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**Also admitted in MA*

VIA VIEWPOINT

September 30, 2020

City of Portsmouth
Zoning Board of Adjustment
Attn: David Rheume, Chairman
1 Junkins Avenue
Portsmouth, NH 03801

**RE: Variance Application of Bacman Enterprises, Inc.
140 Edmond Avenue**

Dear Chairman Rheume,

Our Office represents Bacman Enterprises, Inc., owner of property located at 140 Edmond Avenue, Portsmouth. Enclosed herewith, please find the following materials for submission to the Zoning Board of Adjustment for consideration at its next regularly scheduled meeting:

- 1) Landowner Letter of Authorization;
- 2) Narrative to Variance Application;
- 3) Site Plan Set (Existing Conditions and Proposed Conditions); and
- 4) Photographs of the Property.

Twelve (12) hard copies of the application materials are being delivered separately to the Planning Department. Should you have any questions or concerns regarding the enclosed application materials, do not hesitate to contact me at your convenience.

Sincerely,

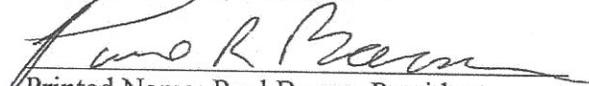
A handwritten signature in blue ink, appearing to read 'Derek R. Durbin', with a large, stylized initial 'D' and a long horizontal flourish extending to the right.

Derek R. Durbin, Esq.

LETTER OF AUTHORIZATION

Bacman Enterprises Inc., the owner of real property located at 140 Edmond Avenue, Portsmouth, New Hampshire 03801, identified on Tax Map 220, as Lot 81 (the "Property"), hereby authorizes Durbin Law Offices PLLC to act as his agent and representative in connection with the filing of any building, zoning, planning or other municipal permit applications with the City of Portsmouth for the Property. Said Letter of Authorization shall be valid until expressly revoked in writing.

Bacman Enterprises Inc.



Printed Name: Paul Bacon, President

Duly Authorized

6-25-2019
Date

**CITY OF PORTSMOUTH
ZONING BOARD OF ADJUSTMENT
APPLICATION NARRATIVE**

Bacman Enterprises Inc.
(Owner/Applicant)
Tax Map 220, Lot 81
140 Edmond Avenue
Portsmouth, NH 03801

INTRODUCTORY STATEMENT

Bacman Enterprises Inc. (“the “Applicant”) is the owner of property located at 140 Edmond Avenue, Portsmouth, New Hampshire 03801, identified on Tax Map 220, as Lot 81 (the “Property”). The Property is in Portsmouth’s Single Residence B (“SRB”) Zoning District. It consists of approximately 0.53 acres of land with a ranch-style building that contains two (2) residential units on the ground floor and a chiropractic office on the lower level. The chiropractic business is owned by Paul Bacon, the principal and owner of Bacman Enterprises, Inc. The commercial space in the building is approximately 2,300 square feet. The two (2) residential units are each over 750 square feet.

ZBA Decision – July 23, 2019

On July 23, 2019, the Board approved the following variances for the Property:

- a) from Section 10.333 to allow a nonconforming use to be extended into other parts of the building;
- b) from Section 10.1113.20 to allow off-street parking spaces to be located in the required front yard or between a principal building or the street; and
- c) from Section 10.1114.32 to allow vehicles to enter or leave a parking area by backing out, into or from a public street or way.

In the original Site Plan presented to the Board, which is attached hereto as Exhibit A, the Applicant showed nine (9) parking spaces for the building where twelve (12) are required pursuant to Section 10.1112.61. The Applicant and its engineer felt that nine (9) spaces were sufficient for the parking demand associated with the Property, which has been reduced rather significantly since the Applicant took ownership in 1978 and began operating his chiropractic business there. On an average day, there is an excess of available parking on the Property. The Applicant indicated to the Board in 2019 in its Narrative that it would apply for a conditional use permit from the Planning Board for the additional three (3) spaces required by Section 10.1112.61.

The Applicant has three (3) employees and limited days of operation. It is open on Monday, Tuesday, Wednesday and Fridays and closed on Thursday, Saturday and Sunday. The parking demand associated with the residential units is greatest during the hours when the

chiropractic business is closed, which mitigates most of the concern that might otherwise be associated with a mixed-use building of this nature. Moreover, because Mr. Bacon is the only chiropractor working at the business and is only able to accommodate a limited number of patients at one time, with patients coming and going throughout the day, there is an excess of available spaces in the parking lot when the business is open.

Since the approval was granted by the Board in 2019, the Applicant's engineer has met with representatives of the Department of Public Work ("DPW"), the City's traffic engineer, and undergone two (2) Technical Advisory Committee ("TAC") meetings relative to his application for Site Plan approval for the Property. As a result of these meetings with the City, the Site Plan has gone through several iterations since the Board's July 2019 approval. The most significant change to the plan pertains to the number and configuration of the parking spaces that the City desires for the Property. The City has expressed a strong desire to see the Applicant provide twelve (12) parking spaces for the Property, which is the number of spaces that are required by Section 10.1112.61 of the Ordinance. Based on the methodology set forth in Section 10.1112.61 (Column B), the Ordinance requires ten (10) parking spaces for the medical office use and two (2) spaces for the residential use. If the commercial space was fifty (50) square feet smaller, only eleven (11) spaces would be required. Notwithstanding, under either scenario, variance relief is required.

To meet the requirements of Section 10.1112.61 of the Ordinance, the Applicant has revised its plan to show three (3) spaces additional "stacked" parking spaces. This parking configuration was discussed with TAC at its last meeting in early September and appears to be the solution that the Applicant and City agree with. However, because Section 10.1114.32(b) of the Ordinance provides that vehicles must be able to "enter and leave each parking space without requiring the moving of any other vehicle", the Applicant is required to come back to the Board for additional variance relief. It is important to note that the Applicant intends to designate the three (3) new parking spaces shown on the revised plan, identified as #10-12, as employee parking. Because the employees rarely leave the building during the business's hours of operation, concerns over vehicles having to move or back into the street to allow another vehicle to exit are mitigated. The parking configuration proposed is not functionally different than what was previously approved by the Board, as any vehicles parking in spaces #1-6 are required to back into the street anyway to exit the Property, at least in theory. Those spaces have not changed between what was previously approved and what is now proposed.

