



June 22, 2021

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

RE: 145 Cabot Street, Map 145, Lot 88

To the Board of Adjustment,

Condominium President, Jason Stringer at the above referenced location are requesting a variance be approved for the construction of a wood framed shed within the rear and side setbacks of their property. The property is a 4-unit condominium.

Below is a list of the zoning variances that are being requested as well as reasoning why we believe the variance should be approved.

Zoning Sections Requesting a Variance:

10.573.20 Accessory Building Height-to-Setback

The proposed accessory structure (shed) is proposed to be located within the allowable rear and side setbacks as established by this requirement. The proposed structure has a footprint of 282 square feet with a roof overhang footprint of 356 square feet. The proposed height of the shed is 10.0'. To utilize an existing concrete slab on the property, the structure would be 7.7' (5.7' at overhang) to the rear property line and 8.3' (7.8' at overhang) to the side property line.

Variance Criteria:

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

The proposed structure is in keeping with the architectural style and scale of similar structures in the surrounding area. This is a previously unused portion of the lot. Neighbors at the rear and sides of the property have already constructed privacy fencing and have either sheds and/or garages within their setback requirements. We believe there would be no adverse effect on the public interest. The proposed structure does not conflict with the ordinance's basic objectives in that it is not contrary to the public interest or negatively impacts the public rights of others.

10.233.22 The spirit of the ordinance will be observed.

The proposed structure is located on the only portion of the property where such a structure can be constructed. The Ordinance allows for such a structure at this location if it were less than 100 square feet in area. 100 square feet may be adequate for a single-family residence, it is not adequate storage



for 4 units. The Ordinance would allow for 4 separate 100 square foot accessory structures, however we believe that would not fit the character of the neighborhood. The proposed structure averages 70.5sf per unit, which we believe meets the spirit of the Ordinance. The proposed structure is keeping with the character of the neighborhood and will not have a negative impact on public health, safety, or welfare.

10.233.23 Substantial justice will be done.

Properties in the neighborhood and surrounding area have either garages and/or sheds. Most of which are within the City regulated setbacks, including two properties that abut this property. This property currently does not have a shed where lawn tools, bikes, etc. may be stored in a secure fashion. By providing each of the condominium owners a safe location to store their outdoor belongings, the property would have no more advantages than the surrounding property and would not be harmful to the general public.

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

The proposed structure will allow the owners to properly store lawn tools, bikes and other outdoor equipment and keep them out of sight. The structure will be constructed with quality materials and have a clean appearance and contribute to a more organized space. Therefore, it is believed it would only have a positive impact on the values of surrounding properties.

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

The property is unique in that it is a 4-unit condominium with no outdoor storage. If dimensional relief is not granted, we believe this provides the owners with a hardship of keeping their outdoor belongings in a clean, safe and secure manner.



Conclusion

There may be other alternatives (such a four separate structures) that the ordinance would allow within 5' of the property line, but we believe our proposal is the best alternative that keeps with the spirit and maintains the character of the neighborhood while only having a positive impact to the neighbors and public.

Based on the above information provided, we respectfully request the Board of Adjustment approve the requested variance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mr. Batchelder".

Marc R. Batchelder, PE
Owner, Seaport Engineering, PLLC

Photo Log



Existing concrete slab at rear of property.



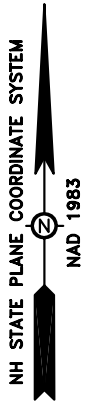
Existing concrete slab showing distance to rear property line (fence).



