

Variance Application for §10.521 Street Frontage

Applicants: Trenton Sensiba and Denise Sensiba, 12 Ruth Street, Portsmouth, NH 03801

Regarding Property: Assessor Map 143, Lot 16 (“Lot 16”), Ruth Street, Portsmouth, NH 03801
Assessor Map 143, Lot 9-1, 12 Ruth Street, Portsmouth, NH 03801

Zoning District: General Residence A (GRA)

Relief Requested: To grant the Applicants a variance from §10.521 of the Zoning Ordinance which requires 100 feet of continuous street frontage because the Applicants seek to increase Lot 16’s existing non-conforming street frontage of less than one foot to 20.66 feet of frontage through a lot line adjustment of land from 12 Ruth Street.

To: Esteemed Members of the Portsmouth Zoning Board of Adjustment

Dear Members of the Board,

Lot 16 is an existing nonconforming lot under §10.310 of the Zoning Ordinance. Specifically, Lot 16 qualifies as a non-conforming lot under §10.312, because it was shown on a recorded plan in 1902 (which was on or before March 21, 1966). At some point, the City inadvertently merged Lot 16 with 12 Ruth Street, but Lot 16 was restored to independent status by the Planning Board in 1988. Under §10.312, lots such as Lot 16 are recognized as compliant with frontage despite having less than the required minimum.

Vehicle access to Lot 16 presently requires the use of a prescriptive easement over 12 Ruth Street. As a matter of practice, it is often better for property owners to have fee simple ownership of access to their property rather than relying on a prescriptive easement. Driveway easements are one of the most common sources of property disputes in property law. They require ongoing cooperation between owners, invite conflicts over maintenance and liability, and can restrict access when blocked or neglected. Lenders and buyers view them as unstable, and emergency vehicles prefer clear, fee-simple frontage. Owning the access outright removes these risks and provides certainty.

The Applicants wish to secure such legal ownership for their vehicle access. To effectuate this, the Applicants propose to transfer a small strip of land from the adjoining 12 Ruth Street to Lot 16. This will require approval of a lot line adjustment. Approval of the lot line adjustment also requires a redetermination of the non-conforming status because even though the frontage is increasing, Lot 16’s increased frontage will still remain non-conforming, albeit to a lesser extent.

The lot line adjustment is expected to:

- Increase Lot 16's frontage from its present 0.66 feet and bring its frontage to 20.66 feet, closer to conformity with the current frontage requirements.
- Provide Lot 16 with a safe, fee-simple owned driveway instead of the existing prescriptive easement over 12 Ruth Street which often causes conflict and hardships in court
- Allow 12 Ruth Street to be unburdened by the easement.
- Align Lot 16 with many other dead-end street lots in Portsmouth that have less than the required frontage yet function safely and effectively under the ordinance.

The Applicants are aware that other non-conforming lots exist in the City. For example, 141 and 142 Mill Pond Way (Map 140, Lots 20 and 24), also abutting North Mill Pond, do not meet frontage and were built in 2012 and 2018. Those lots are also at a dead-end residential street zoned GRA, like Lot 16.

Dead-end lots present a unique situation and often achieve the ordinance's purposes without strict enforcement of the frontage requirement. The City has long recognized that many historic lots do not strictly conform to frontage standards, yet continue to provide safe, orderly, and attractive residential use.

Also, in 2024, the Board granted relief at 0 Melbourne Street, a long-standing nonconforming lot of record that lacked the 100 feet of frontage required by §10.521.

Analysis of the Five Criteria (§10.233)

1. Not Contrary to the Public Interest (§10.233.21)

Frontage requirements exist to ensure safe access, orderly development, and preservation of neighborhood character. This variance advances those goals by increasing Lot 16's frontage and providing a clear, fee-owned access strip, thereby making the existing, Planning Board approved lot more compliant with today's code.

In addition, the proposed frontage strip for the lot line adjustment also contains land where the City currently directs public stormwater runoff from Ruth Street. If it remains part of 12 Ruth Street, which will be sold, future cooperation with the City would be uncertain on how the City addresses its stormwater runoff onto 12 Ruth Street and Lot 16. By approving this variance, the strip becomes part of Lot 16, where the Applicants have already demonstrated willingness to work with the City to address the City's public stormwater management for Ruth Street. This outcome protects public infrastructure, reduces legal conflict, and serves the community's interest in safe and orderly residential development.

The lot line adjustment will not change the character of the neighborhood in that the neighborhood is zoned as GRA and the Applicants plan to keep Lot 16 residential. Accordingly, granting the variance will not be contrary to the public interest.

Denying this variance doesn't serve the public and it also doesn't erase Lot 16 or its rights. It simply locks the property into the worst possible non-conforming state — stuck at less than a foot of frontage, forever dependent on an easement.

2. Spirit of the Ordinance Observed (§10.233.22)

The spirit of the frontage requirement is to ensure each lot has adequate frontage along a public street for safe access and compatibility with surrounding properties. The Applicants' variance request for its lot line adjustment advances these purposes by increasing Lot 16's frontage relative to its current condition. The lot will still preserve all other zoning standards, including setbacks and lot area.

