



BY: HAND DELIVERY & EMAIL

October 31, 2018

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

Email: mekoeopenick@cityofportsmouth.com

**RE: Variance Application of Joseph and Ellen Yarborough
746 Middle Road, Tax Map 232, Lot 49**

Dear Chairman Reauhme,

Our Office represents Joseph and Ellen Yarborough, owners of the property located at 746 Middle Road. Please find an original and eleven (11) copies of the following for consideration at the Zoning Board of Adjustment's November meeting:

- 1) Completed Variance Application with Checklist;
- 2) Narrative to Variance Application;
- 3) Letter of Authorization;
- 4) Plans and Imagery;
 - a) Site Plan – Existing Conditions;
 - b) Site Plan – Proposed Conditions;
 - c) Landscaping Plan;
 - d) Perspective Views Plan;
 - e) Elevations Plan;
 - f) Proposed Floor Plan;
 - g) Neighborhood Renderings;
 - h) Aerial Rendering;
 - i) Site Plan - ADU
- 6) Confirmation of Building Permit Filing;
- 7) Check for \$150.00.

A copy of this submission package has been sent electronically to the email address above. Should you have any questions or concerns, regarding the enclosed application materials, do not hesitate to contact me at your convenience.

Durbin Law Offices, P.L.L.C.
144 Washington Street
P.O. Box 1222
Portsmouth, NH 03802
www.durbinlawoffices.com



Derek R. Durbin, Esq.
603.287.4764
derek@durbinlawoffices.com
**Also admitted in MA*

Sincerely,

A handwritten signature in blue ink, appearing to read 'Derek Durbin', with a large, looping flourish at the end.

Derek R. Durbin, Esq.

CITY OF PORTSMOUTH
Zoning Board of Adjustment Application

<i>Department Use Only</i>		Date _____
Assessor Plan # _____	Lot # _____	Fee _____
Zone _____	Lot area _____	By _____

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

Applicant Joseph and Ellen Yarborough Owner of Record Same as Applicant
Applicant Street Address 746 Middle Road Owner Street Address Same
Applicant City / State / Zip Portsmouth, NH 03801 Owner City / State / Zip Same
Applicant phone (617) 921-7092 Owner phone (____) Same
Applicant e-mail joe.m.yarborough@gmail.com

Location (street address) of proposed work: Subdivision of Lot with construction of home
Existing use: Single-family residential

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

☐ Other _____
See Article 2, Section 10.233.20

See Narrative encl. herewith

To permit the following:

To permit the subdivision of property with construction of single-family home. See Narrative enclosed herewith which is incorporated by reference.

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.


Signature of Owner

10/31/2018

Date

Please PRINT name here Joseph and Ellen Yarborough by Derek R. Durbin, Esq., auth. representative

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) original 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:

<input type="checkbox"/> Site Plan(s) showing existing and proposed conditions including: <ul style="list-style-type: none">- 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	<input type="checkbox"/> Scale of all drawings and plans (the scale is the ratio of the drawing's size relative to the actual size) <input type="checkbox"/> Labeled photo(s) of existing conditions <input type="checkbox"/> Building plans and elevations of any <i>proposed</i> structures or additions <input type="checkbox"/> Interior floor plans for any renovations or expansion to existing structures
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8. For applications requesting relief from land use requirements, the minimum requirements for adequate plans shall include the following:

<input type="checkbox"/> 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)
<input type="checkbox"/> Interior floor plans and/or exterior site plans showing the location of the proposed use(s)
<input type="checkbox"/> Labeled photo(s) of existing conditions

9. Plans should be 8 1/2" 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.

10/31/2018

Joseph and Ellen Yarborough, Derek R. Durbin, Esq., auth. representative

(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 746 Middle Road, Portsmouth, NH 03801

Completed By Derek R. Durbin, Esq. on behalf of Joseph and Ellen Yarborough

APPLICATION TYPE:

- ☒ 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:

- ☒ 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

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

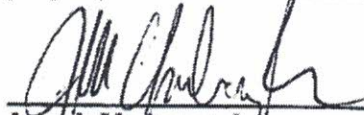
- ☒ Site Plan(s) showing:
 - ☐ Location of the proposed use(s) on the property
 - ☐ Site plan showing location and dimensions of parking spaces
- ☒ Interior floor plans showing the location and layout of the proposed use
- ☒ Labeled photo(s) of existing conditions

ALL APPLICATIONS

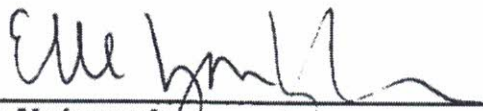
- ☒ Complete application checklist **(1 original)**
 - ☒ Complete and signed Building Permit application **(1 original)**
 - ☐ filed previously
 - ☐ included with this packet
 - ☒ Complete and signed Board of Adjustment Application Form **(1 original, 11 copies)**
 - ☐ Property Owner signatures (on front and back of Board of Adjustment application form)
 - ☒ 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)**
 - ☒ Required plans / exhibits are 8 1/2" x 11" or 11" x 17" in size **(12 copies)**
 - ☐ Additional information as requested by the Planning Department staff
-
- ☒ Electronic file in Portable Document Format (PDF)
 - ☒ Sent by e-mail
 - ☐ Provided on CD-ROM
 - ☐ Provided on flash drive

LETTER OF AUTHORIZATION

JOSEPH AND ELLEN YARBOROUGH, of 746 Middle Road, Portsmouth, New Hampshire 03801, hereby grants their authorization and permission to DURBIN LAW OFFICES PLLC to represent them on all permit applications before the City of Portsmouth, including the Zoning Board of Adjustment, and to file all related municipal applications necessary to subdivide their property at 746 Middle Road, Portsmouth, New Hampshire 03801.



Joseph Yarborough



Ellen Yarborough

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

Joseph and Ellen Yarborough (Owner/Applicant)
Tax Map 232, Lot 49
746 Middle Road
Portsmouth, NH 03801

INTRODUCTION

Joseph and Ellen Yarborough are the owners of property located at 746 Middle Road in Portsmouth (Tax Map 232, Lot 49) (the “Property”). The Property is located in Portsmouth’s Single-Family Residence B (“SRB”) Zoning District.

