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January 31, 2024

HAND DELIVERED

Stephanie Casella, Planner
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: The Frances E. Mouflouze Revocable Trust of 2015
Owner/Applicant
Project location: 550 Sagamore Avenue
Tax Map 222, Lot 11
Single Residence B (SRB) District

Dear Ms. Casella & Zoning Board Members:

On behalf of Frances E. Mouflouze, Ted W. Alex and Patricia Cameron, Trustees, The Frances E. Mouflouze Revocable Trust of 2015 (“Mouflouze” or “Applicant”), enclosed please find the following in support of a request for zoning relief:

- Digital Application submitted via Viewpoint today.
- Owner’s Authorization.
- 1/31/2024 – Memorandum and exhibits in support of Variance Application.

We look forward to presenting this application to the Zoning Board at its February 21, 2024 Meeting.

Very truly yours,



R. Timothy Phoenix
Monica F. Kieser

Enclosure

cc: Ted Alex
Altus Engineering (email)
McHenry Architecture (email)
White Appraisal (email)

DANIEL C. HOEFLE	R. PETER TAYLOR	GREGORY D. ROBBINS	OF COUNSEL:
R. TIMOTHY PHOENIX	ALEC L. MCEACHERN	PETER V. DOYLE	SAMUEL R. REID
LAWRENCE B. GORMLEY	KEVIN M. BAUM	MONICA F. KIESER	JOHN AHLGREN
STEPHEN H. ROBERTS	JACOB J.B. MARVELLEY	STEPHANIE J. JOHNSON	

Tim Phoenix

From: Ted Alex <tedwalex@gmail.com>
Sent: Monday, August 28, 2023 12:48 PM
To: Tim Phoenix
Cc: patrikia@mac.com
Subject: Frances E. Mouflouze Trust

To whom it may concern,

Frances E. Mouflouze, Ted W Alex and Patricia Cameron, Trustees, of the Frances E. Mouflouze Revocable Trust of 2015, hereby authorize the law firm Hoefle Phoenix Gormley & Roberts, PLLC to represent our interests before any city of Portsmouth employee, representative, board, commission or council.

Sincerely,

Ted W.Alex
Patricia Cameron
Frances E. Mouflouze

Sent from my iPhone

MEMORANDUM

To: Portsmouth Zoning Board of Adjustment (“ZBA”)
From: R. Timothy Phoenix, Esq.
Monica F. Kieser, Esq.
Date: January 31, 2023 (revised February 2, 2024)
Re: The Frances E. Mouflouze Revocable Trust of 2015
Owner/Applicant
Project location: 550 Sagamore Avenue
Tax Map 222, Lot 11
Single Residence B (SRB) District

Dear Chair Eldridge and Zoning Board Members:

On behalf of Frances E. Mouflouze, Ted W. Alex and Patricia Cameron, Trustees, The Frances E. Mouflouze Revocable Trust of 2015 (“Mouflouze” or “Applicant”) we are pleased to submit this memorandum and attached exhibits in support of zoning relief to be considered by the ZBA at its February 21, 2024 meeting.

I. EXHIBITS

A. Plan Set

- 1/9/2023 Existing Conditions Plan – by Easterly Survey.
- 1/30/2024 Board of Adjustment Site Plan – by Altus Engineering.
- 1/30/2024 Preliminary Grading Plan – by Altus Engineering.

B. Architectural Elevations and Floor Plans – by McHenry Architecture, Inc.

- A1 – Floor Plans
- A2 – West Elevation
- A3 – North Elevation
- A4 – East Elevation
- A5 – South Elevation
- A6 – Renderings

C. Site Plan and Architectural Plans denied October 17, 2023.

D. ZBA Notice of Decision & Minutes, October 17, 2023

E. 9/18/23 Property Value Impact Report – by White Appraisal.

F. Site photographs.

G. Tax Assessors Card.

H. Tax Map 222.

I. City GIS Map – identifying nearby zoning districts and surrounding area.

J. Conceptual 3-Lot Subdivision Plan – by Altus Engineering.

II. PROPERTY/PROPOSAL

550 Sagamore Ave. is a 1.44 acre (62,754 sf), deep and relatively narrow lot with 139.8 feet of frontage containing a circa 1960 single-family home with front steps slightly encroaching

into the front setback (“the Property”) (**Exhibit A**). The Property is located in the Single Residence B (“SRB”) District.

Mouflouze previously sought to develop the lot with 2 duplex structures (4 units) (“the Initial Project”) (**Exhibit C**). The ZBA denied that proposal, which is on appeal with the Housing Appeals Board. (**Exhibit D**). In an effort to accommodate feedback from the abutters and ZBA, Mouflouze has reduced and redesigned the Initial Project. Mouflouze now proposes to raze the existing dated building and other improvements in favor of three units within a colonial home and barn (“the Revised Project”). (**Exhibits A, B**). The architectural design is inspired by a typical New England Farmstead, which develops over time, typically beginning with a single family farmhouse near the street with several additions towards the rear of the property followed by the Barn. Reflecting the growth of the Farmstead in an architectural form is significantly more attractive and compatible with the neighborhood than the previous duplex structures.

III. FISHER V. DOVER

Consideration of subsequent petitions by a zoning board are limited to those which present a material change in circumstances affecting the application, propose a use materially different in nature or degree, or are implicitly or explicitly invited by the ZBA. Fisher v. Dover, 121 N.H. 187 (1980); Hill-Grant Living Trust v. Kearsarge Lighting Precinct, 159 N.H. 529 (2009). However, the limitation is not to be technically and narrowly imposed. Bois v. Manchester, 113 N.H. 339, 341 (1973) (holding a youth residential center for 15 boys referred by social services and supervised by 3 live-in staff materially different in nature and degree than a rooming house for 15 court-referred youths). Material changes also include the law applicable at the time of the application. Brandt Development Company v. City of Somersworth, 162 N.H. 553 (2011) (approving a project identical to one previously denied in light of changes in applicable law resulting from Simplex Techs., Inc. v. Town of Newington, 145 N.H. 727 (2001)).

Given the legal framework governing subsequent petitions to the ZBA, the previous concerns articulated by the ZBA and the changes presented in the current proposal, Mouflouze’s application meets the requirements of Fisher v. Dover and its progeny and therefore merits consideration. Compared to the original project, the Revised Project:

- Reduces the number of units from 4 to 3, a significant 25% reduction;
- Proposes an attractive single structure instead of two free-standing duplex structures, eliminating the need for one of the variances previously sought;

- Reduces the number of vehicle trips by 25%;
- Significantly increases the wooded buffer to Walker Bungalow, from 177 feet to 283 feet;
- Increases open space by +/- 2,363.42 s.f. to 80.6%, double the 40% required.
- Decreases building coverage by +/- 1,474 s.f. to 9.0%, less than one-half the permitted 20%
- Decreases density from 1 unit/15,688 square feet to 1 unit/20,918 square feet;
- Preserves the streetscape of a single family home “look” with farmers porch;

In addition to these improvements, the Revised Project is more representative of a New England Farmstead and therefore significantly more attractive than the previous duplex structures. Accordingly, there has been a material change in circumstances and the Revised Project is worthy of consideration. Fisher v. Dover, 121 N.H. 187 (1980).

At the October 17, 2023 hearing on the Initial Project, the ZBA heard evidence from members of the public and abutters who complained about disturbance of the wooded buffer to Walker Bungalow homes, increased traffic, and lack of privacy resulting from the orientation of four dwelling units. While abutters clearly advocated for the status quo and conformance, Member Mannle opined that Mouflouze could simply put in a road and a compliant three-lot subdivision behind the existing home. (October 17, 2023 Minutes p. 11). Member Margeson observed that the Initial Project “looked like a complex, with a lot of parking”. (October 17, 2023 Minutes p. 10). Member Rheume opined that an argument for multiple units could be made given the size and shape of the lot; however not necessarily four units. (Id). Member Rheume concluded that the Initial Project, with two structures at an angle to the street, was “out of character for the neighborhood” as evidenced by “plenty of screening in front of them”. (October 17, 2023 Minutes p. 10). Ultimately, a majority of the Board determined the Initial Project did not observe the spirit of the Ordinance, and the Property lacked sufficient hardship necessitating deviation from the Ordinance permitting two duplex structures.

In addressing whether there was an argument for multiple structures on the Property, Member Rheume noted that the size of the lot coupled with the fact that it was narrow and deep could support a hardship finding for multiple units. He continued by opining that such a proposal, perhaps more evocative of a single-family home, might better observe the spirit of the Ordinance. (<https://www.youtube.com/watch?v=d6pKNXlbc-k> at 1:08:00). As an example, he relayed the approval of a project on Broad Street (#482), where a similarly shaped oversized lot was approved for development of three units in a single structure mimicking a single-family

home with additional units tucked behind evoking a New England “Connected Form” (big house, little house, back house, barn).

The Revised Project addresses concerns raised by abutter and ZBA members while responding to the implicit or explicit invitation for a proposal that incorporates additional units in a more discreet fashion. As revised, a single structure is proposed rather than two. While the view from the street will appear as a single-family home, two additional units are behind the front facing unit in a structure looking like a barn. The current proposal is therefore responsive to the concerns raised by the ZBA and warrants full consideration. Hill-Grant Living Trust v. Kearsarge Lighting Precinct, 159 N.H. 529 (2009).