It should also be noted that the variances being requested under Sections 10.1113.20 and 10.1114.30 as part of the foregoing application were approved by the Board in July 2019. Because the Applicant has modified its Site Plan since that time to accommodate the three (3) additional parking spaces, the Applicant has re-included those requests for relief out of an abundance of caution.

SUMMARY OF VARIANCE RELIEF

The Applicant seeks the following variances from the Zoning Ordinance:

- a) Section 10.1113.20 to allow off-street parking spaces to be located in the required front yard or between a principal building or the street; and
- b) Section 10.1114.32(a) to allow vehicles to enter or leave a parking area by backing out, into or from a public street or way.
- c) Section 10.1114.32(b): To allow vehicles to enter and leave each parking space without requiring the moving of any other vehicle.

VARIANCE CRITERIA

Granting the variances will not be contrary to the public interest and will observe the spirit of the Ordinance.

In the case of *Chester Rod & Gun Club, Inc. v. Town of Chester*, the Court observed that the requirements that a variance not be "contrary to the public interest" or "injure the public rights of others" are coextensive and are related to the requirement that the variance be consistent with the spirit of the ordinance. 152 N.H. 577 (2005). The Court noted that since the provisions of all ordinances represent a declaration of public interest, any variance will, in some measure, be contrary to the ordinance, but to be contrary to the public interest or injurious to public rights of others, "the variance must 'unduly, and in a marked degree' conflict with the ordinance such that it violates the ordinance's 'basic zoning objectives.'" Id. "Mere conflict with the terms of the zoning ordinance is insufficient to constitute a violation of the ordinance's basic zoning objectives." *Harborside Assoc v. Parade Residence Hotel*, 162 N.H. 508, 514 (2011). "There are two methods of ascertaining whether granting a variance would violate an ordinance's basic zoning objectives: (1) examining whether granting the variance would alter the essential character of the neighborhood or, in the alternative; and (2) examining whether granting the variance would threaten the public health, safety, or welfare." Id.

The entire 2,300 sf. lower level of the building has been used as a chiropractic office for thirty-two (32) years. Upon inspection of the City records, undersigned counsel could find no evidence of any citizen complaints or incidents involving the use of the Property or problems with parking or vehicles exiting the driveway area(s). In the earlier years of the business, and when the Applicant received its approvals in 2005, the chiropractic office served a much higher volume of patients. By providing three (3) additional parking spaces on the Property that never previously existed, the Applicant will have an excess of available parking on the Property that would meet any future demand should the volume of business increase. The proposed parking allows for an adequate siteline and distance for vehicles driving down Edmond Avenue to see any vehicles that might be back into the street well in advance of approaching the Property.

The chiropractic office has not changed the character of the neighborhood nor has it been injurious to surrounding property owners or the general public. To the contrary, it has provided a public benefit by offering medical services to residents of the City. There is sufficient on-site parking on the Property to accommodate the residential units and medical office in its existing condition.

Substantial justice will be done by granting the variance relief.

Any loss to the individual that is not outweighed by a gain to the general public is an injustice. *New Hampshire Office of State Planning, The Board of Adjustment in New Hampshire, A Handbook for Local Officials* (1997); *Malachy Glen Assocs., Inc. v. Town of Chichester*, 155 N.H. 102 (2007).

If the variance relief were denied relative to the proposed parking configuration shown on the Site Plan, it is likely that the Applicant would be unable to obtain a favorable recommendation from TAC for the use of the Property, which in turn would negatively affect his ability to obtain Site Plan approval from the Planning Board. This would impact his ability to continue to operate the chiropractic business on the Property. He would be either forced to close the business or reduce the square footage of the commercial space by at least 750 square feet (33%) to eliminate the need for the additional three (3) parking spaces being required by the City. There are no other acceptable areas on the Property that can accommodate three (3) parking spaces outside of what is proposed. An alternative plan had been proposed to TAC that did not involve stacked parking. This alternative proposal, which is shown in Exhibit B attached hereto, was rejected over concerns by the DPW that it would create a problem for the City plows during snowstorm events. Ironically, the same proposal was previously approved by the City in 2005. As explained to the Board in 2019, that approval lapsed in 2007 when the Applicant was unable to fulfill all of the conditions associated with it due to a financial hardship that the Applicant suffered during that period of time.

The chiropractic business provides a valuable medical service to the public that many surrounding residents take advantage of. There would be no gain to the benefit to the public in denying the variances. To the contrary, there would likely be a detriment to the public. The hardship to the Applicant in denying the variances outweighs any potential gain to the public.

The values of surrounding properties will not be diminished by granting the variance relief.

The values of surrounding properties have NOT diminished over the past thirty-two (32) years of the Applicant operating its chiropractic business on the Property. To the contrary, surrounding property values have increased significantly. The use and physical appearance of the Property would remain the same as it has been over the past three (3) plus decades. Therefore, it is fair to conclude that surrounding property values would not be diminished by the approval of the variances.

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

The Property has special conditions that make it distinguishable from surrounding properties. Owing to these special conditions, there is no fair and substantial relationship between the general purposes of the Ordinance provision(s) and their application to the Property.

Speaking to the location and use of the Property more generally, it is uniquely situated in comparison with other properties in the surrounding area. There is only one (1) abutting property that is used for residential purposes, which is the property to the right (west). The Applicant has a great neighborly relationship with this landowner and shares a driveway with that property by agreement. The properties to the left (east) and front (north) are owned by the City and consist primarily of wetlands that cannot be developed. Therefore, the concerns that might otherwise be present with a medical office in a residential zone do not currently exist with the Applicant's Property.