In 2014, the Yarboroughs submitted a variance application to the Board to subdivide their property into two (2) lots each with 50’ of frontage. This required a variance from the 100’ minimum frontage requirement set forth in Section 10.521 of the Zoning Ordinance (the “Ordinance”).

The Board ultimately voted to deny the application, concluding that there was no hardship because the house has existed on the lot in its current configuration for decades, that it would not be in the spirit of the ordinance to create two (2) nonconforming lots, and that granting the variance could reduce the abutter’s property values.¹

CURRENT APPLICATION & FISCHER v. DOVER

When a *material change of circumstances* affecting the merits of the application has not occurred or the application is not for a *use that materially differs* in nature and degree from its predecessor, the board of adjustment may not lawfully reach the merits of the petition. **Fischer v. Dover**, 120 NH 187, 190 (1980)

The Supreme Court has recognized changes in the law as a sufficient basis for requiring a variance application to be considered by a Board of Adjustment even though substantially similar to the application denied previously. **Brandt Dev. Co. of N.H. v. City of Somersworth**, 162 N.H. 553 (2011).

The current application is similar to the one submitted to and denied by the Board in 2014 in that the Yarboroughs are seeking relief to subdivide their property into two (2) lots each with 50’ of frontage. However, it is also *materially different* in nature and degree from the 2014 application. The current application contains a detailed site plan, thoughtfully designed architectural plans, and landscaping plans developed to enhance the privacy of the most directly impacted abutter. The prior application contained a tax map sketch for a site plan with a line superimposed to show the proposed subdivision, and did not include architectural or landscaping

¹ The abutter referenced was the owner of 768 Middle Road. The owner of 768 Middle Road has indicated to the Yarboroughs that they support the current application before the Board.

plans showing the compatibility of the proposed new construction with the surrounding neighborhood and how it would be screened from the most directly impacted abutter at 768 Middle Road.

In addition, and perhaps most importantly, Portsmouth's adoption of an Accessory Dwelling Unit Ordinance is a ***material change in circumstances*** that affects the merits of the Yarboroughs request to the Board, as contemplated by the New Hampshire Supreme Court when it decided *Brandt Dev. Co. of N.H. v. City of Somersworth*.

In 2014, the board denied the Yarboroughs' application primarily because it concluded that building a new home on a subdivided lot would increase the ***density*** beyond that intended by the Ordinance. When considering the Yarboroughs' re-hearing request, and after the Yarboroughs noted that the Ordinance would allow them to build a garage or other accessory structure of similar mass as the proposed home, one board member noted that the argument was not compelling because there was no economic advantage to build an accessory structure, and that adding another home and driveway would change the character of the neighborhood, and as such, was the "tipping point" in considering whether to approve the request.

In 2017, Portsmouth adopted an Accessory Dwelling Unit Ordinance ("ADU Ordinance"), effectively allowing owners of single-family homes to increase ***density*** beyond that allowed for the City's respective residential zones. As a result of Portsmouth's implementation of the ADU Ordinance, the Board's primary reason for denying the Yarborough's 2014 application no longer applies. Adoption of the ADU Ordinance allows for greater density in low to medium residential zones such as the SRB District. As such, with respect to the Property, the frontage ordinance now serves only to limit the *type* of home that can be constructed, and thereby allows a home inconsistent with the neighborhood's character.

The Yarboroughs aver to the Board that the implementation of the ADU Ordinance has created a ***material change in circumstances*** affecting the merits of the application. They do not claim that any property in Portsmouth that is eligible for an ADU should or could be subdivided. Rather, it is their position, as more specifically addressed below, that the specific attributes of their Property when considered in the context of surrounding properties and the implementation of the ADU Ordinance warrants consideration by the Board of their current application.

SUMMARY OF VARIANCE RELIEF SOUGHT

Article 10.521 ("Table of Dimensional Requirements"):

Lot Area: To allow continuance street frontage of 50' +/- where 100' is the minimum required.

VARIANCE CRITERIA

10.233.21 / 10.233.22 – *The variance will not be contrary to the public interest and will observe the spirit of the Ordinance.*

The purpose of the Ordinance's frontage requirement is to limit density (as concluded by the Board in 2014), to ensure consistent character, and to accommodate safe access (sight distance and separation between driveways).

The proposed lots **will conform in size and continuous street frontage to surrounding properties** and meet all other dimensional requirements of the Ordinance. The introduction of a single-family home of similar architectural style, size and value to others in the neighborhood is consistent with the spirit and intent of the Ordinance. From a dimensional perspective, subdivided lots will be nearly identical to all of the properties surrounding them. This area of Middle Road is characterized by deep narrow lots, the majority of which have significantly less than the requisite frontage for the SRB zone, and a plurality of which have the same 50-foot frontage as that proposed. The proposed lots and the construction of the new home will blend in seamlessly with the character of the neighborhood.

In the case of *Belanger v. Nashua*, the New Hampshire Supreme Court recognized that municipalities have an obligation to have their zoning ordinances reflect current characteristics of the neighborhood. 121 N.H. 389 (1981). In the present instance, the provisions of the Ordinance do not necessarily reflect the characteristics of this area of Middle Road.

The proposed subdivision will not negatively impact the light, air and space with abutting properties. The existing home will remain in the same location. The home that will be constructed will be centered on the newly created lot and will observe the 10' minimum side yard setback requirement. A driveway will traverse directly adjacent to the home, similar to most of the properties in the neighborhood. Moreover, a landscaping buffer will be maintained within the 10' setback area to provide screening for the abutting property and home to the west (768 Middle Road). See Landscape Plan, dated October 25, 2018. As noted in the attached letter, the owners of 768 Middle Road have indicated that they do not object to the proposed subdivision.

The public health, safety and welfare will not be negatively impacted by allowing two (2) lots to contain less than the required amount of street frontage, as there will be adequate ingress/egress for all vehicles, including emergency vehicles, to enter and exit the properties safely. This is evidenced by the fact that surrounding properties have similar street frontage, and implied by the fact that the board has granted variances for 50 feet of frontage or less in numerous instances before².

