

**RE: APPLICATION OF MICHAEL PETRIN**

239 NORTHWEST STREET

Applicant's Narrative

**I. The Property:**

Michael Petrin is a co-owner of the property located at 239 Northwest Street. The property consists of a single family residence, constructed circa 1830, which is located on a lot containing 3,722 sq. ft. The lot is non-conforming in size. The existing structure is non-conforming as to front, rear and left side yards, lot coverage, and open space.

The lot itself abuts the US Route 1 Bypass and was the subject of takings by the Maine- NH Interstate Bridge Authority for the Sarah Mildred Long Bridge in 1939, when 6,400 square feet of the lot were taken, leaving only 3,722 square feet of lot area.. The single family residence is located within 50 feet of the bridge on ramp and -0- feet from the Route 1 Bypass right-of-way.

The existing structure is approximately one foot from Northwest Street which dead ends at the adjacent property to the east.

The entire structure is located within 100' of the North Mill Pond. The applicant also is the co-owner of a waterfront vacant lot across Northwest Street which is approximately 2615 sq. ft. in size and is the location of a dock upon the Mill Pond.

**II. The Proposal:**

The applicant proposes to demolish a shed addition to the rear of the home and to construct a two-story addition to the rear of the home. The net increase in the square footage of the footprint would be 99 square feet. In addition, an existing deck of 30 square feet would be removed, and a new deck of approximately the same size constructed.

**III. Variances Required:**

Because the structure and lot are non-conforming, variances from Article 3, Sections 10.311 and 10.321 to alter a non-conforming structure upon a non-conforming lot, variances from Article 5, Sec. 10.521 for a 1.9 foot rear yard setback, lot coverage of 48% and open space of 28% are also required.

#### **IV. ARGUMENT**

The Applicant believes that the 5 criteria necessary for the Board to grant the requested Variances are met by the within application.

- A. First and foremost granting the Variances requested, will not substantially alter the characteristics of the neighborhood, nor will public health, safety or welfare be threatened. In essence the proposal is to demolish the nonconforming shed at the rear of the home and to replace it with a 2 story addition adjacent to where the shed was. There will be a 99 Square foot increase in the lot coverage.

Applying the tests set forth in the Malachy Glen Case, granting the Variances would not be contrary to the public interest, nor would the spirit and intent of the ordinance be violated.

- B. Granting the requested Variances will not result in any diminution in value of surrounding properties. The Applicant has spoken to abutters who are supportive of the proposal to renovate the existing structure. As can be seen from the submitted photos and renderings the proposed addition would be in keeping with the characteristics of the existing structure and will require approval by the HDC. A work session has been held with the HDC and feedback from the Commission was positive.
- C. Granting the requested Variances would result in substantial justice being done as the hardship upon the owner, were the Variances to be denied, would not be outweighed by some benefit to the general public in denying the Variances. When Board members apply the balancing test, it should be clear that substantial justice will be done by granting the Variances. The general public would in no way be benefited by a denial, while the applicant would suffer a hardship.
- D. Finally, it is abundantly clear that there is a hardship inherent in the land which requires that variances be granted. The property was reduced in size by two thirds in 1939 when 6400 square feet of land were taken by eminent domain. The home was constructed in 1830 before any zoning existed. Due to the takings, and the application of the zoning ordinance to the existing lot and structure, both lot size and coverage became nonconforming. Setbacks, front, and rear and open space became nonconforming when the zoning ordinance went into effect. Secondly there is no fair and substantial relationship between the purpose of the ordinance as it relates to the particular property. There is adequate light and air and access for emergency vehicles in and around the structure. The fact that there is an unbuildable 2600 square foot, waterfront lot owned by the applicant across Northwest Street certainly mitigates the open space requirements and lot coverage requirements, as does the fact that Northwest Street dead ends at the applicants property line, with a turn around abutting the property. Lastly the Use is a permitted use in the district.

**V. CONCLUSION**

In conclusion, the applicant believes the criteria necessary for the Board to grant the requested Variances have been met, and thus, the Variances should be granted.