With respect to parking, the Applicant's engineer, through his discussions with City staff and his meetings with TAC, has determined that there are no available areas to add three (3) additional parking spaces on the Property other than what is proposed. Alternative proposals for the Property have been rejected by TAC and/or the City staff. Throughout the Applicant's ownership of the Property, the existing parking configuration, which can accommodate up to nine (9) vehicles, has functioned without a problem. There has never been a shortage of available parking on the Property. With three (3) additional spaces, there will be an abundance of available parking. Moreover, the proposed parking configuration will not result in vehicles having to exit the Property any differently than they do now.

Given the special conditions of the Property, there is no fair and substantial relationship between the general purposes of the Ordinance provisions and their strict application to this Property.

The proposed use is reasonable.

The use of the Property has already been deemed reasonable by the Board, as evidenced by its approval in July 2019. The Applicant has not received any complaints about the use of the Property or vehicles exiting the driveway areas from residents of the City. It does not appear that the City has any record of any complaints either. This is evidence that the use of the Property is reasonable and does not interfere with the quiet enjoyment of surrounding properties.

CONCLUSION

In conclusion, the Applicant has demonstrated that it meets the five (5) criteria for granting each of the variances requested. Accordingly, the Applicant respectfully requests that the Board approve the Variance Application as presented.

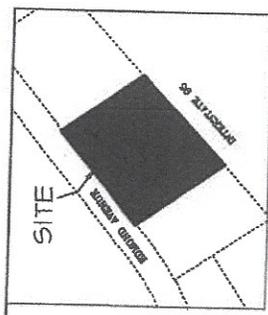
Respectfully Submitted,

Dated: September 30, 2020

Bacman Enterprises Inc.
Paul Bacon, President



By: Derek R. Durbin, Esq.
DURBIN LAW OFFICES PLLC
144 Washington Street
Portsmouth, NH 03801
(603)-287-4764
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NOTES

1) OWNER OF RECORD
BACMAN ENTERPRISES INC.
TAX MAP 230, LOT 81
140 EDMOND AVE
PORTSMOUTH, NH 03801
RD. 2448-1424
AREA, 29116 SF, 0.39 AC

2) BASIS OF BEARINGS HELD FROM PLAN REFERENCE #1.

3) PARCEL IN SINGLE RESIDENCE B (SRS).
MINIMUM LOT AREA.....16000 SF
MIN. LOT AREA PER DWELLING UNIT.....10000 SF
MINIMUM FRONT SETBACK.....100 FT
MINIMUM DEPTH.....100 FT
MINIMUM SIDE SETBACK.....50 FT
MINIMUM REAR SETBACK.....50 FT
MAXIMUM BUILDING HEIGHT.....30 FT
SLOPED ROOF.....30 FT
MAXIMUM AT-RIDGE COVERAGE.....30 FT
MAXIMUM OPEN SPACE.....30%

4) SEWER, WATER, & GAS LINE LOCATIONS ARE SHOWN AS EXISTING ON FIELD MEASUREMENTS & CITY DATA INFORMATION. ALL UTILITIES SHALL BE TIED WITH ELECTRICAL SERVICE BY A CONDUIT WHICH SHALL BE 18" IN DIAMETER. THE EXACT LOCATION OF THIS CONDUIT IS UNKNOWN.

5) EXISTING ON-SITE SURFACES:
CONCRETE ALIGHWAYS.....2808 SF
CONCRETE DRIVEWAYS.....500 SF
CONCRETE STAIRWAYS.....500 SF
ASPHALT PAVED AREAS.....1000 SF
GRAVEL DRIVEWAY.....1181 SF
GRAVEL DRIVEWAY.....238 SF
TOTAL INTERLOCK AREA.....5728 SF