The ZBA has not hesitated to find material changes permitting consideration revised Projects on the merits, when revisions have reduced the size or density of a project and/or addressed concerns raised during the initial hearing. Examples of previous analyses of Fisher v. Dover include:

- #2015-9-11, Application of Paul Berton regarding 482 Broad Street. Initial request for four condominium units which complied with dimensional requirements and preserved significant open space was denied on September 22, 2015. Thereafter, the ZBA declined to invoke Fisher v. Dover to prohibit application of a reduced three unit proposal. In addition to a 25% reduction in units, the revised proposal reduced the driveway by 24% and pavement by 27%.
- #2019-16-13, Application of Tuck Realty for 23 townhouse units was denied. A subsequent application which preserved an existing home on the property, merged the lots, and reduced the number of townhomes to 18 (21% reduction) was not precluded by Fisher v. Dover.
- #2017-8-5, Application of Susan MacDougall to reconstruct/expand a one story addition at 39 Pray Street. The ZBA declined to invoke Fisher v. Dover to prohibit a first floor addition in the yard setback after a previous first floor addition had been denied several years earlier. Noting that the addition was more centered than before and would have lesser impact on abutting owner, the ZBA allowed consideration on the merits.
- LU-22-86, Application of Neila, LLC to redevelop an existing garage as a dwelling unit within yard setbacks. Despite previous denials of density and yard setback relief sought to convert the same garage to a dwelling, changes to the Ordinance coupled with elimination of upward expansion and neighborhood support resulted in the Board determining that Fisher v. Dover did not bar consideration of a revised project requiring nearly identical relief.

- LU-22-199, Application of Jeff & Melissa Foy to construct an addition within the front yard setback. Initial proposal requested an addition 15.8 ft. from the front lot line where 30 ft. was believed to be required. The Board determined that Fisher v. Dover did not bar subsequent consideration of a smaller addition the same distance from the lot line where the front yard was averaged to a required 19 ft. in accordance with PZO §10.516.10

These examples illustrate that a number of considerations can be relied upon in determining whether the procedural bar of Fisher v. Dover supports summary dismissal of an application. The Revised Project incorporates material changes in number of units and architectural designs. Accordingly, the ZBA must consider the application on its merits.

IV. RELIEF REQUIRED

The Revised Project proposes a single structure, and continues to meet the density (15,000 sf per unit), lot size, frontage, setback, building/lot coverage, open space and height requirements of PZO sec 10.521, Table of Density Standards. (**Exhibits A,B**). A single variance is required:

- 1) **PZO §10.440 Table of Uses** – to permit a multifamily dwelling unit where multifamily dwelling units are prohibited.

The intent of the SRB District is to provide dwellings at “low to medium densities (approximately 1-3 dwellings per acre)” (1 unit per .33 acre/14,520 s.f.). The minimum lot size and lot size per dwelling unit in the SRB District is 15,000 s.f. As compared to the SRB District, the Property is four times the size of the minimum lot and well exceeds the 100 ft. minimum frontage.

The Property is across the street from the Garden Apartment/Mobile Home (“GA/MH”) District with Sagamore Court Apartment Complex and just north of the Sagamore Court Apartments is the General Residence A (“GRA”) District. (**Exhibit H, I**). Also across the Street is the Single Residence A (“SRA”) District with the Tidewatch Condominium development and a recently approved development of 4 single family homes on the 1.95 acre Luster King parcel. Traveling south toward Sagamore Creek, one passes a three unit condominium at 792 Sagamore Avenue (a 0.279 acre lot) and then the Waterfront Business District, which contains a mix of residential and business uses. (**Exhibit H, I**).

While the SRB district envisions primarily single-family dwellings, the three unit proposal on 1.44 acres at (62,726 s.f.) equals one (1) unit per .46 acre/20,918 s.f. or 2.13 units/acre thus meets the underlying purpose of the SRB district to provide dwellings “at low to medium densities (approximately 1 to 3 dwellings per acre).” (1 unit per .33 acre/14,520 sf). The intersection of the various districts with differing lot size and density requirements also creates a transitional area, allowing a multi-unit structure to fit in. Specifically, the Sagamore Court Apartment Complex contains 144 units on 15.01 acres. The number of units is more than double the 60 units the GA/MH Zone normally permits in an area of that size. The result is a higher density of 1 unit per .10 acre/4,541 s.f. (9.6 units per acre) in a district intending garden apartments “at moderate densities (up to 4 dwelling units per acre)” or a maximum of 1 dwelling unit per .25 acre/10,890 s.f.. Similarly, Tidewatch Condominium Complex contains 117 units clustered on a 53 acre lot in the Single Residence A (“SRA”) District, which requires 1 dwelling unit per .43 acre/43,560 sf. Tidewatch’s density is also more than double the 53 units the SRA District permits in an area of that size. Again, the result is a higher density of 1 unit per .46 acre/19,952 s.f. or 2.18 units per acre in a district intending “low to medium densities (approximately 1-3 dwellings per acre)” or a maximum of 1 unit per .33 acre/14,520 s.f.). For these reasons a density-compliant three unit structure matches the surrounding area.

Additionally, while there are a couple relatively large lots immediately abutting the subject, there are also many homes on small lots heading south in the area of Cliff Road and north in the area of Verdun Avenue. (**Exhibit H, I**). Considering the overall densities within approximately 2/10 of a mile north or south of the subject, 3 units on a 62,754 s.f. lot (20,918 s.f./unit) compares favorably. Consider as well that the subject lot is large enough for a city street with a cul-de-sac that could permit up to three units, but which would significantly increase pavement and result in the loss of the significant proposed wooded area to the lot’s rear, contrary to the express wishes of abutting lot owners. (**EXHIBIT J**). The Revised Project significantly increases the buffer to the Walker Bungalow abutters, retains the appearance of a single-family home from the street, and reduces traffic and paving compared to the Initial Project.

V. VARIANCE REQUIREMENTS

1. **The variance will not be contrary to the public interest**
2. **The spirit of the ordinances observed**

The first step in the ZBA's analysis is to determine whether granting a variance is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to Malachy Glen Associates, Inc v. Town of Chichester, 155 NH 102 (2007) and its progeny. Upon examination, it must be determined whether granting a variance "would unduly and to a marked degree conflict with the ordinance such that it violates the ordinances basic zoning objectives." Id. "Mere conflict with the ordinance is not enough." Id.

The Portsmouth Zoning Ordinance (PZO§10.121) was enacted for the general purpose of promoting the health, safety and welfare in accordance with the Master plan by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes – The existing 60+ year old home, comparatively close to the lot line, with extensive pavement, will be removed in favor of a single structure evoking a New England farmstead. Use of this relatively large lot for three units, in an aesthetically pleasing non-complex-like single structure and compatible with the surrounding area is a reasonable use of the land.
2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – The Project complies with all dimensional requirements, (See Sec. III supra), needing only relief for a multifamily unit where multifamily homes are not permitted. The Revised Project is far less impactful than a standard three (3) lot subdivision which would significantly increase pavement and lose much rear wooded area.
3. The design of facilities for vehicular access, circulation, parking and loading – The existing shallow driveway and wide curb cut makes it difficult to turn around to exit the Property. This curb cut will be narrowed and the driveway lengthened, eliminating vehicles backing up into the public right of way. Each unit's two-car garage parking, guest spaces, and longer driveway provides adequate turnaround for homeowners and emergency vehicles. **(Exhibit A)**.
4. The impacts on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding – The Revised Project increases the wooded buffer by over 100 ft. to 283 ft. behind the proposed multifamily structure. Vegetative buffers and/or fences are proposed along the north and south boundaries. The rear of the lot will be left heavily wooded. The proposed 80.6% open space and 9.5% building coverage where 40% and 20% are required respectively, further demonstrate the reasonableness of the reduced scope proposal, particularly when compared to a full-on subdivision.
5. The preservation and enhancement of the visual environment – The Revised Project significantly improves upon existing conditions and the Initial Project by reducing the wide paved driveway, and proposing a single structure representative of farmstead with

barn behind, proposed landscaping/fences in the side setbacks, and leaving far more of the wooded lot than previously proposed. As revised, these features clearly preserve and enhance the visual environment.

6. The preservation of historic districts buildings and structures of historic or architectural interest – The Property and the existing structure to be removed is not in the historic district and is of no known historic or architectural interest.
7. The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat and air quality – The property will be served by recently upgraded municipal water and sewer. The proposed landscaping and preserved wooded area to the rear (more than half the lot) will protect natural resources.

Whether a variance "in a marked degree conflicts with the ordinance such that it violates the ordinance's basic zoning objectives." Malachy Glen, supra, the New Hampshire Supreme Court also held:

One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality. Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare. (Emphasis Added)

The Property is located on busy Sagamore Avenue. While many homes nearby are single-family, a number nearby are on relatively small lots, including a three unit structure near Cliff Road on a significantly smaller lot. The Property's location directly across the street from condominium and apartment complexes demonstrates that a tastefully designed 3-unit multifamily structure on this relatively large lot will not alter the essential character of the locality. The pavement will be significantly reduced in width, with three fully building code-compliant units, thus protecting, not threatening the public health safety or welfare.

3. Substantial justice will be done by granting the variance.

If "there is no benefit to the public that would outweigh the hardship to the applicant" this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508 (2011). That is, "any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice." Malachy Glen, supra at 109.

"The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions." N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 126 N.H. 64 (1985) at 68. Part I, Article 12 of the New Hampshire Constitution provides in part that "no part of a man's property shall be taken from

him, or applied to public uses, without his own consent, or that of the representative body of the people.” Thus, our State Constitutional protections limit the police power of the State and its municipalities in their regulation of the use of property. L. Grossman & Sons, Inc. v. Town of Gilford, 118 N.H. 480, 482 (1978). “Property” in the constitutional sense has been interpreted to mean not the tangible property itself, *but rather the right to possess, use, enjoy and dispose of it*. Burrows v. City of Keene, 121 N.H. 590, 597 (1981) (emphasis added). Sagamore is constitutionally entitled to the use of the lot as it sees fit subject only to the effect of the lot size and density requirements.