Respectfully Submitted

A handwritten signature in blue ink, appearing to read 'B. Pelech', is written over the text 'Respectfully Submitted'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**Bernard W. Pelech,  
Attorney for Applicant**



# 239 NORTHWEST ST

**Location** 239 NORTHWEST ST

**Mblu** 0122/ 0003/ 0000/ /

**Acct#** 33612

**Owner** PETRIN MICHAEL GEORGE  
(12.3% INT)

**PBN**

**Assessment** \$403,300

**Appraisal** \$403,300

**PID** 33612

**Building Count** 1

## Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$146,000	\$257,300	\$403,300

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$146,000	\$257,300	\$403,300

## Owner of Record

**Owner** PETRIN MICHAEL GEORGE (12.3% INT)  
**Co-Owner** LAVERRIERE KATIE MARIE  
**Address** 268 DENNETT ST  
 PORTSMOUTH, NH 03801

**Sale Price** \$400,000  
**Certificate**  
**Book & Page** 6138/647  
**Sale Date** 07/13/2020  
**Instrument** 81

## Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
PETRIN MICHAEL GEORGE (12.3% INT)	\$400,000		6138/647	81	07/13/2020
KENNETT WILLIAM C	\$0		2304/1890		02/21/1978
KENNETT WILLIAM C	\$0		2304/1890		02/21/1978

## Building Information

### Building 1 : Section 1

**Year Built:** 1830

**Building Photo**

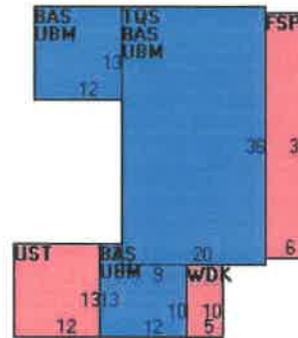
**Living Area:** 1,545  
**Replacement Cost:** \$275,153  
**Building Percent Good:** 53  
**Replacement Cost Less Depreciation:** \$145,800

Building Attributes	
Field	Description
Style	Conventional
Model	Residential
Grade:	C+
Stories:	1.75
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Hardwood
Heat Fuel	Gas
Heat Type:	Warm Air
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	1
Total Rooms:	7
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	0
Extra Openings	0
Metal Fireplaces	0
Extra Openings	0
Bsmt Garage	



(<http://images.vgsi.com/photos2/PortsmouthNHPhotos/\00\01\79\38.jpg>)

### Building Layout



([http://images.vgsi.com/photos2/PortsmouthNHPhotos/Sketches/33612\\_3](http://images.vgsi.com/photos2/PortsmouthNHPhotos/Sketches/33612_3))

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,005	1,005	
TQS	Three Quarter Story	720	540	
FSP	Porch, Screened	204	0	
UBM	Basement, Unfinished	1,005	0	
UST	Utility, Storage, Unfinished	156	0	
WDK	Deck, Wood	50	0	
		3,140	1,545	

### Extra Features

Extra Features	Legend
No Data for Extra Features	

**Land**

**Land Use**

**Use Code** 1012  
**Description** SFR WATERINFL  
**Zone** GRA  
**Neighborhood** 131  
**Alt Land Appr** No  
**Category**

**Land Line Valuation**

**Size (Acres)** 0.11  
**Frontage**  
**Depth**  
**Assessed Value** \$257,300  
**Appraised Value** \$257,300

**Outbuildings**

Outbuildings						<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			220 S.F.	\$200	1

**Valuation History**

Appraisal			
Valuation Year	Improvements	Land	Total
2018	\$129,700	\$233,900	\$363,600
2017	\$129,700	\$233,900	\$363,600
2016	\$118,100	\$160,100	\$278,200

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$129,700	\$233,900	\$363,600
2017	\$129,700	\$233,900	\$363,600
2016	\$118,100	\$160,100	\$278,200

