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October 30, 2018

HAND DELIVERED
Peter Stith, Planner
Mary Koepenick, Administrative Clerk
Portsmouth Zoning Board of Adjustment
City Hall
One Junkins Avenue
Portsmouth, NH 03801

Re: Zoning Relief
Wayne Barrows & Kristin Riccardi Barrows
55 Lafayette Road
Tax Map 151, Lot 10
Zoning District: General Residence A/Historic Overlay

Dear Zoning Board of Adjustment:

On behalf of the above referenced Owner and Applicant, enclosed please find the following in support of requested zoning relief:

- Building Permit Application – submitted online 10/30/2018.
- 10/30/2018 Variance Application.
- 10/30/2018 Board of Adjustment Application Checklist.
- 10/30/2018 Memorandum and Exhibits in Support of Zoning Relief (original and eleven (11) copies).
- 10/30/2018 Owners' Authorization.

Also enclosed is a check for the $150.00 Application fee. We look forward to presenting this application at the November 20, 2018 meeting.

Very truly yours,

R. Timothy Phoenix

Enclosures

Cc: Wayne Barrows & Kristin Riccardi Barrows
James Verra & Associates, Inc.

DANIEL C. HOEFLE
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OF COUNSEL:
SAMUEL R. REID

CITY OF PORTSMOUTH
Zoning Board of Adjustment Application

Department Use Only			
Assessor Plan # _____	Lot # _____	Date	_____
Zone _____	Lot area _____	Fee	_____
		By	_____

Fill in below by printing in ink or typing / Complete all Blanks or indicate "N/A" if not applicable

Applicant Wayne Barrows & Kristin R. Barrows Owner of Record same

Applicant Street Address 55 Lafayette Road Owner Street Address same

Applicant City / State / Zip Portsmouth, NH 03801 Owner City / State / Zip same

Applicant phone (603) 436-0666 Owner phone (603) 436-0666

Applicant e-mail c/o Counsel tphoenix@hpgrlaw.com

Location (street address) of proposed work: 55 Lafayette Road

Existing use: single family residence

Undersigned hereby requests:

	Article and Section
☐ Appeal from an Administrative Decision See Article 2, Section 10.234.30	_____
☐ Special Exception See Article 2, Section 10.232.20	_____
☒ Variance See Article 2, Section 10.233.20	PZO Sec. 10.521 Dimensional (Area & Frontage)
☐ Other _____ See Article 2, Section 10.233.20	_____

To permit the following:

See attached.

The undersigned alleges that the required conditions exist for granting of this request according to the terms of the Zoning Ordinance as demonstrated in the attached submittals.

Only complete applications will be accepted by the deadline date. A complete application shall consist of: a completely filled out application with original signatures, the application fee, and 12 packets of required plans and any supporting documents or photos. Incomplete applications will not be accepted. Applications received after the deadline will be scheduled for the following month. The owner or his/her representative is required to attend the Public Hearing for the above appeal.

T Phoenix Counsel 10/30/17

Signature of Owner Date

Please PRINT name here T Phoenix

Applicant's Responsibilities

1. All applications for Variances and Special Exceptions must be submitted to the Planning Department prior to the published deadline. In the case of Appeals from an Administrative Decision, the appeal shall be filed no later than 30 days from the date of the action which is being appealed.

2. A Building Permit application must also be filed for the project for which zoning relief is being sought. The Building Permit application can be submitted with the Board of Adjustment application or filed prior. The Planning Department may waive this requirement when the application is for a substandard lot for subdivision purposes and no other zoning relief is required.

3. An applicant shall be one of the following: a) the owner of record of the property, or b) the holder of a valid purchase and sales agreement for the purchase of the subject property, or c) the holder of a valid option for the purchase of the subject property.

4. All applications shall include a written statement explaining how the request complies with the requirements of the Zoning Ordinance as provided in Article 2 (see Section 10.234.30 for Administrative Appeals, Section 10.233.20 for Variances, Section 10.232.20 for Special Exceptions).

5. It is the obligation of the applicant to submit adequate plans and exhibits in accordance with the terms of the Zoning Ordinance for all applications for Administrative Appeals, Variances, Special Exceptions, and Equitable Waivers.

6. One (1) orginal copy of a completed and signed "Board of Adjustment Application Check-List" shall accompany all applications.

7. For applications requesting dimensional relief, the minimum requirements for adequate plans shall include the following:

■ Site Plan(s) showing existing and proposed conditions including: - Front, side and rear setback / yard dimensions (this is the distance from a structure to the lot line) - Lot dimensions - Abutting street(s) and street names - Driveways / accessways - Dimensions (size and height) of structures - Dimensions and location of parking spaces	□ Scale of all drawings and plans (the scale is the ratio of the drawing's size relative to the actual size) □ Labeled photo(s) of existing conditions □ Building plans and elevations of any *proposed* structures or additions □ Interior floor plans for any renovations or expansion to existing structures

8. For applications requesting relief from land use requirements, the minimum requirements for adequate plans shall include the following:

□ Site Plan showing dimensions and location of parking spaces including the scale (the scale is the ratio of the drawing's size relative to the actual size)
□ Interior floor plans and/or exterior site plans showing the location of the proposed use(s)
□ Labeled photo(s) of existing conditions

9. Plans should be 8 ½" x 11" in size, 11" x 17" plans may be used only if the plan would otherwise be unreadable.

10. The Planning Department is authorized by the Board of Adjustment to refuse applications which do not meet these minimum requirements. The Planning Department may also require additional information and/or exhibits as needed to illustrate the scope of the project. Public Hearings shall not be scheduled, advertised or held until such time as the minimum requirements for adequate plans have been submitted. The Board may postpone any application requiring more information prior to any action being taken.