Because Lot 16 is located at the end of a quiet dead-end street, its frontage geometry is unique. As such, the variance does not present the same crowding concerns that reduced frontage along a busier, linear street could produce. For these reasons, granting the variance will be consistent with the spirit of the ordinance.

The Applicants are not asking the Board to create a new non-conformity. They are asking the Board to make an existing one less severe. From 0.66 feet to 20.66 feet is a move toward compliance.

3. Substantial Justice Done (§10.233.23)

Granting the variance will enable the Applicants to obtain legal fee simple ownership of the ingress and egress to their property. Therefore, granting the variance will effectuate substantial justice.

Denial of this variance, on the other hand, would prevent the Applicants from obtaining 100% control over their ingress and egress without any counter balanced public benefit for the denial. Lot 16 is already a lawful nonconforming lot under the City Ordinance. If denied, the Applicants would be forced to rely on a prescriptive easement over 12 Ruth Street for access. In short, there would be common ownership of the land over which the Applicants will traverse if the variance is denied; the Applicants will not be able to have 100% control over their ingress and egress property. That would be a less orderly and less stable outcome.

12 Ruth Street will be sold soon while the applications keep lot 16. Driveway easements are one of the most litigated property issues in New Hampshire. They force constant cooperation between neighbors, spark disputes over maintenance and liability, and leave access vulnerable to obstruction or conflict. This directly undermines the purpose of the frontage requirement — safe, orderly, and reliable access. By contrast, fee-simple ownership provides clarity for emergency response, stability for lenders and buyers, and consistency with the ordinance's intent. Lots that rely solely on prescriptive easements are viewed as unstable in the market, reducing value and tax base. And when disputes arise, they often spill into City resources — from police calls to court cases. Forcing Lot 16 to remain dependent on one of the most dispute-prone legal tools in property law, when a simple lot line adjustment can fix the problem, would be both unsafe and

unfair. The Board has recognized in past cases, including 0 Melbourne Street, that relief is warranted to correct a lack of frontage rather than locking these lots in permanently.

There is another ancillary public benefit for granting the variance and this involves the City's stormwater from Ruth Street that currently inundates the Applicants' properties. The Applicants have approached the City to discuss an easement for the City to control its Ruth Street stormwater. This easement would run along the current boundary between 12 Ruth Street and Lot 16. 12 Ruth Street will be up for sale soon. If sold, and if there is no lot line adjustment, the City will have to negotiate with two, not just one, property owner regarding the design of the easement and stormwater easement. This may leave the stormwater management uncertain under the new ownerships.

4. Values of Surrounding Properties Not Diminished (§10.233.24)

The adjustment is not expected to diminish surrounding property values because the Planning Board approved this subdivision in 1902 as numerous residential lots. Since 1902, some of these lots have legally changed their lot lines by merging. Indeed, Lot 16 comprises three of those early 1902 50-foot frontage lots. These lot line changes have not caused the values reported in the tax cards to decline, therefore, the Applicants have no expectation that their lot line adjustment will diminish property values on Ruth Street especially when there is no evidence that 141 and 142 Mill Pond Way's minimal frontage diminished property values in that neighborhood.

The lot line adjustment and associated frontage variance will not change the character of this residential GRA zoned neighborhood and thereby cause property values to diminish. Lot 16 will remain in keeping with the neighborhood's character, with increased frontage and preserved setbacks. By clarifying legal access and stormwater control, the variance strengthens the stability and value of both lots and avoids conflict that might otherwise adversely impact neighboring properties.

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

(§10.233.31) Owing to special conditions of the property that distinguish it from other properties in the area, (a) no fair and substantial relationship exists between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and (b) the proposed use is a reasonable one. (Under this provision, an unnecessary hardship shall be deemed to exist only if both elements of the condition are based on the special conditions of the property.)

Lot 16's condition was created by the City's own actions in 1902 and 1971, not by the Applicants. In 1988, the City itself acknowledged this and restored Lot 16 as an approved subdivision lot of record.

Literal enforcement of the frontage requirement would create unnecessary hardship due to Lot 16's special physical conditions. Lot 16 is located at the end of a dead-end street. Lot 16's

frontage geometry is different than the rest of the street and many other lots. Achieving full 100 feet of frontage is not physically possible in this case.

That is because Lot 16 is the aggregation of three historic house lots approved by the Planning Board in 1902. In 1902, the three lots, combined, had about 150 feet of frontage on the proposed Ruth Street. In 1902, Ruth Street was proposed to extend to North Mill Pond. The City, however, did not accept the proposed dedication. In 1971, the City accepted a deed of a different dedication of Ruth Street, one that only gave Lot 16 about 0.66 feet of frontage. These approvals caused Lot 16 to have physically different frontage conditions than other residential lots on Ruth Street. This made Lot 16 physically unable to satisfy the frontage requirement.