DATE	-
DESIGN	-
DRAWN	MLR
CHECKED	XX
SCALE	-
JOB	-

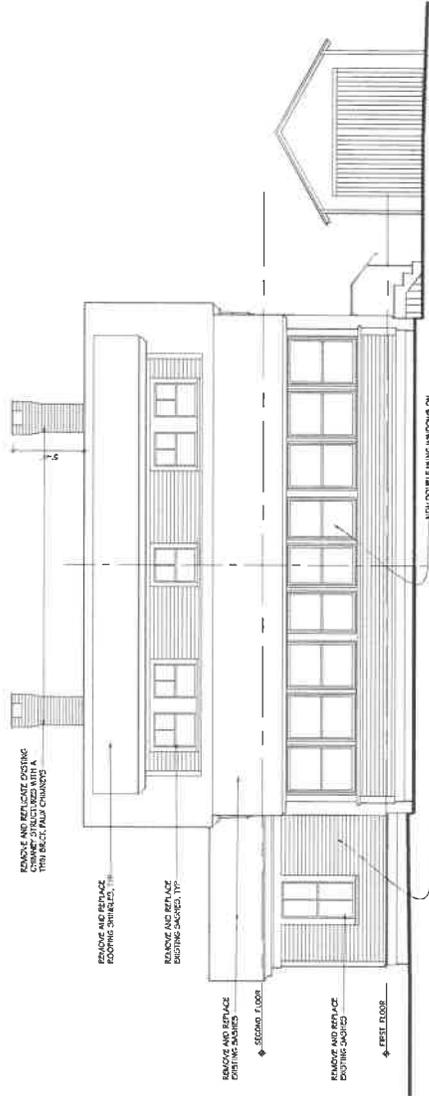
239 NORTHWEST STREET  
PORTSMOUTH  
NEW HAMPSHIRE

PERMIT SET  
15 SEP 2020

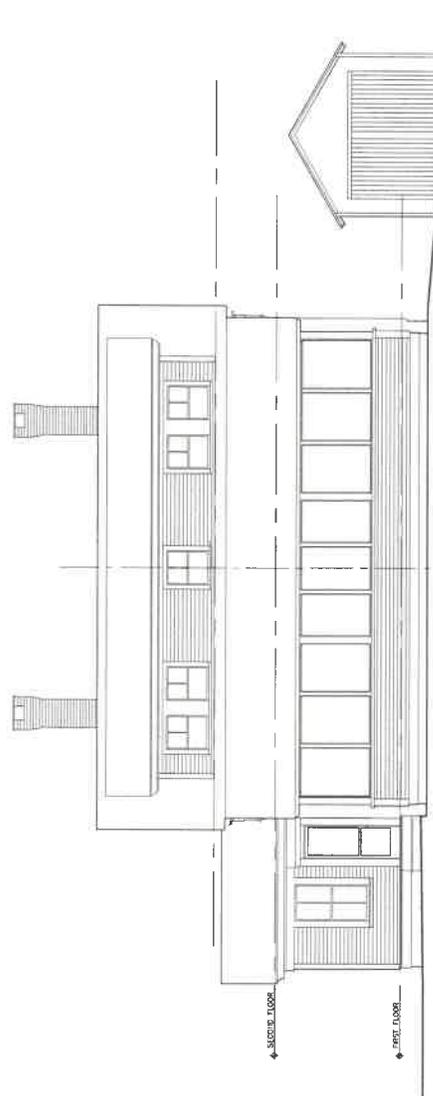
MARTIN RYAN ARCHITECT  
222 S. Broadway, 5th Fl.  
Portsmouth, NH 03801  
603.432.0457



PHOTO- EAST ELEVATION



PROPOSED ELEVATION- EAST



EXISTING ELEVATION- EAST

NOTE: ALL DIMENSIONS AND CONDITIONS ARE TAKEN FROM DATA SUPPLIED BY THE CITY OF PORTSMOUTH, NEW HAMPSHIRE AND FIELD MEASUREMENTS.  
NOTE: THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION PURPOSES.





