Date: 6/11/19

Profile Homes NH 953 Islington St, Unit 22C Portsmouth, NH 03801 603-433-2464

**Portsmouth Planning Department** 

RE: 202 Court St Board of Adjustment Application

Dear members of the Zoning Board of Adjustment:

Attached is the application for Variance relative to the above-referenced property. We have submitted the online portion of the application and twelve (12) copies of the following materials have been hand delivered for your review:

- Request for Granting a Variance
- Conceptual Plans/ Architectural Documents
- Survey Plans by Ambit Engineering
- Photograph Exhibits

We are seeking zoning relief for the following variance's specific to the City of Portsmouth's ordinances:

- A) From section 10.515.14 to allow a  $8'\pm$  setback where 10' is required for a mechanical system.
- B) From section 10.1113.20 to permit parking between a principal building and a street
- C) From section 10.5A41.10A, to allow for minimum lot area per dwelling unit of 1,400± s.f. where 3,000 s.f. is required.
- D) From Section 10.1114.32(a) to allow vehicles entering and leaving parking spaces to pass over another parking space or require the movement of another vehicle.

#### Introduction:

The property is located in the CD4-L1 zoning district within downtown. It is commonly known as the Wright Baker Auto Garage for the last 90 years, but for many others, the original Portsmouth Fire station prior to the current Portsmouth fire station built in 1920.

The proposed improvements to the site consist of converting the building from an existing auto mechanic garage with approved residential living above and into a 3 family condominium. Upon complete review of the plans in order to work within the restrictions of the variance relief, the previously stated relief is requested in order to promote the health, welfare and safety of the building from how it remains in its current state.

The building was purchased by the current ownership and management group with the intention of restoring the firehouse in such a way that would bring added life to the building in and that



acknowledges its original purpose for the city.

Many other landmarks in the city that have lost their historical value such as this are normally subject to teardown. In the current state of required structural disrepair, and although an argument could be made that this building would qualify for that and may also take advantage of more of the footprint of the building lot in order to expand the structure, it is not a distraction to the ownership team in order to attempt to create a building more subject to mixed use.

Due to the nature of the ordinances of the city, the ownership determined that the best use of this building would be to establish it solely as a residential structure.

We could avoid coming before this board if we maintained the use of this structure as a garage/commercial space with a sole residence on the 2<sup>nd</sup> story. This does not appear to be its best use as we see it as there is little to no need for homes that are above 4500sqft in the downtown district. We feel that the improvement of the structure to custom residential units is in the best interest of the city, the history of the building and its ability to be able to be continuously maintained.

#### **Explanation of Requested Relief:**

Requirement #1 – The variance is not contrary to the public interest. Requirement #2 – The spirit of the ordinance is observed.

As has been determined by this board for many that have come before it in determining whether granting a variance would be contrary to the public interest and if it is consistent with the spirit and intent of the ordinance, the ZBA may consider these two criteria together. In the following Paragraphs I will outline the information to the board about why we feel as though the variance relief exception would be justified in this case.

<u>Parking Relief:</u> It is our feeling that since the variance relief requested will improve the parking from how the city saw its previous use to a more structured layout. Further, the building has enough garage parking in order to avoid the request entirely. However, since the intention of the building and its use will change, it should also take advantage of the opportunity to organize itself for off street parking. With regards to the rear unit, the city and the ownership have previously improved the garage as a parking space for and by notation on item 10 of the site plan corresponding to an agreement with the city for use of using this right of way between 202 Court St and the current fire station.

Building Improvements relief: It is our feeling that since the plan is to accommodate remodeling the structure within the complete footprint of the existing approved location instead of expanding the structure to house any utilities this is a preferred use Regarding the allowable dwelling units per lot covered we feel as though the spirit of the ordinance is observed on multiple levels, including that this structure sits at the boundary of the district at which this use would be permitted as well as the ability for 3 units in this case to preserve this structure as a landmark for lifetimes to come will allow for the best use of the building, nor does this requested relief create a new standard for which the city would have to follow in future. The benefits of replacing the structure with one built to code protects the health, welfare and improvement far outweighs any concerns of public interest, as we see it. In addition our new design and use reduces traffic to this location if it were to remain a mixed use building and will intentionally improve the overall safety of an area known for foot traffic.



To not grant a variance relief in this case will result in exceeded cost to the client to rehab the building where is stands which is unsuitable for a standard single family size home.