11. The applicant shall submit one (1) original and eleven (11) copies of the application and any plans, exhibits, and supporting documents.

12. The applicant shall provide electronic files in Portable Document Format (PDF) of all submittals.

I have read the above list of responsibilities, have provided all required information, and such information is current, accurate, and complete to the best of my knowledge.

DMC Counsel 10/20/18

(Applicant's Signature, date)

The Applicant is encouraged to consider the following when completing the application:

- □ Provide neat and clear plans
- □ Use of color or highlights is encouraged in order to identify pertinent areas on plans
- □ Applicants are encouraged to review the application with a member of the Planning Department staff prior to submittal
- □ All applicants are encouraged to discuss the project with impacted neighbors

Board of Adjustment Application Check-List

Please complete and submit one (1) copy with your completed application.

Property Address 55 Lafayette Road
Completed By R. Timothy Phoenix

APPLICATION TYPE:

- [x] Variance or Special Exception for Dimensional Requirements
- [ ] Variance or Special Exception for Use Requirements
- [ ] Other _____

FOR APPLICATIONS REQUESTING **DIMENSIONAL RELIEF**, THE FOLLOWING SUBMISSIONS MUST BE INCLUDED:

- [x] Site Plan(s) showing existing and proposed conditions including:
  - [ ] Front, side and rear setback / yard dimensions (this is the distance from a structure to the lot line)
  - [x] Lot dimensions
  - [x] Abutting street(s) and street names
  - [x] Driveways / accessways
  - [ ] Dimensions (size and height) of structures
  - [ ] Dimensions and location of parking spaces
  - [x] Scale of all drawings and plans (the scale is the ratio of the drawing's size relative to the actual size)
- [x] Labeled photo(s) of existing conditions
- [ ] Building plans and elevations of any proposed structures or additions
- [ ] Interior floor plans for any renovations or expansion to existing structures

FOR APPLICATIONS REQUESTING **LAND USE RELIEF**, THE FOLLOWING SUBMISSIONS MUST BE INCLUDED:

- [ ] Site Plan(s) showing:
  - [ ] Location of the proposed use(s) on the property
  - [ ] Site plan showing location and dimensions of parking spaces
- [ ] Interior floor plans showing the location and layout of the proposed use
- [ ] Labeled photo(s) of existing conditions

ALL APPLICATIONS

- [x] Complete application checklist **(1 original)**
- [x] Complete and signed Building Permit application **(1 original)**
  - [x] filed previously
  - [ ] included with this packet
- [x] Complete and signed Board of Adjustment Application Form **(1 original, 11 copies)**
  - [x] Property Owner signatures (on front and back of Board of Adjustment application form)
- [x] Written statement explaining how the request complies with the requirements of the Zoning Ordinance as provided in Article 2 (see Section 10.234.30 for Administrative Appeals, Section 10.233.20 for Variances, Section 10.232.20 for Special Exceptions) **(12 copies)**
- [x] Required plans / exhibits are 8 ½" x 11" or 11" x 17" in size **(12 copies)**
- [ ] Additional information as requested by the Planning Department staff

_____

- [x] Electronic file in Portable Document Format (PDF)
  - [x] Sent by e-mail
  - [ ] Provided on CD-ROM
  - [ ] Provided on flash drive

MEMORANDUM

TO: Portsmouth Zoning Board of Adjustment ("ZBA")
FROM: R. Timothy Phoenix, Esquire
DATE: October 30, 2018
RE: Wayne Barrows and Kristin Riccardi Barrows, Owners/Applicants
55 Lafayette Road
Tax Map 151/Lot 010
General Residence A District/Historic Overlay District

Dear Chairman Rheaume and Zoning Board Members:

On behalf of the Owners/Applicants, Wayne Barrows and Kristen Riccardi Barrows (the "Barrows"), we are pleased to submit this memorandum and attached exhibits in support of Zoning Relief for the subdivision of the existing lot to be considered by the ZBA at its November 20, 2018 meeting.

I. Exhibits

1. Site photographs.
   - Aerial view
   - Street view
   - Yard view
2. 10/29/2018 Subdivision of Land Plan – by James C. Verra and Associates, Inc.
3. Map of area depicting lots with less than required area, frontage or both.
4. Corresponding list of surrounding area properties with less than required area, frontage or both.
5. Tax Map 151.