The 100-foot frontage requirement restriction on Lot 16 (see §10.521-Table of Dimensional Standards) is not necessary to give full effect to the purpose of the ordinance, which is to “promote public safety, health, convenience, comfort, prosperity and general welfare.” (see §10.141). Full application of the Dimensional Standards to Lot 16 is not necessary to promote a valid public purpose of keeping the property zoned GRA and limited to residential use.

Relief can be granted without frustrating the purpose of the ordinance because Lot 16 is already a legal nonconforming residential lot. As such, the lot already satisfies the public purpose of the ordinance. The Applicants simply seek to make Lot 16 more compliant by increasing the frontage. The Applicants make no request to change Lot 16’s GRA zone or its residential use, therefore Lot 16 will remain a reasonable use after the lot line adjustment and associated variance.

Requiring strict compliance would impose a hardship by preventing the Applicants from benefiting from a lot line adjustment to increase Lot 16’s fee simple frontage and improve compliance. It would force the Applicants to rely on an easement over 12 Ruth Street for ingress and egress, which is a less stable and valuable outcome because of the servient and dominant estates that land ownership creates.

Granting the variance avoids these hardships while still meeting the ordinance’s intent of ensuring safe access, orderly development, protection of neighborhood character, as well as promoting public safety, health, convenience, comfort, prosperity and general welfare.

Finally, it is only fair that Lot 16 receive the same relief the Board has granted in other recent cases, such as 0 Melbourne Street and Mill Pond Way. Denying here would leave Lot 16 uniquely trapped in a condition the Board has already recognized as warranting relief elsewhere. The Applicants are not asking for special treatment. They are asking for equal treatment. Portsmouth has long recognized that historic nonconforming lots deserve a path forward. This Board has granted similar relief for other dead-end and undersized lots. It would be arbitrary and unfair to leave Lot 16 locked in its worst-case frontage condition when the same correction has been allowed elsewhere.

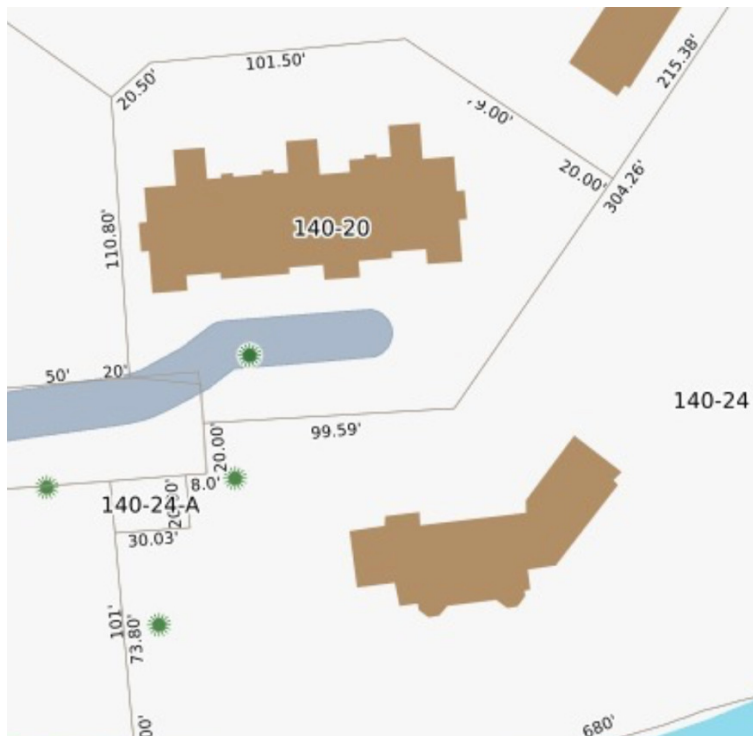
Thank you for your time. Warmest Regards,

Trenton and Denise Sensiba

Ruth Street, 143-16



Mill Pond Way, a dead-end street on the North Mill Pond, provides a comparison.



CURRENT STREET FRONTAGE DOCUMENTATION for NONCONFORMING LOT

Denise Sensiba has filed for a variance for frontage on Ruth Street of her Lot 16 for a lot line adjustment. This Street Frontage Documentation is intended to set forth how Lot 16 is an existing approved nonconforming residential lot. Lot 16 is identified as City Assessor Map 143, Lot 16 (the “Property”). The Property is located within the City’s General Residence A Zoning District (the “GRA District”).

Lot 16 is a legal nonconforming lot for the following reasons:

Article 3, Section 10.312 of the Portsmouth Zoning Ordinance outlines frontage requirements where the lot meets the minimum lot area requirements but has less than the minimum street frontage.

Under **Section 10.312.30**, the frontage of a lot is considered to be in compliance if any of three identified conditions are met. Lot 16 meets two of the three listed conditions. Specifically, Ordinance section 10.310 and subsections 10.312.20 and 10.312.30.

