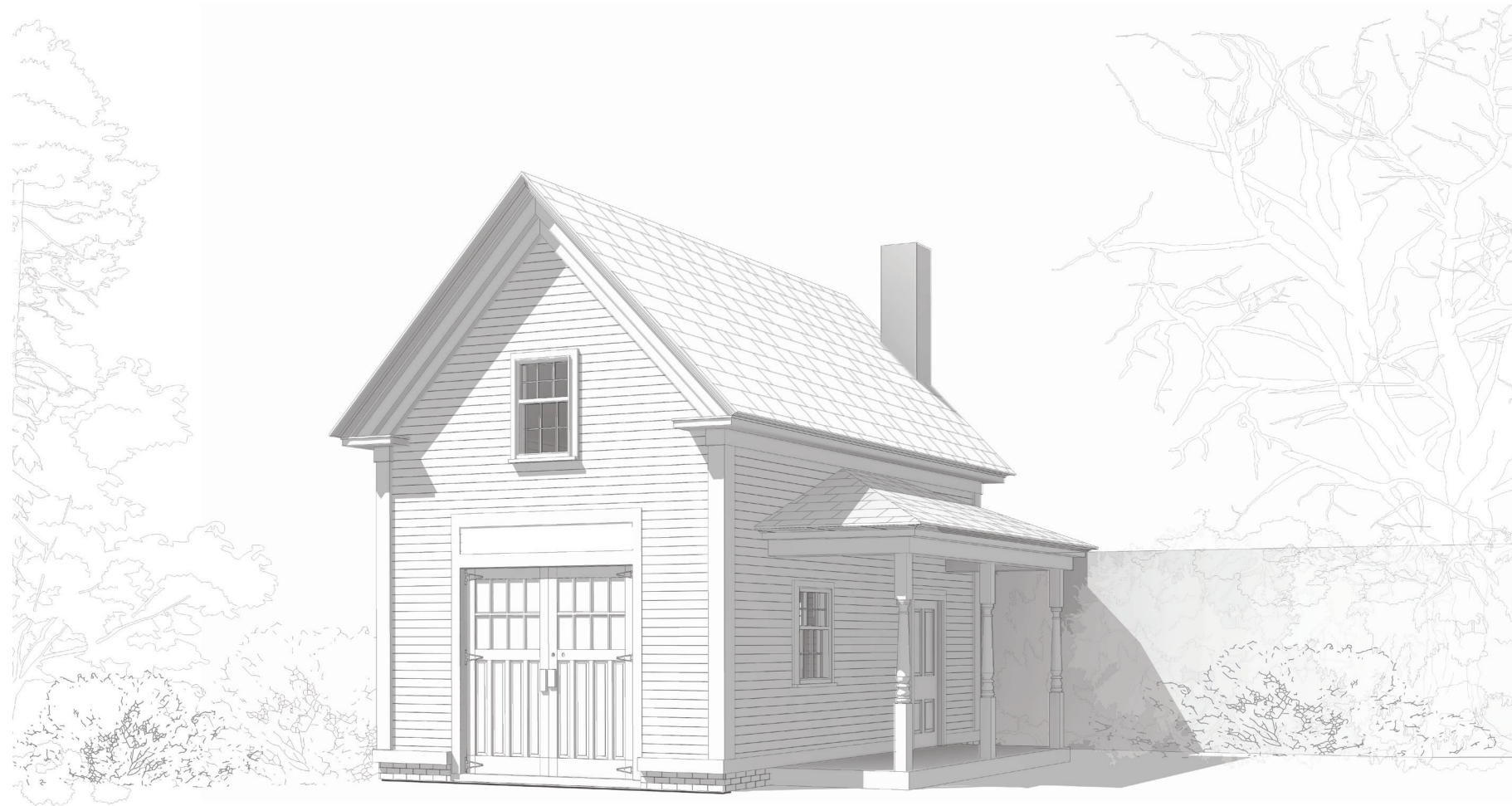


64 MT VERNON

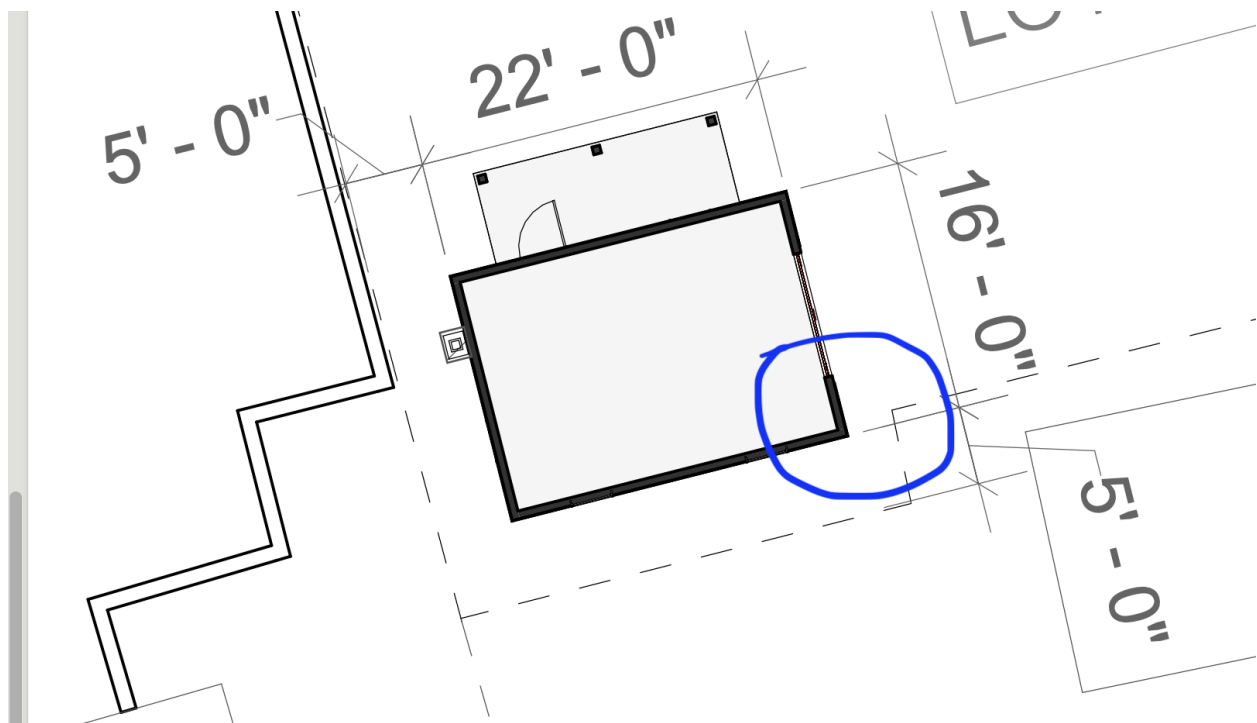
PORTSMOUTH, NH



*Application of Cyrus and Erika Beer
64 Mount Vernon St
Portsmouth NH*

I. Changes from last month's submission

Due to an oversight last month, we would like to amend our variance request to have a side yard setback of 2 feet instead of a side yard setback of 5 feet. We propose to maintain the exact same location for the proposed shed 5 feet from the lot line on the long south wall. However, because of the way the property line jogs around the south east corner of the existing shed, there is a point where the proposed shed would be 2 feet from the lot line. This 2 foot setback is shown circled in blue in the following image.



Again no changes have been made to the plans submitted from last month. This amended request for a 2 foot setback is only to account for the corner of the shed circled in blue. .

II. The Property

The applicants, Cyrus and Erika Beer, own and reside at the property located at 64 Mount Vernon St, which consists of a single family dwelling with a detached shed. The Beers purchased the property 11+ years ago with the shed and have lived there as their primary residence ever since. The shed rests on wood sills on the ground and is rotting. Animals have gotten in. Furthermore, the shed is only 1 foot or so from the property line and so doing work on the shed requires access to the neighbor's yard. It is also a violation of fire code. For these reasons the Beers would like to rebuild their shed and bring it in 5 feet off the lot line.

III. Specific Variance Requests

