

Tyler Garzo

62 McKinley Rd ♦ Portsmouth, NH 03801

Dear Neighbors and the Portsmouth Zoning Board of Adjustment,

In accordance with the Portsmouth variance application process, please find attached plans, pictures, and documentation in support of variance requests which will allow future subdivision of 62 McKinley Road.

Property/Proposal

62 McKinley Rd is an unusual 1947 construction that me and others suspect was one of the first presentation properties in the Elwyn Park subdivision. Just 5 other houses were constructed in Elwyn Park in 1947, and it's the year with the 4th highest lot sizes. This is not a typical lot - it is not only a corner property, but it also has an unusually large backyard with sweeping frontage on Coolidge Dr. that I have kept as an open meadow. The meadow has fences bordering the two abutting neighbors, some tall maple tree growth on one border and vines/small trees on the other.



Construction begins in Elwyn Park, 62 McKinley build site circled in red.

I'm proposing to subdivide off the meadow so that another person may build their own home in Portsmouth. I considered an accessory dwelling unit but do not want to be someone's landlord. The buildable area of the proposed lot is limited by required yards, ensuring any future construction will be compatible with Elwyn Park's character. The remaining lot and proposed lot are non-conforming for single residential B zoning (SRB) due to lot size and depth requirements. However, the smaller lot size would be **more** conforming to pre-1967 construction in Elwyn Park. About 80% of Elwyn Park was built before 1967.

The meadow, proposed lot. Note the tree screening provided on south and west corners.



Relief Requested

a. Remaining lot:

Lot area and lot area per dwelling unit of 8,430 sqft for a lot with an existing structure where 15,000 sqft is required for each.

b. Remaining lot:

87 feet of lot depth where 100 feet is required.

c. Remaining lot:

Rear yard setback of 13 feet where 30 feet is required.

d. Proposed lot:

Lot area and lot area per dwelling unit of 8,430 sqft for a proposed lot where 15,000 sqft is required for each.

e. Proposed lot:

88.44 feet of lot depth where 100 feet is required.

Variance Requirements

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

A consistent message during our elections and city council meetings is that Portsmouth needs more housing. Creating more opportunities to build housing by providing high quality land has been indicated by our elected leaders to be in the public interest, and property taxes continue to press those holding vacant land to take action.

2. The spirit of the ordinances will be observed.

No relief is being requested for buildable area on the proposed lot. Granting relief allows a similarly sized home with its own separate street frontage, address, and independent ownership, in character with surrounding homes. 183 Coolidge Dr. underwent similar subdivision in 2020.

The proposed lot will have a full 100' of required street frontage - maintaining the most visible visual element requested in 10.520.

3. The values of surrounding properties will not be diminished.

Supporting “the character of older [towns like Portsmouth] through the compatible filling in of existing neighborhoods” (*Suburban Nation*, Jeff Speck 2010) improves the tax base without sacrificing extremely valuable untouched land, building new roads, or requiring utility buildout.

The 2017 construction kitty corner from 62 McKinley at 24 Coolidge Dr, despite being a modest construction with land subdivided off of 107 McKinley, was recently re-sold and has absolutely increased home values in the neighborhood. Comparison property values are an essential element of real estate sales; new single family homes fetch a premium due to their scarcity.

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

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

This is a special property. Street & utility access to the proposed lot is readily available from Coolidge Dr. This and some neighboring properties are likely original presentation properties for the Elwyn Park subdivision that were set up to entice buyers rather than to use land efficiently. The deeper towards Dondero School one travels, the more common a 0.2 acre lot becomes.

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

I reviewed the entire 114 and relevant 133 neighborhood IDs in Portsmouth's property database. Of 291 relevant properties built prior to 1967, 79% have less than 15,000 sqft of land. Neighborhood ID 133, which is bolted on to Elwyn Park, contains 87% of properties with less than 15,000 sqft of land.

SRB did not dictate construction of Elwyn Park; it might have been the other way around. Zoning ordinances at their best are intended to provide consistency & keep compatible uses next to each other. That intent is maintained in this request.

Strict SRB specifications may not be the best choice here, and given the city's overall trend towards denser development, higher property values, and higher property taxes, property owners are forced to follow the trend towards smaller parcels if they don't want to be squeezed out by tax assessments.

c. The proposed use is reasonable.