DATE	-
DESIGN	-
BRN	M.R.
CHECKED	X
SCALE	-
JOB	-

239 NORTHWEST STREET  
PORTSMOUTH  
NEW HAMPSHIRE

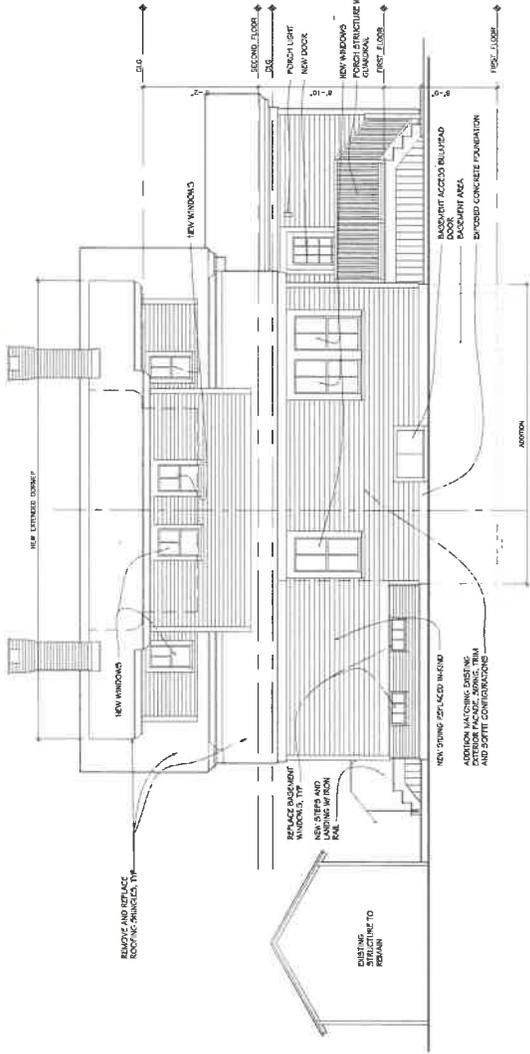
PERMIT SET  
15 SEP 2020

MARTIN RYAN ARCHITECT  
227 Broadway Ave  
Portsmouth, NH 03801  
603-862-4455

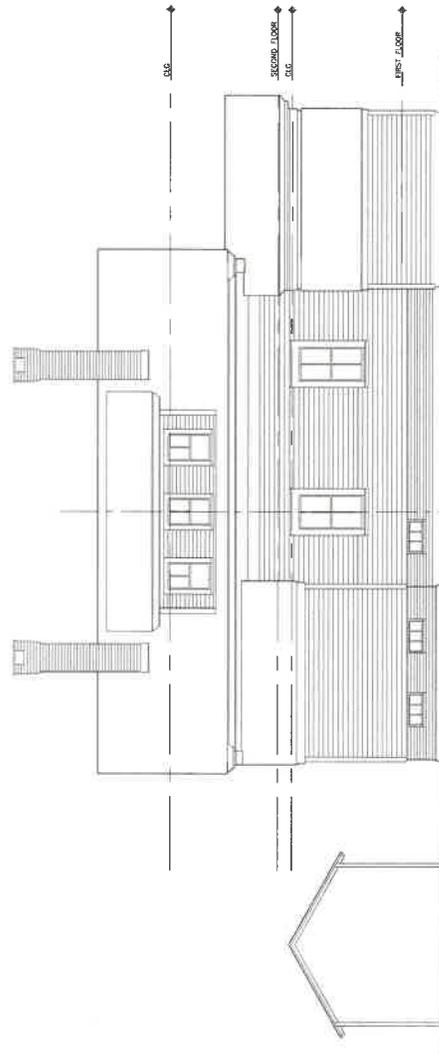
NOTE: ALL DIMENSIONS AND CONDITIONS ARE  
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MEASUREMENTS.  
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CONSTRUCTION PURPOSES.



PHOTO - FROM ROUTE 1



PROPOSED ELEVATION- WEST



EXISTING ELEVATION- WEST



DATE:	
DESIGN:	
DRAWN:	MLR
CHECKED:	XX
SCALE:	
JOB:	

239 NORTHWEST STREET  
PORTSMOUTH  
NEW HAMPSHIRE

PERMIT SET  
15 SEP 2020

MARTIN RYAN ARCHITECT  
232 Broadway Ave  
Portsmouth, NH 03801  
603-883-4255



U.S. ROUTE 1 BYP



**ZONING**  
 OWNER: PETER  
 PROPERTY: 239 NORTHWEST ST  
 PORTSMOUTH, NH  
 ZONE: O-1  
 REFERENCE: P 0122-0001-0000

**MINIMAL LOT AREA**  
 MIN LOT FRONTAGE  
 MAX BUILDING COVERAGE  
 MAX BULKHEAD  
 MIN FRONT YARD  
 MIN SIDE YARD  
 MAX BUILDING HEIGHT