II. Property/Project

The Barrows own a single 17,024 s.f. lot containing a one-story single-family home and shed located at 55 Lafayette Road, Map 151, Lot 10 (the "Property"). The Barrows propose to subdivide the lot into two lots, one containing 6,251 s.f. and 96.38 ft. of frontage requiring relief and one containing 10,773 s.f. and 100 ft. of frontage requiring no relief. Although the existing lot has sufficient square footage for two lots, its configuration and house location render a new 7,500-s.f. lot infeasible. The project confers the benefit of an additional buildable lot in a thickly settled area of Portsmouth, where housing opportunities are in high demand and many lots are less than the required 7,500 s.f., have less than the required 100 feet of frontage or both.

(Exhibits 3, 4). Approval for a lot with less than 7,500 s.f. and less than 100 ft. of frontage is necessary before an application to subdivide can be filed with the Planning Board.

III. Relief Required

Variance Section/Requirement	Existing	Proposed
PZO§10.521: Dimensional Standards 7,500 s.f. Lot area 7,500 s.f. Lot area/dwelling unit	17,024 s.f.	Lot 1: 10,773 s.f. (no relief) Lot 2: 6,251 s.f.
PZO§10.521: Dimensional Standards 100' Continuous Street Frontage	196.38'	Lot 1: 100' (no relief) Lot 2: 96.38'

V. Variance Requirements

1. **The variances will not be contrary to the public interest.**
2. **The spirit of the ordinance is observed.**

The first step in the ZBA's analysis is to determine whether granting the variances is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to *Malachy Glen Associates, Inc. v. Town of Chichester*, 155 N.H. 102 (2007) and its progeny. Upon examination, it must be determined whether granting a variance "would unduly and to a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives". *Id.* "Mere conflict with the zoning ordinance is not enough". *Id.*

Portsmouth Zoning Ordinance ("PZO") Section 10.121 identifies the general purposes and intent of the ordinance "to promote the health, safety and general welfare of Portsmouth…in accordance with the…Master Plan" This is accomplished by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes – The intended use of the property is and will remain residential. The requested relief will satisfy the need for additional housing with creation of additional building lot on an underutilized area of land in a densely populated area where many similar sized lots exist.
2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – Lot 2 is just shy of the required frontage; though under the required 7,500 s.f., it can accommodate a modest sized home without increasing the intensity of land use in the area. Considered together, the lots exceed the 15,000 s.f. required for two lots. Many lots in the area are smaller than 7,500 s.f. and lack 100 feet of frontage so the new lot fits in the area.

3. The design of facilities for vehicular access, circulation, parking and loading – Both lots will have sufficient space to accommodate appropriate facilities for these needs.
4. The impact on properties on of outdoor lighting, noise, vibration, stormwater runoff and flooding – The creation of an additional residential lot will not impact surrounding properties.
5. The preservation and enhancement of the visual environment – Allowance of an additional residential building lot on a major thoroughfare in a thickly settled area of town will not negatively affect the visual environment.
6. The preservation of historic districts and building and structures of historic architectural interest – While the property is located in the Historic Overlay District, there is no plan to alter the home existing on Lot 1, only an intent to create an additional building lot where currently only a shed exists. Review by the Historic District Commission will nonetheless be required.
7. The protection of natural resources, including groundwater, surface water, wetlands, wild life habitat and air quality – The granting of the variances will have no effect upon this purpose.

The intent of General Residence A is "[t]o provide areas for single-family, two-family and multifamily dwellings, with appropriate accessory uses, at moderate to high densities (ranging from approximately 5 to 12 dwelling units per acre), together with appropriate accessory uses and limited services." PZO §10.410. The proposal meets the intentions of the General Residence A Zone by providing another residential building lot that is consistent with many in the area. Given these factors, granting the limited requested variances will not conflict with the basic zoning objectives of the PZO.

In considering whether variances "in a marked degree conflict with the ordinance such that they violate the ordinance's basic zoning objectives," *Malachy Glen, supra*, also held:

> One way to ascertain whether granting the variance would violate basic zoning objectives is to determine whether it would alter the essential character of the locality… . Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare. (emphasis added)

Notably, there are many properties in the immediate area with lot areas less than 7,500 s.f. **and** less than 100 feet of frontage; more yet lack required lot area **or** frontage. **(Exhibits 3, 4).** Along Middle Street, Middle Road, Lawrence and Monroe streets, several larger lots with two-families or multi-units fail to meet the required lot area per dwelling. **(Exhibit 4)**. All are in the General Residence A Zone, or neighboring Single Residence B Zone, which has a greater lot

area requirement. Given the existence of many similar lots in the area, granting the variances for a lot on a major thoroughfare in a thickly settled area of town will not alter the essential characteristics of the neighborhood.

Similarly, there will be no threat to the public health, safety or welfare by granting the requested variances when the relief required is for a building lot size comparable to several existing in the surrounding area, and for an amount of frontage just under the required 100 feet. Allowance of an additional residential building lot on a major thoroughfare in a densely populated residential zone satisfies the need for additional housing and affords the Barrows the highest and best use of their land.

Clearly, the requested variances neither alter the essential character of the locality nor threaten the public health safety or welfare. Accordingly, none of the variances are contrary to the public interest and all observe the spirit of the ordinance.