The loss to the not being able to construct this as a 3 family residence on this property is not offset by any gain to the interest of the public.

Additionally, to maintain the character found in other residences in this part of the town we have worked extensively with the historic district, favorably, in order to accommodate the goals for its restoration. It is designed this way to remain tasteful to the surrounding properties and character of the nieghborhood.

3- By granting the Variance, substantial Justice will be done:

Approval of this will not in fact create a standard which has not already been set in this area of the city, primarily in relation to improvements of the existing structures that surround it. Denial of this would in fact promote further traffic of maintaining the building as a mixed use structure.

4- The Granting of the Variance Relief will not result in diminution in value of the surrounding properties:

It is our sole intention to preserve and improve the structure as it stands on both the interior and exterior of the property for generations to come. The property rests in a prominent section of the city and as such should be improved in such a way that promotes its legacy.

By organizing the parking and improving the structure by bringing the building up to all codes and already having removed all the hazardous materials from its previous use, this should be seen as an already improvement to the surrounding properties and the city as a whole.

The improvements made to the new plan in the footprint is attractive to help improve the resale value of the surrounding properties without effecting their suggested value by the town. It has been designed to be tasteful matching its historical value based on our feedback from the HDC.

Approval for this structure would not harm the value nor will it set a tone at which the city would be establishing or required to follow in future and falls within the spirit of the ordinance, in our opinion.

5- Literal Enforcement of the Provision(s) of the ordinance would result in unnecessary hardship:

A hardship of maintaining the existing structure as it stands presents hurdles if kept as a single family residence and a commercial space on the street level. In this case, the hardship is shared by the owner and the city in the fact that the maintenance, improvement for public safety and the potential traffic flow in and out of the building where a public safety building stands as its neighbor should be seen as a general and significant opportunity to the city.





# FIREHOUSE CONDOS

PROFILE HOMES
NET-2:80 EVERY BUILDING wars proliferoneselector Pre 603-765-6148

202 COURT ST., PORTSMOUTH, NEW HAMPSHIRE

## DRAWING INDEX

# ADDITION/ REMODEL

#### ARCHITECTURAL:

TITLE SHEET

AB-1.0 EXISTING 1ST FLOOR PLAN

AB-1.1 EXISTING 2ND FLOOR PLAN

AB-2.0 EXISTING ELEVATIONS

AB-2.1 EXISTING ELEVATIONS

A-1.0 FIRST FLOOR PLAN

A-1.1 SECOND FLOOR PLAN A-1.2 THIRD FLOOR PLAN

A-2.0 ELEVATIONS

A-2.1 ELEVATIONS



## **CONSULTANTS**

ARCHITECTURAL DESIGNER: IEREMY SHEAFF

PH: 603-793-8431

STRUCTURAL ENGINEER:

ATTAR ENGINEERING LEW CHAMBERLAIN PH: 207-439-6023

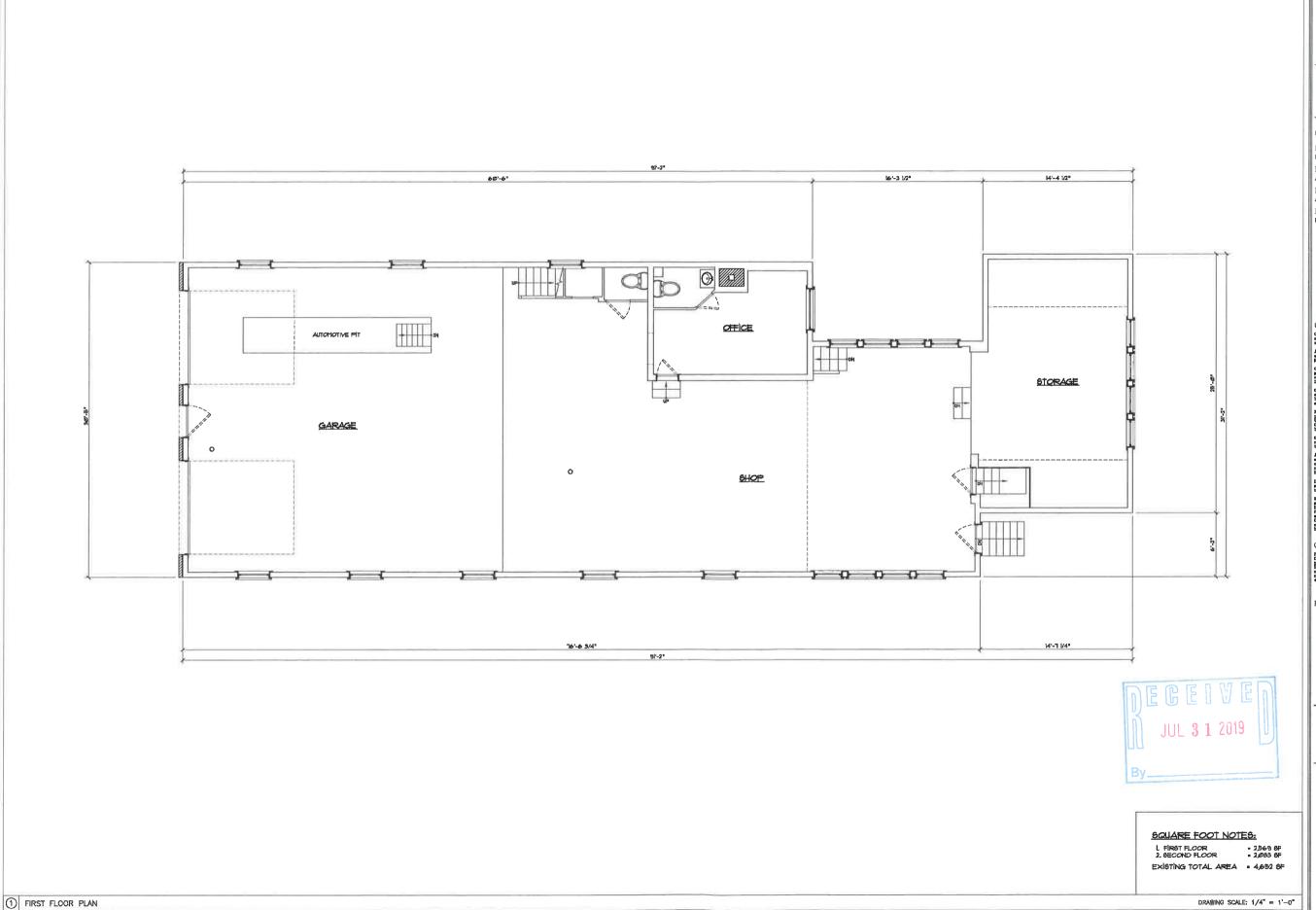




NET-ZERO ENERGY BUILDING www.profilehomesnh.com Ph: 603-765-6648



ISSUED FOR DESIGN#4 MAY 30, 2019





# FIREHOUSE CONDOS

ISSUED DATES & REVISIONS:

ISSUED FOR DESIGN #1
MARCH 13, 2019
ISSUED FOR DESIGN #2
APRIL 10, 2019
ISSUED FOR DESIGN #3
APRIL 25, 2019

ISSUED FOR DESIGN #4 MAY 30, 2019

GENERAL NOT

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Drawings shall not be scaled for dimensions and/o press, Froile Homes agrumes no responsibility for the of incorrect scale.

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COPYRIGHT NOTE:

Profile Homes, expressfy reserve the Germon. Copyrights and other Property Rights in Lasse plans, These drawings are the property of Pro-Homes, and shall not be reproduced in any manner, mar are they to be assigned in any manner, without first obtaining the expressed strilless parentsjon and conjent of Profile Home.

