

Variance Application Narrative

Property Address: 111 Crescent Way, Portsmouth, NH

Owners: Russ and Nancy Rogers

Representative: Jeff Trovato (Dwelling Design & Build LLC)

Project: Replacement of existing detached garage in the same footprint.

Project Overview

The applicants seek to replace an existing, severely dilapidated detached garage with a new structure of the same dimensions in the same footprint. The property is a "small lot" (3,920.4 sq. ft.) in a zone requiring 5,000 sq. ft. and has less than the required street frontage. The existing garage is nonconforming as it sits within the side and rear setbacks. Due to advanced dry rot, concrete cracking, and structural racking, the garage has reached the end of its useful life and requires a full replacement, including the foundation.

Zoning: General Residence B

Use: Single Family Dwelling (and accessory garage)

Garage area: 460 sf (see plans)

The Five Variance Criteria

1. The variance will not be contrary to the public interest. Granting this variance is not contrary to the public interest because the project maintains the status quo of the neighborhood's density and layout. Replacing a structurally unsound and aesthetically deteriorating building with a safe, code-compliant structure enhances the safety and visual character of the neighborhood. Since the footprint is not expanding, there is no new encroachment on neighbors or public space.

2. The spirit of the ordinance is observed. The spirit of the ordinance regarding setbacks is to ensure adequate light, air, and safety between structures. Because this is a replacement of a long-standing structure in a neighborhood of similarly sized small lots, the essential character of the locality is preserved. The new garage will meet modern building codes, which actually improves the "safety" aspect of the ordinance's intent compared to the current failing structure.

3. Substantial justice is done. Substantial justice is done when the benefit to the applicant is not outweighed by any harm to the general public. There is no public harm in replacing a rotting garage with a new one in the same location. Conversely, denying the variance would impose a

significant hardship on the owners by preventing them from maintaining a functional and safe garage on a lot that was legally created but is now dimensionally nonconforming.

4. The values of surrounding properties are not diminished. The replacement of a "racking" and "dry-rotted" building with a brand-new, architecturally consistent garage will likely increase, rather than diminish, surrounding property values. The new structure will eliminate a potential safety hazard and an eyesore, benefiting the immediate abutters.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

- **Special Conditions:** The property has unique physical conditions—specifically, it is an undersized lot (3,920.4 sq. ft. vs the 5,000 sq. ft. requirement) with deficient frontage. These "small lot" conditions make it impossible to site a standard garage while strictly adhering to modern setback requirements.
- **Reasonable Use:** A garage is a standard and reasonable accessory use for a residential property in Portsmouth.
- **No Functional Relationship:** There is no fair and substantial relationship between the general public purposes of the setback ordinance and their specific application to this lot. Moving the garage to a "compliant" location would likely interfere with the primary dwelling's use or eliminate the small amount of remaining open space, which would be contrary to the goal of efficient land use on small lots.