The Revised Project removes a dated single-family home with a wide curb cut at Sagamore Avenue in favor of a much narrower curb cut and fewer units in a single structure inspired by the New England Farmstead. The Revised Project also preserves a significantly greater wooded buffer is benefitting Walker Bungalow abutters and the abutters on either side and still includes wooded fence and landscaping. To members of the public, the Revised Project appears simply as a larger single family home. As such, there will be no benefit to the general public from denial and no harm to the general public by granting the variances. Conversely, denial of the variance deprives Mouflouze the opportunity for reasonable and tasteful redevelopment of the property while simultaneously denying three purchasers, the opportunity to live near downtown Portsmouth at a price less than new single-family homes on this lot. Accordingly, substantial justice is done by granting the variances.

3. Granting the variances will not diminish surrounding property values

Existing values of Sagamore Avenue properties are a function of their location on a busier street and in this neighborhood, their proximity to the densely developed Sagamore Court Apartments and Tidewatch Condominiums as well as other single-family homes on lots ranging from small to large. The value of nearby Walker Bungalow Road properties reflects the quieter street and relative privacy afforded by the wooded buffers associated with the larger Sagamore Road lots to the west. From the street, the Revised Project will appear as a single family home with a standard driveway. Compared to the Initial Project (**Exhibit C**) and a fully conforming subdivision (**Exhibit I**), the single structure and additional preserved wooded area (**Exhibit A**) is the least impactful to the surrounding neighborhood.

The White Property Value Impact report (**Exhibit E**) opined that granting the variances to permit the Initial Project would not diminish the value of surrounding property values. It

follows that the more aesthetically pleasing single structure with fewer units and a substantially larger wooded buffer will also not diminish surrounding property values.

4. Denial of the variances results in an unnecessary hardship

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

The Property is four times the SRB lot size and its frontage well exceeds SRB frontage requirements. Also, the depth of the Property is about three times its width, so the oversized lot is long and narrow. These factors alone create special conditions. Additionally, while zoned SRB, the Property is located at the intersection of various zones with single family homes on disparate lots on one side of the street and a densely developed apartment complex and condominium development on the other side. See Walker v. City of Manchester, 107 N.H. 382, 386 (1966) (hardship may be found where similar nonconforming uses exist within the neighborhood and the proposed use will have no adverse effect on the neighborhood). In conjunction with the Property's size and shape, the eclectic surrounding area also supports a finding of special conditions.

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

Use requirements are implemented to keep similar uses together and to promote compatibility between uses as transition points. The Revised Project offers a multifamily use in a more compatible single structure akin to a single family home and barn, sited in a residential zone among other single family homes on varying lot sizes and across the street from a densely developed apartment complex and condominium development. The Revised Project maintains a significantly larger wooded buffer behind the structure while existing tree screening landscaping and wooden fence preserve privacy for neighbors. These factors taken together demonstrate the Revised Project's compatibility with abutting lots and zones. Accordingly, no fair and substantial relationship exists between the purposes of the Ordinance requirements and its specific application in this instance.

c. The proposed use is reasonable.

If the use is permitted, it is deemed reasonable. Vigeant v. Hudson, 151 NH 747 (2005). While multifamily structures are not permitted in the SRB District, the Revised Project proposes a dimensionally compliant single structure with density-compliant three units. The structure will

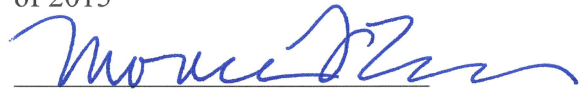
look like a single family home and barn, preserve significantly more wooded area than the Initial Project or a three lot subdivision. Accordingly, the proposed use is reasonable and denial creates an unnecessary hardship to Mouflouze.

VI. CONCLUSION

For all of the reasons herein stated, Mouflouze respectfully requests that the Portsmouth Zoning of Adjustment grant the requested variance.

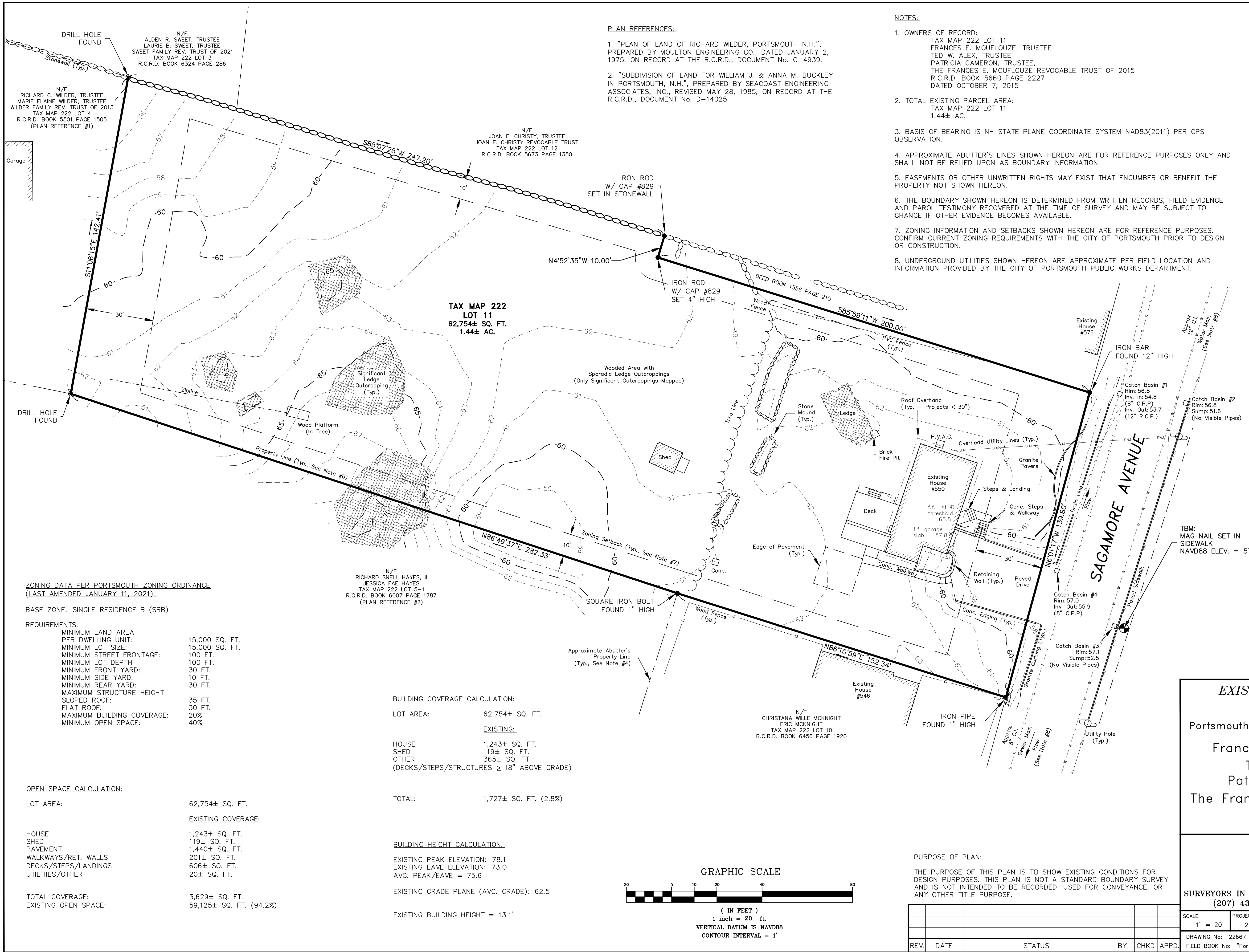
Respectfully submitted,
The Frances E. Mouflouze Revocable Trust
of 2015

By:



R. Timothy Phoenix, Esq.

Monica F. Kieser, Esq.



PLAN REFERENCES:

- "PLAN OF LAND OF RICHARD WILDER, PORTSMOUTH N.H.", PREPARED BY MOULTON ENGINEERING CO., DATED JANUARY 2, 1975, ON RECORD AT THE R.C.R.D., DOCUMENT No. C-4939.
- "SUBDIVISION OF LAND FOR WILLIAM J. & ANNA M. BUCKLEY IN PORTSMOUTH, N.H.", PREPARED BY SEACOAST ENGINEERING ASSOCIATES, INC., REVISED MAY 28, 1985, ON RECORD AT THE R.C.R.D., DOCUMENT No. D-14025.

- NOTES:**
- OWNERS OF RECORD:
TAX MAP 222 LOT 11
FRANCES E. MOUFLOUZE, TRUSTEE
TED W. ALEX, TRUSTEE
PATRICIA CAMERON, TRUSTEE,
THE FRANCES E. MOUFLOUZE REVOCABLE TRUST OF 2015
R.C.R.D. BOOK 5660 PAGE 2227
DATED OCTOBER 7, 2015
 - TOTAL EXISTING PARCEL AREA:
TAX MAP 222 LOT 11
1.44± AC.
 - BASIS OF BEARING IS NH STATE PLANE COORDINATE SYSTEM NAD83(2011) PER GPS OBSERVATION.
 - APPROXIMATE ABUTTER'S LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
 - EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.
 - THE BOUNDARY SHOWN HEREON IS DETERMINED FROM WRITTEN RECORDS, FIELD EVIDENCE AND PAROL TESTIMONY RECOVERED AT THE TIME OF SURVEY AND MAY BE SUBJECT TO CHANGE IF OTHER EVIDENCE BECOMES AVAILABLE.
 - ZONING INFORMATION AND SETBACKS SHOWN HEREON ARE FOR REFERENCE PURPOSES. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE CITY OF PORTSMOUTH PRIOR TO DESIGN OR CONSTRUCTION.
 - UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE PER FIELD LOCATION AND INFORMATION PROVIDED BY THE CITY OF PORTSMOUTH PUBLIC WORKS DEPARTMENT.