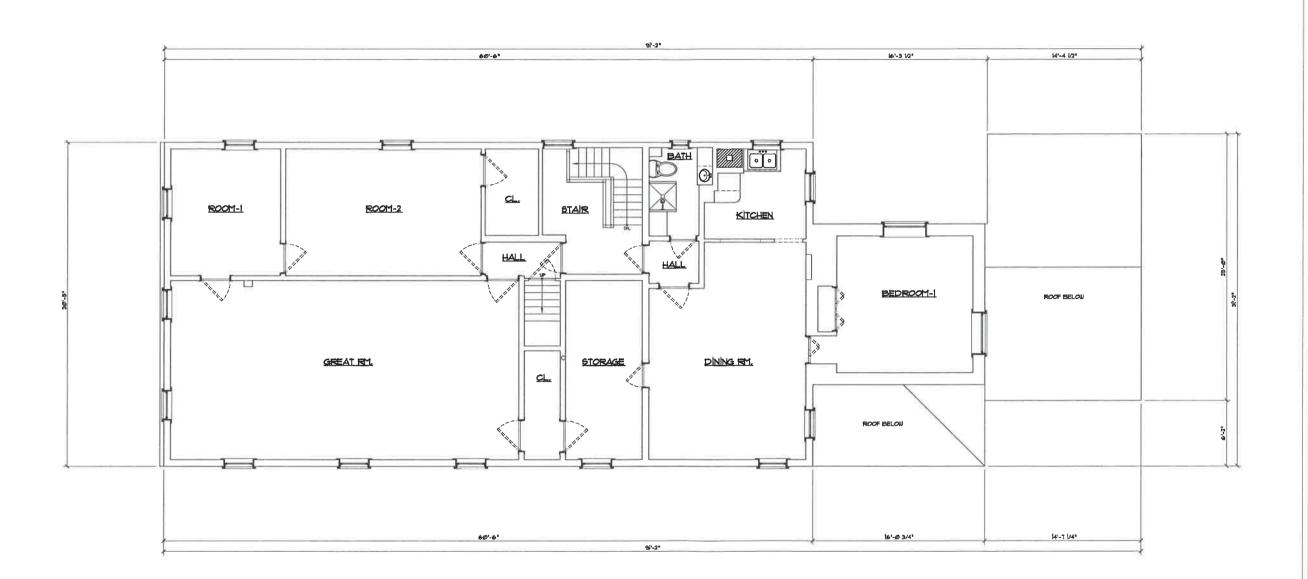
REGISTRATION:



## EXISTING FIRST FLOOR PLAN

JOB NUMBER: N/A
DRAWN BY: Jeremy Sheaff
CHECKED BY: Matt Silva

AB-1.0







#### FIREHOUSE CONDOS

ISSUED DATES & REVISIONS:

ISSUED FOR DESIGN #1 MARCH 13, 2019

ISSUED FOR DESIGN #2 APRIL 10, 2019

ISSUED FOR DESIGN #3 APRIL 25, 2019

ISSUED FOR DESIGN #4 MAY 30, 2019

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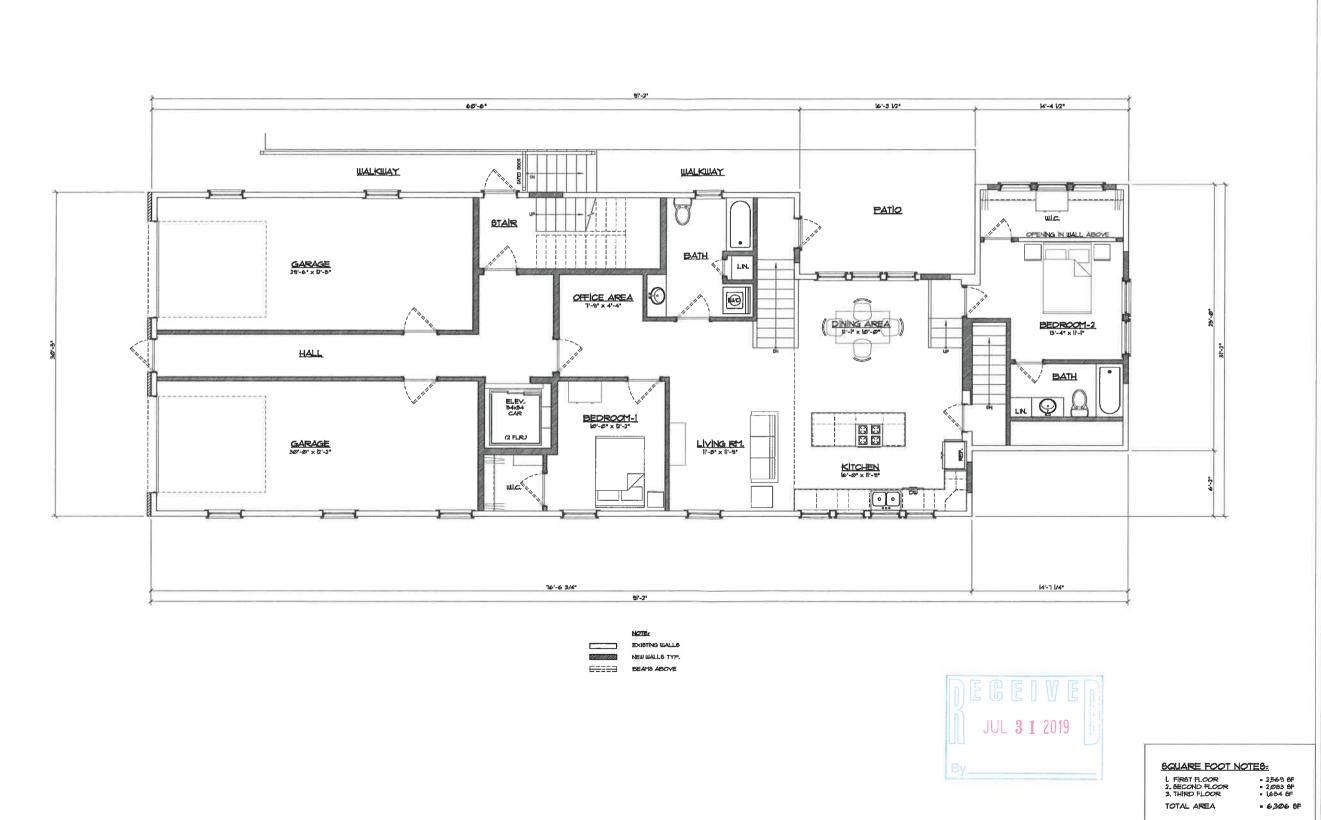
## **EXISTING** SECOND FLOOR PLAN