Allowing the potential construction of another smaller home in character with the neighborhood passes an unwritten visual test - the proposed lot looks like it is missing a house, and neighbors I have spoken to seem to agree. The proposed dividing line is synchronized with the one separating 183 Coolidge and 104 McKinley. Unlike some new construction presented to the ZBA which attempts to place 4 townhomes into a single residential lot, this is a compatible use in a truly vacant piece of land. I will be the first one to object if future construction is not in character as it will be my view while cooking dinner.

5. Substantial justice will be done.

PZO 10.122 states specific sustainability objectives. “Reduce dependence upon fossil fuels, extracted underground metals and minerals;” and “Reduce dependence on activities that harm life-sustaining ecosystems”. By allowing compatible construction on already graded and cleared land in an existing neighborhood, we are making a collective decision not to continue to support suburban sprawl, not to support greenfield clearing, and not to support drive-everywhere lifestyles that burn fossil fuels, increase exhaust & sound pollution, and deprive adults and children of their independence.

This project also meets goals stated in Portsmouth’s 2024 Climate Action Plan item CSLU-3, which encourages “focusing on the availability of amenities and services within walkable and bikeable areas” and using “regulatory mechanisms (e.g., zoning-based incentives)” to achieve the desired outcomes.

This is the finest form of justice for the next generation. The requested relief allows another person to be within walking distance of Market Basket, another family to allow their children to roam a safe neighborhood & walk to Dondero, and another neighbor to enjoy self-reliance and independence that is only possible with land and home ownership.

Conclusion

I appreciate the board’s time and city staff time. Thank you for your consideration of my project.

A handwritten signature in black ink, appearing to read "Tyler Garzo". The signature is fluid and cursive, with a long horizontal line extending from the end.

Tyler Garzo
July 23, 2025

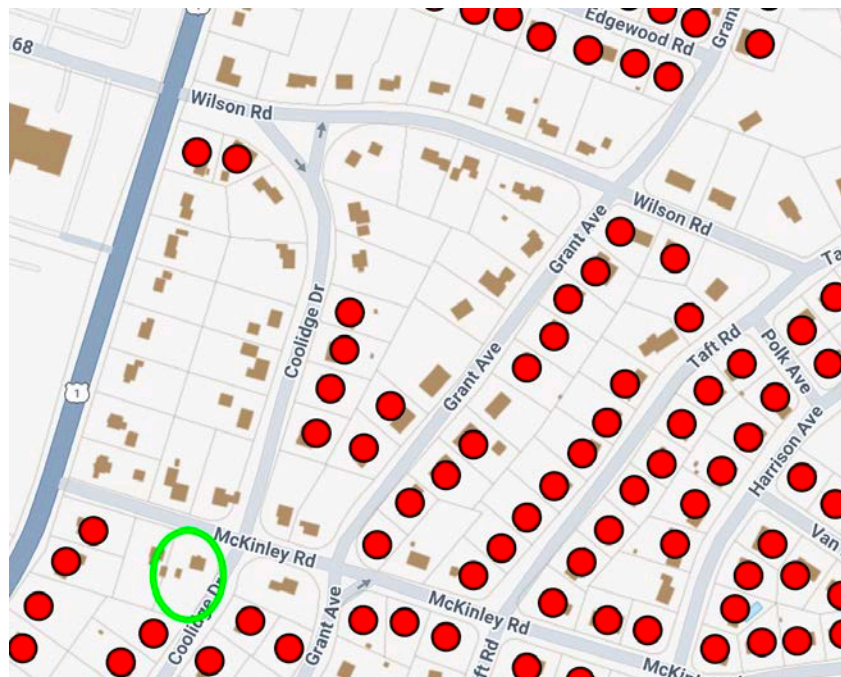
Pictorial Representation of Relief Request

For illustrative purposes only, stamped surveys are provided at the end of this packet.