3. **Granting the variance will not diminish surrounding property values.**

Granting the requested variances will not diminish surrounding property values. The proposal will satisfy the need for housing in Portsmouth through creation of an additional building lot on Lafayette Road. The later addition of a modest home on a lot similar in size to many in the area will not diminish surrounding property values.

4. **Denial of the variances results in an unnecessary hardship.**

a. Special conditions distinguish the property from others in the area.

The current lot is oversized, with the house on one side and a large triangular-shaped rear yard behind. This configuration under-utilizes prospective Lot #2 as an additional yard, when a more productive use would be as an additional residential building lot. A hardship may be found where similar nonconforming uses exist within the neighborhood and the proposed use will have no adverse effect on the neighborhood. See *Walker v. City of Manchester*, 107 N.H. 382, 386 (1966). In *Walker*, an applicant sought to convert the use of a large building to a dwelling and funeral home in a residential zone. Denied by the Manchester Zoning Board of Adjustment, the Trial Court and Supreme Court found that a hardship existed, thus the variances should have been granted, where numerous other large dwellings in the area had been converted to office or other business use, and numerous funeral homes existed in an otherwise residential district via the issuance of variances. Here, the density resulting from the requested variances is

similar to the density in the surrounding area comprised of many homes with similar sized lots and will have no adverse effect on the neighborhood, thus a hardship exists. *Walker*, supra.

Finally, a municipality's ordinance must reflect the current character of the neighborhood, See *Belanger v. City of Nashua*, 121 N.H. 389, 393 (1981). Granting the requested variances allow the subject lot to be in keeping with the character of other residential uses in the vicinity. Thus, the variances in this instance will allow the ordinance to reflect the character of the area. In light of these conditions and restrictions, special conditions exist at the Property.

b. No fair and substantial relationship exists between the general public purposes of the ordinance and its specific application in this instance.

The purpose of dimensional requirements is to regulate density and prevent overcrowding of land and population. The purpose of frontage requirements is to provide air, light and promote visibility for motorists, cyclists and pedestrians. The requested variances do not undermine the purpose of the Ordinance, particularly in the context of a surrounding area containing many similar sized properties.

c. The proposed use is reasonable.

If the use is permitted, it is deemed reasonable. *Vigeant v. Hudson*, 151 N.H. 747 (2005). Residential use is permitted and the creation of Lot 2 is consistent with the overall intent of the zoning district and similar conditions in the neighborhood. Thus, the improvements and variances required for them are reasonable.

5. Substantial justice will be done by granting the variance.

If "there is no benefit to the public that would outweigh the hardship to the applicant" this factor is satisfied. *Harborside Associates, L.P. v. Parade Residence Hotel, L.L.C.*, 162 N.H. 508 (2011). That is, "any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice." *Malachy Glen, supra* at 109. The variances needed to create a comparably sized building lot for a modestly sized residential home in this residential zone will not impact the general public. Conversely, the Barrows will be greatly harmed by denial of any of the variances, as they will lose the ability to create needed housing in Portsmouth. Without question, substantial justice will be done by granting each variance while a substantial injustice will be done by denying any of them.

VI. Conclusion

For all of the reasons stated, Wayne Barrows and Kristin Riccardi Barrows respectfully requests that the Portsmouth Zoning Board of Adjustment grant each variance request.