Lot 16 was “shown on a plan or described in a deed recorded after March 21, 1966”, and “such lot was created in compliance with the Zoning Ordinance, Subdivision Rules and Regulations” and such other ordinances and regulations which properly apply and were in effect at the time of recording in the Rockingham County Registry of Deeds. Section 10.312.30

Additionally, Lot 16 qualifies as a legal nonconforming lot under Section 10.312.20 because the subject lots have been under contiguous ownership, were shown on recorded plans and described in recorded deeds on or before March 21, 1966 and the Planning Board approved the plat.

In support of both analyses:

- Please see the attached **1902 subdivision plan**, which shows the Property as separate parcels prior to later conveyances. Three of the approved 1902 lots were merged to create what is now Lot 16. At the time the lots were approved by the City, the developer proposed Ruth Street extending to North Mill Pond. The developer also sold lots per this 1902 plan and those deeds are recorded at the registry of deeds, thereby perfecting the developer’s ‘dedication’ under RSA 231 of Ruth Street. The City, however, did not timely accept the dedicated street so it reverted to the developer.
- Please see the attached **1988 Corrective Deed**, which reinstated the Property after it was inadvertently merged with 12 Ruth Street. This deed also included the City of **Portsmouth Planning Board’s approval of Lot 16**, which formally recognized and restored the Property as a separate, buildable lot of record.
- Please see the attached 1971 deed where the developer deeded Ruth Street to the City and describes Ruth Street as being just over 409 feet in length.
- Please see the attached survey plan showing the metes and bounds of the 1971 described street as well as the boundary of Lot 16. As shown on the survey plan, Lot 16 fronts on Ruth Street. The frontage is minimal; however, frontage exists and qualifies the lot as a

legal nonconforming residential lot consistent with the Planning Board's 1988 approval and Section 10.310 of the City's ordinance.

Portsmouth Zoning Ordinance:

Article 3: Nonconforming Lots

Section 10.310 Nonconforming Lots

10.311

Any lot that has less than the minimum lot area or street frontage required by this Ordinance shall be considered to be nonconforming, and no use or structure shall be established on such lot unless the Board of Adjustment has granted a variance from the applicable requirements of this Ordinance.

10.312

Notwithstanding the provision of Section 10.311, a lot that has the minimum lot area but has less than the minimum street frontage required by this Ordinance shall be considered to be in compliance with respect to the frontage requirement if one of the following conditions applies:

- **10.312.10**

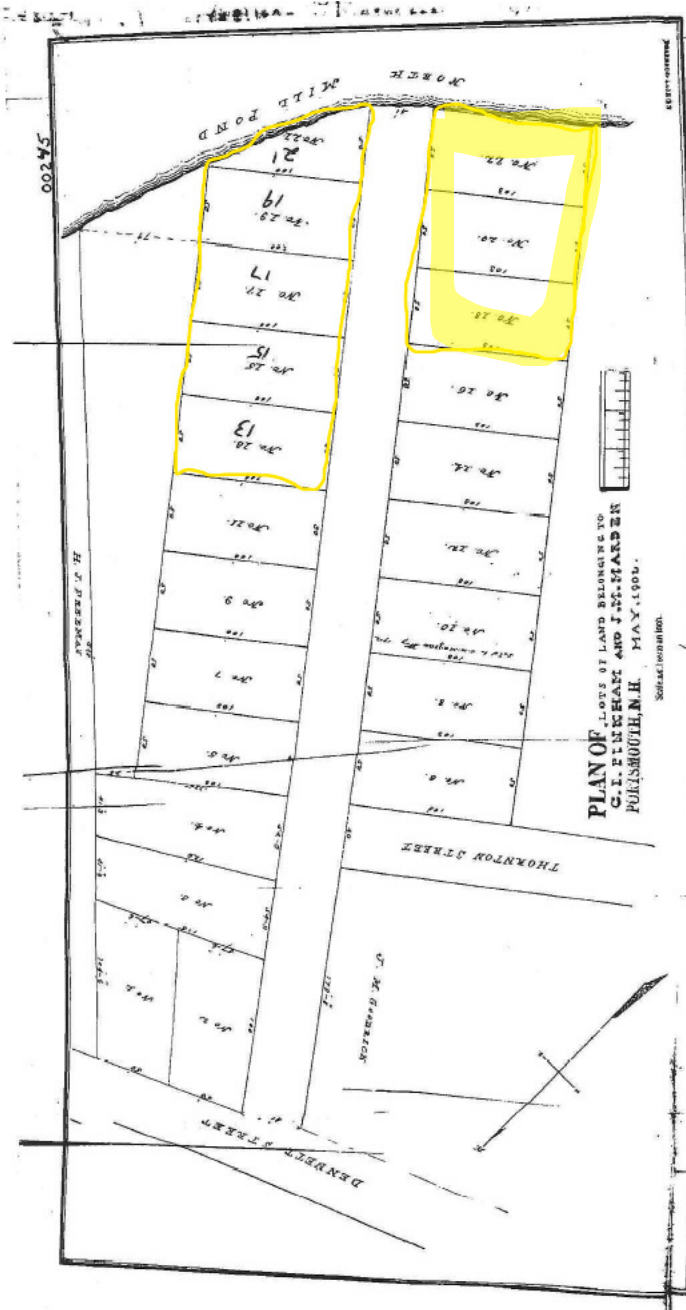
The lot was shown on a recorded plan or described in a recorded deed on or before March 21, 1966, and such lot was not held in common ownership with any adjoining or contiguous lot on or before March 21, 1966; or