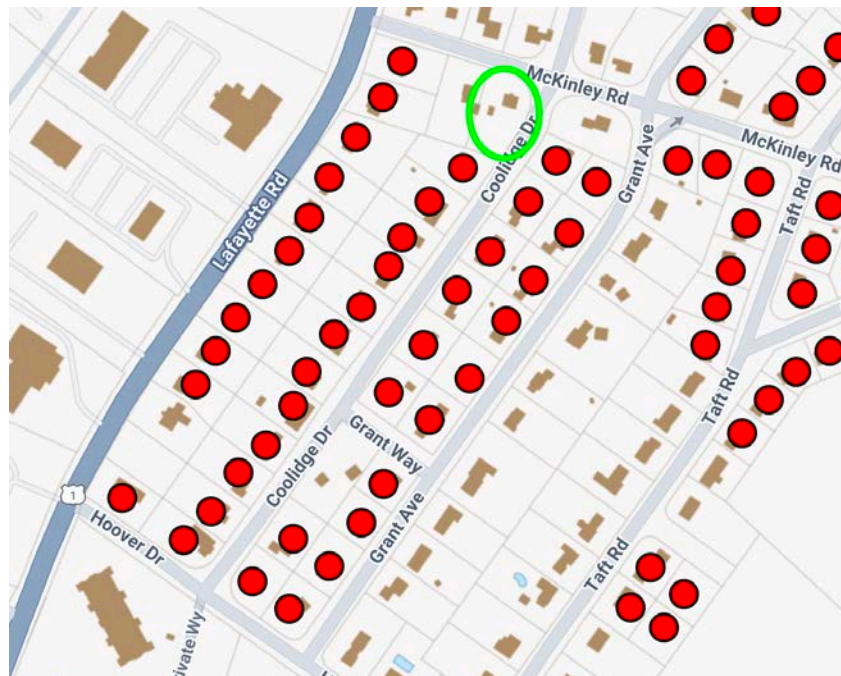


Nearby parcels less than 15,000 sqft (.344 acres) are marked with a red dot.
62 McKinley is circled in green. Neighborhood 120 (Lafayette) has been evaluated where relevant.

To the northeast:



To the southeast:



Remaining lot, McKinley Rd frontage:



Remaining lot, garage to be moved closer to McKinley, lot depth variance requested:



Proposed lot line looking east, garage to be moved closer to McKinley reducing impervious driveway surface:



Proposed lot line along meadow edge. Rear yard setback variance requested for remaining lot.



Proposed lot - a perfect site for an in-character single family home:



Proposed lot looking south, green structure is existing neighboring garage on property line:



Proposed lot looking northwest:



Proposed lot line along south fence. Plenty of screening from neighboring house:

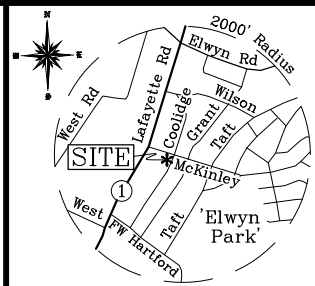
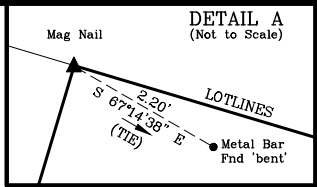
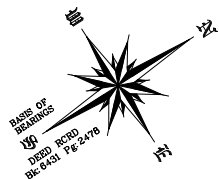


Neighbor/abutter at 44 McKinley Rd (to west):



Neighbor/abutter at 206 Coolidge Dr (to south),
note substantial tree screening on property line:





LOCUS MAP
(Scale 1"=1000')

LEGEND/SYMBOLS

- | | |
|------------------|---|
| RCRD | Rockingham County Registry of Deeds |
| 268/26 | Tax Map No. & Lot No. |
| N/F | Now or Formerly |
| Sq Ft | Square Feet |
| Ac | Acre |
| Fnd | Found |
| A | Arc Length |
| R | Radius |
| Retaining Wall | |
| IP | Iron Pipe |
| Rebar | Reinforced Iron Bar w/Plastic I.D. Cap #893 |
| UP232/3 | Utility Pole & Line/Pole No. |
| OHU | Over Head Utilities |
| X-X-X | Stockade Fence |
| Split-Rail Fence | |
| Chain-Link Fence | |
| S± | Sewer Line (approx.) |

NOTES:

- The subject parcel (TM268 126) is zoned Single Residence B (SRB) with no overlay districts.
a) SRB Dimensional Requirements:
Minimum Lot Size=15,000 sq ft, Minimum Street Frontage=100ft, Minimum Depth=100ft.
Minimum Yard Setbacks: Front 30ft, Side 10ft & Rear 30ft.
Maximum Structures: Structure Height 35ft, Roof 8ft, Building Coverage 20%, Min. Open Space 40%.
- No part of the subject parcel is located within a Special Flood Hazard Area (SHHA) as per FEMA - FIRM, Community Panel No. 330139-0270-E. Effective Date: May 17, 2015.
- The existing garage on 268/26 to be relocated, as shown and portions of the existing pavement (dotted area) to be removed.

