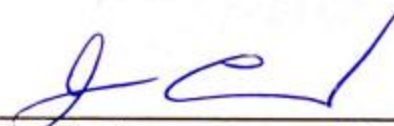
To Members of the Zoning Board of Adjustment, City of Portsmouth:

Our neighbor, Mr. Thomas Penaskovic of 29 Burkitt Street, is interested in putting a two story addition in the spot of his existing rear deck space, adjacent to our property line. He has asked if we have any objection to this and if we can support him as he seeks a variance for this project. We have reviewed his plans and the placement of the proposed new structure and have found no objection. We wholeheartedly would like to extend our support to his efforts.

Sincerely,



Karin Allard
24 Burkitt Street, Portsmouth
cell: 603-289-4000



Jon Allard
24 Burkitt Street, Portsmouth
cell: 617-947-2458

April 19, 2021

Dear Members of the Zoning Board of Adjustment, City of Portsmouth:

I recently learned that our neighbor, Thomas Penaskovic of 29 Burkitt Street is interested in putting a two-story addition in place of his existing rear deck, that would be adjacent to our property line.

He has asked if we have any objection to this and if we can support him as he seeks a variance for this project.

We have reviewed his plans and the placement of the proposed new structure. We have no objection and would like to extend our support to his efforts.

Sincerely,

Scott McDermott

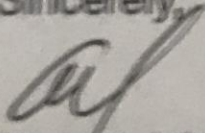
120 Thornton Street
Portsmouth
603-531-8001

April 26, 2021

To Members of the Zoning Board of Adjustment, City of Portsmouth:

Our neighbor, Mr. Thomas Penaskovic, of 29 Burkitt Street, is interested in putting a two story addition in the spot of his existing rear deck space, that would be adjacent to our property line. He has asked if we have any objection to this and if we can support him as he seeks a variance for this project. We have reviewed his plans and the placement of the proposed new structure and have found no objection and would like to extend our support to his efforts.

Sincerely,



Ajeet Jai Singh
140 Thornton Street
Portsmouth, NH 03801

508-688-9491