To complete this Project, the Applicant requests variances from the following ordinances:

1. Section 10.521 Table of Dimensional Standards:

- a. Side yard setback to be 2 feet instead of the 10 feet required in GRB.
- b. Rear yard setback to be 5 feet instead of the 25 feet as required in GRB. This was approved in March 2024.

IV. Variance Criteria

1. 10.233.21 The variance will not be contrary to the public interest.

- a. Rebuilding the shed will not alter the characteristics of the neighborhood.

Architecturally, as per plans on file with the HDC, the proposed shed will borrow design elements from our house and will be appropriate to the neighborhood. Furthermore, as the shed is tucked away and fairly well hidden from any street, the impact incurred will be minimized.

- b. Rebuilding the shed will not threaten the health, safety and welfare of the public.

By bringing the shed in off of the lot line, we will be able to work on the shed without standing in our neighbor's yard. This will improve the welfare of the

neighborhood. Safety will also be improved by giving additional distance as per fire code.

2. 10.233.22 The spirit of the ordinance will be observed..

- a. The proposed use is reasonable. Having a storage shed in one's backyard is a typical land use in the neighborhood.
- b. On Mount Vernon St. and in this neighborhood, houses often do not meet setback requirements and what we are proposing is not out of the ordinary
- c. What we are proposing is an improvement over what is there today as far as side and rear setbacks.

3. 10.233.23 Substantial justice will be done.