TOTAL AREA
16,860 Sq Ft±
0.387 Acs±

OWNER OF RECORD

(Abutter/Owner of Record information was derived from City Records)

TAX MAP 268 LOT 26

Tyler Garzo
62 McKinley Road
Portsmouth, NH 03801
See RCRD Bk:6431 Pg:2478
(Plan Ref. No. 2 -Lot 19)
(Also See Plan Ref. No. 1 & 4a)

"MINOR SUBDIVISION"

Plat of Land
for
Tyler Garzo
in
Portsmouth, NH
Rockingham County

July 2025

Scale 1 inch = 20 feet

0 10 20 40 60 80 FEET

Landry Surveying, LLC

248 Mill Pond Road
Nottingham, NH 03290
(603) 679-1387

PLAN REFERENCES:

- See "Plan of Lots, Part of Elwyn Park, Portsmouth, NH" Scale: 1"=100' Date: May 1946 by John W. Durgin, CE RCRD Plan No. 01068.
- See "Plan of Lots, Part of Elwyn Park, Portsmouth, NH" Scale: 1"=100' Date: May 1947 by John W. Durgin, CE RCRD Plan No. 01321.
- See "Subdivision Plan...Matthew Wajda, 183 Coolidge Drive." Scale: 1"=20' Date: Oct. 2019+ by Ambit Engineering, Inc. RCRD Plan No. 42376. (+=with revision dates)
- Archived survey records from the 'JW Durgin Collection' Acquired from JVA - James Verra & Assoc., Inc.
a) See "Plan of Lot, 62 McKinley Road, Portsmouth, NH" Scale: 1"=20' Date: June 1954 by John W. Durgin, CE File No. 2320, Plan No. L-116, Unrecorded
Note: This plan shows distance ties from buildings to lot corners.

TAX MAP 251 LOT 82
N/F Mastrocola
Carina Mastrocola
1821 Lafayette Road
Portsmouth, NH 03801

TAX MAP 251 LOT 83
N/F Wakefield
Walter S. Wakefield
47 McKinley Road
Portsmouth, NH 03801

TAX MAP 251 LOT 84
N/F Huizinga
Joan C. Huizinga
65 McKinley Road
Portsmouth, NH 03801

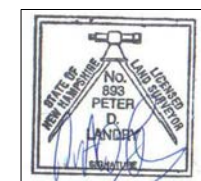
VARIANCES SOUGHT:

- The plan intent is to subdivide the subject parcel into (2) two new lots, with variances granted.
Variances Granted from Section 10.520, Table 10.521 on (xx/xx/2025) to allow:
a) Lot 26, Lot area and lot area per dwelling unit of 8430 Sq Ft for a lot with an existing structure where 15,000 Sq Ft is required for each.
b) Lot 26, 87 feet of lot depth where 100 feet is required.
c) Lot 26, Rear yard setback of 13 feet where 30 feet is required.
d) Lot 26-1, Lot area and lot area per dwelling unit of 8430 Sq Ft for a proposed lot where 15,000 Sq Ft is required for each.
e) Lot 26-1, 88.44 feet or average lot depth where 100 feet is required.

NOTE: FOR SPECIFIC AREA OF REQUEST, SEE LABELS ON PLAN, (VA1a, VA1b,...).

UTILITIES NOTES:

- Visible improvements were located on-site. The underground water & sewer line sizes & locations, including the sewer manhole number and elevations are on plans provided by City of Portsmouth Department of Public Works.
- The 'Proposed Lot' to be service by available Municipal water and sewer. Installation of the water and sewer to be at the direct supervision of the City of Portsmouth Water & Sewer Department.
- The 'Proposed Lot' to be serviced by overhead utilities as per specifications of the public utility companies involved. Any necessary easement to be conveyed to the public utility companies involved.