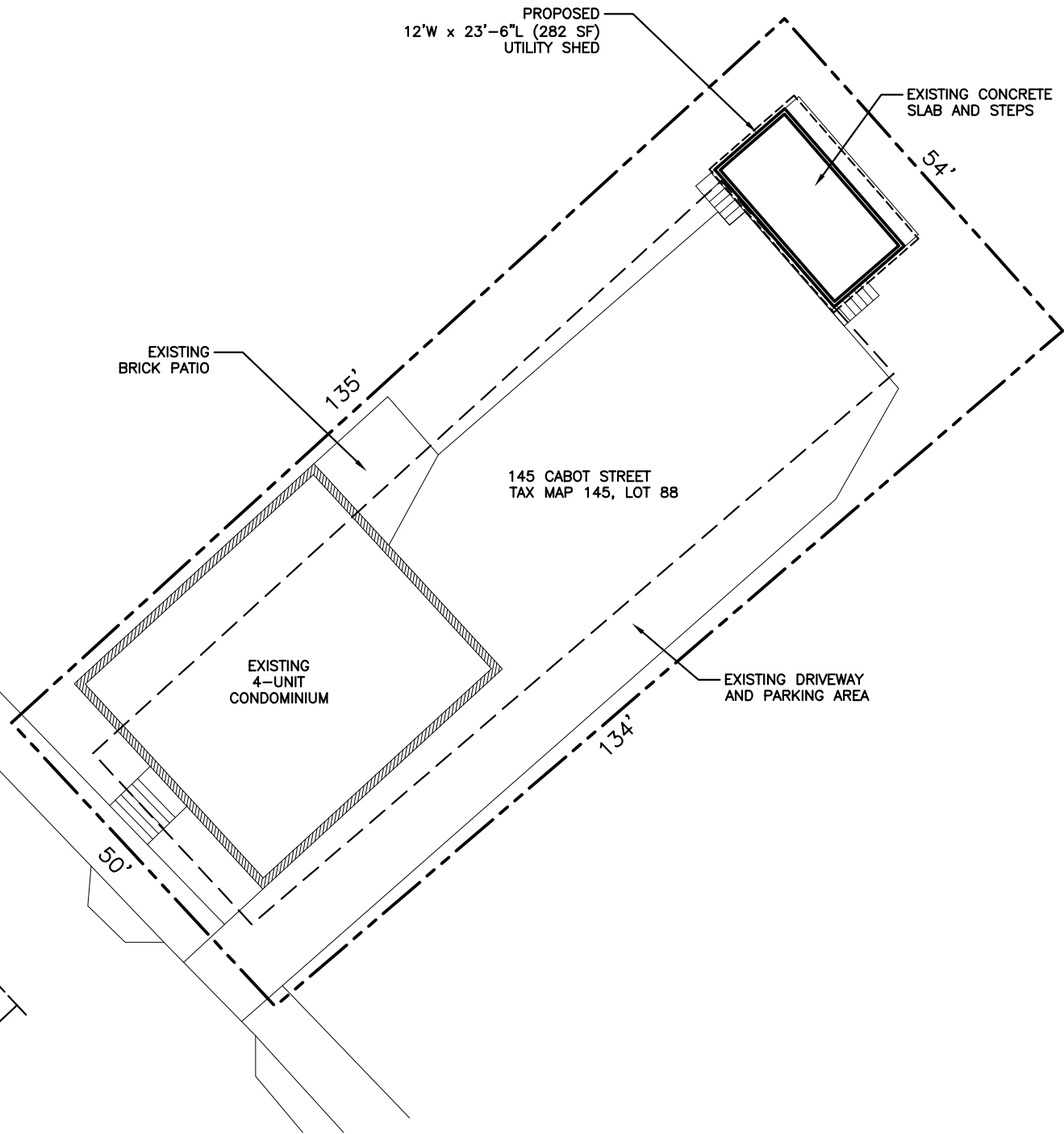
Existing concrete slab showing distance to side property line (fence).



Fish-eye view of existing concrete slab.



CABOT STREET



LEGEND:

	PROPERTY LINE
	SETBACK LINE
	EXISTING BUILDING
	EDGE OF PAVEMENT
	PROPOSED STRUCTURE w/ROOF OVERHANG

DIMENSIONAL REGULATIONS

ZONE: GENERAL RESIDENCE C (GRC)

LOT DESCRIPTION	REQUIRED	EXISTING	PROPOSED
MIN. LOT SIZE	3,500 SF	6,970± SF	6,970± SF
MIN. YARD SIZES			
FRONT	5'	9.2'±	9.2'±
SIDE	10'	1.6'±	1.6'±
REAR	20'	83.0'±	5.7'±
MAX. HEIGHT (SHED)	35'	N/A	10.0'
MAX. STRUCTURE COVER	35%	23.0%±	28.1%±
MIN. OPEN SPACE	20%	26.1%±	26.3%±

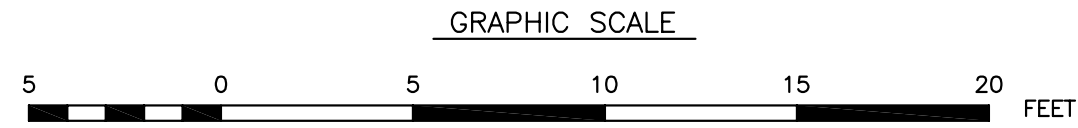
VARIANCES REQUESTED:
10.573.20 - ACCESSORY BUILDING IS GREATER THAN 100 S.F. AND NOT SET BACK FROM LOT LINE AT LEAST THE HEIGHT OF THE STRUCTURE.