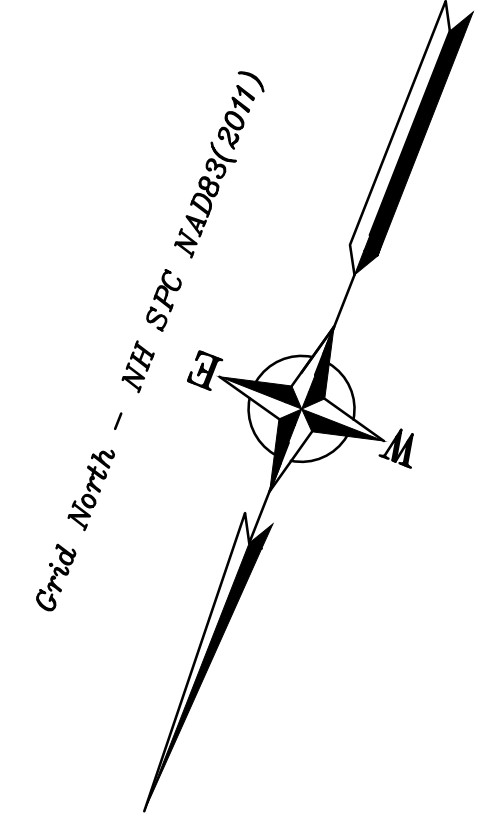
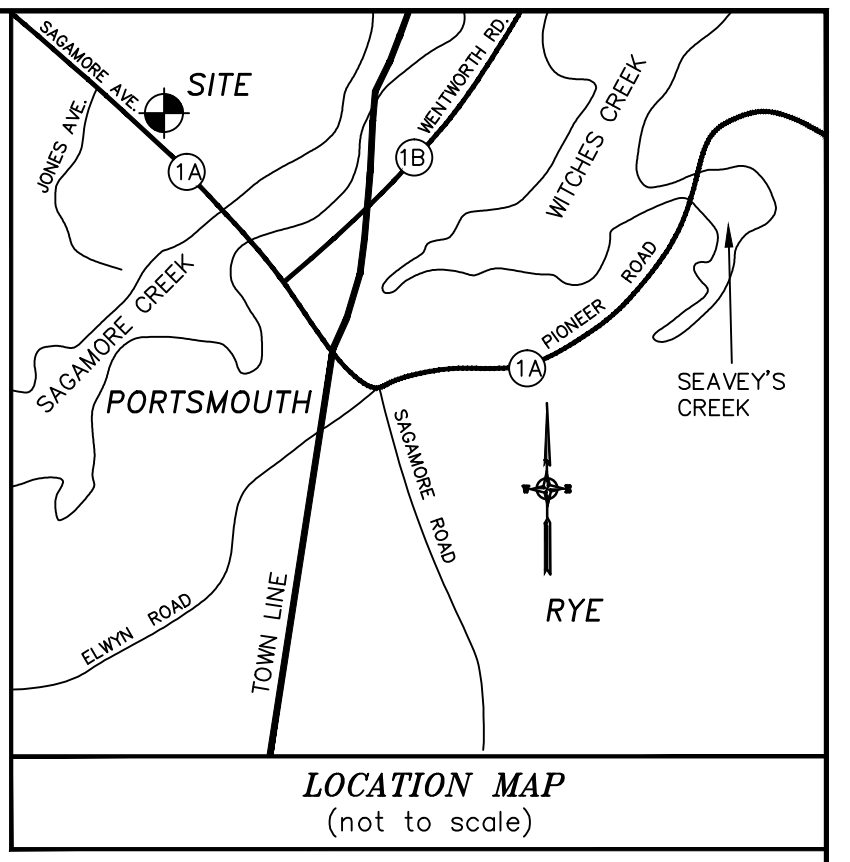


EXHIBIT A

ZONING DATA PER PORTSMOUTH ZONING ORDINANCE (LAST AMENDED JANUARY 11, 2021):

BASE ZONE: SINGLE RESIDENCE B (SRB)

- REQUIREMENTS:**
- MINIMUM LAND AREA PER DWELLING UNIT: 15,000 SQ. FT.
 - MINIMUM LOT SIZE: 15,000 SQ. FT.
 - MINIMUM STREET FRONTAGE: 100 FT.
 - MINIMUM LOT DEPTH: 100 FT.
 - MINIMUM FRONT YARD: 30 FT.
 - MINIMUM SIDE YARD: 10 FT.
 - MINIMUM REAR YARD: 30 FT.
 - MAXIMUM STRUCTURE HEIGHT: 35 FT.
 - SLOPED ROOF: 30 FT.
 - FLAT ROOF: 20%
 - MAXIMUM BUILDING COVERAGE: 20%
 - MINIMUM OPEN SPACE: 40%

OPEN SPACE CALCULATION:

LOT AREA:	62,754± SQ. FT.
EXISTING COVERAGE:	
HOUSE	1,243± SQ. FT.
SHED	119± SQ. FT.
PAVEMENT	1,440± SQ. FT.
WALKWAYS/RET. WALLS	201± SQ. FT.
DECKS/STEPS/LANDINGS	606± SQ. FT.
UTILITIES/OTHER	20± SQ. FT.
TOTAL COVERAGE:	3,629± SQ. FT.
EXISTING OPEN SPACE:	59,125± SQ. FT. (94.2%)

BUILDING COVERAGE CALCULATION:

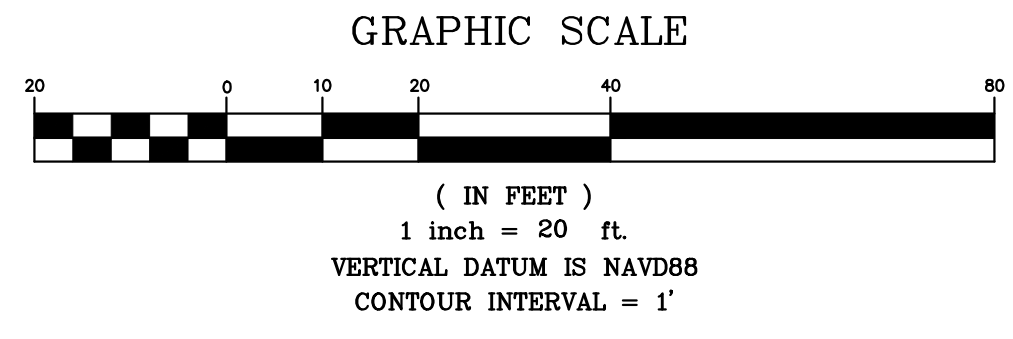
LOT AREA:	62,754± SQ. FT.
EXISTING:	
HOUSE	1,243± SQ. FT.
SHED	119± SQ. FT.
OTHER	365± SQ. FT.
(DECKS/STEPS/STRUCTURES ≥ 18" ABOVE GRADE)	
TOTAL:	1,727± SQ. FT. (2.8%)

BUILDING HEIGHT CALCULATION:

EXISTING PEAK ELEVATION: 78.1
EXISTING EAVE ELEVATION: 73.0
AVG. PEAK/EAVE = 75.6

EXISTING GRADE PLANE (AVG. GRADE): 62.5

EXISTING BUILDING HEIGHT = 13.1'



PURPOSE OF PLAN:

THE PURPOSE OF THIS PLAN IS TO SHOW EXISTING CONDITIONS FOR DESIGN PURPOSES. THIS PLAN IS NOT A STANDARD BOUNDARY SURVEY AND IS NOT INTENDED TO BE RECORDED, USED FOR CONVEYANCE, OR ANY OTHER TITLE PURPOSE.

REV.	DATE	STATUS	BY	CHKD	APPD.

EXISTING CONDITIONS PLAN
FOR PROPERTY AT
550 Sagamore Avenue
Portsmouth, Rockingham Co., New Hampshire

OWNED BY
Frances E. Mouflouze, Trustee
Ted W. Alex, Trustee
Patricia Cameron, Trustee
The Frances E. Mouflouze Revocable Trust of 2015
c/o Ted W. Alex
104 Locke Road, Rye, NH 03870

North
W EASTERLY
SURVEYING, Inc.
SURVEYORS IN N.H. & MAINE 191 STATE ROAD, SUITE #1
(207) 439-6333 KITTERY, MAINE 03904

SCALE:	PROJECT NO.	DATE:	SHEET:	DRAWN BY:	CHECKED BY:
1" = 20'	22667	1/9/2023	1 OF 1	A.P.M./J.D.S.	P.L.A.
DRAWING No: 22667 PROP SURVEY NHSPC			Tax Map 222 Lot 11		
FIELD BOOK No: "Portsmouth #18"					

SITE NOTES

- DESIGN INTENT – THIS PLAN IS INTENDED TO DEPICT A SET OF APPROVAL DRAWINGS FOR ONE (1) MULTI-FAMILY RESIDENTIAL UNIT.
- APPROXIMATE LOT AREA: 1.44 AC.± (TAX MAP 222, LOT 11)
- ZONE: SINGLE RESIDENCE B (SRB)
- DIMENSIONAL REQUIREMENTS:

	EXISTING	PROPOSED
MIN. LOT AREA:	15,000 S.F.	±62,754 S.F.
MIN. LAND AREA PER DWELLING UNIT:	15,000 S.F.	±62,754 S.F.
MIN. STREET FRONTAGE:	100' ±139.8'	±20,918 S.F.
MIN. LOT DEPTH:	100' ±434'	±139.8'
FRONT SETBACK:	30' (19' *) ±33'	±434'
		±31'
SIDE SETBACK:	10' (RIGHT) ±40'	±11'
	10' (LEFT) ±45'	±65'
REAR SETBACK:	30' ±300'+	±283'
MAX. BUILDING HEIGHT:	35' <35'	<35'
MAX. BLDG. COVERAGE:	20% ± 5.8%	± 9.0%
MIN. OPEN SPACE:	40% ±94.2%	±80.6%

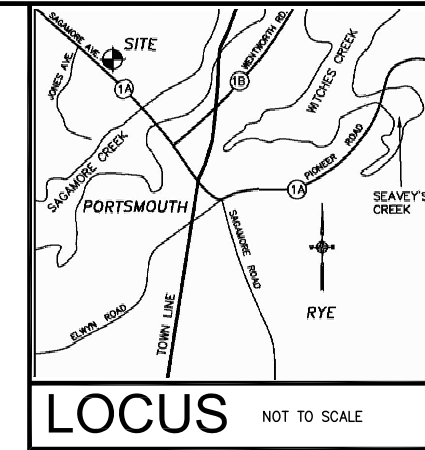
* AVERAGE OF ADJACENT BUILDINGS = 38' + 1' = 39'/2 = 19.5', USE 19'

PLAN REFERENCES:

- "EXISTING CONDITIONS PLAN FOR PROPERTY AT 550 SAGAMORE AVENUE, PORTSMOUTH, NH", BY EASTERLY SURVEYING DATED 1/9/23.
- "STANDARD PROPERTY SURVEY FOR PROPERTY LOCATED AT 550 SAGAMORE AVENUE", BY EASTERLY SURVEYING, DATED 1/9/23.
- PORTSMOUTH G.I.S. DATA (MAP GEO), AUGUST 16, 2023.