6) OPEN SPACE
29116 - 6128 / 23116 = 11.0%

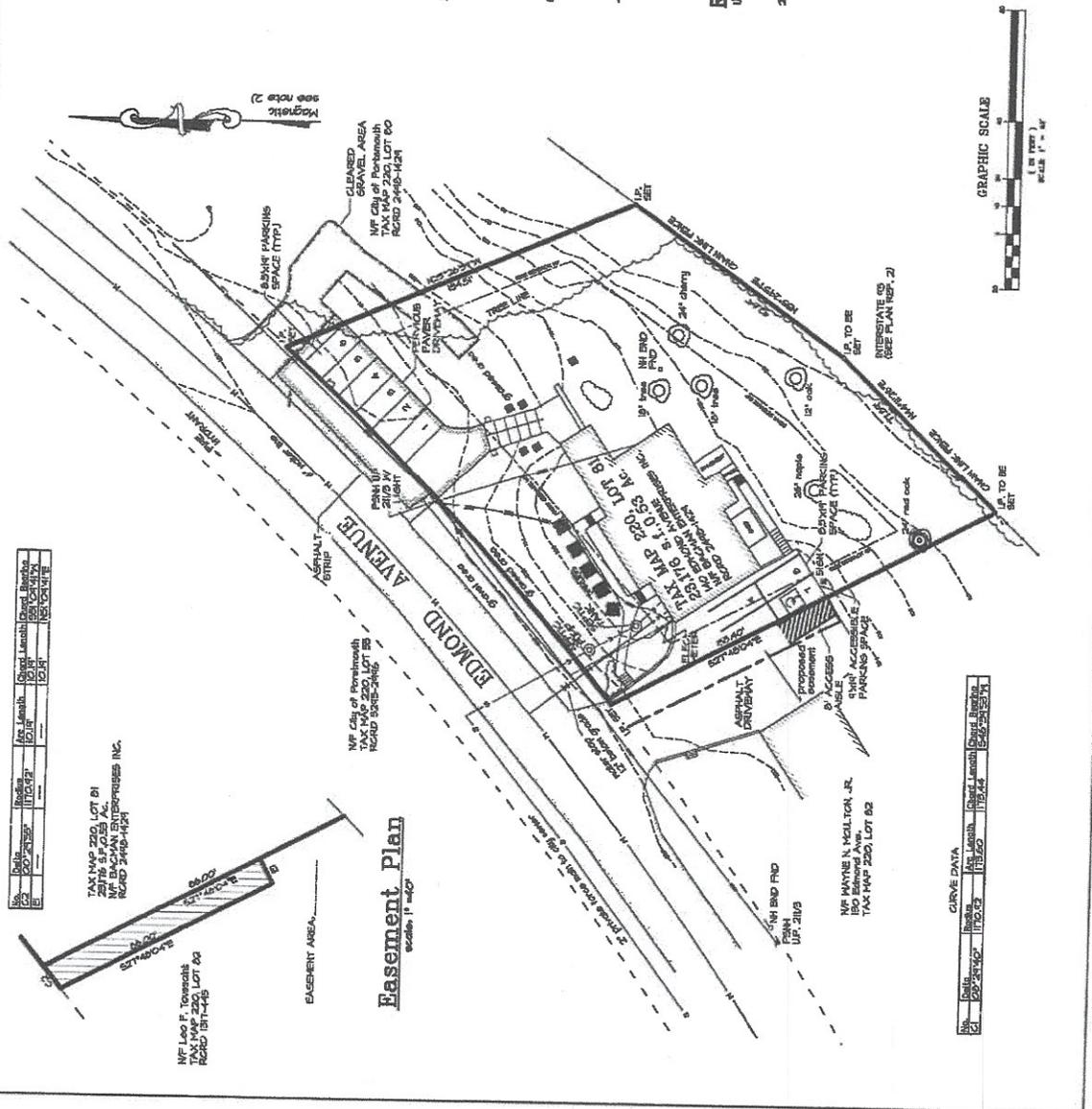
BUILDING COVERAGE
2712 / 23116 = 11.7%

7) PARKING SPACES:
23200 - 58 MEDICAL SPACE - 1720 SF - 16 SPACES
2 APARTMENTS - 1510 SHELING.....18 SPACES
TOTAL REQUIRED SPACES.....18 SPACES
PROVIDED SPACES.....18 SPACES
HANDICAP SPACE REQUIREMENT: 1 PER 25-1 SPACE

REFERENCE PLANS

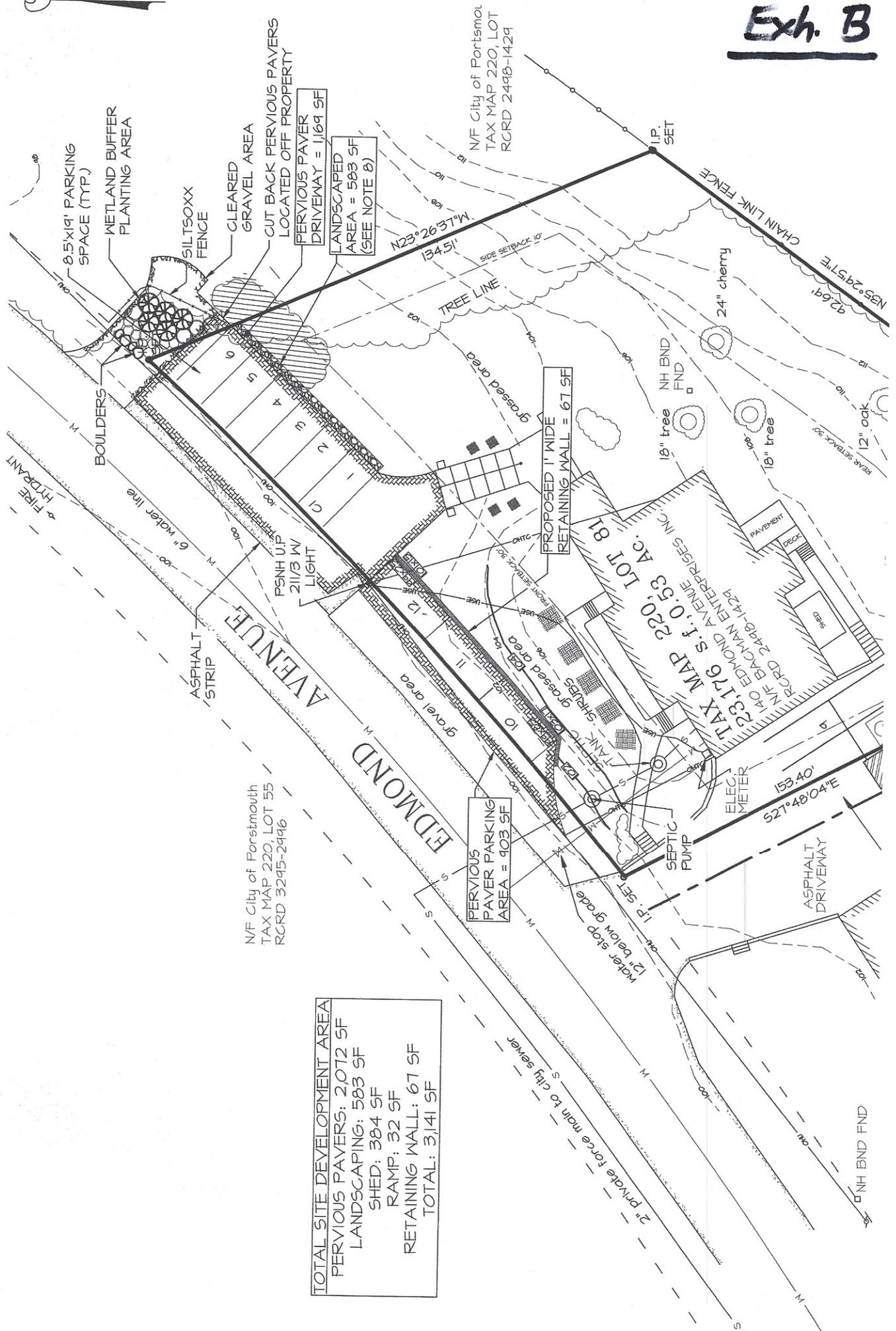
1) CONSOLIDATION PLAN OF LAN FOR BACMAN ENTERPRISES, INC. 140 EDMOND AVENUE, PORTSMOUTH, NH 03801. RECORD C-2842.