**PROPOSED**  
 7,500 SF  
 47.91 SF NON-CONFORMING  
 25%  
 100 FT  
 15 FT  
 4.5 FT

**EXISTING**  
 4,791 SF NON-CONFORMING  
 47.91 SF NON-CONFORMING  
 25% CURRENTLY HIGH-CONFORMING  
 25% NON-CONFORMING  
 100 FT  
 15 FT NON-CONFORMING  
 31 FT TO SOUTH, 18.5 FT TO THE NORTH, 10 FT TO EAST, 10 FT TO WEST  
 4.5 FT NON-CONFORMING

**PROPOSED**  
 NO CHANGE  
 NO CHANGE  
 NO CHANGE  
 25%  
 NO CHANGE  
 NO CHANGE  
 NO CHANGE



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DATE	
DESIGN	
DRAWN	MLR
CHECKED	XX
SCALE	
JOB	

239 NORTHWEST STREET  
PORTSMOUTH  
NEW HAMPSHIRE

PERMIT SET  
15 SEP 2020

MARTIN RYAN ARCHITECT  
122 Liberty Ave  
Portsmouth, NH 03801  
603.202.4825

NOTE: ALL DIMENSIONS AND SPACING ARE TAKEN FROM DATA SUPPLIED BY THE CITY OF PORTSMOUTH, MAHARD AND FIELD MEASUREMENTS.  
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**WINDOWS REPLACED:**  
Marvin Ultimate III Pac Double Hung Sash replacement system  
Window- Aluminum Clad

**WINDOWS NEWLY INSTALLED:**  
Features of the ULTIMATE Double Hung  
G2 Window- High Density Fiberglass 2 over 2 SDL.

**EGRESS WINDOW:** Casement as faux 2 over 2, double hung with meeting rail.

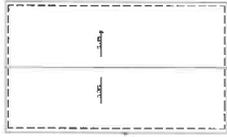


Hinkley Lighting - 2206 - Cape Cod - One Light Mini Wall Outdoor

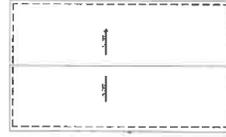
**EXTERIOR DOORS:** Thurma True Classic-Craft Oak Collection - 36"x84" Fiberglass



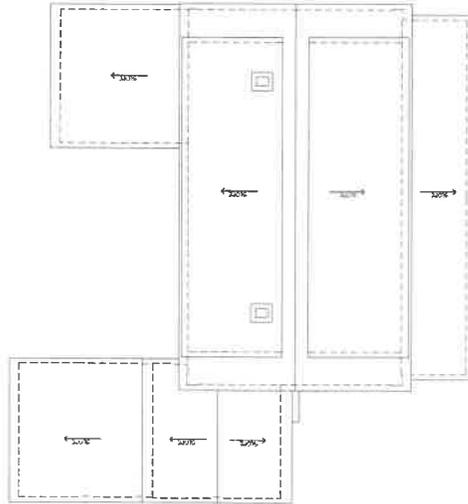
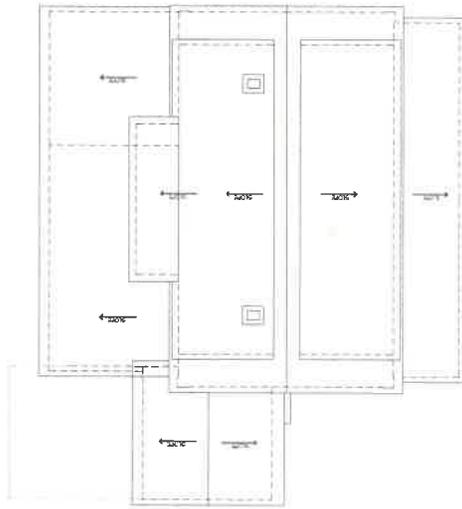
**ROOFING:**  
Architectural Grade Asphalt Shingle- CERTAINTEED LANDMARK PRO Architect 80 • Dual-layer, high performance • Max Def color palette • Industry-best lifetime limited warranty • 15-year StreakFighter® algae-resistance warranty