- PARKING REQUIREMENTS:**
RESIDENCES: 1.3 SPACES/UNIT – OFF-STREET PARKING
1.3 SPACES/UNIT x 3 UNITS = 3.9 SPACES
TOTAL PARKING REQUIRED = 4 SPACES
TOTAL PARKING PROVIDED = 12 SPACES (6 STACKED VISITOR SPACES PROVIDED)
- THERE ARE NO WETLANDS ON THE PARCEL.
- OVERALL AREA OF DISTURBANCE UNDER 100,000 S.F., NHDES ALTERATION OF TERRAIN PERMIT NOT REQUIRED.
- AREA OF DISTURBANCE IS APPROXIMATELY 26,000 S.F. THEREFORE UNDER 43,560 SF. COVERAGE UNDER EPA NPDES PHASE II CONSTRUCTION GENERAL PERMIT NOT REQUIRED.
- BUILDING AREA SHOWN IS BASED ON FOOTPRINT MEASURED TO THE EDGE OF FOUNDATIONS AND/OR SLABS. ACTUAL INTERIOR SPACE WILL DIFFER.
- THE FOLLOWING VARIANCES FROM THE PORTSMOUTH ZONING ORDINANCE ARE REQUIRED:
SECTION 10.440 (1.50) – TO ALLOW A MULTI-FAMILY DWELLING WHERE IT IS NOT PERMITTED.
- RESERVED
- SNOW SHALL BE STORED AT THE EDGE OF PAVEMENT, IN AREAS SHOWN HEREON, AND/OR TRUCKED OFF SITE AS APPROPRIATE.
- PAVEMENT MARKINGS SHALL BE CONSTRUCTED USING WHITE, YELLOW OR BLUE TRAFFIC PAINT (WHERE SPECIFIED) MEETING THE REQUIREMENTS OF AASHTO M248, TYPE F OR EQUAL. PAINTED ISLANDS AND LOADING ZONES SHALL BE 4"-WIDE DIAGONAL WHITE LINES 3'-0" O.C. BORDERED BY 4"-WIDE WHITE LINES. PARKING STALLS SHALL BE SEPARATED BY 4"-WIDE WHITE LINES. SEE DETAILS FOR HANDICAP SYMBOLS, SIGNS AND SIGN DETAILS.

- PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO THE REQUIREMENTS OF THE "MANUAL ON UNIFORM TRAFFIC DEVICES," "STANDARD ALPHABETS FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS" AND THE AMERICANS WITH DISABILITIES ACT (ADA), LATEST EDITIONS.
- ALL CONSTRUCTION SHALL MEET THE MINIMUM STANDARDS OF THE CITY OF PORTSMOUTH & NHDOT'S STANDARD SPECIFICATION FOR ROAD & BRIDGE CONSTRUCTION, LATEST EDITIONS. THE MORE STRINGENT SPECIFICATION SHALL GOVERN.
- CLEAN AND COAT VERTICAL FACE OF EXISTING PAVEMENT AT SAWCUT LINES WITH RS-1 IMMEDIATELY PRIOR TO PLACING NEW BITUMINOUS CONCRETE.
- ALL BONDS AND FEES SHALL BE PAID/POSTED PRIOR TO INITIATING CONSTRUCTION.
- THE CONTRACTOR SHALL VERIFY ALL BENCHMARKS AND TOPOGRAPHY IN THE FIELD PRIOR TO CONSTRUCTION.
- UNLESS OTHERWISE NOTED, ALL NEW CURBING SHALL BE VERTICAL GRANITE WITH A MINIMUM RADIUS OF 4'.
- THE CONTRACTOR SHALL VERIFY ALL BUILDING DIMENSIONS WITH THE ARCHITECTURAL AND STRUCTURAL PLANS PRIOR TO CONSTRUCTION. ALL DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ARCHITECT AND ENGINEER FOR RESOLUTION.
- DWELLING UNITS TO BE SERVED WITH MUNICIPAL WATER & SEWER.



ALTUS ENGINEERING
 133 Court Street Portsmouth, NH 03801
 (603) 433-2335 www.altus-eng.com

NOT FOR CONSTRUCTION

ISSUED FOR:
BOARD OF ADJUSTMENT REVIEW

ISSUE DATE:
JANUARY 30, 2024

NO.	DESCRIPTION	BY	DATE
0	INITIAL SUBMISSION	EDW	01/30/24

DRAWN BY: _____ RLH
 APPROVED BY: _____ EDW
 DRAWING FILE: 5385_3_UNITS.DWG

SCALE:
 22" x 34" - 1" = 20'
 11" x 17" - 1" = 40'

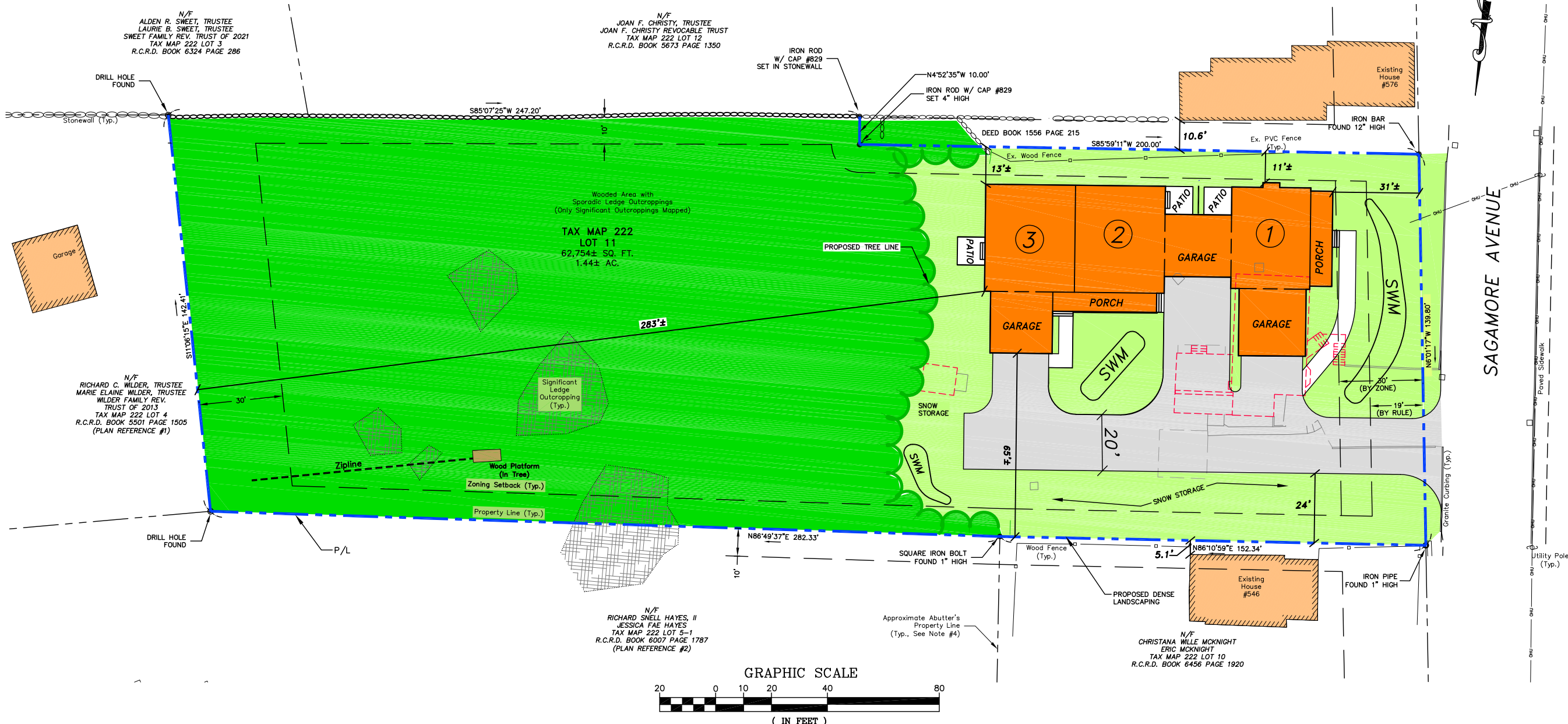
OWNER:
 FRANCES E. MOUFLOUZE,
 TED W. ALEX &
 PATRICIA CAMERON, TRUSTEES
 THE FRANCES E. MOUFLOUZE
 REVOCABLE TRUST OF 2015
 936 SOUTH STREET #1
 PORTSMOUTH, NH 03801