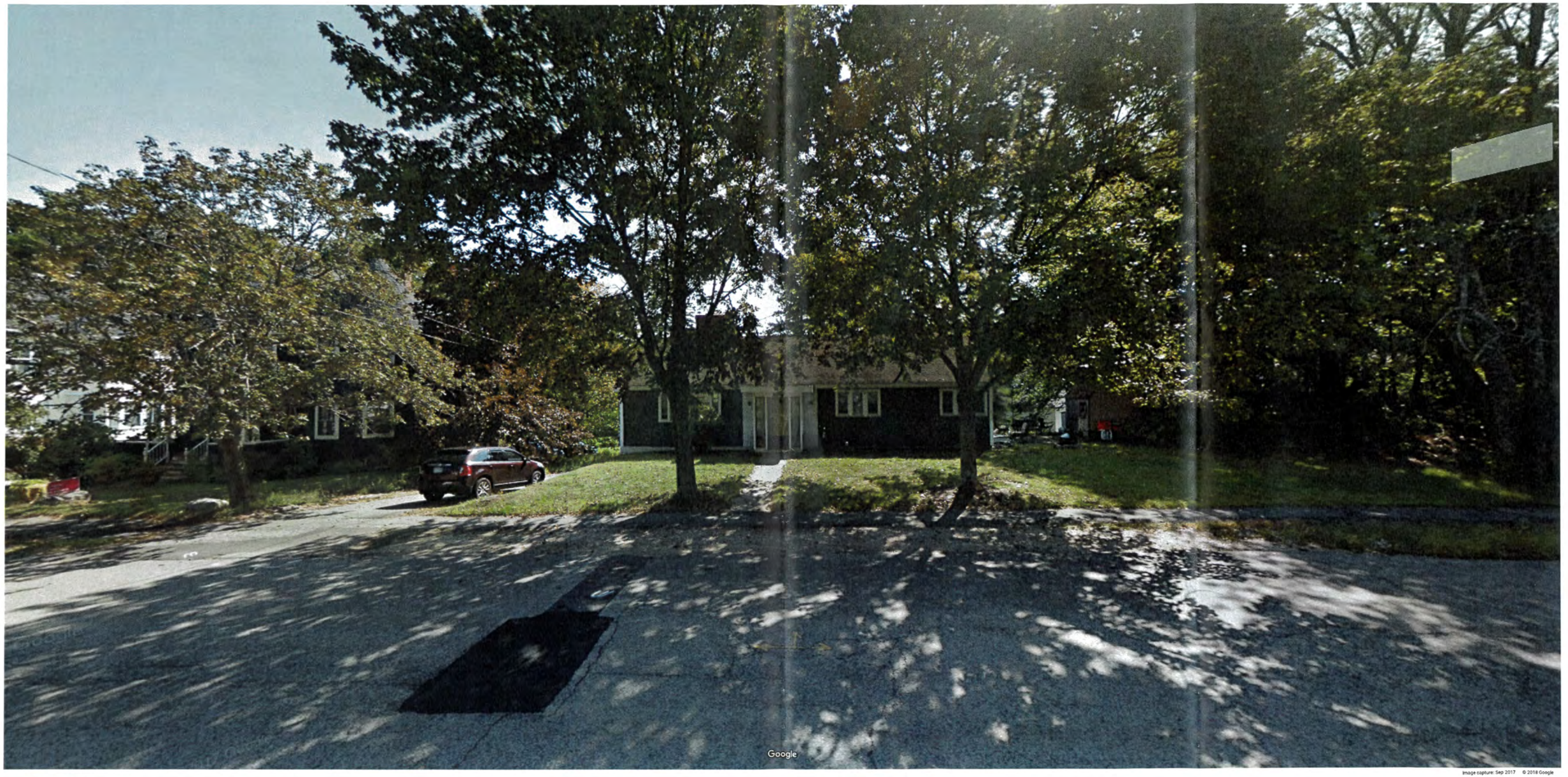
Respectfully submitted,

Wayne Barrows & Kristin Riccardi Barrows

By: R. Timothy Phoenix
Monica F. Kieser
Hoefle, Phoenix, Gormley & Roberts, P.A.
127 Parrott Avenue
Portsmouth, NH 03801
(603) 436-0666

55 Lafayette Rd

55 US-1



Portsmouth, New Hampshire

Google, Inc.

Street View - Sep 2017

Google Maps 70 US-1

Image capture: Sep 2017 © 2018 Google

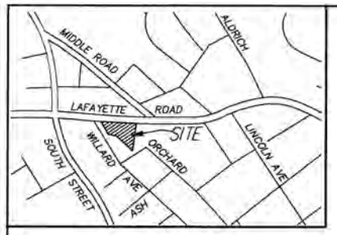
Portsmouth, New Hampshire

Google, Inc.

Street View - Sep 2017

EXHIBIT 2

tabbies



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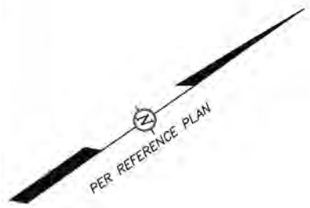