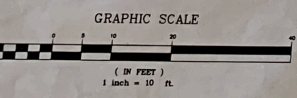
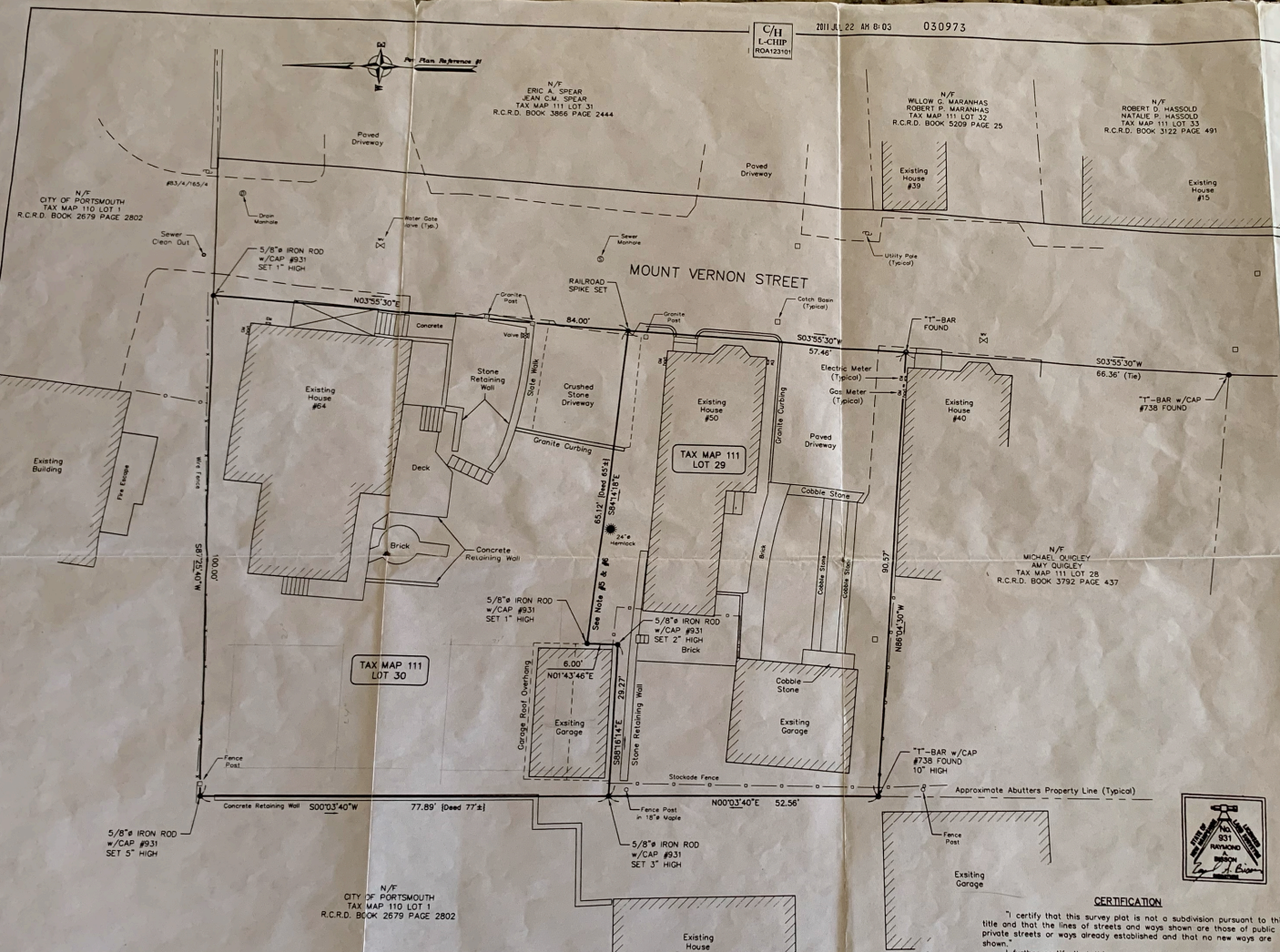
- a. The proposed use is reasonable.
- b. There is no advantage to the public that outweighs the hardship to the owners by denying this request

4. 10.233.24 The value of surrounding properties will not be diminished.

- a. Values of surrounding properties are expected to be enhanced by the additional setback and also by the proposed design and construction of a new shed

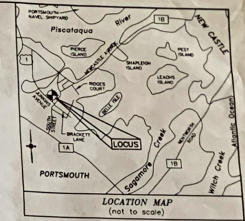
5. 10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.