APPLICANT:
 FRANCES E. MOUFLOUZE,
 TED W. ALEX &
 PATRICIA CAMERON, TRUSTEES
 THE FRANCES E. MOUFLOUZE
 REVOCABLE TRUST OF 2015
 936 SOUTH STREET #1
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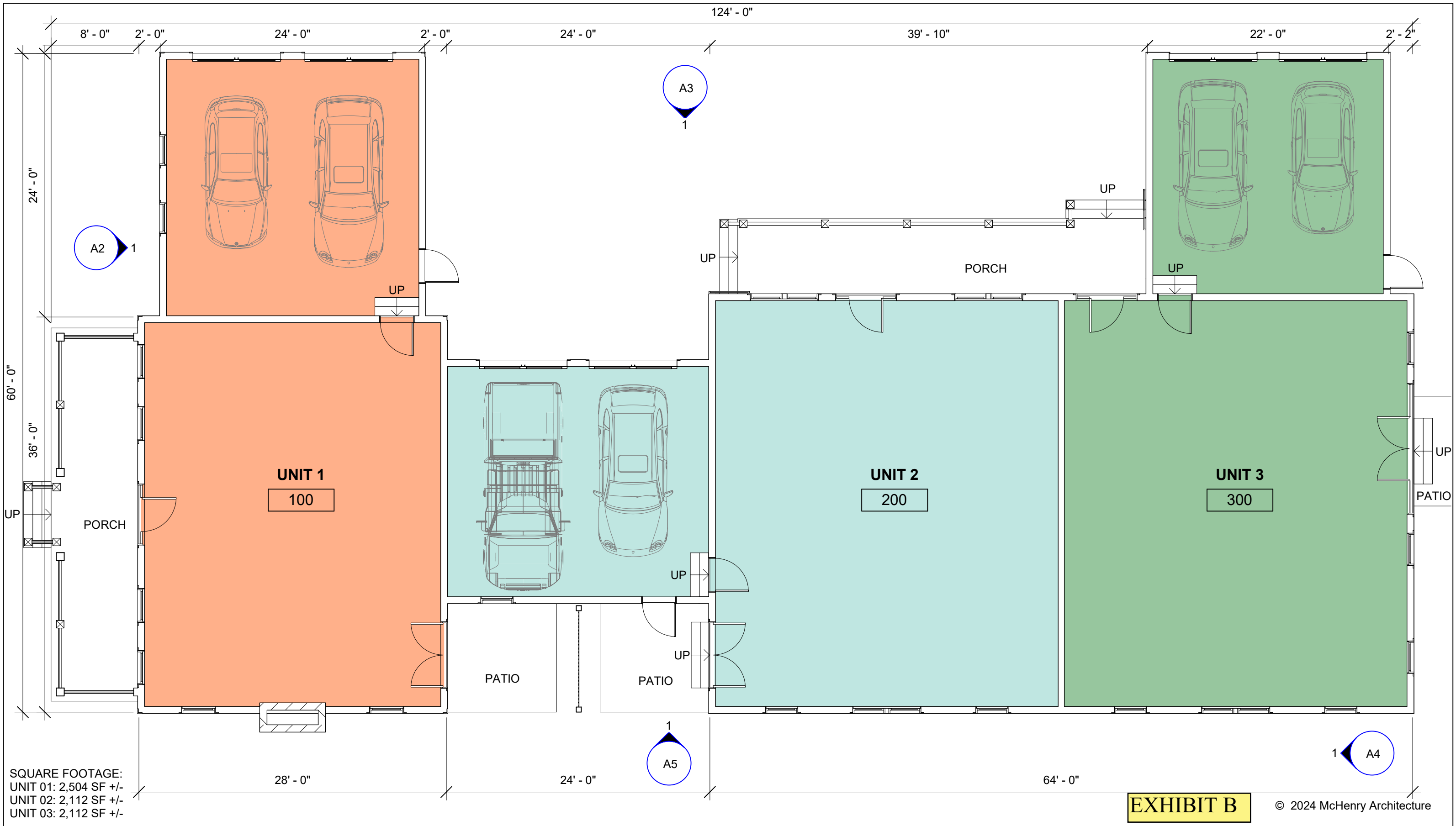
PROJECT:
RESIDENTIAL DEVELOPMENT
 550 SAGAMORE AVENUE
 PORTSMOUTH, NH

TITLE:
BOARD OF ADJUSTMENT SITE PLAN (RESIDENTIAL DWELLING UNITS)

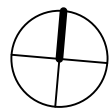
SHEET NUMBER:
1 of 2



P5385



550 SAGAMORE AVE.
 PORTSMOUTH, NH 03801



FIRST FLOOR PLAN
 ZONING BOARD OF ADJUSTMENT - FEBRUARY 2024

McHENRY ARCHITECTURE
 4 Market Street
 Portsmouth, New Hampshire

A1

01/24/2024
 McHA: RD/MG
 Scale: 1/8" = 1'-0"



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550 SAGAMORE AVE.

PORTSMOUTH, NH 03801

WEST ELEVATION (FRONT)

ZONING BOARD OF ADJUSTMENT - FEBRUARY 2024

McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

A2

01/24/2024

McHA: RD/MG

Scale: 1/8" = 1'-0"



© 2024 McHenry Architecture

550 SAGAMORE AVE.

PORTSMOUTH, NH 03801

NORTH ELEVATION

ZONING BOARD OF ADJUSTMENT - FEBRUARY 2024

McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

A3

01/24/2024

McHA: RD/MG

Scale: 1/8" = 1'-0"



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550 SAGAMORE AVE.

PORTSMOUTH, NH 03801

EAST ELEVATION

ZONING BOARD OF ADJUSTMENT - FEBRUARY 2024

McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

A4

01/24/2024

McHA: RD/MG

Scale: 1/8" = 1'-0"



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550 SAGAMORE AVE.

PORTSMOUTH, NH 03801

SOUTH ELEVATION

ZONING BOARD OF ADJUSTMENT - FEBRUARY 2024

McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

A5

01/24/2024

McHA: RD/MG

Scale: 1/8" = 1'-0"



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550 SAGAMORE AVE.

PORTSMOUTH, NH 03801

RENDERING FROM SAGAMORE AVE.

ZONING BOARD OF ADJUSTMENT - FEBRUARY 2024

McHENRY ARCHITECTURE

4 Market Street
Portsmouth, New Hampshire

A6

01/24/2024

McHA: EW / RD

NOT TO SCALE



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550 SAGAMORE AVE.

PORTSMOUTH, NH 03801

RENDERING FROM SAGAMORE AVE.

ZONING BOARD OF ADJUSTMENT - FEBRUARY 2024

McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

A7

01/24/2024

McHA: EW / RD

NOT TO SCALE

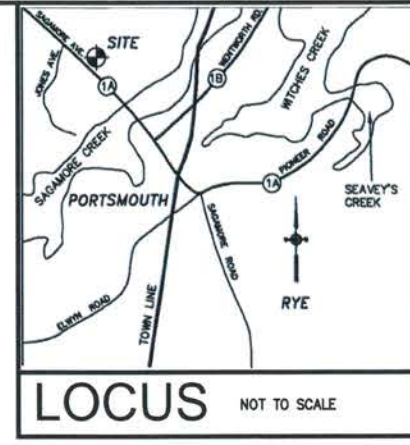
SITE NOTES

- DESIGN INTENT - THIS PLAN IS INTENDED TO DEPICT A SET OF APPROVAL DRAWINGS FOR TWO (2) RESIDENTIAL DUPLEX UNITS.
- APPROXIMATE LOT AREA: 1.44 AC.± (TAX MAP 222, LOT 11)
- ZONE: SINGLE RESIDENCE B (SRB)
- DIMENSIONAL REQUIREMENTS:

	EXISTING	PROPOSED
MIN. LOT AREA:	15,000 S.F.	±62,754 S.F.
MIN. LAND AREA PER DWELLING UNIT:	15,000 S.F.	±62,754 S.F.
MIN. STREET FRONTAGE:	100'	±139.8'
MIN. LOT DEPTH:	100'	±434'
FRONT SETBACK:	30'	±33'
SIDE SETBACK:	10' (RIGHT)	±40'
	10' (LEFT)	±45'
REAR SETBACK:	30'	±300'+
MAX. BUILDING HEIGHT:	35'	±13.1'
MAX. BLDG. COVERAGE:	20%	±5.6%
MIN. OPEN SPACE:	40%	±94.2%

- PARKING REQUIREMENTS:
 DUPLEX RESIDENCES: 1.3 SPACES/UNIT - OFF-STREET PARKING
 1.3 SPACES/UNIT x 4 UNITS = 5.2 SPACES
 TOTAL PARKING REQUIRED = 6 SPACES
 TOTAL PARKING PROVIDED = 16 SPACES (8 STACKED VISITOR SPACES PROVIDED)
- THERE ARE NO WETLANDS ON THE PARCEL.
- OVERALL AREA OF DISTURBANCE UNDER 100,000 S.F., NHDES ALTERATION OF TERRAIN PERMIT NOT REQUIRED.
- AREA OF DISTURBANCE IS APPROXIMATELY 36,000 S.F. THEREFORE UNDER 43,560 SF. COVERAGE UNDER EPA NPDES PHASE II CONSTRUCTION GENERAL PERMIT NOT REQUIRED.
- BUILDING AREA SHOWN IS BASED ON FOOTPRINT MEASURED TO THE EDGE OF FOUNDATIONS AND/OR SLABS. ACTUAL INTERIOR SPACE WILL DIFFER.
- THE FOLLOWING VARIANCES FROM THE PORTSMOUTH ZONING ORDINANCE ARE REQUIRED:
 SECTION 10.440 - TO ALLOW TWO (2) 2-FAMILY DWELLINGS WHERE THEY ARE NOT PERMITTED.
- RESERVED
- SNOW SHALL BE STORED AT THE EDGE OF PAVEMENT, IN AREAS SHOWN HEREON, AND/OR TRUCKED OFF SITE AS APPROPRIATE.
- PAVEMENT MARKINGS SHALL BE CONSTRUCTED USING WHITE, YELLOW OR BLUE TRAFFIC PAINT (WHERE SPECIFIED) MEETING THE REQUIREMENTS OF AASHTO M248, TYPE F OR EQUAL. PAINTED ISLANDS AND LOADING ZONES SHALL BE 4"-WIDE DIAGONAL WHITE LINES 3'-0" O.C. BORDERED BY 4"-WIDE WHITE LINES. PARKING STALLS SHALL BE SEPARATED BY 4"-WIDE WHITE LINES. SEE DETAILS FOR HANDICAP SYMBOLS, SIGNS AND SIGN DETAILS.