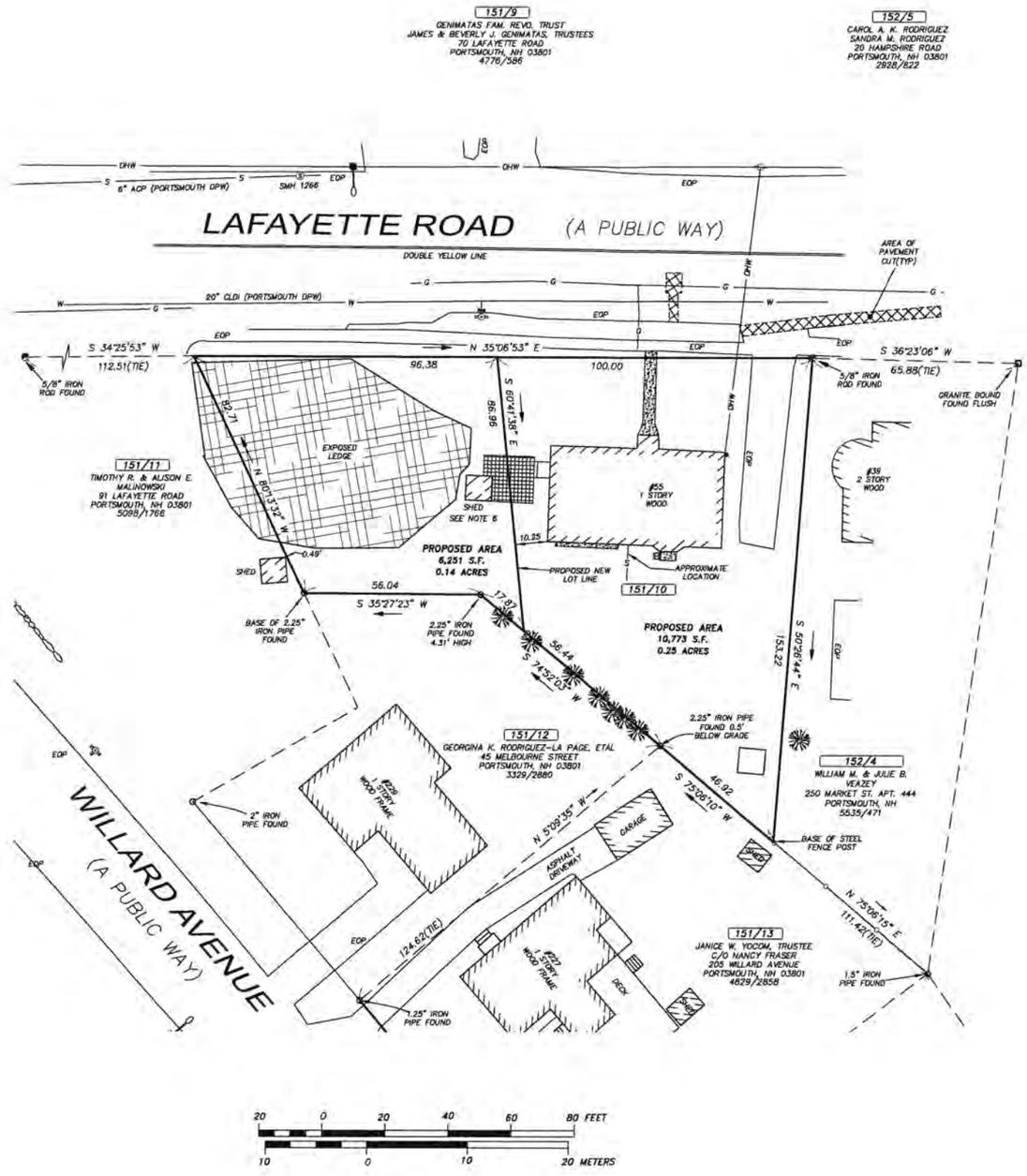

LEGEND:

- IRON ROD (AS NOTED)
- IRON PIPE FOUND
- CHAIN LINK FENCE
- UTILITY POLE
- TRANSFORMER UTILITY POLE W/ARM & LIGHT
- GUY
- OHW — OVERHEAD WIRES
- CEMENT CONCRETE PAD
- CONCRETE PAVERS
- 5'x4' CEMENT CONCRETE
- RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
- 151-10 TAX SHEET / LOT NO.
- EOP EDGE OF PAVEMENT
- W WATER LINE
- S SEWER LINE
- G GAS LINE
- SEWER MANHOLE
- WATER GATE VALVE
- HYDRANT
- ELECTRIC METER
- HVAC UNIT

NOTES:

1. OWNER OF RECORD.....WAYNE & KRISTIN RICCIARDI BARROWS
   ADDRESS.....55 LAFAYETTE RD, PORTSMOUTH, NH 03801
   DEED REFERENCE.....5594/1218
   TAX SHEET / LOT.....151-010
2. ZONED:.....GENERAL RESIDENCE A
   MINIMUM LOT AREA..7,500 S.F. — FRONT YARD SETBACK.....15'
   FRONTAGE.....100' — SIDE YARD SETBACK.....10'
   TOTAL LOT AREA.....17,024 S.F. — REAR YARD SETBACK.....20'
   MAX. BUILDING COVERAGE.....25% — MIN. OPEN SPACE.....30%
3. THE RELATIVE ERROR OF CLOSURE WAS LESS THAN 1 FOOT IN 15,000 FEET.
4. THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GATES ETC.) AND INFORMATION COMPILED FROM PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE ☎ 1-888-DIG-SAFE.
5. THE PARCEL SHOWN HEREON LIES WITHIN ZONE X (AREAS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS IDENTIFIED ON FLOOD INSURANCE RATE MAP, ROCKINGHAM COUNTY, NEW HAMPSHIRE, MAP NUMBER 33015C0259E, EFFECTIVE DATE MAY 17, 2005 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
6. EXISTING SHED TO BE REMOVED OR RELOCATED.

REFERENCE PLANS:

1. SUBDIVISION OF LAND, 227 WILLARD AVENUE, PORTSMOUTH, NEW HAMPSHIRE FOR JANICE W. YOCOM. DATED 6/29/99 RCRD PLAN #D-27518.