- a. Because the proposed variances in setbacks are an improvement over what exists today and because a new shed with a design in accordance with the style of the neighborhood is seen to enhance the neighborhood, and because the use is not changing, a literal enforcement of the zoning provisions would result in an unnecessary hardship for the homeowners



D-36884

C/H L-CHP ROA03210
2011 JUL 22 AM 0:03 030973



- PLAN REFERENCES.**
1. "LOT LINE RELOCATION PLAN ELEANOR M. TELLER PROBABLE LIVING TRUST & MARRON C. AND DONALD F. CLARK, 18 & 40 MOUNT VERNON STREET, PORTSMOUTH, N.H. ROCKINGHAM COUNTY" PREPARED BY AMBIT SURVEY DATED SEPTEMBER 1995, LAST REVISED NOVEMBER 27, 1995 AND RECORDED AT THE R.C.R.D. AS PLAN D-24425.
 2. "SURVEY & PERIMETER PLAN, ALTERATIONS & ADDITIONS, PORTSMOUTH HOSPITAL, PORTSMOUTH, N.H." PREPARED BY JAMES H. RITCHIE & ASSOCIATES FROM THE FILES OF JOHN W. DURGIN, PROVIDED BY JAMES VERRA AND ASSOCIATES.
 3. "PLAN OF TWO LOTS OF LAND SITUATE IN THE TOWN OF PORTSMOUTH, BELONGING TO THE HEIRS OF THE REV. MR. JOHN EMERSON, DECEASED."

- NOTES.**
1. OWNERS OF RECORD:
TAX MAP 111 LOT 29:
TED W. & SUSAN L. ALEX
R.C.R.D. BOOK 2038 PAGE 2570
DATED AUGUST 14, 1992
TAX MAP 111 LOT 30:
KRISTIN ALEXANDER
R.C.R.D. BOOK 5104 PAGE 2429
DATED APRIL 21, 2010
 2. TOTAL PARCEL AREAS:
TAX MAP 111 LOT 29:
5,250 Square Feet OR 0.12 Acres
TAX MAP 111 LOT 30:
7,670 Square Feet OR 0.18 Acres
 3. THE BASIS OF BEARING IS PER PLAN REFERENCE #1.
 4. MT VERNON RIGHT OF WAY IS 30 FEET IN WIDTH BASED UPON PLAN REFERENCE #3.
 5. REFERENCE IS MADE TO A QUITCLAIM DEED BETWEEN JOHN & HILMA JOHNSON AND LAUREL & LESLIE WALTER DATED SEPTEMBER 12, 1986 AND RECORDED AT THE R.C.R.D. AS BOOK 2630 PAGE 1609. SAID DEED'S PURPOSE WAS TO ESTABLISH AND CONFIRM THE COMMON BOUNDARY LINE BETWEEN TAX MAP 111 LOTS 29 & 30 & THAT THE SAID COMMON BOUNDARY LINE IS SITUATE SOUTHERLY OF THE GARAGE AND DRIVEWAY SITUATE UPON SAID WALTER LAND (TAX MAP 111 LOT 30).
 6. BASED UPON A 1978 AERIAL PHOTO BY COL-EAST, INC. (WHICH PHOTO SHOWS THE DRIVEWAY AND GARAGE AROUND THE TIME OF THE AGREEMENT), IT IS THIS FIRM'S OPINION THAT THE PROPERTY LINE WAS INTENDED TO RUN ALONG THE EAVES OF THE GARAGE ALLOWING FOR ACCESS OVER THE DRIVEWAY AND INTO THE GARAGE, 6 FEET FROM THE EXTERIOR WALL OF THE GARAGE PREVENTS THE DOORS FROM BEING UTILIZED.



STANDARD PROPERTY SURVEY
FOR PROPERTIES AT
50 & 64 Mount Vernon Street
Portsmouth, Rockingham County, New Hampshire
OWNED BY
Ted W. Alex **Kristin Alexander**
Susan L. Alex **64 Mount Vernon Street**
50 Mount Vernon Street
Portsmouth, NH 03801