PHOTO 1: AERIAL VIEW OF PROPERTY. GARAGE ROOF AT END OF LIFE



PHOTO 2: FRONT VIEW OF PROPERTY. GARAGE OPENING SHOWING VISIBLE SIGNS OF STRUCTURAL RACKING



PHOTO 3: AERIAL VIEW OF PROPERTY. PROXIMITY VIEW. GARAGE ROOF AT END OF LIFE



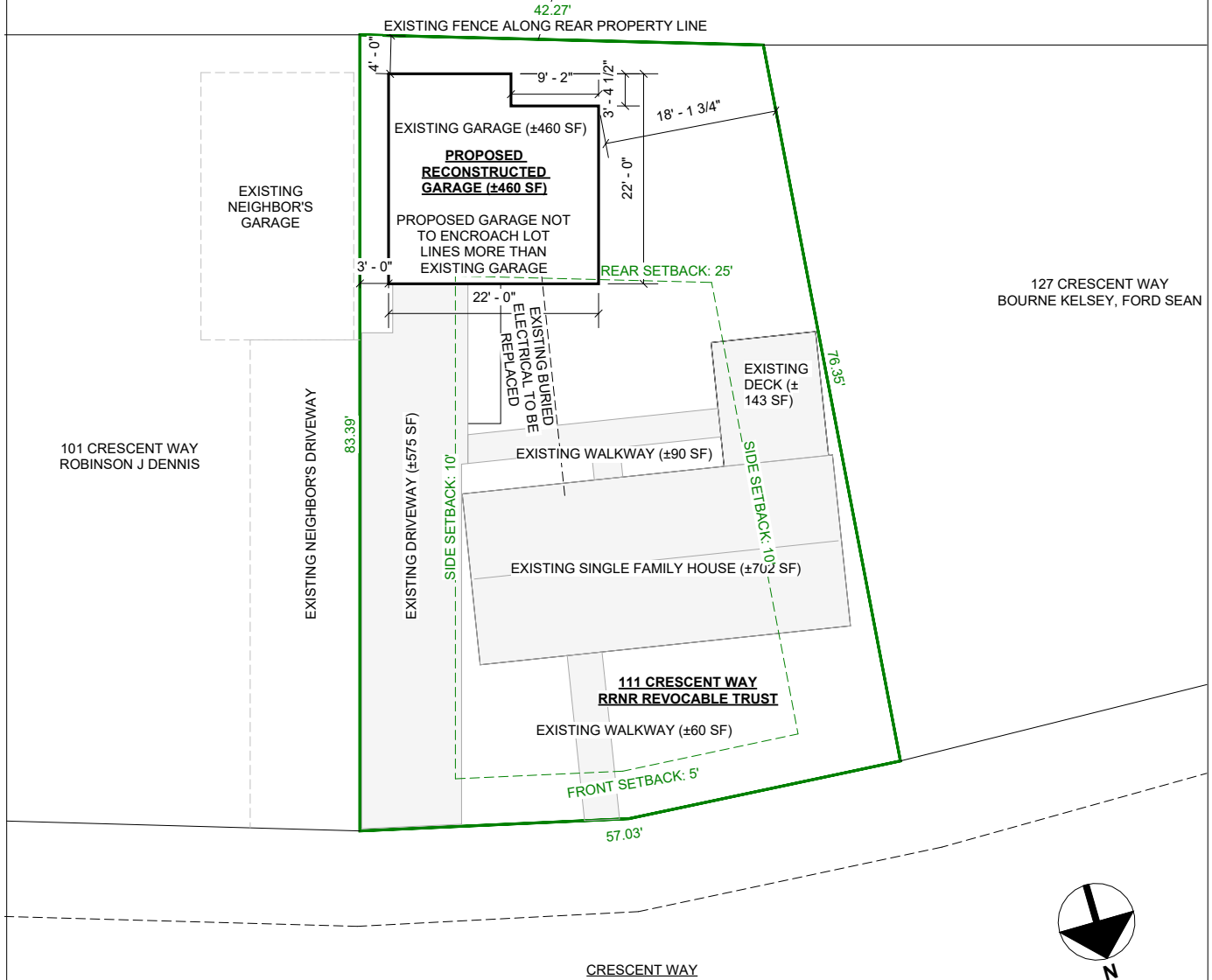
PHOTO 4: FRONT VIEW OF GARAGE, GARAGE OPENING SHOWING VISIBLE SIGNS OF STRUCTURAL RACKING



PHOTO 5: FRONT VIEW OF GARAGE, GARAGE OPENING SHOWING VISIBLE SIGNS OF STRUCTURAL RACKING. ROTTED SIDING & TRIM

96 PORPOISE WAY
96 PORPOISE WAY LLC

106 PORPOISE WAY
LAJOIE FAMILY 2024 TRUST



101 CRESCENT WAY
ROBINSON J DENNIS

127 CRESCENT WAY
BOURNE KELSEY, FORD SEAN

CRESCENT WAY



SITE DATA:

ZONING: GRB (5000SF LOT MIN.)
 LOT: 0.09 ACRE (3920.4 SF)
 EXISTING COVERAGE: TOTAL 2030SF (51.8%)
 HOUSE: 702SF
 DECK: 143SF
 DRIVEWAY: 575SF
 WALKWAYS: 150SF
 GARAGE: 460SF
 PROPOSED COVERAGE: TOTAL 2030SF (51.8%) (COVERAGE TO REMAIN THE SAME)
 FRONTAGE: 57.03' (80' MIN. GRB FRONTAGE)

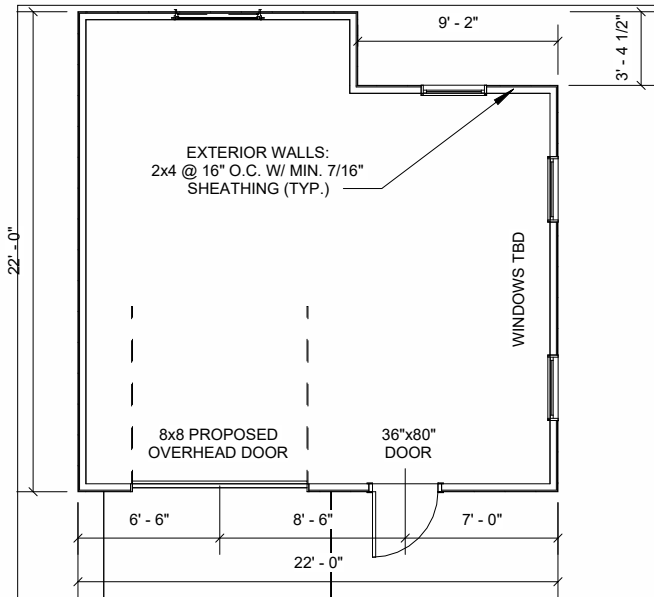
NOTES:

1. PROJECT SCOPE: RAZE & RECONSTRUCT EXISTING GARAGE IN THE SAME FOOTPRINT.
2. ZONING DISCLOSURE: THIS PLAN HAS BEEN PREPARED SPECIFICALLY TO DEMONSTRATE THE REPLACEMENT OF AN EXISTING STRUCTURE WITHIN ITS CURRENT FOOTPRINT. SITE DATA IS SOURCED FROM PORTSMOUTH PUBLIC RECORDS AND CITY GIS. NO INSTRUMENT BOUNDARY SURVEY WAS PERFORMED. THE PROPOSED GARAGE LOCATION IS TO REMAIN IDENTICAL TO THE EXISTING FOOTPRINT.

SITE SCHEMATIC (SCALE 1/16" = 1')

GARAGE RECONSTRUCTION

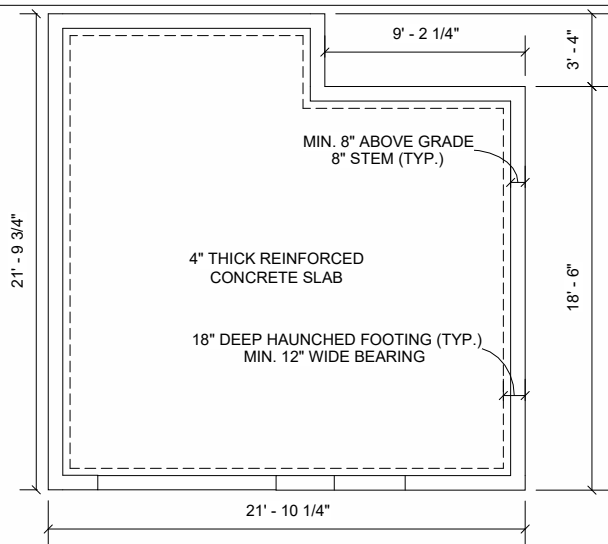
111 CRESCENT WAY, PORTSMOUTH, NH



LAYOUT PLAN NOTES:

1. GARAGE IS INTENDED TO BE LOCATED IN EXACT FOOTPRINT OF EXISTING GARAGE. DIMENSIONS ARE APPROXIMATE--EXISTING DIMENSIONS TO BE MAINTAINED AND VERIFIED IN FIELD.
2. WINDOWS AND DOORS ARE SHOWN FOR ILLUSTRATIVE PURPOSES. EXACT LOCATIONS AND SIZES TBD.

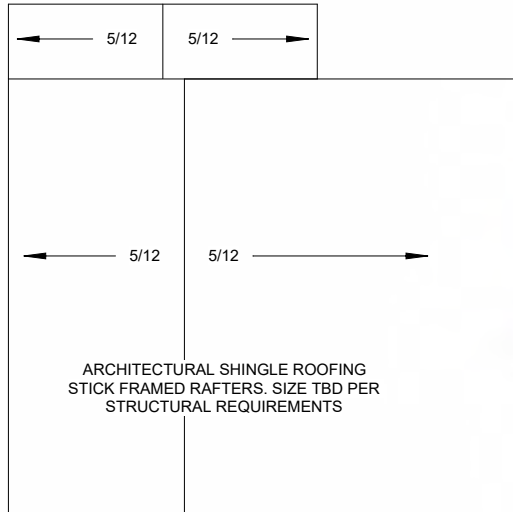
① **GARAGE PLAN**
1/8" = 1'-0"



FOUNDATION PLAN NOTES:

1. FOUNDATION IS INTENDED TO BE LOCATED IN EXACT FOOTPRINT OF EXISTING GARAGE. DIMENSIONS ARE APPROXIMATE--EXISTING DIMENSIONS TO BE MAINTAINED AND VERIFIED IN FIELD.
2. TO AVOID UNDERMINING ADJACENT STRUCTURES, PROPOSED NEW FOUNDATION TO BE 'MONOLITHIC SLAB' WITH HAUNCHED FOOTINGS AT 18" DEEP. SEE IRC R4031.4.1