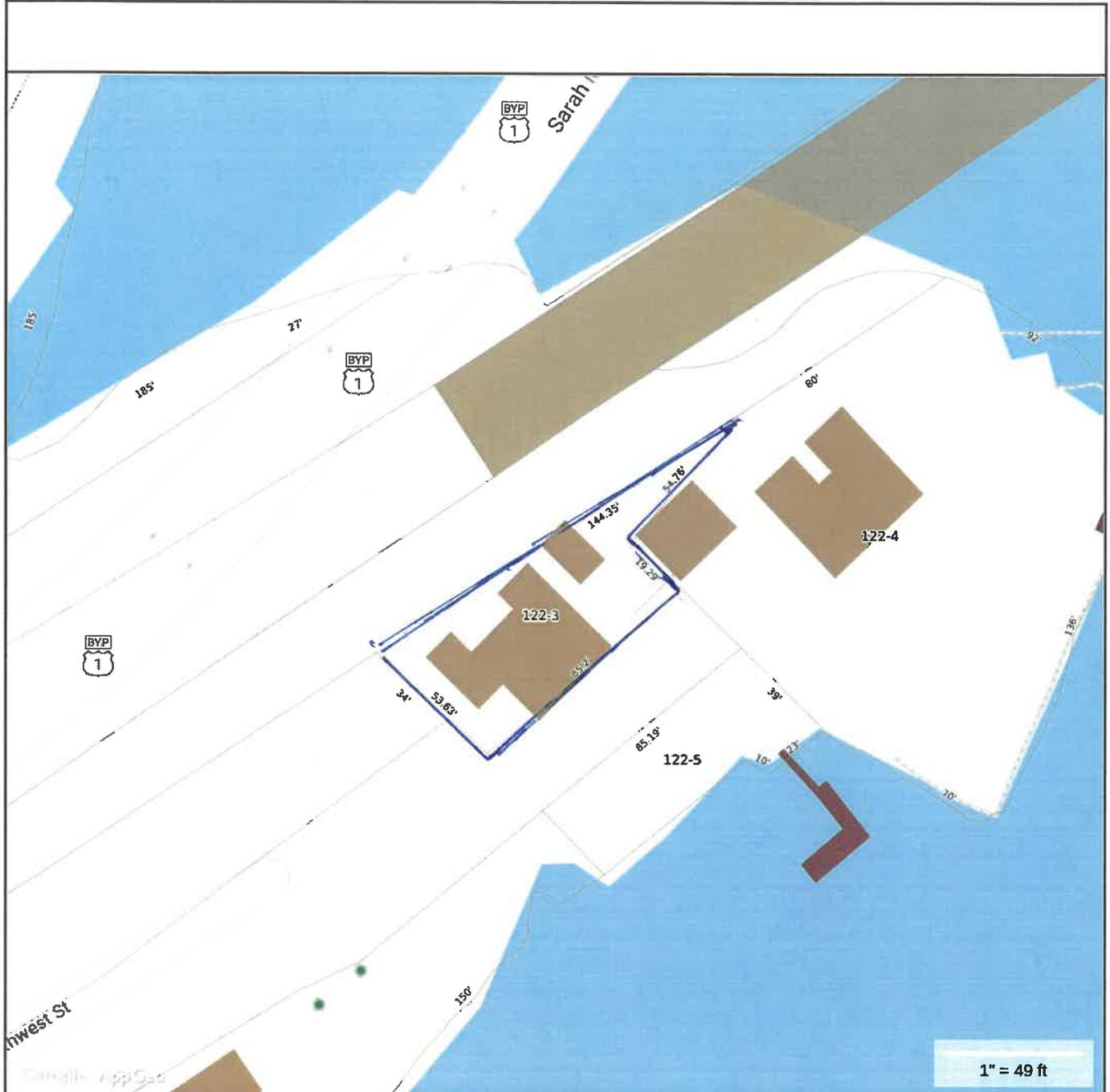


PROPOSED ROOF PLAN 24 AUG



EXISTING ROOF PLAN





**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

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Geometry updated 4/1/2019  
Data updated 7/17/2019



**Property Information**

**Property ID** 0122-0005-0000  
**Location** NORTHWEST ST  
**Owner** PETRIN MICHAEL GEORGE (12.3% INT)



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