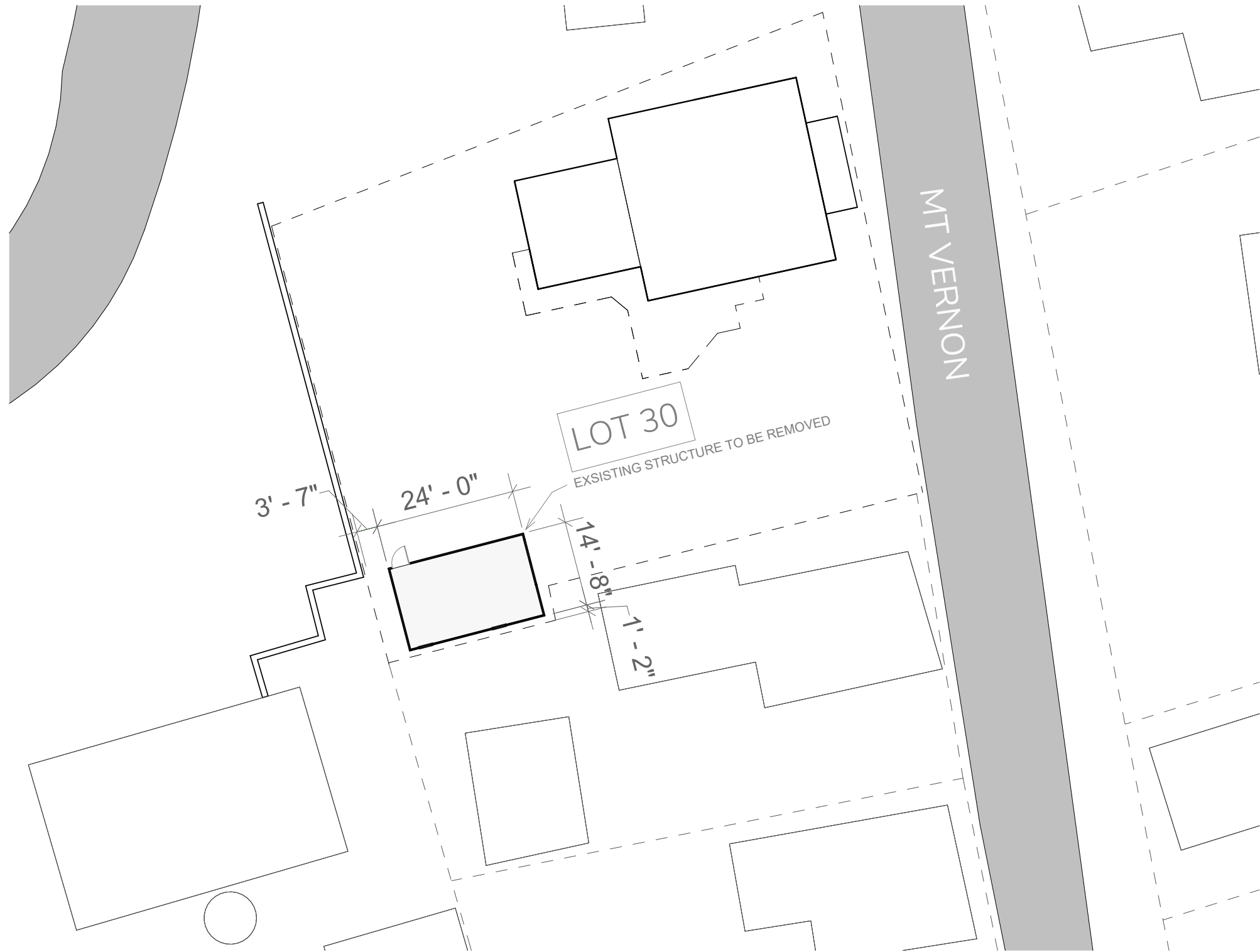
CERTIFICATION

"I certify that this survey plot is not a subdivision pursuant to this title and that the lines of streets and ways shown are those of public or private streets or ways already established and that no new ways are shown."
I further certify that this survey conforms to the ethics and standards set forth by the New Hampshire Land Surveyors Association for a category 1, condition 1 survey.
Raymond A. Bisson
Raymond A. Bisson, L.L.S., P.E. July 15, 2011

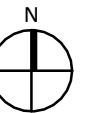
REV.	DATE	STATUS	BY	CHKD	APPD.
B	7/8/11	ADDED MONUMENTS SET	RAB	RAB	PLA
A	6/22/11	REVISED PROPERTY LINE & ADDED NOTE #6	RAB	RAB	PLA