- **10.312.20**

The lot was shown on a recorded plan or described in a recorded deed on or before March 21, 1966, and the Planning Board has approved a plat demonstrating that such lot and all adjoining or contiguous lots under common ownership have been combined to create a lot or lots most nearly consistent with the minimum street frontage requirement; or

- **10.312.30**

The lot was shown on a plan or described in a deed recorded after March 21, 1966, and such lot was created in compliance with the Zoning Ordinance, Subdivision Rules and Regulations and such other ordinances and regulations which properly apply and were in effect at the time of recording in the Rockingham County Registry of Deeds.



PLAN OF LOTS OF LAND BELONGING TO
C. I. FITCH AND J. E. HADDEN
PORTSMOUTH, N.H. MAY 1, 1893.



THORNTON STREET

C. I. FITCH

DENBIGH STREET

5245

BK2771 P1209

CORRECTIVE DEED

KNOW ALL MEN BY THESE PRESENTS, That I EMERSON A. McCOURT of 61 Dearborn St. Extension, Portsmouth, County of Rockingham, State of New Hampshire 03801

for consideration paid, grant to SUSAN R. FLOROS of 282 Middle Street, Portsmouth, County of Rockingham, State of New Hampshire 03801

with warranty covenants

A certain parcel of land situate off Ruth Street in Portsmouth, County of Rockingham, State of New Hampshire, being more particularly bound and described as follows:

BEGINNING at a point at land now or formerly of Woodrow P. Bunnell; thence running North 60° 48' 19" East by land of Joseph R. and Ruth V. Mitchell, a distance of 102.91 feet to a point at other land of Emerson A. McCourt; thence turning and running South 28° 47' 05" East by said other land of Emerson A. McCourt, a distance of 142.56 feet to a point; thence turning and running South 57° 00' 34" West, a distance of 102.81 feet to a point at land of said Bunnell; thence running North 28° 55' 35" West by said land now or formerly of Woodrow P. Bunnell and partially by a chain link fence, a distance of 149.36 feet to the point of beginning.

Also conveying any interest and title that the Grantor may have in the marsh land between said premises and the shore of the North Mill Pond, so-called.

This is a corrective deed, to correct the description of a portion of the property conveyed by Emerson A. McCourt to Susan R. Floros, dated December 30, 1986 and recorded in the Rockingham County Registry of Deeds, Book 2654, Page 335, wherein this parcel was inadvertently combined with another lot. The parcel herein conveyed is shown as Lot 16 on Map U-43 on the property maps of the City of Portsmouth, New Hampshire.

The recording of this deed was approved by the City of Portsmouth Planning Board on November 17, 1988.

Kathleen McGuyer
Witness

E. Warren Clarke
E. Warren Clarke, Chairman
Portsmouth Planning Board

I RUTH H. McCOURT, ~~husband~~ wife of said grantor, release to said grantor all rights of homestead and other interests therein.

Signed this 13th day of September, 1988

Emerson A. McCourt I.S.
EMERSON A. McCOURT
Ruth H. McCourt I.S.
RUTH H. McCOURT
I.S.

State of New Hampshire

Rockingham ss.: September 13, A.D. 1988

Personally appeared EMERSON A. McCOURT and RUTH H. McCOURT known to me, or satisfactorily proven, to be the persons whose names subscribed to the foregoing instrument and acknowledged that they executed the same.