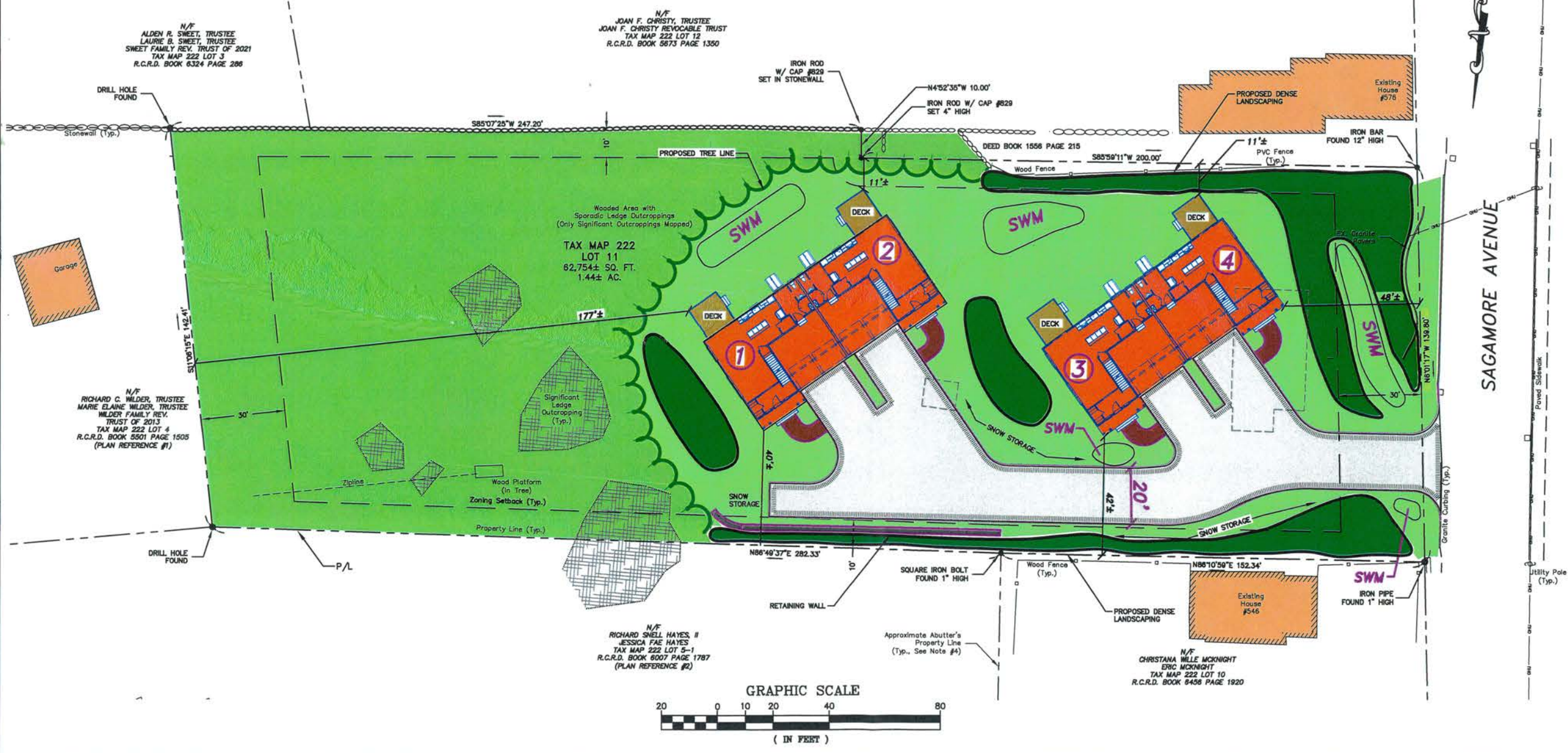
- PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO THE REQUIREMENTS OF THE "MANUAL ON UNIFORM TRAFFIC DEVICES," "STANDARD ALPHABETS FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS" AND THE AMERICANS WITH DISABILITIES ACT (ADA), LATEST EDITIONS.
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ALTUS ENGINEERING
 133 Court Street Portsmouth, NH 03801
 (603) 433-2335 www.altus-eng.com

PLAN REFERENCES:

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- "STANDARD PROPERTY SURVEY FOR PROPERTY LOCATED AT 550 SAGAMORE AVENUE", BY EASTERLY SURVEYING, DATED 1/9/23.
- PORTSMOUTH G.I.S. DATA (MAP GEO), AUGUST 16, 2023.



NOT FOR CONSTRUCTION
 ISSUED FOR:
BOARD OF ADJUSTMENT
 ISSUE DATE:
AUGUST 28, 2023

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	INITIAL SUBMISSION	EDW	08/28/23

EXHIBIT C

DRAWN BY: RLH
 APPROVED BY: EDW
 DRAWING FILE: 5385SUBD.DWG

SCALE:
 22" x 34" - 1" = 20'
 11" x 17" - 1" = 40'

OWNER:
 FRANCES E. MOUFLOUZE,
 TED W. ALEX &
 PATRICIA CAMERON, TRUSTEES
 THE FRANCES E. MOUFLOUZE
 REVOCABLE TRUST OF 2015
 936 SOUTH STREET #1
 PORTSMOUTH, NH 03801

APPLICANT:
 FRANCES E. MOUFLOUZE,
 TED W. ALEX &
 PATRICIA CAMERON, TRUSTEES
 THE FRANCES E. MOUFLOUZE
 REVOCABLE TRUST OF 2015
 936 SOUTH STREET #1
 PORTSMOUTH, NH 03801

PROJECT:
 RESIDENTIAL
 DEVELOPMENT
 550 SAGAMORE AVENUE
 PORTSMOUTH, NH

TITLE:
 BOARD OF
 ADJUSTMENT
 SITE PLAN
 (RESIDENTIAL
 DWELLING UNITS)

SHEET NUMBER:
C - 1

Sweet Peekaboo Duplex

418.224 (8/8/2023)

NOTE: To scale as noted only if printed on 11x17 paper with "no scaling" (do not "Fit").

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Art Form Architecture, LLC

603-431-9559



Elevations
Scale: 1/8" = 1'-0"

Sweet Peekaboo Duplex

418.224 (8/8/2023)

NOTE: To scale as noted only if printed on 11x17 paper with "no scaling" (do not "Fit").

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603-431-9559



Rear



Left

Elevations

Scale: 1/8" = 1'-0"

Sweet Peekaboo Duplex
418.224 (8/8/2023)

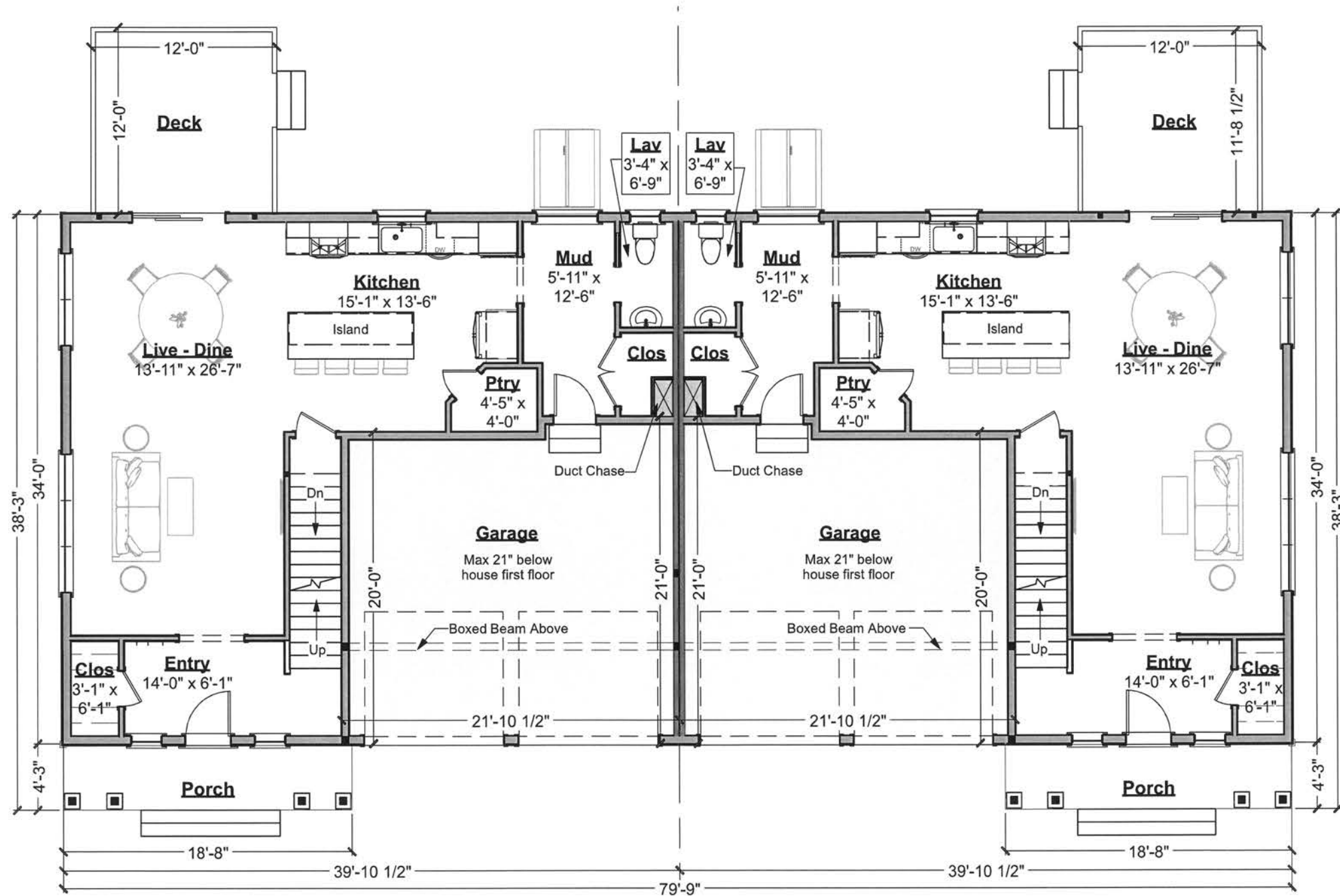
NOTE: To scale as noted only if printed on 11x17 paper with "no scaling" (do not "Fit").