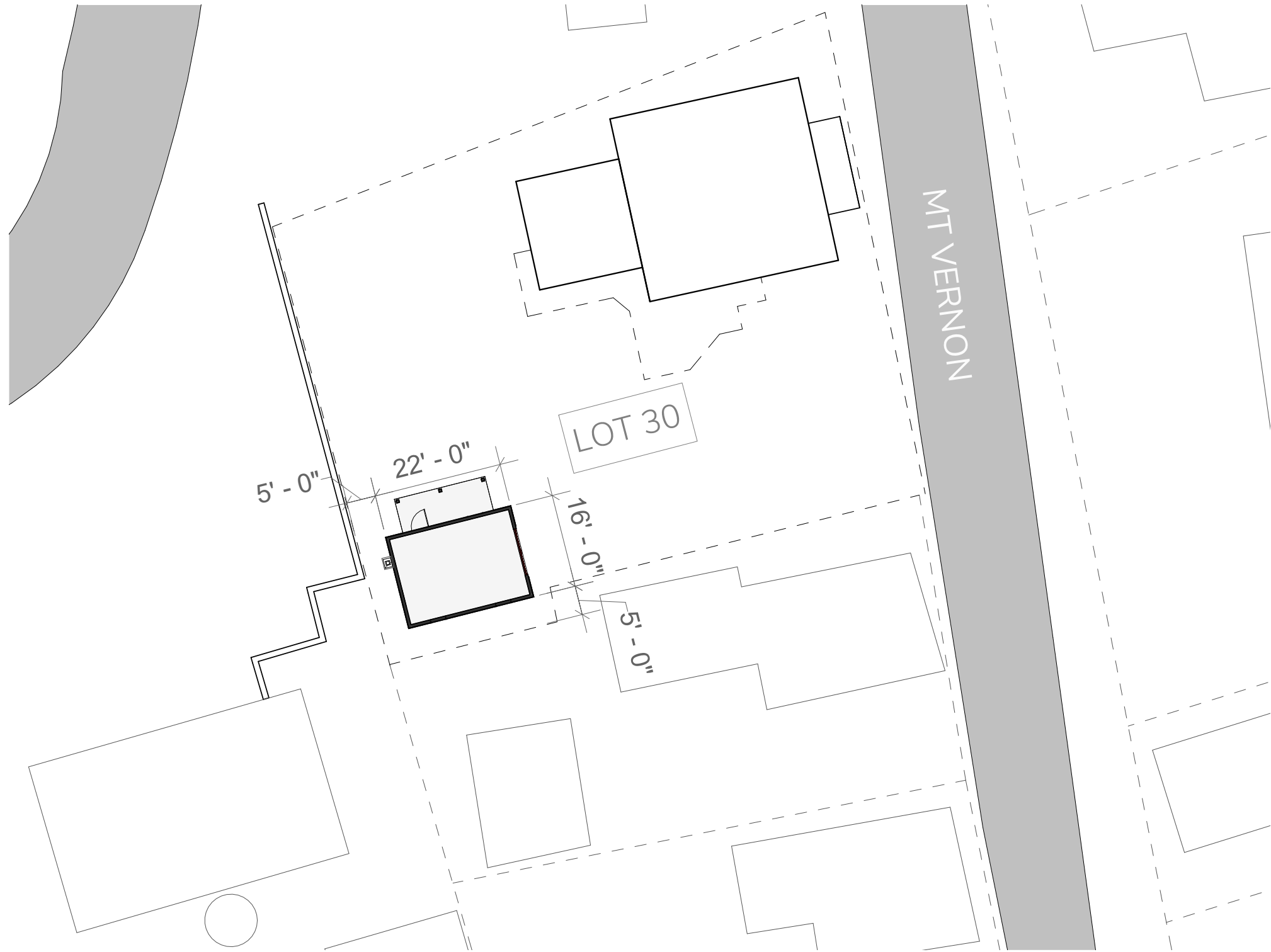
North
EASTERLY SURVEYING, Inc.
SURVEYORS IN N.H. & MAINE
(207) 438-0333
191 STATE ROAD, SUITE #1
KITTYRYE, MAINE 03904
SCALE: 1" = 10'
DRAWING NO: 11640 - 11645 Property
FIELD BOOK No: "Portsmouth, NH #12"
DATE: 6/7/11
SHEET: 1 OF 1
DRAWN BY: R.A.B.
CHECKED BY: P.L.A.
Tax Map 111 Lots 29 & 30



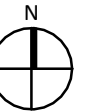


EXISTING SITE PLAN
1/16" = 1'-0"





PROPOSED SITE PLAN
1/16" = 1'-0"