MARYANN TOWLE, NOTARY PUBLIC
MY COMMISSION EXPIRES 1-13-93

before me,

Maryann Towle
Notary Public



5590.1

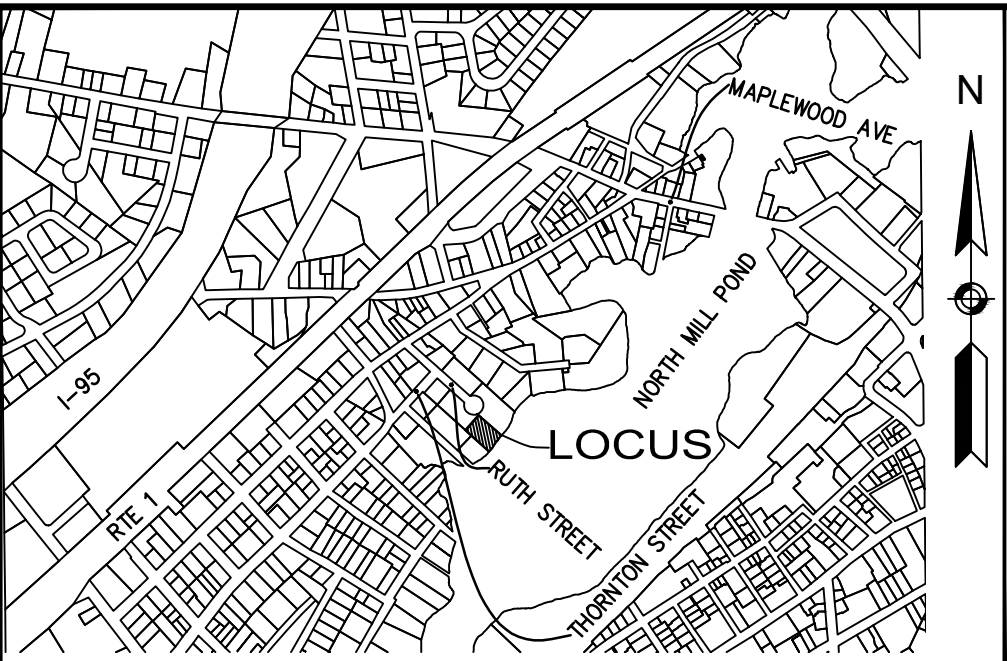
Dec 2 8 39 AM '88

ROCKINGHAM COUNTY
REGISTRY OF DEEDS









PORTSMOUTH, NEW HAMPSHIRE
1000' TO THE INCH

NOTES

- THE PURPOSE OF THIS PLAN IS TO SHOW THE SEVERANCE OF PARCEL A FROM MAP 143 LOT 9-1 AND THE SIMULTANEOUS COMBINING OF SAID PARCEL A WITH MAP 143 LOT 0016 AS ONE CONTIGUOUS PARCEL.
- HORIZONTAL AND VERTICAL DATUMS ARE RELATED TO THE NORTH AMERICAN DATUM OR 1983(NAD83) AND THE NORTH AMERICAN VERTICAL DATUM ON 1988(NAV88), RESPECTIVELY AND ARE THE RESULT OF JG LAND SERVICES GPS OBSERVATIONS, TOTAL STATION NETWORK TRAVERSING AND DIFFERENTIAL LEVELING RELATIVE TO THE SMART NET CORRS NETWORK.
- LINE SHOWING DIVISION OF PRIVATE OWNERSHIP OF ABUTTING PROPERTIES ARE RELATIVE TO TOWN ASSESSOR'S RECORDS AND THEIR LOCATIONS ARE CONSIDERED TO BE APPROXIMATE.
- NO UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY.
- THE HIGHEST OBSERVABLE TIDE LINE (HOTL) DEPICTED ON THIS PLAN WAS DETERMINED ON SEPTEMBER 25, 2024 BY QUALIFIED COASTAL PROFESSIONAL, JASON R. AUBE. THE HOTL WAS DETERMINED IN ACCORDANCE WITH THE NHDES WETLANDS BUREAU ADMINISTRATIVE RULES. UNDER ENV-WT 602.23, HIGHEST OBSERVABLE TIDE LINE MEANS A LINE DEFINING THE FARTHEST LANDWARD LIMIT OF TIDAL FLOW, NOT INCLUDING STORM EVENTS, THAT CAN BE RECOGNIZED BY INDICATORS SUCH AS THE PRESENCE OF A STRAND LINE OF FLOTSAM AND DEBRIS, THE LANDWARD MARGIN OF SALT-TOLERANT VEGETATION, OR A PHYSICAL BARRIER THAT BLOCKS INLAND FLOW OF THE TIDE.
- THE WETLANDS DEPICTED ON THIS PLAN WERE DELINEATED ON SEPTEMBER 25, 2024 BY JASON R. AUBE CWS #313. THESE WETLANDS WERE DELINEATED ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (JANUARY 1987) AND THE REGIONAL SUPPLEMENT TO THE U.S. CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0 (JANUARY 2012). THE PRESENCE OF DOMINANT HYDROPHYTIC VEGETATION WAS DETERMINED USING THE NORTHCENTRAL AND NORTHEAST 2016 REGIONAL WETLAND PLANT LIST, VERSION 3.3, 2016, PUBLISHED BY THE ARMY CORPS OF ENGINEERS. HYDRIC SOILS WERE DETERMINED USING THE NH HYDRIC SOILS TECHNICAL COMMITTEE'S "FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND", VERSION 4, 2017, PUBLISHED BY THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION.
- MEAN HIGH WATER ELEVATION WAS DETERMINED BY INTERPOLATING VALUES PROVIDED FOR TIDAL BENCHMARK STATIONS SEAVEY ISLAND (PID 8419870) AND ATLANTIC TERMINALS 114A (PID 842005).