APPROVED FOR THE RECORD:

CHAIRMAN PORTSMOUTH PLANNING BOARD — DATE

REV. NO.	DATE	DESCRIPTION	APP'D
1	10-29-2018	RECOMPUTE LOTS AS REQUESTED	JV

SUBDIVISION OF LAND
55 LAFAYETTE ROAD
PORTSMOUTH, NEW HAMPSHIRE
ASSESSOR'S PARCEL 151-010
FOR:
WAYNE & KRISTIN RICCIARDI BARROWS

JAMES VERRA and ASSOCIATES, INC.
101 SHATTUCK WAY
SUITE 5
NEWINGTON, N.H., 03801-7876
603-436-3557

DATE:	10-29-2018
JOB NO:	23683
SCALE:	1" = 20'
DWG NAME:	23683
PLAN NO:	23683
SHEET:	1 of 1

GTD PROJECT MGR — GTD DRAWN BY

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55 Lafayette Road in Context

EXHIBIT 3

tabbies'

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 01/04/2018
Properties updated 10/26/2018

Subject Property

Less than 100' Frontage & Less than 7,500 s.f. Lot Area

Less than 100' Frontage

Less than 7,500 s.f. Lot Area

2 + Units with insufficient Lot Area/Dwelling

Properties with less than 100' of frontage and less than 7,500 s.f. Lot Area

EXHIBIT 4

tabbies'

In General Residence A

Address (Map/Lot)	Frontage	Lot size
145 Lafayette Road (151/20)	53'	5,411 s.f.
45 Middle Road (152/11)	50'	5,250 s.f.
95 Monroe Street (168/26)	50'	4,791 s.f.
238 Willard Avenue (151/17)	75'	6,750 s.f.
218 Willard Avenue (151/15)	50'	6,098 s.f.
208 Willard Avenue (151/14)	58	7,250 s.f.
82 Willard Avenue (150/30)	51'	5,228 s.f.
38 Willard Avenue (150/1)	60'	6,098 s.f.
99 Willard Avenue (149/18)	50'	5,663 s.f.
55 Willard Avenue (149/21)	50'	5,663 s.f.
45 Willard Avenue (149/22)	69'	5,663 s.f.
99 Orchard Street (149/47)	50'	5,227 s.f.
109 Orchard Street (149/46)	30'	3,049 s.f.
91 Orchard Street (149/48)	54'	5,228 s.f.
162 Orchard Street (149/40)	51'	6,098 s.f.
152 Orchard Street (149/39)	50'	5,662 s.f.
104 Orchard Street (149/33)	50'	5,662 s.f.
72 Orchard Street (149/31)	52'	5,662 s.f.
62 Orchard Street (149/30)	50'	5,228 s.f.
42 Orchard Street (149/28)	50'	6,534 s.f.
211 Park Street (149/5)	58'	4,791 s.f.
47 Orchard Street (149/8)	60'	5,228 s.f.
37 Orchard Street (149/9)	60'	4,791 s.f.
25 Orchard Street (149/10)	67'	5,227 s.f.
252 Wibird Street (149/12)	0'	4,791 s.f.
44 Mendum Avenue (149/59)	70'	6,970 s.f.
52 Mendum Avenue (149/58)	50'	4,792 s.f.
76 Mendum Avenue (149/56)	56'	4,792 s.f.
1247 South Street (151/23)	60'	5,663 s.f.
1248 South Street (151/4)	80'	5,227 s.f.
1157 South Street (150/17)	50'	5,227 s.f.
1151 South Street (150/18)	60'	6,534 s.f.
1121 South Street (150/20)	64'	6,970 s.f.
1105 South Street (151/21)	65'	5,663 s.f.
88 Ash Street (150/39)	65'	6,970 s.f.
110 Ash Street (150/37)	50'	5,228 s.f.
87 Ash Street (150/33)	55'	5,663 s.f.
109 Ash Street (150/35)	53'	5,228 s.f.
117 Ash Street (150/36)	53'	5,663 s.f.
57 Marston Avenue (150/5)	53'	6,534 s.f.
66 Marston Avenue (150/26)	60'	3,920 s.f.

Properties with less than 100' of frontage and less than 7,500 s.f. Lot Area

In Single Residence B

Address (Map/Lot)	Frontage	Lot size
105 Middle Road (152/18)	50'	6,100 s.f.
117 Middle Road (168/19)	50'	6,098 s.f.
175 Middle Road (168/16)	50'	5,227 s.f.
51 Kensington Road (152/15)	50'	4,792 s.f.
59 Kensington Road (152/16)	50'	4,792 s.f.
88 Kensington Road (152/22)	78'	6,098 s.f.
70 Kensington Road (152/23)	78'	6,098 s.f.
58 Kensington Road (152/24)	78'	6,098 s.f.
28 Kensington Road (152/25)	78'	5,663 s.f.
320 Thaxter Road (152/31)	50'	5,663 s.f.
292 Thaxter Road (152/32)	50'	5,663 s.f.
317 Thaxter Road (152/38)	50'	6,534 s.f.
325 Thaxter Road (152/39)	50'	6,534 s.f.
335 Thaxter Road (152/40)	50'	4,792 s.f.
341 Thaxter Road (152/41)	50'	5,227 s.f.