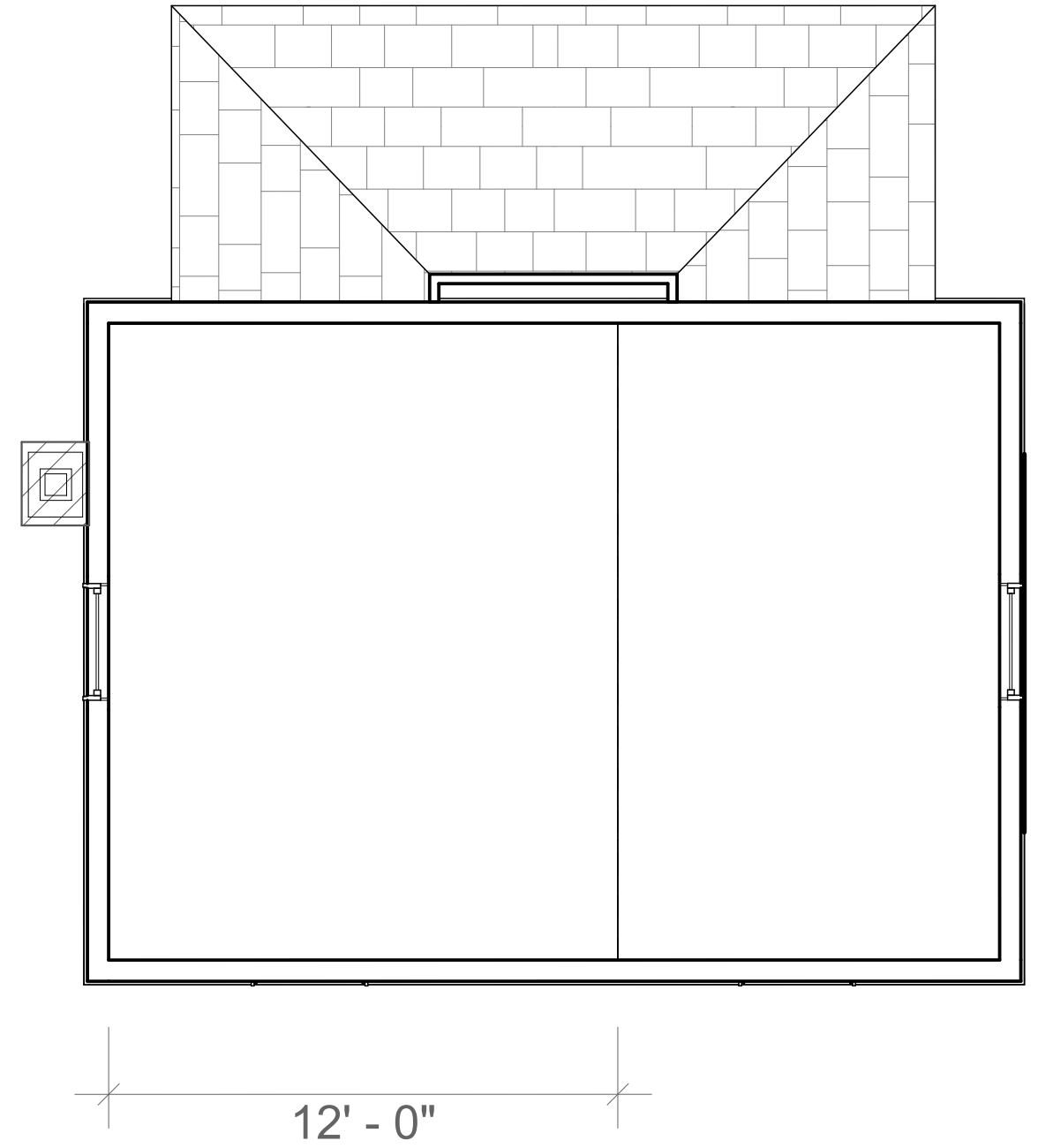
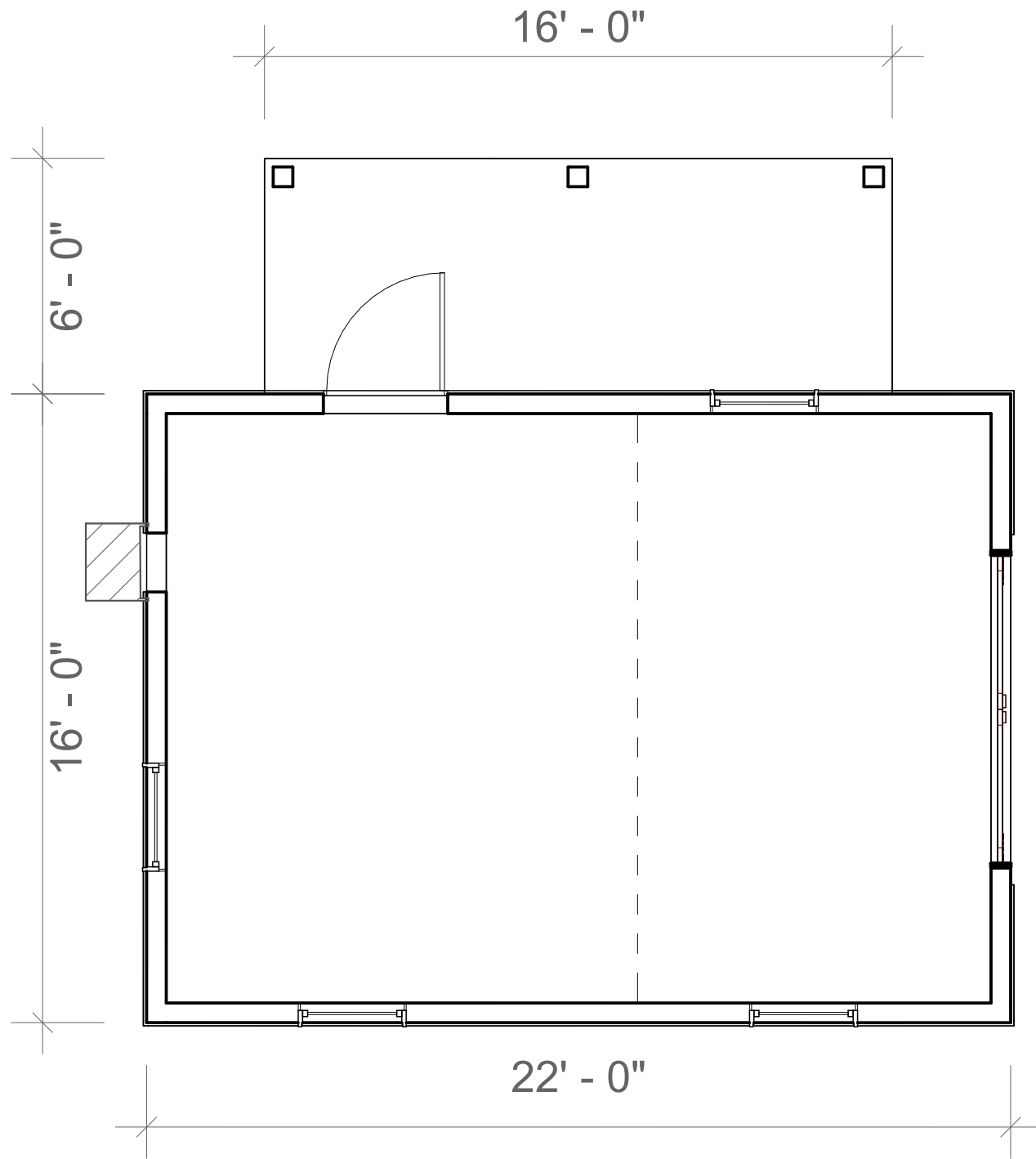
EXISTING EAST ELEVATION
1/4" = 1'-0"