² For example:

1. September 25, 2012, Case 9-13: (no frontage) "the purpose of the 100' frontage requirement is to avoid properties being isolated"
2. June 17, 2014, Case 6-17: (20 feet of frontage) "the intent of the Ordinance was to keep homes from being too closely spaced on a particular street"

The creation of a new home lot will not “overcrowd” or “over-densify” the area. The Yarboroughs recently applied for and were granted a Conditional Use Permit from the Planning Board to build a detached accessory dwelling unit along with a servicing driveway in the same location as where they are proposing the construction of a new single-family residence as part of the foregoing application. *See Site Plan - ADU* However, as depicted below (Figure 1), it is the Yarborough’s belief that a detached ADU on their property will be inconsistent in character (mass, scale and other physical attributes) to other dwellings in the neighborhood, whereas the construction of the proposed single-family home, which will be of similar size and style to that which exists in the neighborhood, will be consistent in character (Figure 2). The inconsistent mass and scale of the ADU is a byproduct of the ADU ordinance provisions.



[Figure 1 – ADU Depiction]



-
3. August 19, 2014, Case 8-4: (57.52-foot frontage) “About 50% of the lots had smaller width than the proposed lot and there was a certain rhythm as you went along the street with regard to distance and separation.”
 4. November 18, 2014, Case 10-13: (50-foot frontage) “The 50 feet of frontage was smaller than other properties but consistent with the neighborhood.”, “...the Ordinance was designed to keep a respectable amount of space between properties.”, “The requirements did not apply so well to this neighborhood because most of the lots had less than the required frontage and were close together, so what was proposed would be consistent with the surrounding neighborhood.

[Figure 2 – Depiction of Proposed Single-Family Home]

There are many neighborhoods in Portsmouth that can accommodate the construction of multiple ADUs without detrimentally impacting the overall character of the area in which they are introduced. However, in this particular area of Middle Road, there is only one (1) other property that meets the dimensional requirements making it eligible for an ADU. As such, the relief sought by the Yarboroughs, if granted, will provide for greater aesthetic consistency and conformity with the overall character of the neighborhood.

10.233.23 – *Substantial justice will be done.*

There is no gain to be realized by the public if the variance is denied, aside from the negligible impact on utility and roadway demand imposed by a single-family home instead of a smaller ADU. There would be an economic loss to the Applicant, however, in denying the variance relief sought. The Applicant would be unable to realize the full, best and highest use and value of the Property if the variance relief were denied. As it stands, the Yarboroughs own a lot that is oversized by local standards and contains approximately double the road frontage of other surrounding properties. The substantial justice “balancing test” weighs heavily in favor of the Applicant.

10.233.24 – *The values of surrounding properties will not be diminished.*

The majority of the immediately surrounding properties along Middle Road exhibit frontage dimensions equal to or marginally larger than that exhibited by the proposed lots. The subdivision of the existing property into two (2) lots consistent in dimension with surrounding properties and the construction of a new home with similar architecture to other residential structures in the neighborhood would not result in any diminution of surrounding property values. The ADU will occupy the same footprint as the home, and thereby nullifies any concerns of diminished privacy.

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

The properties immediately to the east and west of the subject property on Middle Road are much narrower in width. Most of these properties have 50’ of frontage. This creates a special condition that distinguishes the subject property from those surrounding it and makes it uniquely suited for subdivision into two (2) lots with similar frontage.

In addition, the location of the existing home on the Property is unique when considered in the context of the homes on the properties surrounding it. The existing home on the Property is located to the far left (east) on the lot leaving a vast amount of open space to the right (west) that contains a large horseshoe-shaped driveway that is dysfunctional in its layout, requiring vehicles to back out onto the busy road if more than one is parked thereon. All of the other nearby properties contain residential structures that are more centered on the lots, and most contain linear driveways that abut the sides of the homes.

No fair and substantial relationship exists between the general purposes of the Ordinance's frontage requirement and its strict application to this Property. The minimum frontage requirement is no longer a density control as applied to the Property following adoption of the ADU Ordinance. The subdivision of the Property will result in two (2) lots with similar frontage to those properties that surround them with the same density that is allowed on the Property by right. From a "character" perspective, granting the variance will promote uniformity of appearance in this area of Middle Road by creating two (2) lots of similar dimensions to those that surround them with single-family homes that are centered on the lots.

The use of the Property will remain residential following its subdivision. Because the Property is located in the Single-Family Residence B Zoning District, the use is reasonable *per se*.

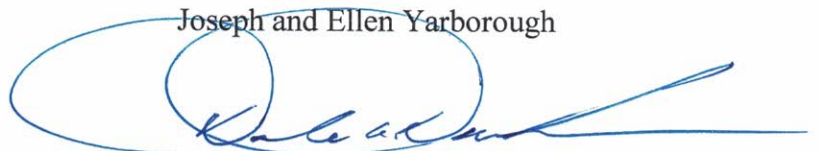
CONCLUSION

In conclusion, the Applicant has demonstrated that it has met the five (5) criteria for granting the variance relief requested. Accordingly, the Applicant respectfully requests that the Board approve the application.

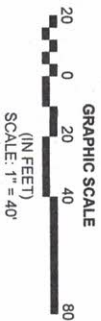
Respectfully Submitted,

Dated: October 31, 2018

Joseph and Ellen Yarborough



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



SITE PLAN - EXISTING CONDITIONS



MINIMUM LAND AREA
15,000 SF
MINIMUM STREET FRONTAGE
100 FT
MINIMUM LOT DEPTH
100 FT
SETBACKS:
FRONT
30 FT
SIDE
10 FT
REAR
30 FT
MAXIMUM BUILDING HEIGHT
35 FT
MAXIMUM BUILDING COVERAGE
20%
MINIMUM OPEN SPACE
40%



LOT A
BUILDING FOOTPRINT
1,116 SF
BUILDING OVERHANG
55 SF
STAIRS
50 SF
DRIVEWAYS & WALKWAYS
1,934 SF
TOTAL
3,155 SF
OPEN SPACE = 21,747 - 3,155 = 18,592 SF = 85.49%
LOT B
BUILDING FOOTPRINT
1,738 SF
BUILDING OVERHANG
130 SF
STAIRS
37 SF
DRIVEWAYS & WALKWAYS
1,815 SF
TOTAL
3,718 SF
OPEN SPACE = 21,747 - 3,718 = 18,029 SF = 82.90%