NOTES:
1. PROPERTY LINES DETERMINED BY USING CITY OF PORTSMOUTH MAPGEO. PROPERTY WAS NOT SURVEYED.

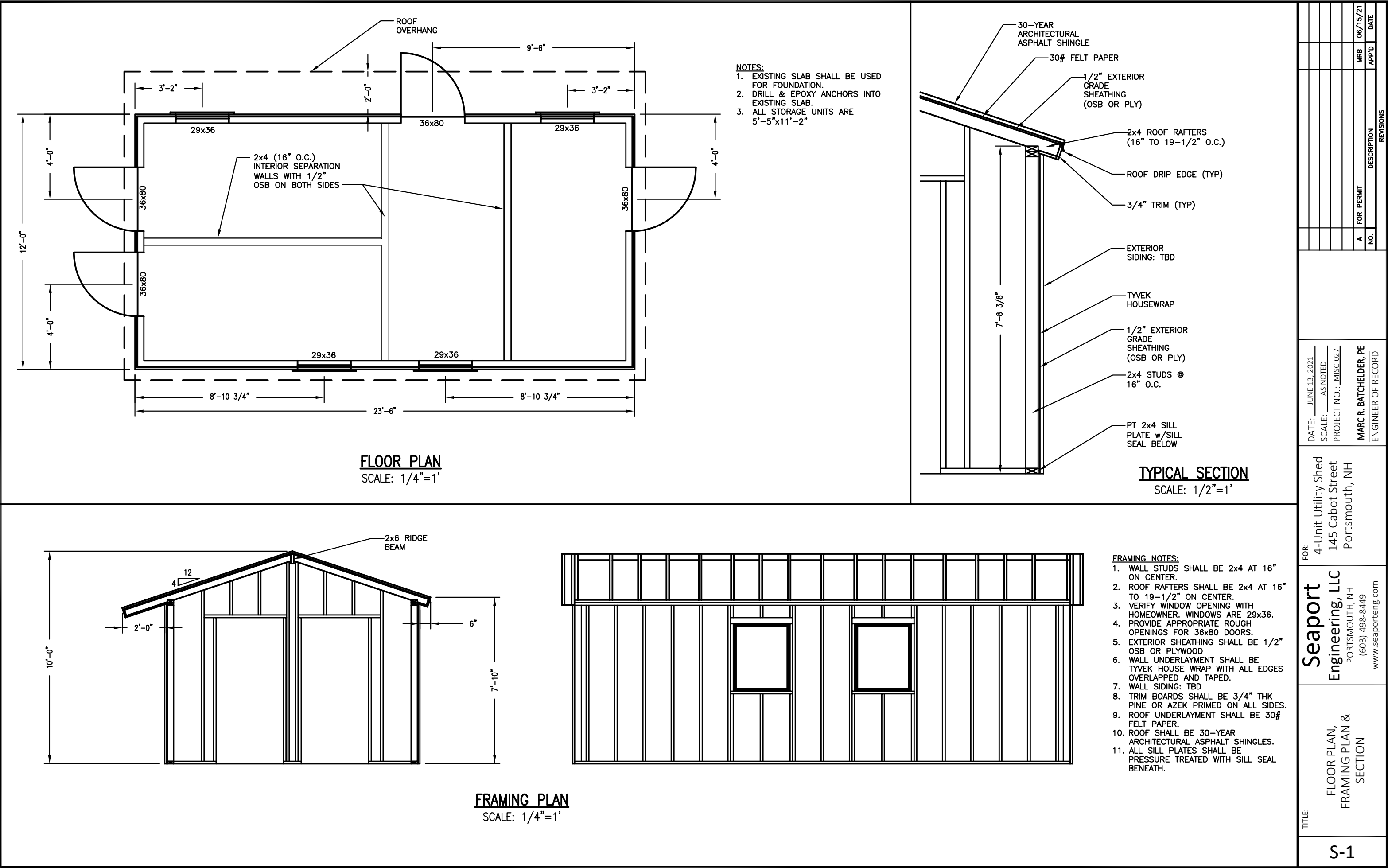
GRAPHIC SCALE



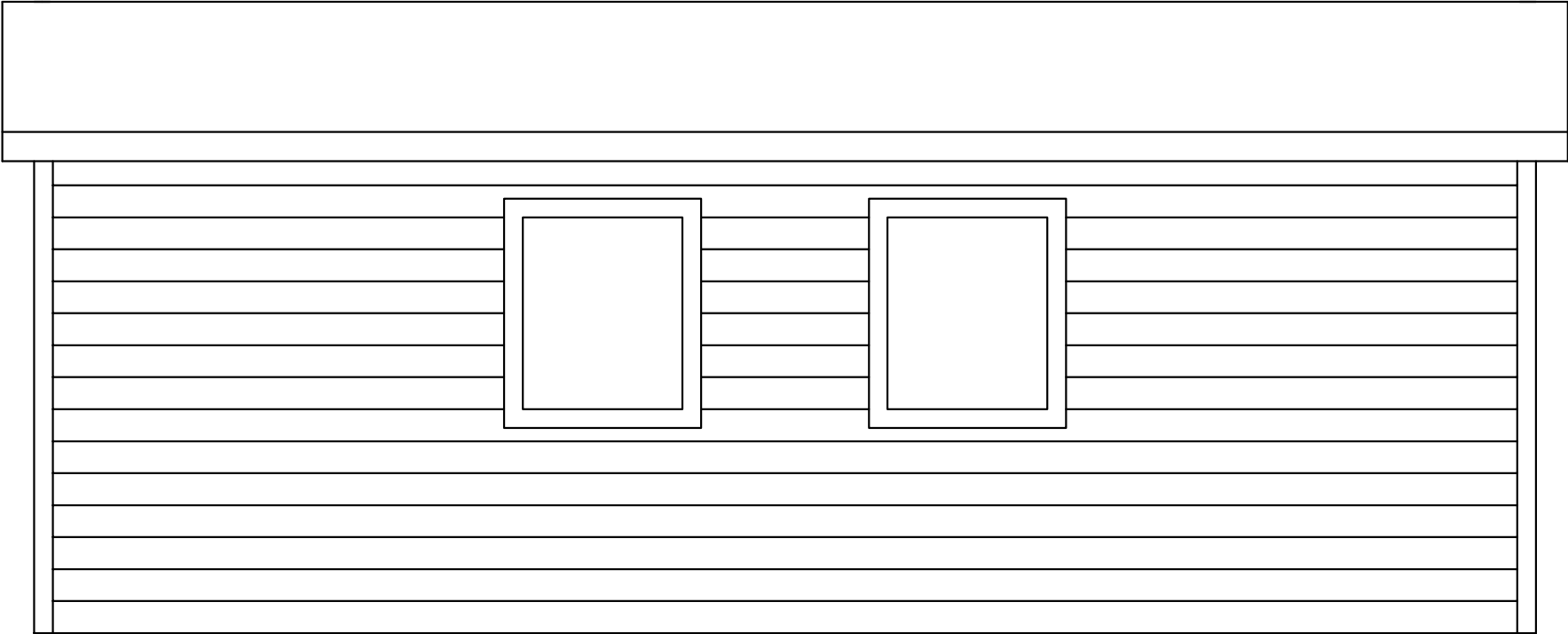
TITLE:	PROPOSED SITE PLAN	C-1	FOR: 4-Unit Utility Shed 145 Cabot Street Portsmouth, NH	DATE: <u>JUNE 13, 2021</u> SCALE: <u>AS NOTED</u> PROJECT NO.: <u>MISC-027</u> MARC R. BATCHELDER, PE ENGINEER OF RECORD																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															</