Revision Block			
#	Date	Description	By

TAX MAP 268 LOT 24
N/F Drew & Hogan
Reginald R. Drew & Marissa I. Hogan
224 Coolidge Drive
Portsmouth, NH 03801

TAX MAP 268 LOT 25
N/F Puia
Thomas Michael Puia
206 Coolidge Drive
Portsmouth, NH 03801
RCRD Bk:6436 Pg:2022
(See Plan Ref. 2 & 4a)

TAX MAP 268 LOT 27
N/F Csernelabics
Patricia A. Csernelabics
44 McKinley Road
Portsmouth, NH 03801
RCRD Bk:6436 Pg:2022
(See Plan Ref. 2)

TAX MAP 268 LOT 2
N/F Lang
Barbara M. Lang
1867 Lafayette Road
Portsmouth, NH 03801

TAX MAP 268 LOT 1
N/F Geoffrion
Donald J. & Laureen Geoffrion
1847 Lafayette Road
Portsmouth, NH 03801

COOLIDGE ROAD
(A Public Way)

McKINLEY ROAD
(A Public Way)

APPROVED BY THE
PORTSMOUTH PLANNING BOARD

Chairman

Date

RECOMMENDED DRIPLINE TRENCH

PURPOSE:

THE PURPOSE OF THE TRENCH IS TO COLLECT AND INFILTRATE STORMWATER AND CONTROL EROSIVE RUNOFF FROM ROOFS. CAUTION: DRIPLINE TRENCHES WORK BEST IN SAND & GRAVEL SOILS. THEY SHOULD NOT BE USED ON STRUCTURES WITH IMPROPERLY SEALED FOUNDATIONS, FLOODING MAY OCCUR.

INSTALL:

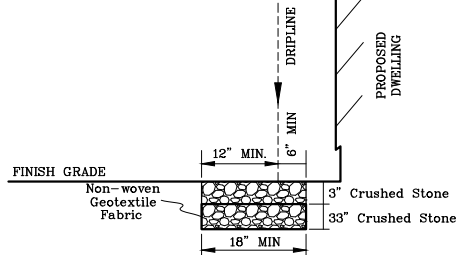
- 1) DIG A TRENCH 18" WIDE AND AT LEAST 36" DEEP ALONG THE DRIPLINE. SLOPE THE BOTTOM AWAY FROM HOUSE FOUNDATION. THE FRONT/SIDES OF TRENCH MAY BE EDGED TO KEEP STABILIZE.
- 2) LINE TRENCH SIDES WITH NON-WOVEN GEOTEXTILE FABRIC.
- 3) FILL THE TRENCH WITH 1/2"-1 1/2" CRUSHED STONE TO WITHIN 3" OF THE GROUND LEVEL. FOLD A FLAP OF NON-WOVEN FABRIC OVER THE TOP OF TRENCH AND TOP OFF WITH CRUSHED STONE.

MAINTENANCE:

- 1) REMOVE ACCUMULATED DEBRIS AND WEEDS FROM THE SURFACE AND AROUND AREA.
- 2) EVENTUALLY THE FABRIC AND STONE WILL NEED TO BE REMOVED AND WASHED TO CLEAN OUT ANY ACCUMULATED SEDIMENT AND DEBRIS.

DRIPLINE TRENCH DETAILS

(not to scale)



RECOMMENDED EROSION/SEDIMENTATION CONTROL:

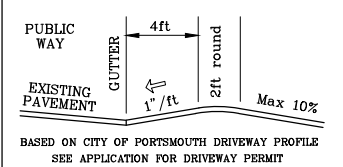
- 1) Any stripping of vegetation shall be done in such a way that will minimize soil erosion. Whenever practical, the natural vegetation shall be retained, protected and supplemented, when needed.
- 2) Any soil areas disturbed during construction to be loam, seeded and mulched.
- 3) Install 'Dripline Trench' to collect and infiltrate stormwater and control erosive runoff from the rooftop.
- 4) If, during construction, it becomes apparent that deficiencies exist in the approved design drawings, the Contractor shall be required to correct the deficiencies to meet the requirements of the regulations at no expense to the City.
- 5) Required erosion control measures shall be installed prior to any disturbance of the site's surface area and shall be maintained through the completion of all construction activities. If, during construction, it becomes apparent that additional erosion control measures are required to stop any erosion on the construction site due to actual site conditions, the Owner shall be required to install the necessary erosion protection at no expense to the City.