ISSUE DATE: 5/30/19 DRAWN BY: Jeremy Sheaff CHECKED BY: Matt Silva

AB-1.1







1 FIRST FLOOR PLAN



#### **FIREHOUSE** CONDOS

ISSUED FOR DESIGN #1 MARCH 13, 2019

ISSUED FOR DESIGN #2 APRIL 10, 2019

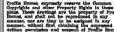
ISSUED FOR DESIGN #3 APRIL 25. 2019

ISSUED FOR DESIGN #4 MAY 30, 2019

GENERAL NOTES:

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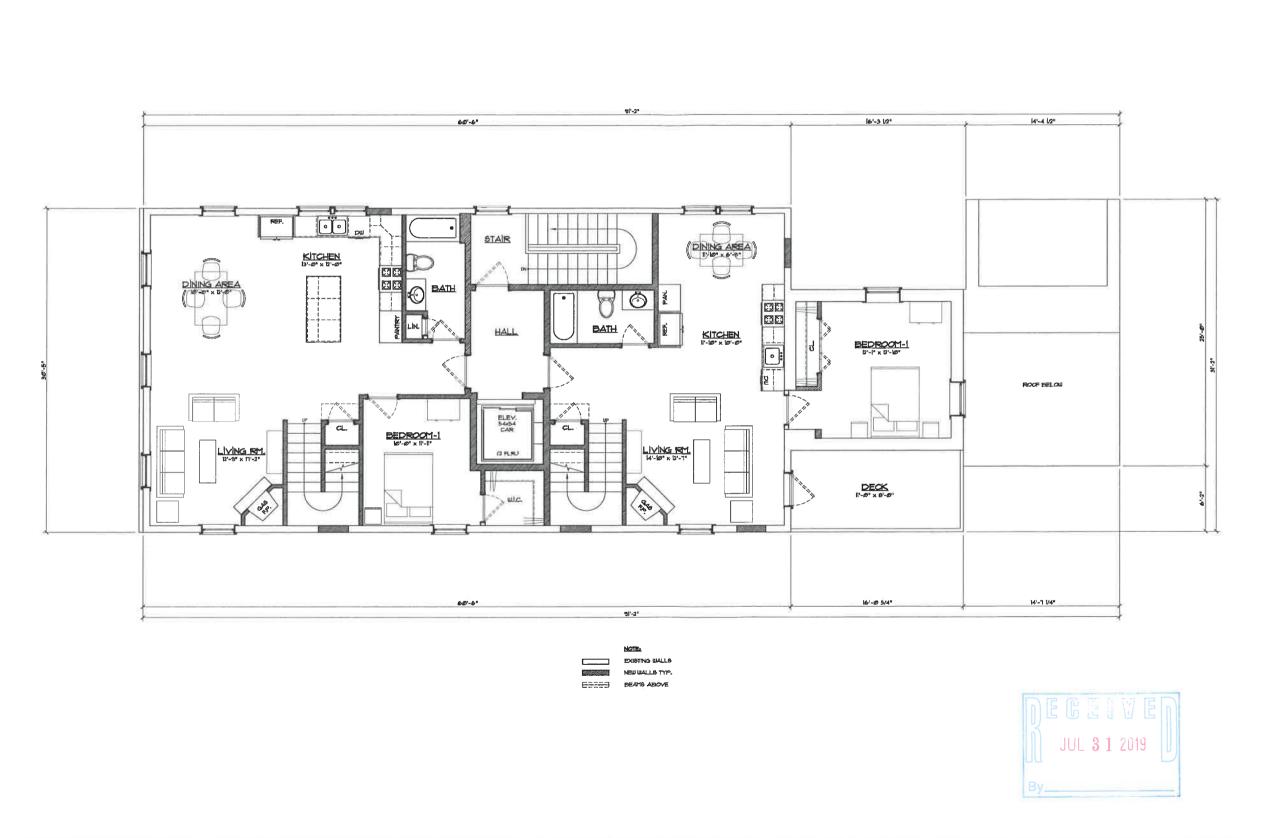