EXISTING WEST ELEVATION
1/4" = 1'-0"



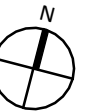
EXISTING NORTH ELEVATION
1/4" = 1'-0"

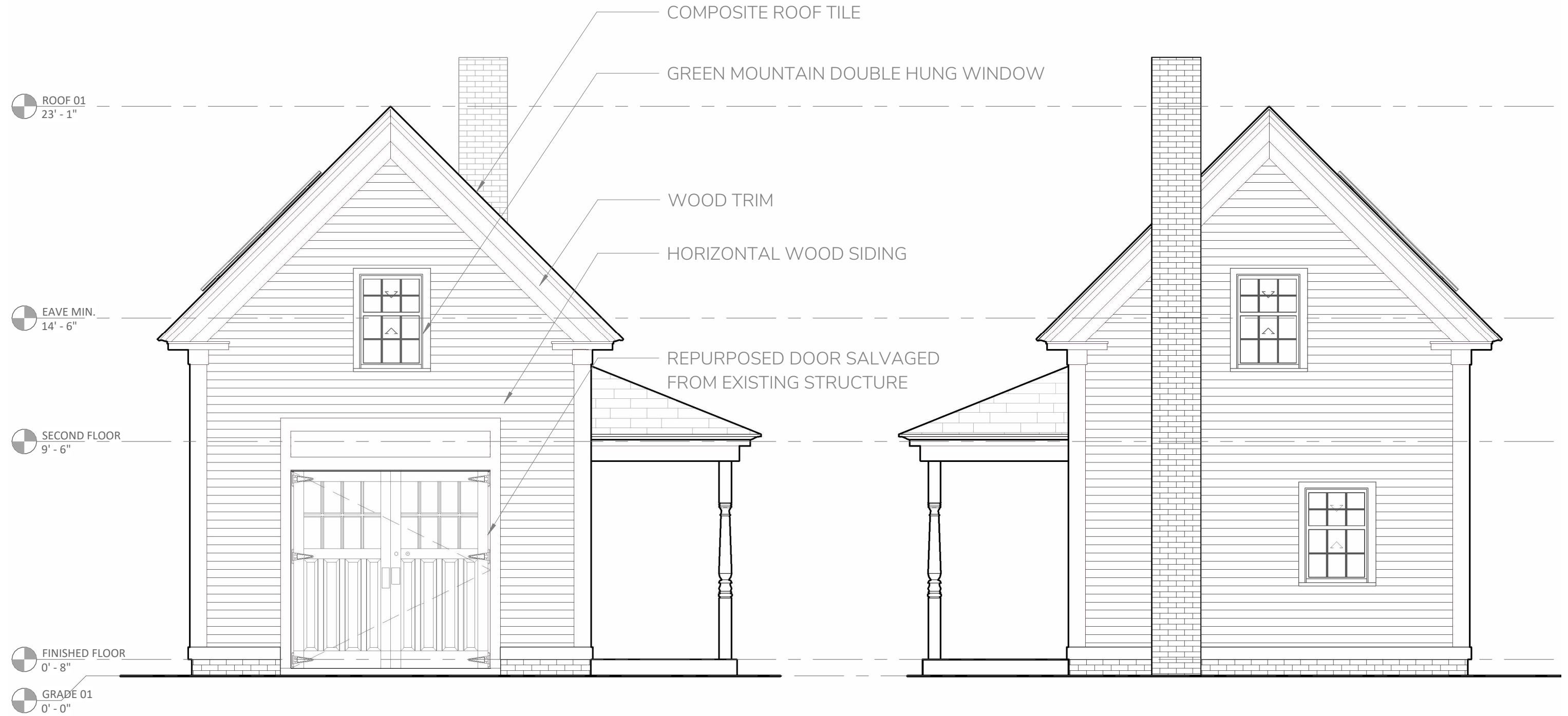
EXISTING SOUTH ELEVATION
1/4" = 1'-0"



PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"

PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"





PROPOSED EAST ELEVATION
1/4" = 1'-0"

PROPOSED WEST ELEVATION
1/4" = 1'-0"



PROPOSED NORTH ELEVATION
1/4" = 1'-0"

PROPOSED SOUTH ELEVATION
1/4" = 1'-0"



East Facade



West Facade



Existing Shed to Be Demolished
North Facade



South Facade