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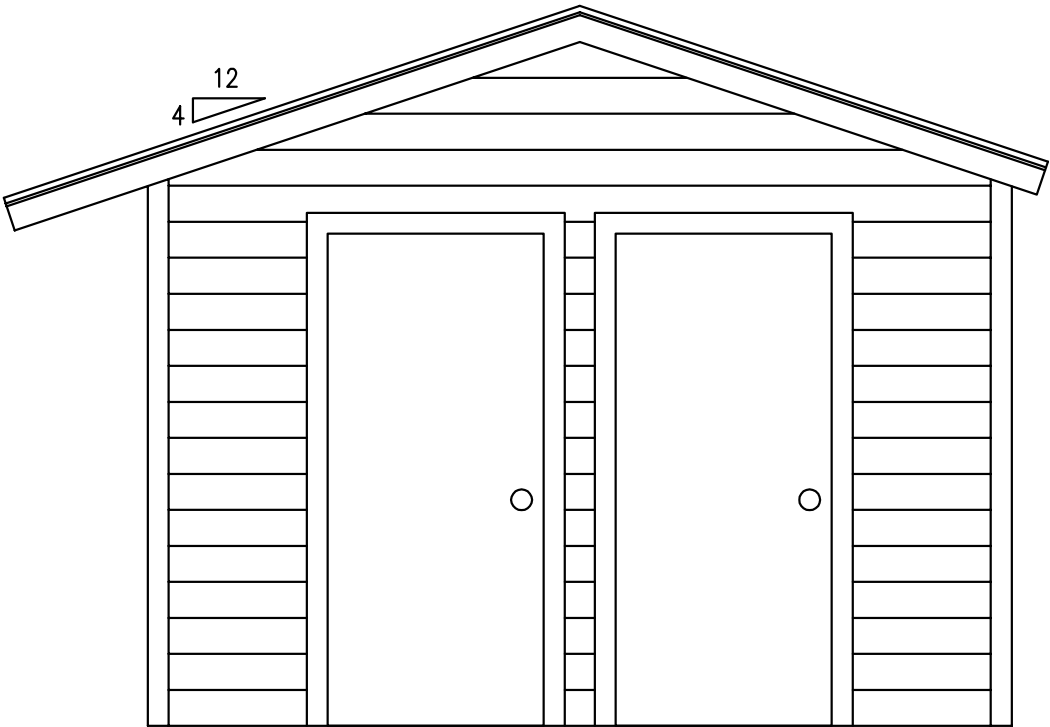
C-2	TITLE: DETAILED SITE PLAN	Seaport Engineering, LLC PORTSMOUTH, NH (603) 498-8449 www.seaporteng.com	FOR: 4-Unit Utility Shed 145 Cabot Street Portsmouth, NH	DATE: <u>JUNE 13, 2021</u> SCALE: <u>AS NOTED</u> PROJECT NO.: <u>MISC-027</u> <u>MARC R. BATCHELDER, PE</u> ENGINEER OF RECORD							
						A	DRAFT			MRB	06/14/21
						NO.		DESCRIPTION	APP'D	DATE	
REVISIONS											