Properties with less than 100' of frontage

In General Residence A

Address (Map/Lot)	**Frontage**
1215 South Street (151/25)	50'
18 Monroe Street (151/7)	75'
2 Monroe Street (152/8)	71'
1207 South Street (151/26)	53'
240 Willard Avenue (151/18)	20'
1167 South Street (151/28)	87'
100 Ash Street (150/38)	81'
97 Ash Street (150/34)	70'
36 Marston Avenue (150/28)	60'
45 Marston Avenue (150/4)	89'
921 Middle Street (152/1)	80'
15 Lafayette Road (152/2)	75'
25 Lafayette Road (152/3)	66'
39 Lafayette Road (152/4)	99'
292 Wibird Street (149/25)	50'
48 Orchard Street (149/29)	73'
226 Park Street (149/50)	46'
212 Park Street (149/51)	50'
204 Park Street (149/52)	50'
192 Park Street (149/53)	50'
201 Park Street (149/4)	50'
227 Park Street (149/6)	45'
244 Wibird Street (149/13)	67'

In Single Residence B

Address (Map/Lot)	**Frontage**
260 Middle Road (168/9)	80'
1380 South Street (168/5)	59'
171 Monroe Street Ext. (168/3)	75'
187 Monroe Street Ext. (168/2)	25'
200 Monroe Street Ext. (168/1)	25'
1375 South Street (168/23)	69'
1365 South Street (168/24)	50'
185 Middle Road (168/15)	50'
100 Kensington Road (152/21)	40'
41 Kensington Road (152/14)	75'
61 Lawrence Street (152/28)	85'
303 Thaxter Street (152/37)	88'
277 Thaxter Street (152/36)	88'
40 Sunset Road (153/12)	80'
50 Sunset Road (153/13)	80'
74 Sunset Road (153/14)	80'
76 Sunset Road (167/1)	80'

Properties with less than 7,500 s.f. Lot Area

In General Residence A

Address (Map/Lot)	**Lot size**
180 Willard Avenue (150/45)	4,792 s.f.
29 Orchard Court (150/44)	5,227 s.f.
162 Willard Avenue (150/42)	5,227 s.f.
110 Willard Avenue (150/32)	5,227 s.f.
72 Willard Avenue (150/29)	5,227 s.f.
50 Willard Avenue (150/2)	6,098 s.f.
1 Ash Street (149/34)	5,663 s.f.
111 Willard Avenue (149/17)	5,663 s.f.
230 Park Street (149/49)	4,792 s.f.
256 Wibird Street (149/11)	6,354 s.f.
170 Middle Road (168/27-1)	6,098 s.f.
49 Lawrence Street (152/43)	5,663 s.f.

In Single Residence B

Address (Map/Lot)	**Lot size**
59 Boss Avenue (152/29)	4,792 s.f.
97 Middle Road (152/19)	5,663 s.f.
77 Middle Road (152/9)	5,663 s.f.
71 Kensington Road (152/17)	4,792 s.f.

EXHIBIT 5

tabbies'

MONROE ST EXT

LAFAYETTE RD

MIDDLE RD

SOUTH ST

SUMMIT AVE

JENKINS AVE

ROCKAWAY ST

WILLARD AVE

ORCHARD ST

ORCHARD CT

SIMS AVE

106.08'

245.09'

200'

112.38'

121.62'

445.87'

234.30'

Partia

See the cover sheet

7-5A	Lot or lot-unit number
2.56 ac	Parcel area in acres (ac) or square feet (sf)
25	Address number
233-137	Parcel number from a neighboring map
68'	Parcel line dimension
SIMS AVE	Street name

Parcel/Parcel boundary

Parcel/ROW boundary

Water boundary

Structure (1994 data)

Parcel covered by this map

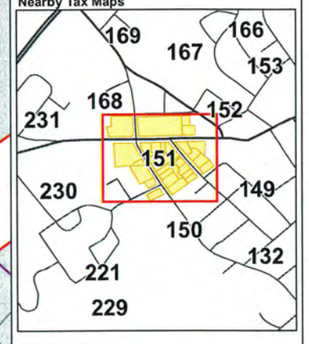
Parcel from a neighboring map (see other map for current status)

0 50 100 Feet

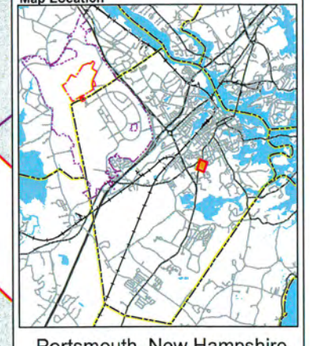
0 20 40 Meters

This map is for assessment purposes only. It is not intended for legal description or conveyance.
Parcels are mapped as of April 1.
Building footprints are 2006 data and may not represent current structures.
Streets appearing on this map may be paper (unbuilt) streets.
Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.

Nearby Tax Maps



Map Location



Portsmouth, New Hampshire
2017

Tax Map 151

OWNER'S AUTHORIZATION

The undersigned, Wayne Barrows and Kristin Riccardi Barrows, owners of the property located at 55 Lafayette Road, Portsmouth, NH (the "Property"), hereby authorize Hoefle, Phoenix, Gormley and Roberts, P.A., and James Verra, LLS to file documents and appear before the Portsmouth Zoning Board of Adjustment, Planning Board, and/or Historic District Commission in all matters relating to applications related to 55 Lafayette Road.

Wayne Barrows

Date 10 / 30 / 2018

Kristin Riccardi Barrows

Date 10 / 30 / 2018