PARCEL IS IN SINGLE RESIDENCE B (SRB) ZONE

BUILDING COVERAGE

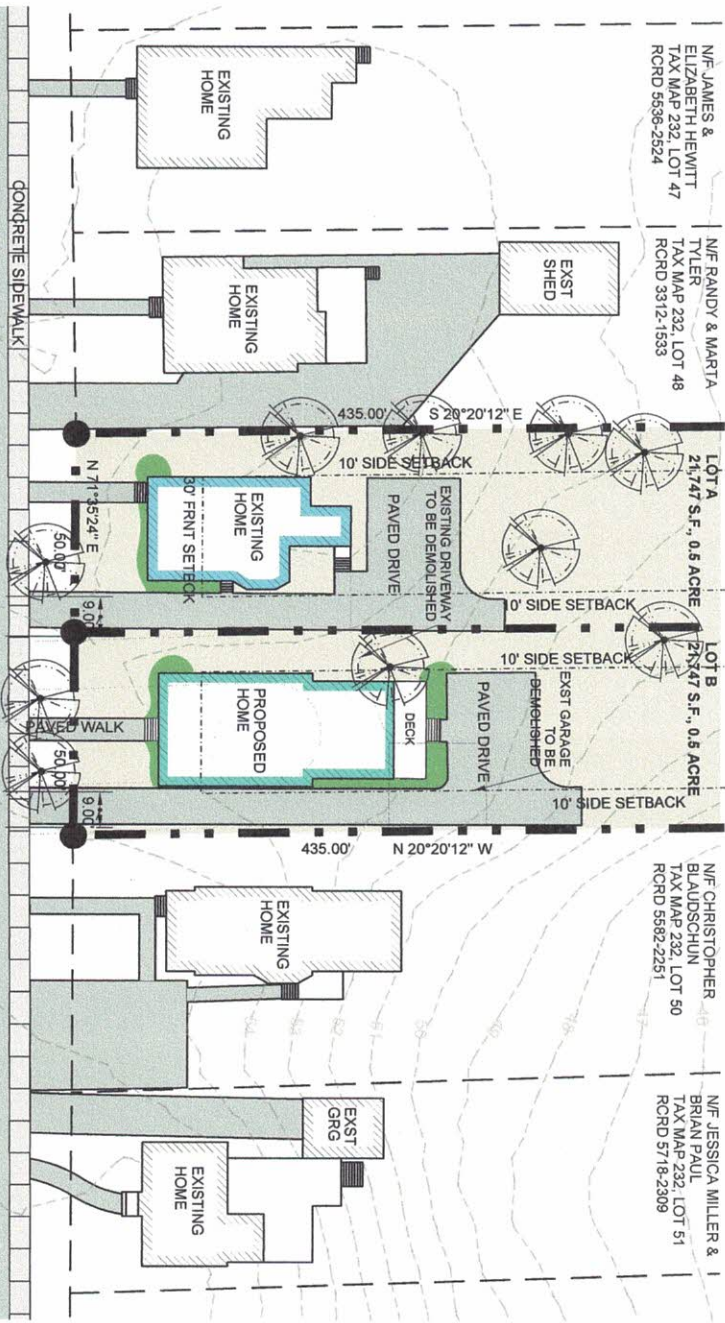
N/F RIVERBROOK CONDOMINIUMS
TAX MAP 232, LOT 121

OPEN SPACE

MIDDLE ROAD

CONCRETE SIDEWALK

PARKING LANE



N/F JAMES &
ELIZABETH HEWITT
TAX MAP 232, LOT 47
RCRD 55936-2524

N/F RANDY & MARTA
TYLER
TAX MAP 232, LOT 48
RCRD 3312-1533

LOT A
21,747 S.F., 0.5 ACRE
N/F JAMES &
ELIZABETH HEWITT
TAX MAP 232, LOT 47
RCRD 55936-2524

LOT B
21,747 S.F., 0.5 ACRE
N/F JAMES &
ELIZABETH HEWITT
TAX MAP 232, LOT 47
RCRD 55936-2524

N/F CHRISTOPHER
BLAUDSCHUN
TAX MAP 232, LOT 50
RCRD 55982-2251

N/F JESSICA MILLER &
BRIAN PAUL
TAX MAP 232, LOT 51
RCRD 5716-2309

Proposed Single Family Home

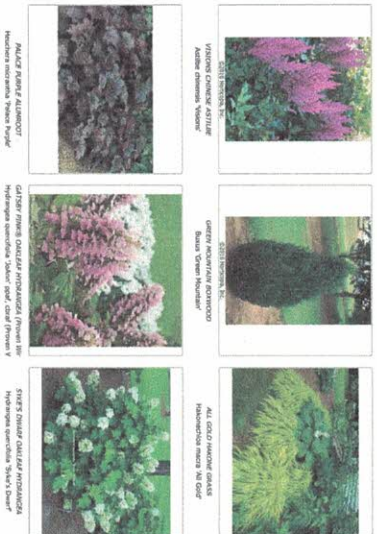
746 Middle Road, Portsmouth, NH

SITE PLAN

YARBOROUGH PROPOSED HOME



0 5' 10' 20'
SCALE: 1" = 20'



Proposed Single Family Home

746 Middle Road, Portsmouth, NH

LANDSCAPE PLAN

NOTES

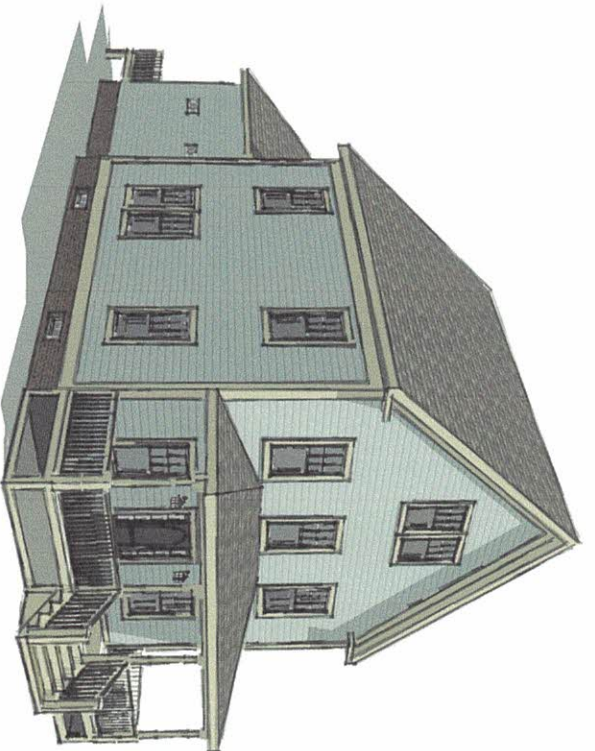
No.	Date	Revised
1		
2		
3		
4		
5		
6		
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8		
9		
10		