REFERENCES

PLAN OF LOTS OF LAND
PORTSMOUTH, NEW HAMPSHIRE
PREPARED FOR: C.I. PINKHAM AND J.M. MARDEN
DATED MAY OF 1902, SCALE: 25 FEET TO THE INCH
PLAN No. 00245

PLAN OF LOT
PORTSMOUTH, NEW HAMPSHIRE
PREPARED FOR: EMERSON A McCOURT
DATED: FEB. OF 1968, REVISED OCT. 1970
SCALE: 1" = 30'
PLAN No. 2143

SUBDIVISION PLAN OF LAND
RUTH STREET, PORTSMOUTH, NEW HAMPSHIRE
PREPARED FOR: PETER FLORES & EMERSON A. McCOURT
DATED: DEC. 12, 1988, SCALE: 1" = 20'

ZONING DISTRICT - GENERAL RESIDENCE 'A'						
CRITERIA	MAP 143 LOT 0016			MAP 143 LOT 9-1		
	REQUIRED	EXISTING	PROPOSED	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA IN SQUARE (FEET)	7,500	16,022	16,909	7,500	29,500	28,613
CONTINUOUS STREET FRONTAGE (FEET)	100	0.66	20.66	100	145	125
DEPTH IN FEET	70	152	152	70	147	107
MIN. FRONT YARD IN FEET	15			15	29.16	29.16
MIN. SIDE YARDS IN FEET	10			10	13.96	13.96
MIN. REAR YARD IN FEET	20			20		
MAX STRUCTURE HEIGHT IN FEET	35					
SLOPED ROOF	35			35	26.9	26.9
FLAT ROOF	30			30	N/A	N/A
ROOF APPURTENANCE	8			8	N/A	N/A
MAX. BUILDING COV. %	25	0.0	0.0	25	9.4	9.7
MIN. OPEN SPACE %	30	100	100	30	79.2	78.5

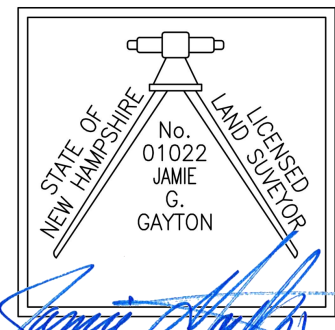
LEGEND

N/F	NOW OR FORMERLY
SBDH FND	WETLAND FEATURE
IRF/IRS	BOUND FOUND
IPF	IRON ROD FOUND OR SET
DHS/DHF	IRON PIPE FOUND
TBM A	DRILL HOLE FOUND OR SET
	TEMPORARY BENCH MARK
	UTILITY POLE
	STONE WALL
	TREE LINE
	BUILDING SETBACK
	EDGE OF WETLAND FEATURE
	50' WETLAND BUFFER
	LIMIT OF 100 YEAR FLOOD ZONE
	LIMIT OF ZONING DISTRICT

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN HEREON ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY SUPERVISION AND FALL UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE SURVEY BY TOTAL STATION WITH A PRECISION GREATER THAN 1:15,000.

I CERTIFY THAT THE PARCELS SHOWN HEREON LIE WITHIN ZONE "X" (AREA OF MINIMAL FLOODING) AND ZONE "AE" (ELEVATION 8' AND BELOW) AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF PORTSMOUTH, NEW HAMPSHIRE. COMMUNITY PANEL NO. 330139 0259 F, EFFECTIVE DATE: JANUARY 29, 2021.

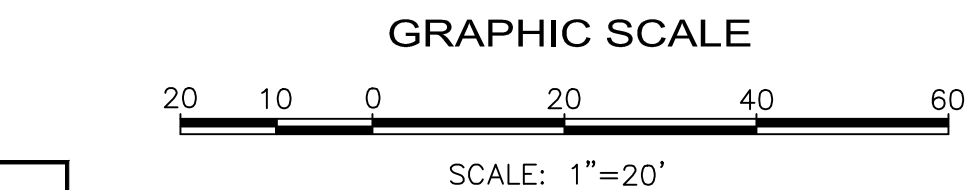


OCTOBER 2, 2025

JAMIE G. GAYTON L.L.S. No. 1022 DATE

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN HEREON. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSOR'S RECORDS.

APPROVED BY THE CITY OF PORSTMOUTH	
CHAIRMAN:	