2) HIGHWAY LAYOUT PLAN, PLAN OF PORTSMOUTH, NH (9) DEPARTMENTAL SHEETS 12 AND 13 DATED 5/24/67 BY NEH HANFORDSHIRE RECORD C-2842.



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REVISION	30	DATE	1/10/79
REVISION	31	DATE	1/10/79
REVISION	32	DATE	1/10/79
REVISION	33	DATE	1/10/79
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REVISION	36	DATE	1/10/79
REVISION	37	DATE	1/10/79
REVISION	38	DATE	1/10/79
REVISION	39	DATE	1/10/79
REVISION	40	DATE	1/10/79
REVISION	41	DATE	1/10/79
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REVISION	46	DATE	1/10/79
REVISION	47	DATE	1/10/79
REVISION	48	DATE	1/10/79
REVISION	49	DATE	1/10/79
REVISION	50	DATE	1/10/79
REVISION	51	DATE	1/10/79
REVISION	52	DATE	1/10/79
REVISION	53	DATE	1/10/79
REVISION	54	DATE	1/10/79



TOTAL SITE DEVELOPMENT AREA	
PERVIOUS PAVERS:	2,072 SF
LANDSCAPING:	583 SF
SHED:	384 SF
RAMP:	32 SF
RETAINING WALL:	67 SF
TOTAL:	3,141 SF

N/F City of Forstmouth
TAX MAP 220, LOT 55
RCRD 3245-2496

PERVIOUS
PAVER PARKING
AREA = 903 SF

PROPOSED 1' WIDE
RETAINING WALL = 67 SF

PERVIOUS PAVER
DRIVEWAY = 1,169 SF

LANDSCAPED
AREA = 583 SF
(SEE NOTE B)

CUT BACK PERVIOUS PAVERS
LOCATED OFF PROPERTY

N/F City of Portsmouth
TAX MAP 220, LOT
RCRD 2498-1429

I.P. SET

ASPHALT
DRIVEWAY

NH BND FND

2" private force main to city sewer

meter stop grade
12" below grade

153.40'
S27°48'04"E

TAX MAP 23176 S. 1, 0.53 AC, LOT 81
N/F EDMOND ENTERPRISES INC.
40 EDMOND AVENUE
RCRD 2498-1429

18" tree
NH BND FND

24" cherry

12" oak

18" tree

PAVEMENT
DECK

ELEC
METER

SEPTIC
PUMP

TANK TO
SEPTIC

SHEDS

gravel area

grassed area

N23°26'37"W
134.51'

TREE LINE

SIDE SETBACK 10'

grassed area

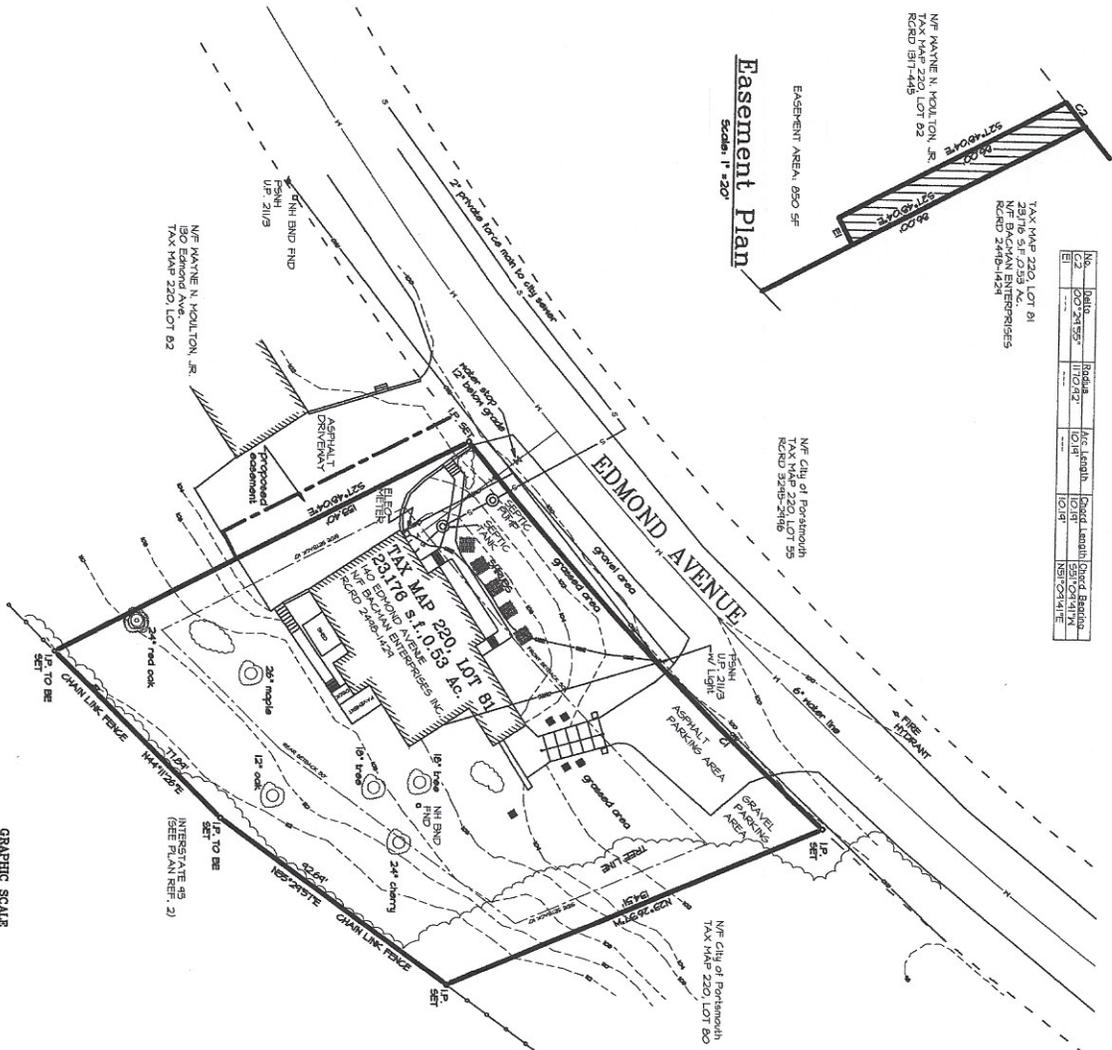
No.	Date	Issue	By	Scale	Project/Location/Sheet Number
1	02/24/20	110/42	LOUIS	1" = 20'	EDMOND AVENUE