KRIS ROMANUK
LANDSCAPE DESIGN
20 BRADFORD ST.
DERBY, NH 03038
603-756-2293

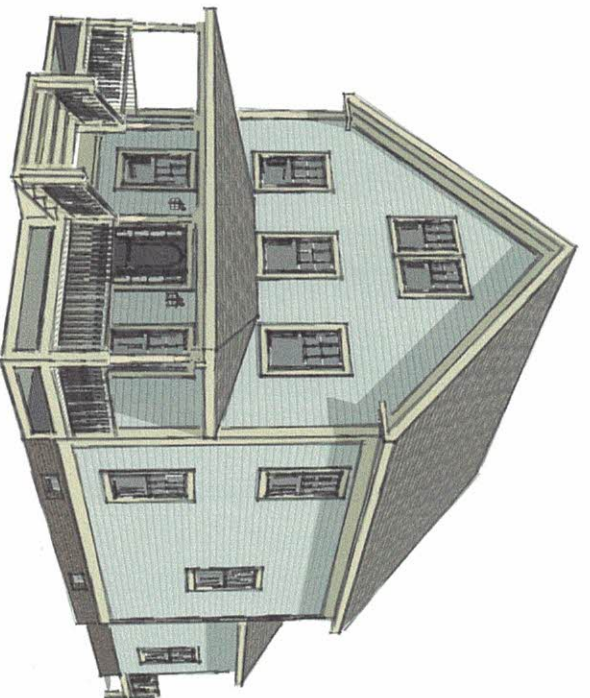
LANDSCAPE PLAN

YARBOROUGH RESIDENCE
746 MIDDLE ROAD
PORTSMOUTH, NH

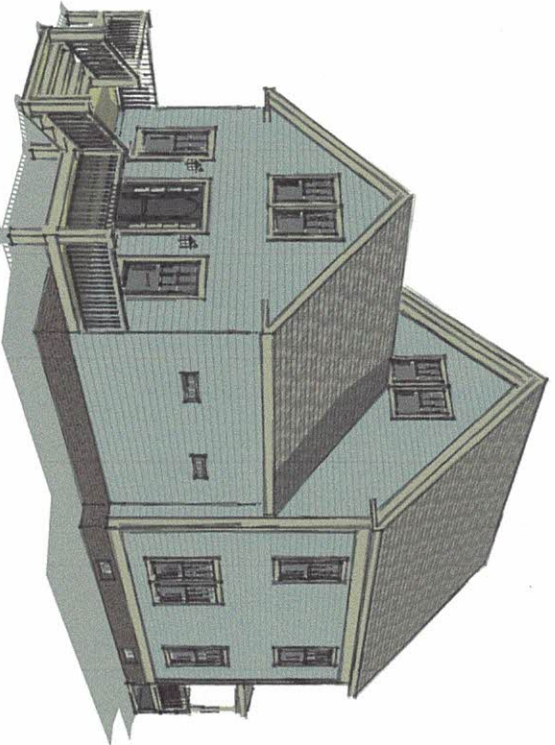
DATE: 11/11/2011	PROJECT: YARBOROUGH RESIDENCE
DRAWN: K. ROMANUK	SCALE: 1" = 20'
CHECKED: K. ROMANUK	DATE: 11/11/2011
DATE: 11/11/2011	SCALE: 1" = 20'



