

53A Chevrolet ave variance narrative

My name is Douglas Howard and I'm applying for a fence variance.

My wife and I purchased 53A Chevrolet Ave in Oct 2024 and we were recently informed by the developer that he was notified by the City of Portsmouth that the side yard fence needs to be cut down to 4' to meet the fence restriction ordinance ZO-10515.13.

The property came with a 6' fence along the property lines on the backyard which is facing woods and the side yard which is facing Chevrolet ave.

Since the purchase of the property, we had a 5' fence installed from the end of the side yard fence to the midpoint of our house. The fence we installed faces the front of the house and has a setback of over 40' from the Private road.

As shown in the pictures attached, the house faces a private way and not Chevrolet ave. I understand that the City of Portsmouth does recognize private streets and therefore should recognize that the front of a house can be viewed as facing a private street.

We've been informed that the city uses the street address when determining the front of the house and not the actual orientation of the structure, but in this instance, we believe this does not meet the intent of the ordinance.

If the fence needs to be cut down to 4', we'd lose our private yard. The other option the ordinance provides is moving the fence so there's a 15' set back but that option would severely shrink the size of the yard, and it would be worse than cutting the existing fence.

Enforcing this ordinance, in this application, would not benefit the city, abutters, or other neighbors, and would only hurt our property value and the usage of our yard.

We agree with this ordinance in the intent and spirit that it was written but we do not believe that this situation meets either the intent or spirit.

Thank you for your consideration,

Douglas Howard

53A Chevrolet ave

Variance Criteria for Approval with responses

53A Chevrolet ave Portsmouth

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

The fence is on my property and is approx. 11' off the street on one end and 7' on the other end and will not be contrary to public interest. There are several trees and bushes growing between the fence and the street.

10.233.22 The spirit of the ordinance will be observed.

The spirit of ordinance ZO 10.515.13 is to restrict the fence height in front of the house to 4' unless there's a 15' set back. In this instance, the front of the house is on a private road and the fence in question is on side of the house.

10.233.23 Substantial justice will be done.

Since the actual front of the house is facing the private street and not Chevrolet Ave, I believe justice will be done by approving this variance.

10.233.24 The value of surrounding properties will not be diminished.

Approval of this variance will not diminish the values of any surrounding properties.

The fence is facing a busy street and a commercial building on the opposite side of the street.

10.233.25 The literal enforcement of the provisions of the ordinance would result in unnecessary hardship.

The enforcement of this ordinance does not meet the intent of which it was written and would transfer a private backyard into a yard that is visible to anyone walking or driving down Chevrolet ave and in return diminishing the value of the home.


To Whom It May Concern,

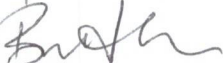
We, Joe and Barb Abdoo, the owners of the property at 53B Chevrolet Ave, have been informed of the variance request for the existing 6' fence along Chevrolet Ave to remain as is, by Pam and Doug Howard of 53A Chevrolet Ave.

The 6' fence in question is on our neighbor's property which is located adjacent and attached to our home. The specific reason for this request is to maintain their privacy and security, which a variance is required due to the height, location, and the city's interpretation of the front of the house.

We have reviewed the situation with Pam and Doug Howard, the owners of 53A Chevrolet Ave, and have no objection to them maintaining their fence as is and support the variance approval.

Sincerely,

Name:  (Joseph R. Abdoo)

Name:  (Barbara J. Abdoo)

Address: ~~51~~B Chevrolet Ave
53

To Whom It May Concern,

We, John and Sherri St. Lawrence, the owners of the property at 51A Chevrolet Ave, have been informed of the variance request for the existing 6' fence along Chevrolet Ave to remain as is, by Pam and Doug Howard of 53A Chevrolet Ave.

The 6' fence in question is on our neighbor's property which is located across from our home. The specific reason for this request is to maintain their privacy and security, which a variance is required due to the height, location, and the city's interpretation of the front of the house.

We have reviewed the situation with Pam and Doug Howard, the owners of 53A Chevrolet Ave, and have no objection to them maintaining their fence as is and support the variance approval.

Sincerely,

Name: *John St Lawrence*

Name: *Sherri St. Lawrence*

Address: 51A Chevrolet Ave

To Whom It May Concern,

We, David and Christina ^{Lusky} ~~Burns~~, the owners of the property at 51B Chevrolet Ave, have been informed of the variance request for the existing 6' fence along Chevrolet Ave to remain as is, by Pam and Doug Howard of 53A Chevrolet Ave.

The 6' fence in question is on our neighbor's property which is located across from our home. The specific reason for this request is to maintain their privacy and security, which a variance is required due to the height, location, and the city's interpretation of the front of the house.

We have reviewed the situation with Pam and Doug Howard, the owners of 53A Chevrolet Ave, and have no objection to them maintaining their fence as is and support the variance approval.

Sincerely,

Name:

David Burns

Name:

Christina Lusky

Address: 51B Chevrolet Ave





53
A

WESLEYAN
COLLEGE