#### **FIRST** FLOOR PLAN

JOB NUMBER: N/A DRAWN BY: Jeremy Sheaff CHECKED BY: Matt Silva

A-1.0

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





#### FIREHOUSE CONDOS

ISSUED FOR DESIGN #1 MARCH 13, 2019

ISSUED FOR DESIGN #2 APRIL 10, 2019

ISSUED FOR DESIGN #3 APRIL 25, 2019

ISSUED FOR DESIGN #4 MAY 30, 2019

GENERAL NOTES:

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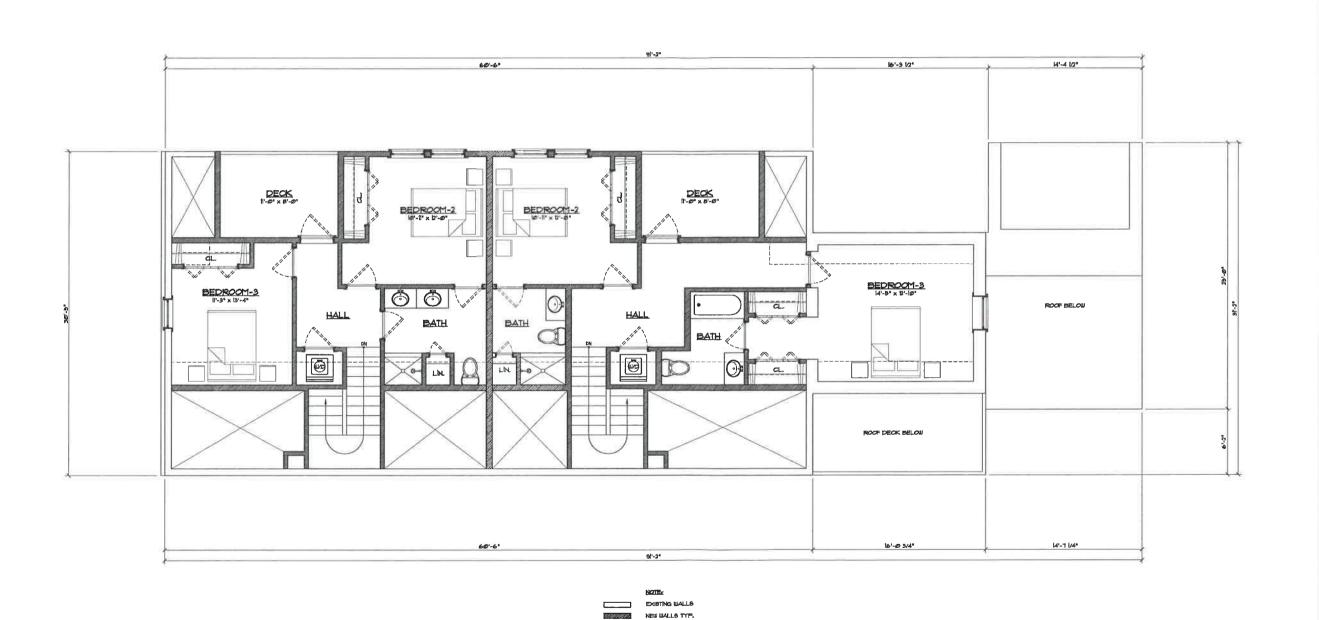
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### SECOND FLOOR PLAN

5/30/19 JOB NUMBER: N/A DRAWN BY: Jeremy Sheaft CHECKED BY: Matt Silva

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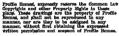
# FIREHOUSE CONDOS