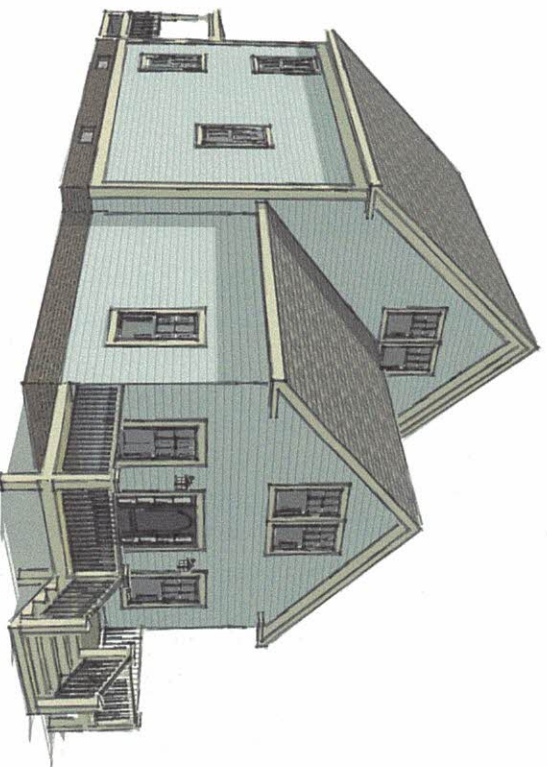
NORTHEAST PERSPECTIVE
NTS



NORTHWEST PERSPECTIVE
NTS



SOUTHEAST PERSPECTIVE
NTS



SOUTHWEST PERSPECTIVE
NTS

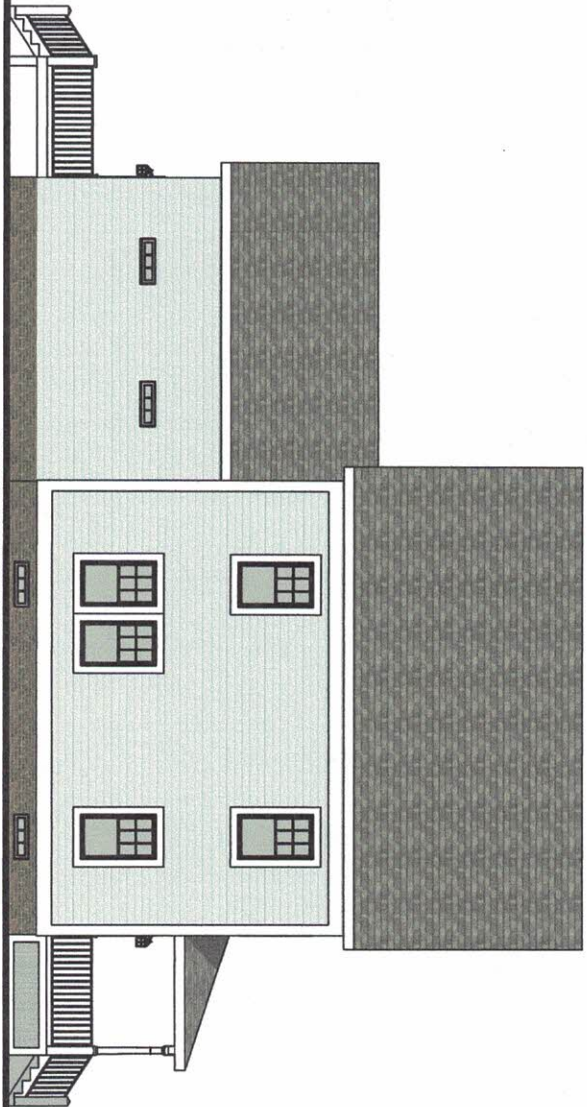
Proposed Single Family Home

746 Middle Road, Portsmouth, NH

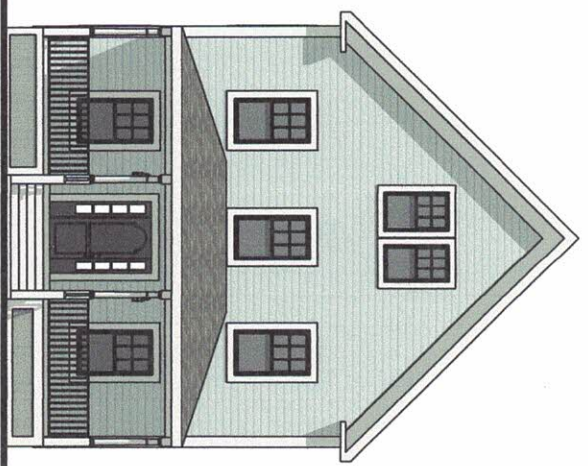
PERSPECTIVE VIEWS



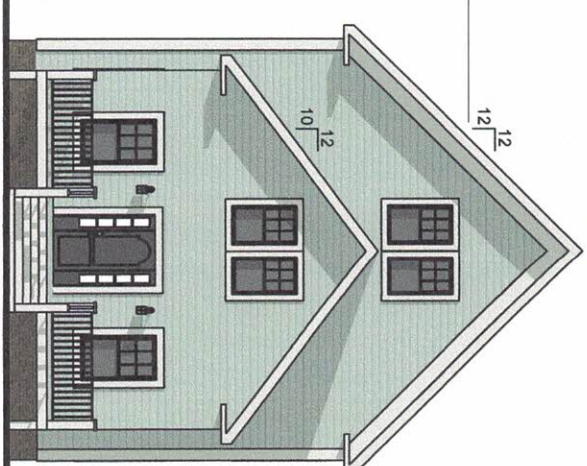
WEST (RIGHT) ELEVATION
SCALE: 1/8" = 1'-0"



EAST (LEFT) ELEVATION
SCALE: 1/8" = 1'-0"



NORTH (FRONT) ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH (REAR) ELEVATION
SCALE: 1/8" = 1'-0"

Proposed Single Family Home

746 Middle Road, Portsmouth, NH

ELEVATIONS

32'-0" a.f.f.

18'-0" a.f.f.

9'-0" a.f.f.

0'-0" f.f.e.

-3'-6" f.f.e.

32'-0" a.f.f.

18'-0" a.f.f.

9'-0" a.f.f.

0'-0" f.f.e.

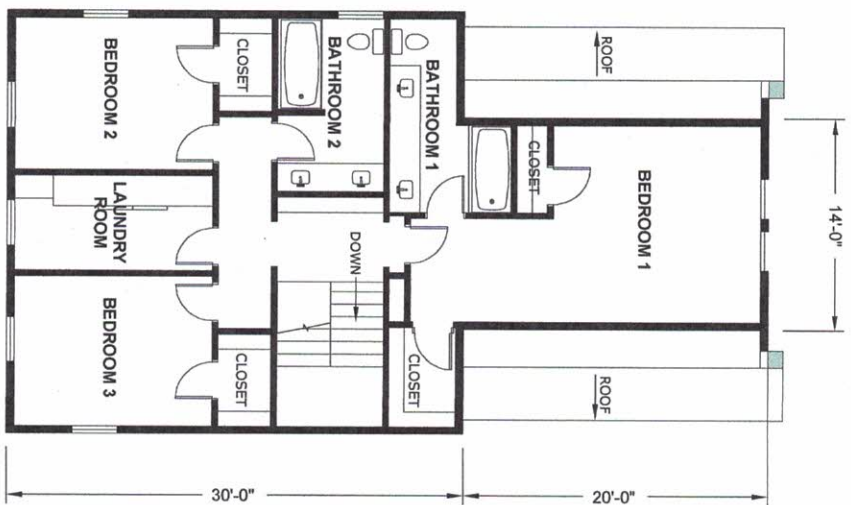
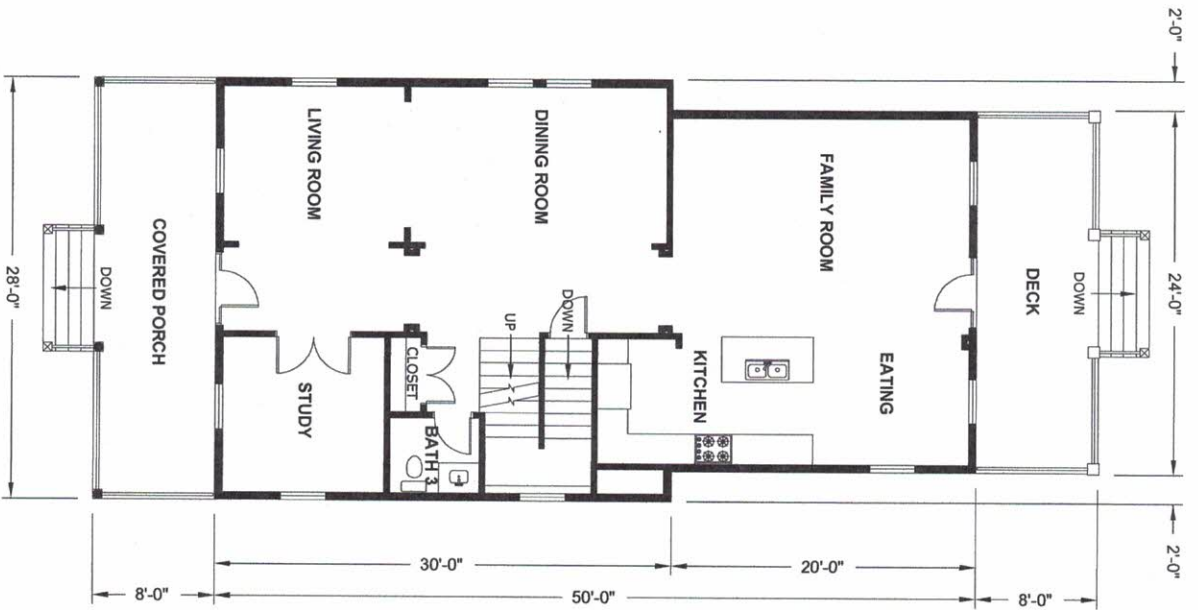
-3'-6" f.f.e.