TAX MAP 220, LOT B1
 N/F BACMAN ENTERPRISES
 RCRD 244B-42A

N/F MAYNE N. HOLLTON, JR.
 TAX MAP 220, LOT B2
 RCRD 217-44B

ESBEMENT AREA, 850 SF
 Scale: 1" = 20'

Easement Plan



see note 2

NOTES

- OWNER OF RECORD, BACMAN ENTERPRISES INC., TAX MAP 220, LOT B1, 140 EDMOND AVE, PORTSMOUTH, NH 03801, RCRD. 244B-42A, AREA. 23716 SF, 0.53 AC.
- PARCEL IS IN SINGLE RESIDENCE B (SRB).
- MIN. LOT AREA 15000 SF, MIN. LOT AREA 15000 SF, MINIMUM FRONT SETBACK 100 FT, MINIMUM DEPTH 100 FT, MINIMUM OPEN SPACE 408.
- SEWER, WATER, & GAS LINE LOCATIONS ARE SHOWN ON FIELD REASUREMENTS & CITY OPEN RECORDS. ALL UTILITIES SHALL BE RELOCATED TO THE SIDE OF THE BUILDING WITH ELECTRICAL SERVICE BY A CONDUIT WHICH RUNS FROM PSNH UTILITY POLE 2109 TO THE ELECTRICAL METERS ON THE SIDE OF THE BUILDING. THE EXACT LOCATION OF THIS CONDUIT IS UNKNOWN.

LEGEND

- S- SEWER LINE
- W- WATER LINE
- OHT- OVERHEAD UTILITIES
- OHC- OVERHEAD TELEPHONE & CABLE
- TREE LINE
- EE- UNDERGROUND ELECTRIC

REFERENCE PLANS

- CONSOLIDATION PLAN OF LAND FOR BACMAN ENTERPRISES, INC. 140-142 EDMOND AVENUE, PORTSMOUTH, NH 03801, PREPARED BY J. WILLETTE & ASSOCIATES, DATED AUGUST 2, 1991, RCRD. C-19643
- NEIGHBORLY LAYOUT PLAN, PLAN OF PORTSMOUTH, NH, SHEETS 12 & 13, BY NEW HAVEN ENGINEERING ASSOCIATES, DATED MAY 2, 1967, RCRD. D-2224



NO.	DATE	DESCRIPTION
1	02/24/20	201 SUBMITTAL
2	03/11/20	REVISIONS
3	03/23/20	NO
4	03/27/20	2ND SUBMITTAL
5	03/27/20	REVISIONS
6	03/27/20	REVISIONS
7	03/27/20	REVISIONS
8	03/27/20	REVISIONS
9	03/27/20	REVISIONS
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30	03/27/20	REVISIONS

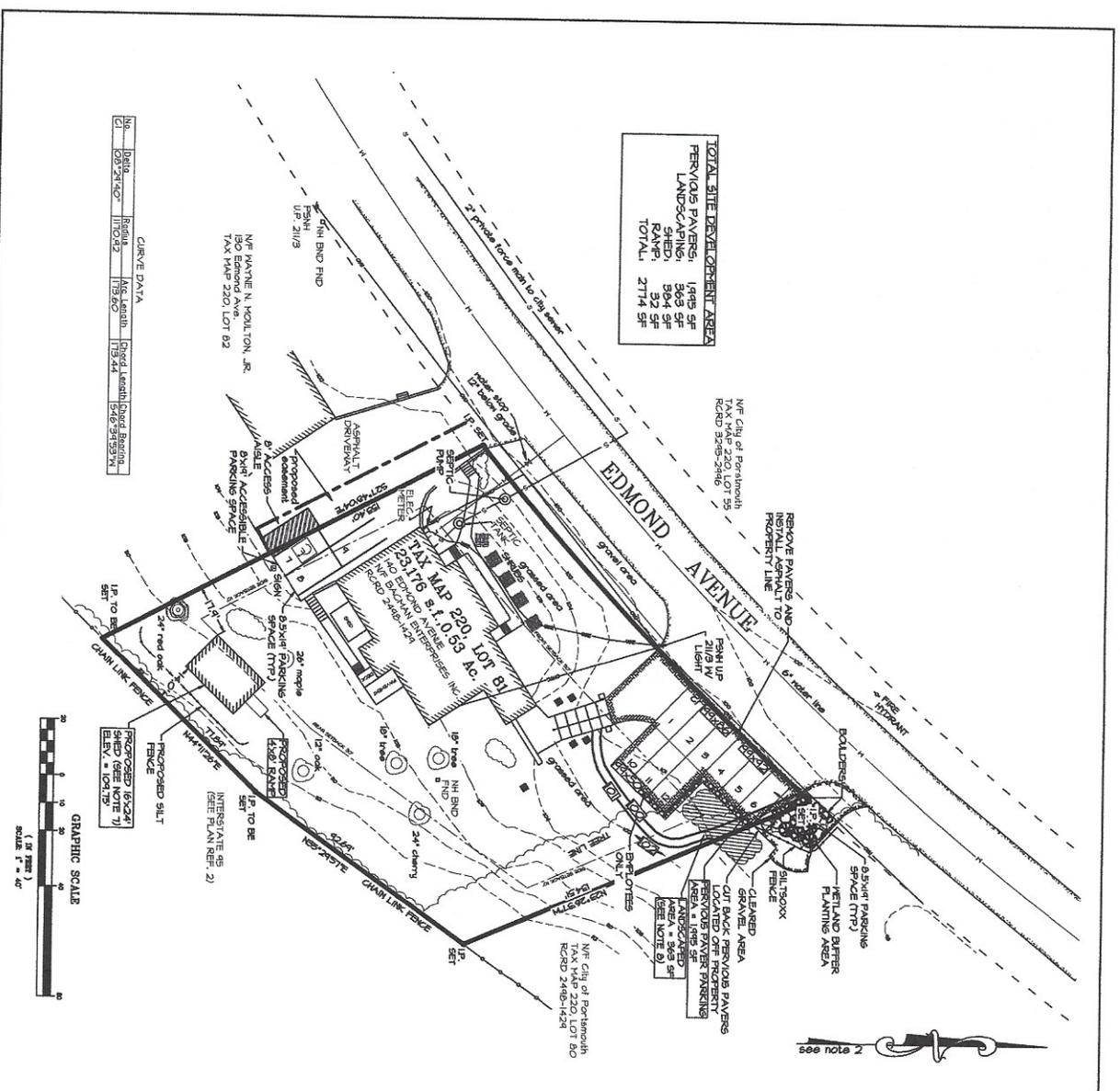
ROSS ENGINEERING, LLC
 CONSULTING ENGINEERS
 & SURVEYORS
 140 EDMOND AVENUE
 PORTSMOUTH, NH 03801