REVISIONS		
REV.	COMMENTS	DATE
1	ZONING CHART AND SET BACK EDITS	10/2/25

SCALE: 20 FEET TO THE INCH

FILE NAME: 5303-12 Ruth Ave_SUB3.dwg

FIELD BOOK NO: 5300

DRAWN BY: JGG

CHECKED BY: JGG

FIELD CHIEF: JGG

PROJECT NO: 5303

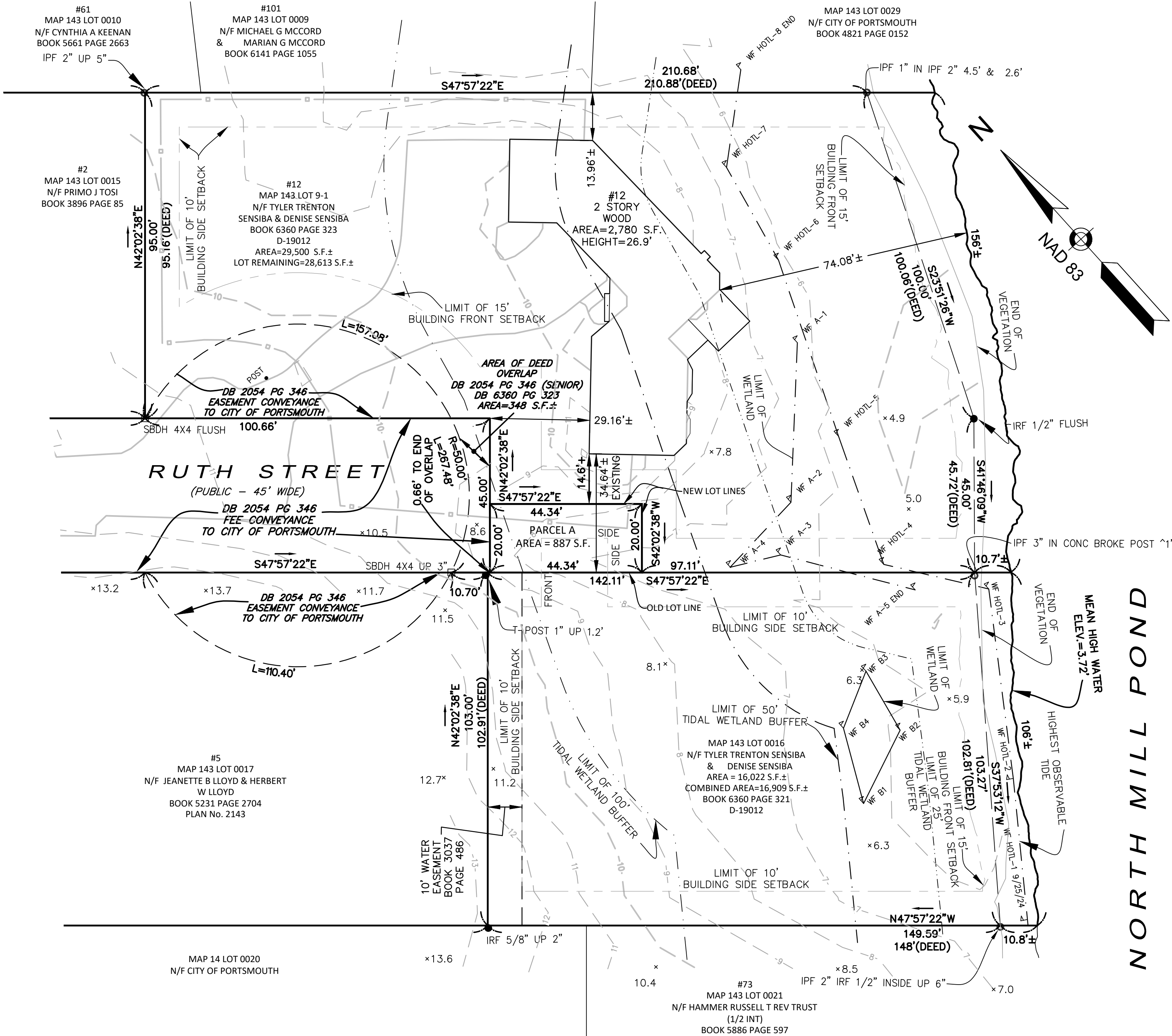
LOT LINE REVISION PLAN OF LAND
MAP 143 LOT 9-1 AND MAP 143 LOT 0016
12 RUTH STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

PREPARED FOR
DENISE SENSIBA

12 RUTH STREET, PORTSMOUTH, NEW HAMPSHIRE 03801

DATE: SEPTEMBER 24, 2025

SHEET 1 OF 1



ZONING DISTRICT – GENERAL RESIDENCE "A"

Criteria	Required	Existing	Proposed	Required	Existing	Proposed
	MAP 143 LOT 0016	MAP 143 LOT 0016	MAP 143 LOT 0016	MAP 143 LOT 9-1	MAP 143 LOT 9-1	MAP 143 LOT 9-1
Min. Lot Area in Square Feet	7,000	16,622	16,909	7,000	29,500	28,613
Continuous Street Frontage Feet	100	0.66	20.66	100	145	125
Depth in Feet	70	152	152	70	147	107
Min. Front Yard in Feet	15			15	29.16	29.16
Min. Side Yards in Feet	10			10	34.64	13.96
Min. Rear Yard in Feet	20			20	52.5	52.5
Max Structure Height in Feet						
Sloped Roof	35			35	26.9	26.9
Flat Roof	30			30	N/A	N/A
Roof Appurtenance	8			8	N/A	N/A
Max. Building Cov. %	25	0.0	0.0	25	9.4	9.7
Min. Open Space %	30	100	100	30	79.2	78.5