TITLE: FLOOR PLAN, FRAMING PLAN & SECTION S-1	Seaport Engineering, LLC PORTSMOUTH, NH (603) 498-8449 www.seaporteng.com	FOR: 4-Unit Utility Shed 145 Cabot Street Portsmouth, NH	DATE: <u> JUNE 13, 2021 </u> SCALE: <u> AS NOTED </u> PROJECT NO.: <u> MISC-027 </u> MARC R. BATCHELDER, PE <u>ENGINEER OF RECORD</u>					
				A	FOR PERMIT		MRB	06/15/21
				NO.		DESCRIPTION	APP'D	DATE
				REVISIONS				



SOUTH ELEVATION
SCALE: 3/8"=1'



WEST ELEVATION
SCALE: 3/8"=1'

S-2	ELEVATION VIEWS	Seaport Engineering, LLC PORTSMOUTH, NH (603) 498-8449 www.seaporteng.com	FOR: 4-Unit Utility Shed 145 Cabot Street Portsmouth, NH	DATE: <u> JUNE 13, 2021 </u> SCALE: <u> AS NOTED </u> PROJECT NO.: <u> MISC-027 </u> MARC R. BATCHELDER, PE ENGINEER OF RECORD					
					A	FOR PERMIT		MRB	06/15/21
					NO.		DESCRIPTION	APP'D	DATE
					REVISIONS				