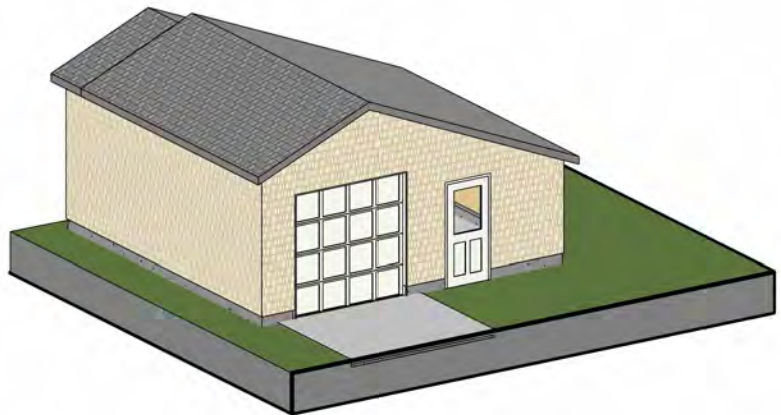
② **GARAGE FOUNDATION PLAN**
1/8" = 1'-0"



ROOF PLAN NOTES:

1. ROOF IS INTENDED TO BE LOCATED IN EXACT LOCATION OF EXISTING GARAGE ROOF. DIMENSIONS ARE APPROXIMATE--EXISTING DIMENSIONS TO BE MAINTAINED AND VERIFIED IN FIELD.

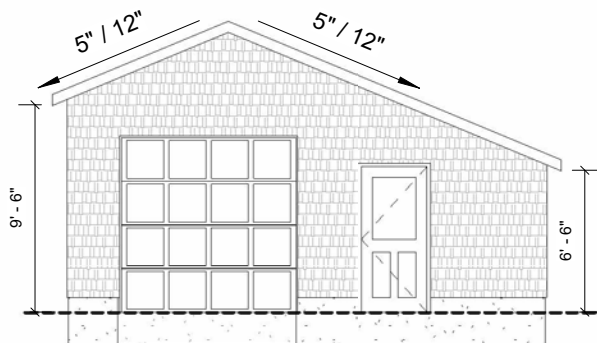
③ **ROOF PLAN**
1/8" = 1'-0"



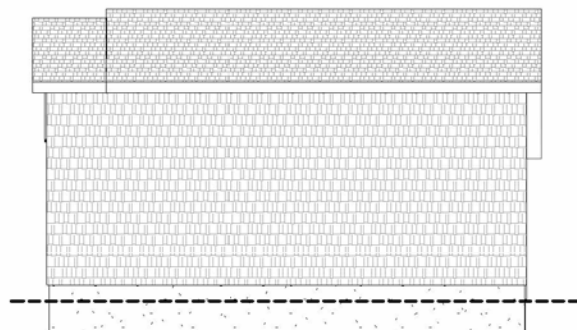
④ **3D VIEW**

GARAGE PLANS
GARAGE RECONSTRUCTION

111 CRESCENT WAY, PORTSMOUTH, NH



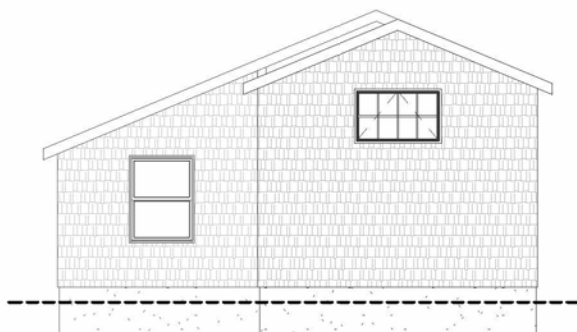
① FRONT ELEVATION
1/8" = 1'-0"



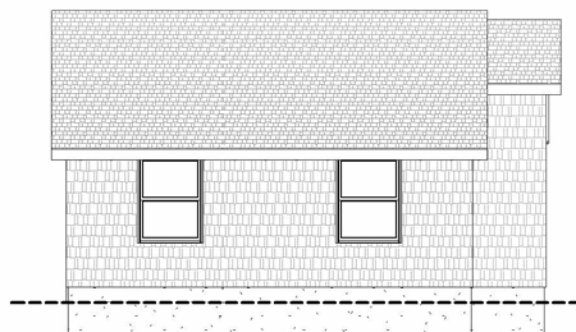
② LEFT ELEVATION
1/8" = 1'-0"

EXTERIOR FINISH MATERIALS:

1. WALLS TO BE CLAD IN STANDARD VINYL SIDING, COLOR TO MATCH EXISTING PRIMARY RESIDENCE.
2. ROOFING TO BE ASPHALT ARCHITECTURAL SHINGLES, COLOR TO MATCH EXISTING PRIMARY RESIDENCE.



③ REAR ELEVATION
1/8" = 1'-0"



④ RIGHT ELEVATION
1/8" = 1'-0"

GARAGE ELEVATIONS GARAGE RECONSTRUCTION

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