ISSUED DATES & REVISIONS:
ISSUED FOR DESIGN #1
MARCH 13, 2019
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ISSUED FOR DESIGN #3
APRIL 25, 2019
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## THIRD FLOOR PLAN

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DRAWN BY: Jeremy Sheaff

CHECKED BY: Matt Silva

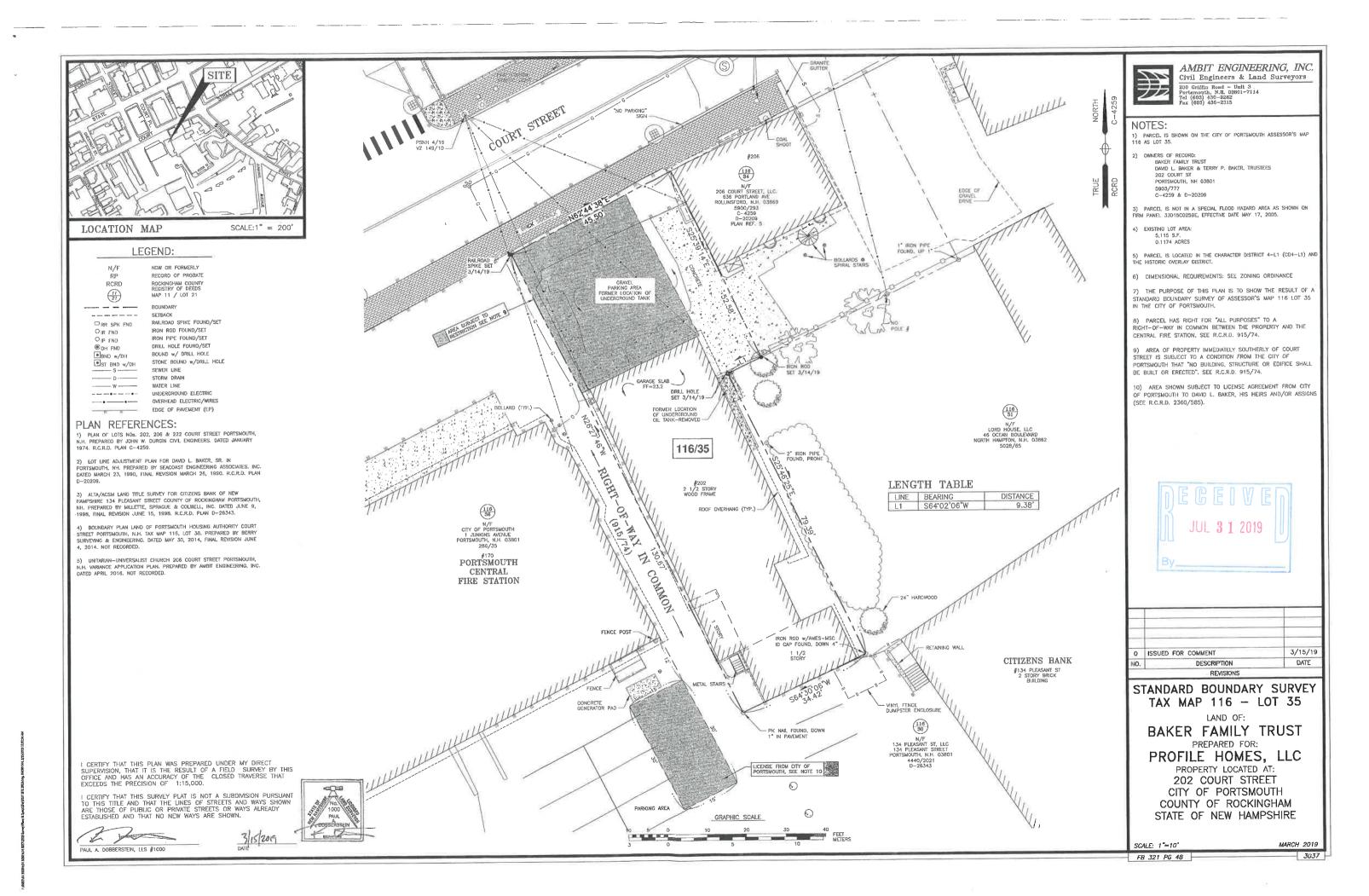
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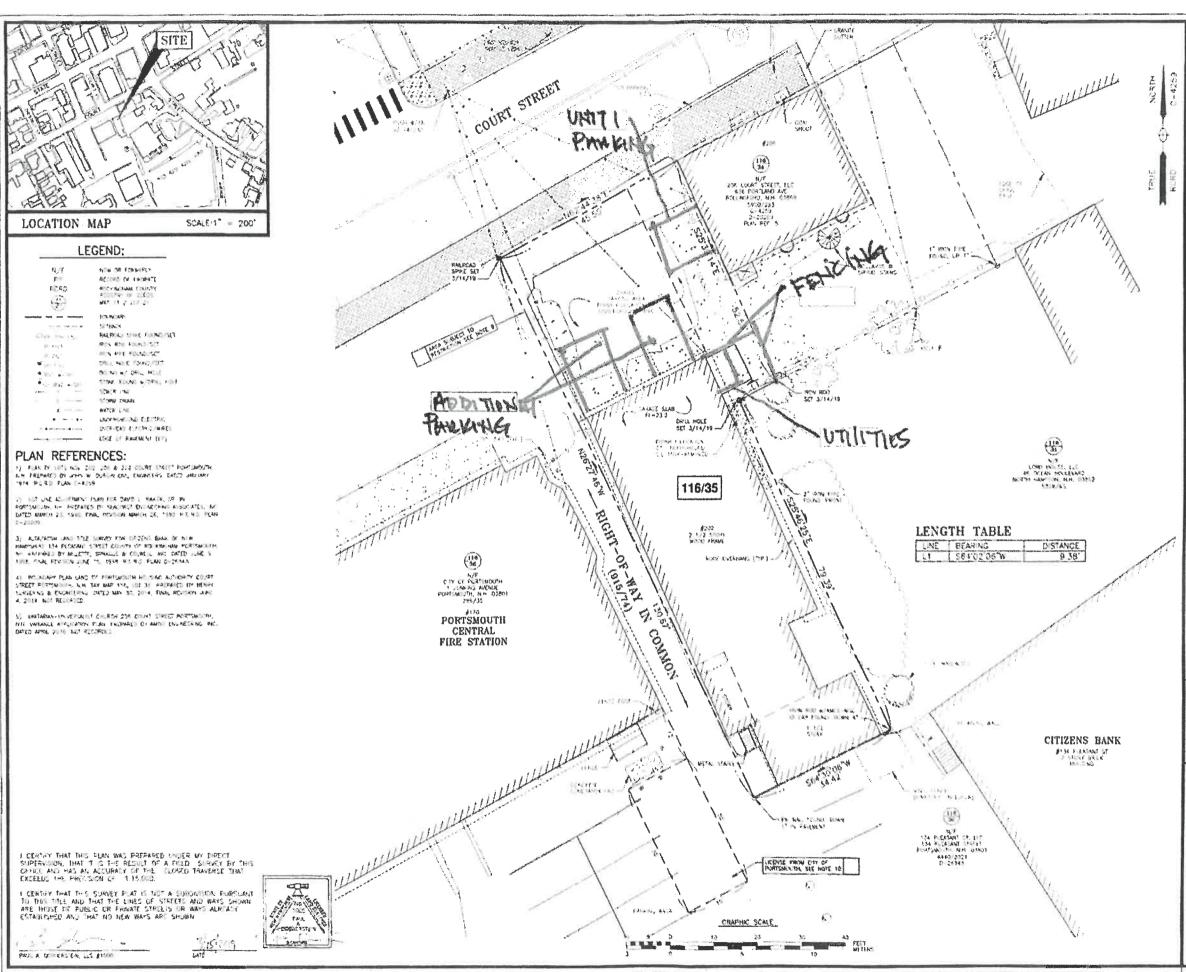
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#### AMBIT ENGINEERING, INC. Civil Engineers & Land Surveyors

290 Griffin R-44 - Luit 2 Portam - 45, N.E. 20001-7114 Tri 16111 130 - 202 Fax (ecc) 430 - 7115

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STANDARD BOUNDARY SURVEY TAX MAP 116 - LOT 35

> LAND OF: BAKER FAMILY TRUST

> PREPARED FOR: PROFILE HOMES, LLC PROPERTY LOCATED AT:

202 COURT STREET CITY OF PORTSMOUTH COUNTY OF ROCKINGHAM STATE OF NEW HAMPSHIRE

SCALE 1"=10" 18 321 FG 48 MARCH 2019