DR. PAUL BACON
 140 EDMOND AVE
 PORTSMOUTH, NH 03801

TITLE: EXISTING CONDITIONS

BACMAN ENTERPRISES INC.
 PORTSMOUTH NH, 03801
 TAX MAP 220, LOT B1

DATE: 02-03-20
 SHEET: 1 OF 4



TOTAL SITE DEVELOPMENT AREA
 PAVING: 1995 SF
 LANDSCAPING: 963 SF
 DRIVE: 894 SF
 DRIVE: 32 SF
 TOTAL: 2774 SF

CURVE DATA

No.	Date	Radius	Arc Length	Chord Length	Chord Bearing
1	03/21/00	1104.32	175.80	175.44	S46.34°E 53.31'



NOTES

- OWNER OF RECORD:
 BLOKMAN ENTERPRISES INC.
 140 EDMOND AVE
 PORTSMOUTH, NH 02801
 AREA: 23176 SF, 0.53 AC
- PARCEL IS IN SINGLE RESIDENCE B (SRB), MINIMUM LOT AREA: 15000 SF, MINIMUM FRONT YARD SETBACK: 100 FT, MINIMUM DEPTH: 100 FT, MINIMUM OPEN SPACE: 408'
- SEWER, WATER, & GAS LINE LOCATIONS ARE APPROXIMATE & BASED ON FIELD MEASUREMENTS & RECORDS. THE BUILDING IS SUPPLIED WITH ELECTRICAL SERVICE BY THE CITY OF PORTSMOUTH FROM POLE 2109 TO THE ELECTRICAL LOCATION OF THIS CONDUIT IS UNKNOWN.
- COVERAGES
 BUILDING COVERAGES
 HOSE: 2620 SF
 EXISTING STRUCTURE: 2725 SF
 BUILDING COVERAGES 2725 / 23176 = 11.81%
- PROPOSED BUILDING COVERAGES
 SLEED: 2620 SF
 EXISTING STRUCTURE: 2725 SF
 BUILDING COVERAGES 5345 / 23176 = 23.06%
- PROPOSED OPEN SPACE
 BUILDING COVERAGES: 5345 SF
 CONCRETE WALKWAYS: 506 SF
 CONCRETE STAIRWAYS: 594 SF
 ASPHALT DRIVEWAYS: 1092 SF
 ASPHALT PARKING AREA: 1845 SF
 FERVIOUS PAVERS PARKING: 1845 SF
 LANDSCAPING: 963 SF
 TOTAL LOT COVERAGES: 17261 SF
 OPEN SPACE: 23176 - 17261 = 5915 SF
 OPEN SPACE: 23176 / 17261 = 134.2%

LEGEND

- SEWER LINE
- WATER LINE
- OVERHEAD UTILITIES
- OVERHEAD TELEPHONE & CABLE
- TREE LINE
- UNDERGROUND ELECTRIC



SITE PLAN
 BLOKMAN ENTERPRISES INC.
 PORTSMOUTH, NH, 02801
 TAX MAP 220, LOT B1
 DATE: 05-03-00
 SHEET: 2 OF 4

ROSS ENGINEERING, LLC
 CIVIL ENGINEERING
 140 EDMOND AVE
 PORTSMOUTH, NH 02801

NO.	DATE	DESCRIPTION
1	11/02/00	PRELIMINARY
2	11/02/00	REVISED
3	11/02/00	REVISED
4	11/02/00	REVISED
5	11/02/00	REVISED
6	11/02/00	REVISED
7	11/02/00	REVISED
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100	11/02/00	REVISED