+/- 30'

12

12

10



Proposed Single Family Home

746 Middle Road, Portsmouth, NH

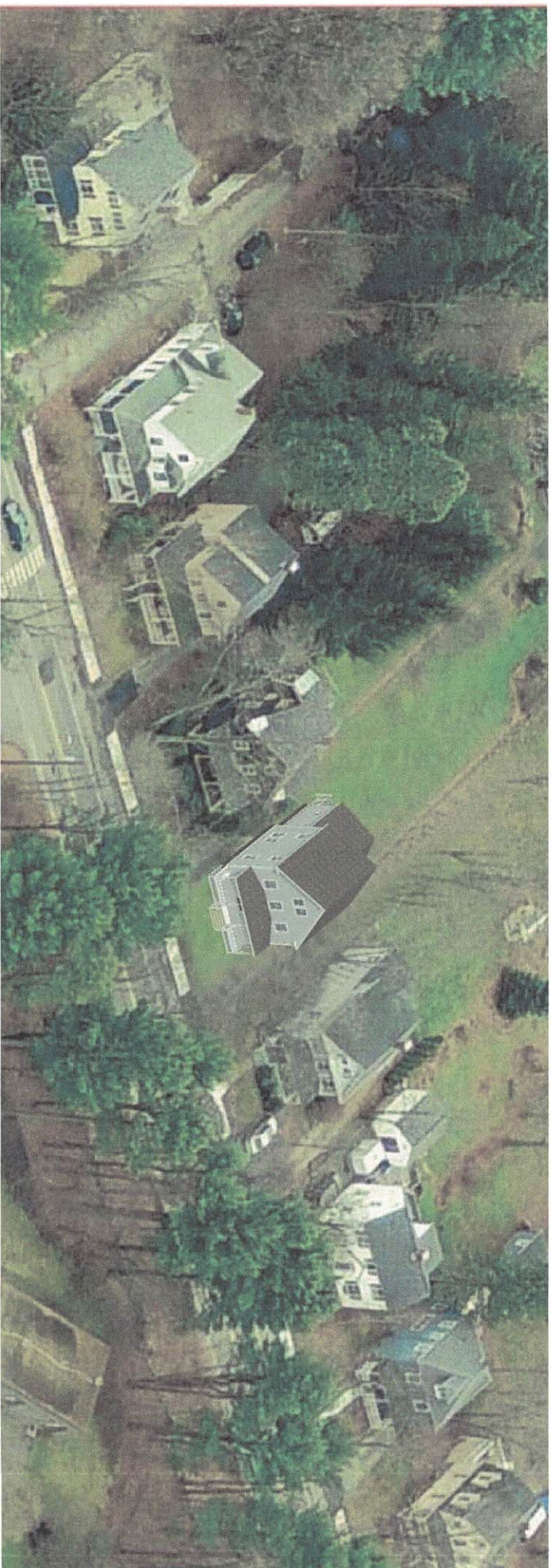
FLOOR PLAN



Proposed Single Family Home

746 Middle Road, Portsmouth, NH

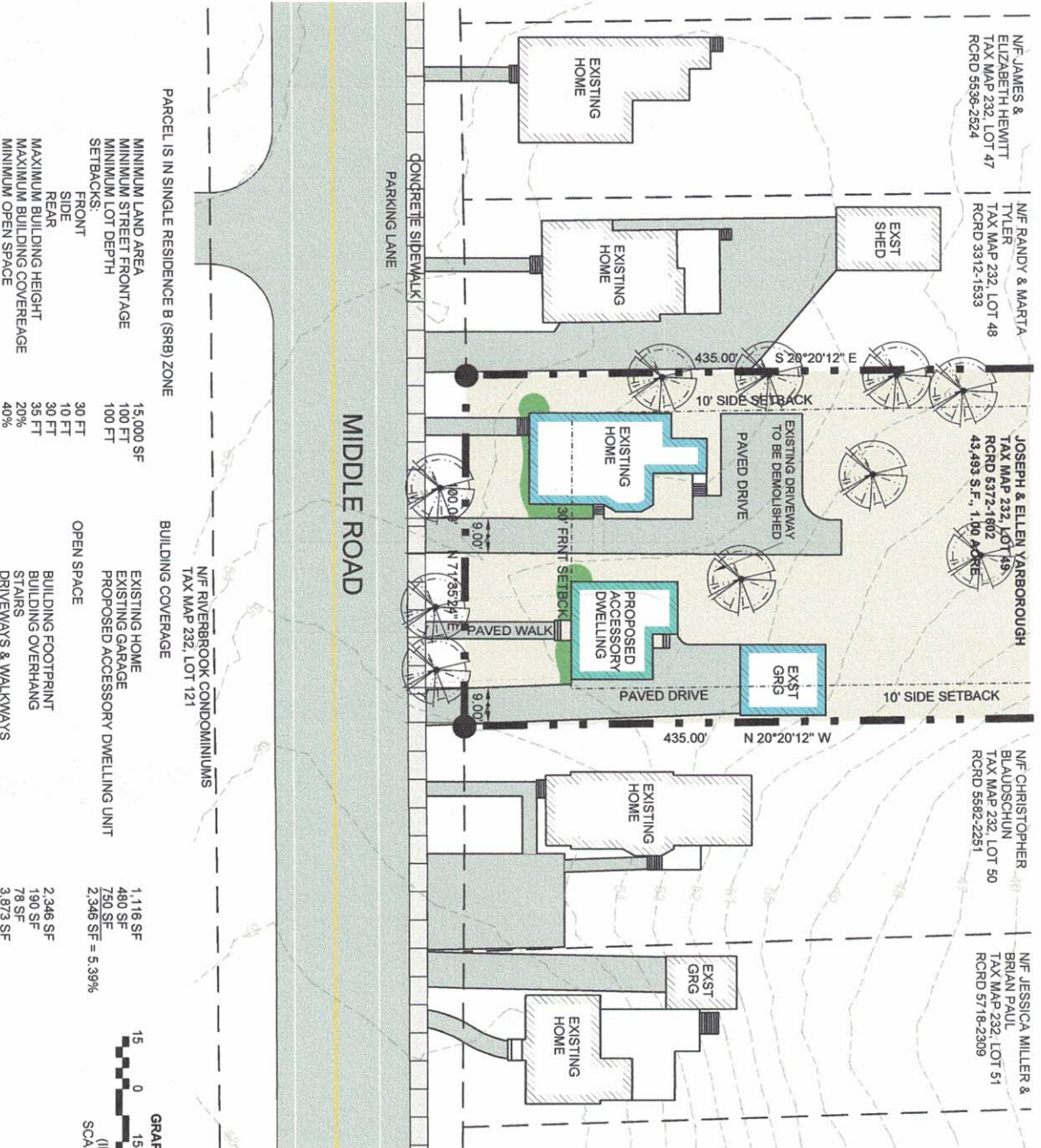
NEIGHBORHOOD RENDERINGS



Proposed Single Family Home

746 Middle Road, Portsmouth, NH

AERIAL RENDERING



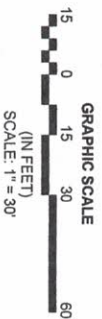
MINIMUM LAND AREA
MINIMUM STREET FRONTAGE
MINIMUM LOT DEPTH
SETBACKS:
FRONT
SIDE
REAR
MAXIMUM BUILDING HEIGHT
MAXIMUM BUILDING COVERAGE
MINIMUM OPEN SPACE

15,000 SF
100 FT
100 FT
30 FT
10 FT
30 FT
35 FT
20%
40%

BUILDING COVERAGE
EXISTING HOME
EXISTING GARAGE
PROPOSED ACCESSORY DWELLING UNIT
OPEN SPACE
BUILDING FOOTPRINT
BUILDING OVERHANG
STAIRS
DRIVEWAYS & WALKWAYS

1,116 SF
480 SF
750 SF
2,346 SF = 5.39%
2,346 SF
190 SF
78 SF
3,873 SF
6,467 SF

OPEN SPACE = 43,493 - 6,467 = 37,006 SF = 85.08%



Proposed Single Family Home

746 Middle Road, Portsmouth, NH

SITE PLAN - ADU



Proposed Single Family Home

746 Middle Road, Portsmouth, NH

NEIGHBORHOOD RENDERINGS - ADU



Proposed Single Family Home

746 Middle Road, Portsmouth, NH

AERIAL RENDERING - ADU



City of Portsmouth Building Permit

Inspection Department
1 Junkins Avenue
Portsmouth, NH 03801
603-610-7243

Permit Number:
1065
Date of Issue:
April 25, 2018
Expires:
04/25/2019
Const. Cost:
\$100000

Owner: YARBOROUGH JOSEPH & YARBOROUGH ELLEN
Applicant: Joseph Yarborough
Contractor: , Phone #:
Location: 746 MIDDLE RD

Description of Work: Foundation Only: Construct Foundation Only for New Residential Dwelling Structure: As-Built Foundation Location Plan Required prior to full permit release.
Construct new 30'0 x 28'0 detached single story 750 square foot accessory dwelling unit. (irregular shape) as per approved plans. Attic level approved for storage use only.

Base Zoning District(s): Single Residence B

(SRB)

Map/Lot: 0232--0049--0000-

Design Occupancy Load:

Total # of Dwelling Units:\\n2

Use Group: New Dwelling Unit

Constr. Type:

Bldg. Code: IRC Edition: 2009

Remarks:

- * Per City Ord. Sec. 11.502 (F) Street/Unit Number must be affixed to Main Structure as to be plainly visible from the street. Construction sites must post the address clearly on the property. No site activity allowed before 7:00AM or after 6:00PM. No weekend construction allowed.
- * Separate plumbing permit required if new plumbing is being installed.
- * Foundation location (As-built) plan confirming location of structure is compliant with approved property line setback shall be submitted prior to release of full building permit.
- * Footing base-pre pour inspection required.
- * Ufer- Concrete incased electrode required if using rebar within the footing pour.

The PERMIT HOLDER has read this permit, the permit application, and the Building Official's marked-up plans and agrees to perform the work authorized including any conditions or requirements indicated thereon; and any stipulations imposed by a Land Use Board in conjunction with the project. The CONTRACTOR shall be responsible for notifying the Inspection Department 48 hours in advance, for FOUNDATION, FRAMING, and FINAL inspections. A Certificate of Occupancy is required for all Building Permits. Buildings shall not be occupied until ALL inspections (BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, and FIRE) are complete and Occupancy has been issued. By signing this permit, the owner or his/her representative (Permit Holder), authorizes property access by city officials to conduct interior and exterior inspections and property tax assessments during and/or after the construction process.

The Permit Card Shall Be Posted and Visible From the Street During Construction.

Code Official:

This is an e-permit. To learn more, scan this barcode or
visit portsmouthnh.viewpointcloud.com/#/records/1065



1853

Durbin Law Offices PLLC

Operating Account
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Portsmouth, NH 03802
603-287-4764

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10/31/18

PAY TO THE
ORDER OF

City of Portsmouth
One Hundred and Fifty ⁰⁰/₁₀₀

\$ 150.00

DOLLARS

MEMO 746 Middlebed - Yankborough - ZBA



Durbin Law Offices PLLC

AUTHORIZED SIGNATURE

⑈001853⑈ ⑆011400071⑆ 9243456161⑈

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