UTILITIES NOTES:

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- 2) The 'Proposed Lot' to be serviced by available Municipal water and sewer. Installation of the water and sewer to be at the direct supervision of the City of Portsmouth Water & Sewer Department.
- 3) The 'Proposed Lot' to be serviced by overhead utilities as per specifications of the public utility companies involved. Any necessary easement to be conveyed to the public utility companies involved.

TYPICAL DRIVEWAY PROFILE

(NOT TO SCALE)



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 - a) Lot 26, Lot area and lot area per dwelling unit of 8430 Sq Ft for a lot with an existing structure where 15,000 Sq Ft is required for each.
 - b) Lot 26, 87 feet of lot depth where 100 feet is required.
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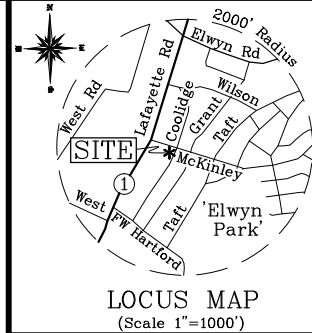
NOTE: FOR SPECIFIC AREA OF REQUEST, SEE LABELS ON PLAN, (VA1a, VA1b,...).

NOTES:

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 - a) SRB Dimensional Requirements:
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Maximum Structures: Structure Height 35ft, Roof 8ft, Building Coverage 20%, Min. Open Space 40%.
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- 3) The existing garage on 268/26 to be relocated, as shown and portions of the existing pavement (dotted area) to be removed.

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- 3) See "Subdivision Plan..Matthew Wajda, 183 Coolidge Drive.." Scale: 1"=20' Date: Oct. 2019+ by Ambit Engineering, Inc. RCRD Plan No. 42376. (+with revision dates)
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 - a) See "Plan of Lot, 62 McKinley Road, Portsmouth, NH" Scale: 1"=20' Date: June 1954 by John W. Durgin, CE File No. 2320, Plan No. L-116, Unrecorded
Note: This plan shows distance ties from buildings to lot corners.



LEGEND/SYMBOLS

RCRD	Rockingham County Registry of Deeds
268/26	Tax Map No. & Lot No.
N/F	Now or Formerly
Sq Ft	Square Feet
Ac	Acre
Fnd	Found
A	Arc Length
R	Radius
Retaining Wall	Retaining Wall
IP	Iron Pipe
Rebar	Reinforced Iron Bar w/Plastic I.D. Cap #893
UP232/3	Utility Pole & Line/Pole No.
OHU	Over Head Utilities
Stockade Fence	Stockade Fence
Split-Rail Fence	Split-Rail Fence
Chain-Link Fence	Chain-Link Fence
CI	Cast Iron
AC	Asbestos Cement
DI	Ductile Iron
Direction of Flow	Direction of Flow
S±	Sewer Line (approx.)
SMH289	Sewer Manhole No.
Rim70.16	Rim Elevation
Inv64.99	Pipe Invert Elevation
WG	Water Gate
E60	Ten foot contour
E58	Two foot contour
58.0	Spot Elevation
EOP	Edge of Pavement

TOTAL AREA

16,860 Sq Ft±
0.387 Acs±

TOTAL 'NEW' LOT AREAS

TAX MAP 268 LOT 26	TAX MAP 268 LOT 26-1
TOTAL AREA	TOTAL AREA
8,430 Sq Ft±	8,430 Sq Ft±
0.194 Acs±	0.194 Acs±
(VA1a)	(VA1d)

OWNER OF RECORD

(Abutter/Owner of Record information was derived from City Records)

TAX MAP 268 LOT 26

Tyler Garzo
62 McKinley Road
Portsmouth, NH 03801
See RCRD Bk:6431 Pg:2478
(Plan Ref. No. 2 -Lot 19)
(Also See Plan Ref. No. 1 & 4a)

"MINOR SUBDIVISION"

Topography & Utilities

Plan of Land

for

Tyler Garzo

in

Portsmouth, NH

Rockingham County

July 2025

Scale 1 inch = 30 feet

0 15 30 60 90 120 FEET

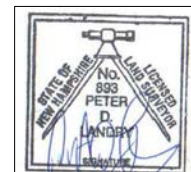
Landry Surveying, LLC

248 Mill Pond Road

Nottingham, NH 03290

(603) 679-1387

I certify that this survey is a result of an actual field survey, made on the ground and having a relative error of closure no greater than one part in ten thousand (1:10,000).



Revision Block			
#	Date	Description	By