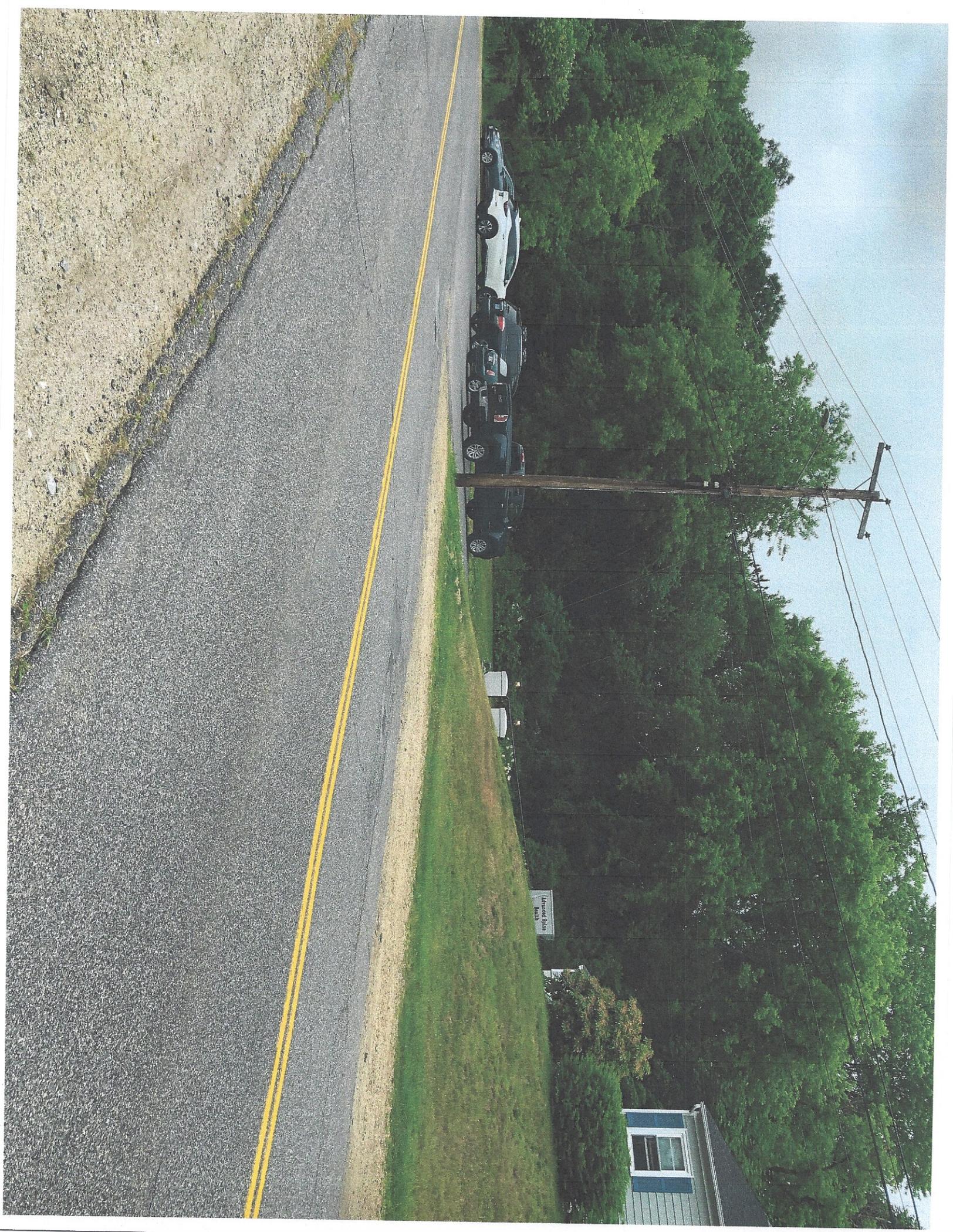
1) ALL IMPROVEMENTS SHOWN ON THIS SITE PLAN SHALL BE THE PROPERTY OF THE CITY OF PORTSMOUTH. THE CITY OF PORTSMOUTH SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL IMPROVEMENTS SHOWN ON THIS SITE PLAN WITHOUT THE EXPRESS APPROVAL OF THE PORTSMOUTH PLANNING DIRECTOR.

2) THIS SITE PLAN SHALL BE RECORDED IN THE ROCKINGHAM COUNTY REGISTER OF DEEDS.

3) ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN FURTHER PURSUANT TO THE REQUIREMENTS OF THE CITY OF PORTSMOUTH PLANNING DIRECTOR.

4) ON JULY 23, 2019 THE CITY OF PORTSMOUTH BOARD OF ADJUSTMENT APPROVED THE FOLLOWING:
 A) FROM SECTION 10:114.32 TO ALLOW A NONCONFORMING USE TO BE LOCATED IN THE PRINCIPAL BUILDING OR THE STREET, AND OTHER PARTS OF THE BUILDING.
 B) FROM SECTION 10:114.32 TO ALLOW OFF-STREET PARKING SPACES TO BE LOCATED IN THE PRINCIPAL BUILDING OR THE STREET, AND OTHER PARTS OF THE BUILDING.
 C) FROM SECTION 10:114.32 TO ALLOW VEHICLES TO ENTER OR LEAVE A PARKING AREA BY BACKING OUT, INTO OR FROM PUBLIC STREET OR WAY.





**Ross Engineering, LLC
Civil / Structural Engineering**

909 Islington Street
Portsmouth, NH 03801

603-433-7560
alexross@comcast.net



Aerial view. Site is located on Edmond Avenue, adjacent to Route 95.

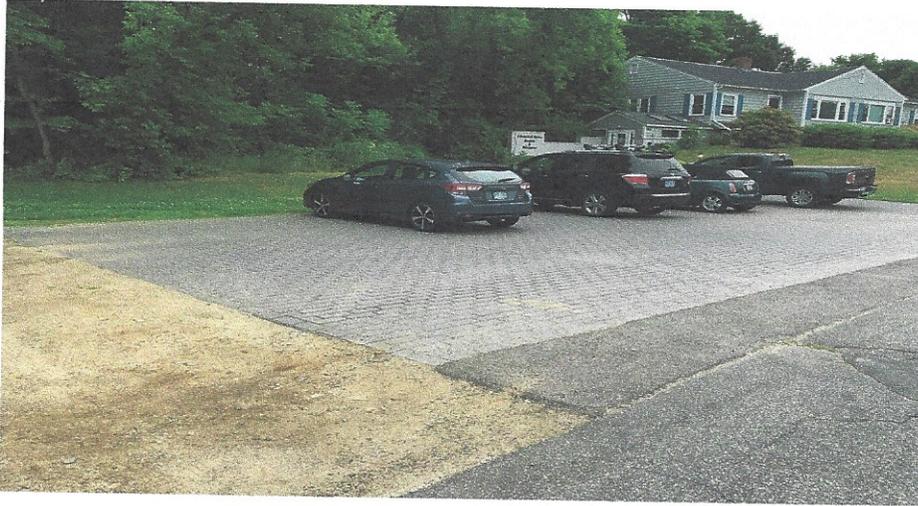


Birdseye view

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Civil / Structural Engineering**

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Portsmouth, NH 03801

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**Photo 3: On Edmond Ave looking South towards
Pervious Paver parking area and structure.**



Photo 4: Business Entrance