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Art Form Architecture, LLC

603-431-9559



Living Area this Floor:

Typical - 929 sq ft per unit (to the outside face of framing, for comparison to similar single family)

Condo - 863 sq ft per unit (to the inside face of framing, usual Condo ownership)

9 ft Ceilings

First Floor Plan

Scale: 1/8" = 1'-0"

Sweet Peekaboo Duplex

418.224 (8/8/2023)

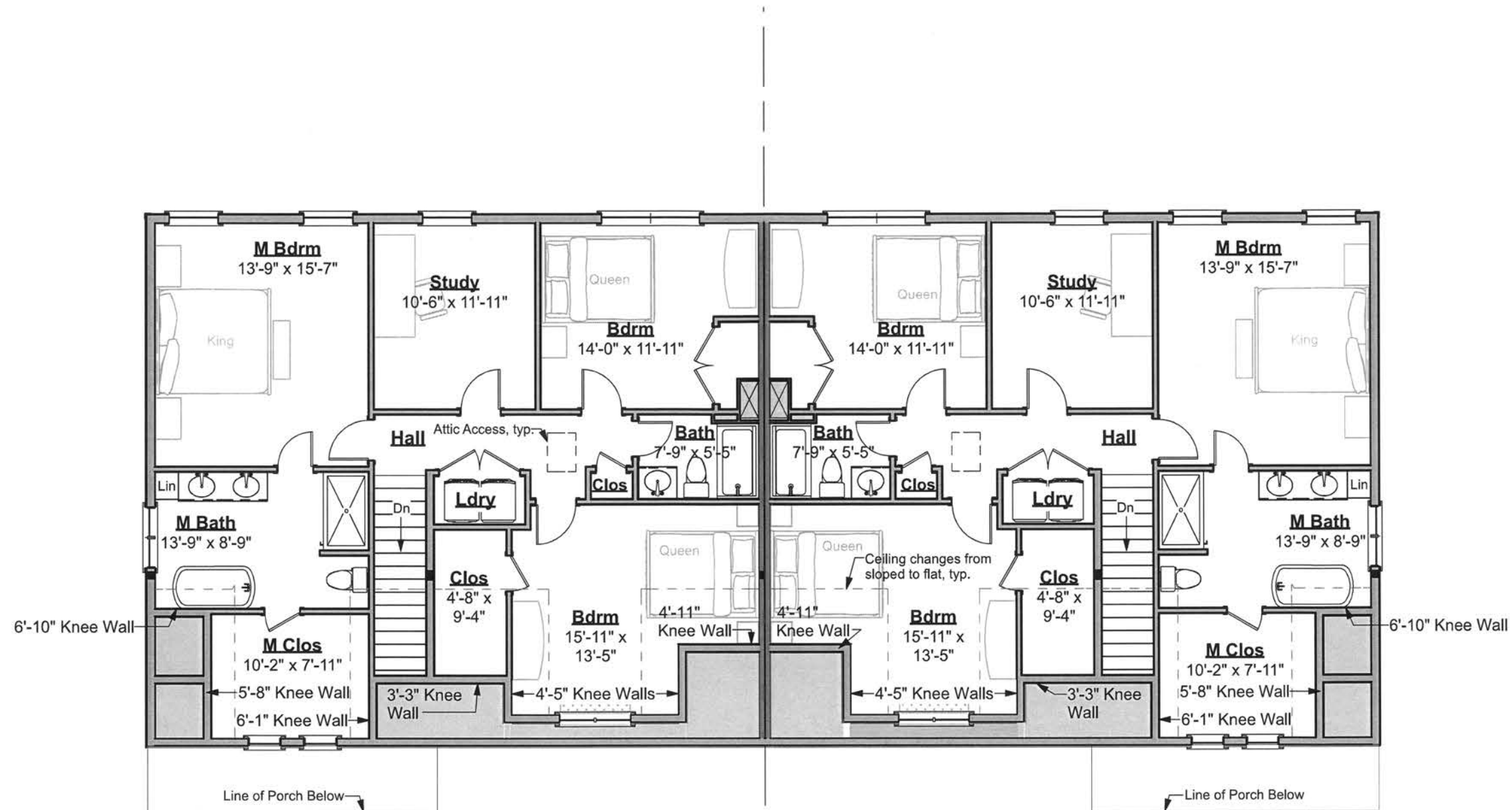
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Art Form Architecture, LLC

603-431-9559



Living Area this Floor:

Typical - 1244 sq ft per unit (to the outside face of framing, for comparison to similar single family)

Condo - 1178 sq ft per unit (to the inside face of framing, usual Condo ownership)

8 ft Ceilings

Second Floor Plan

Scale: 1/8" = 1'-0"

Sweet Peekaboo Duplex

418.224 (8/8/2023)

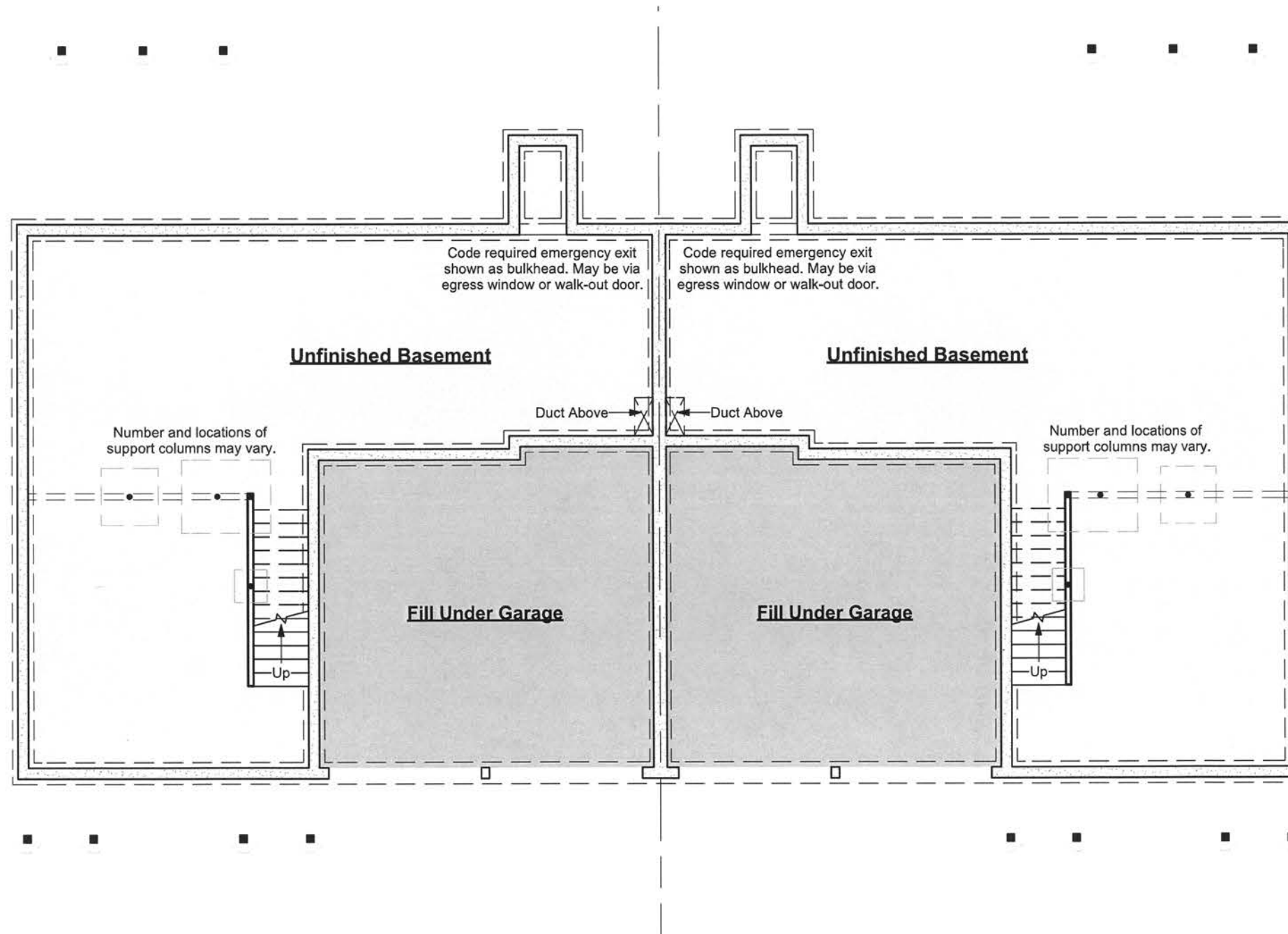
NOTE: To scale as noted only if printed on 11x17 paper with "no scaling" (do not "Fit").

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Art Form Architecture, LLC

603-431-9559



Foundation Plan

Scale: 1/8" = 1'-0"



CITY OF PORTSMOUTH

Planning Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

ZONING BOARD OF ADJUSTMENT

October 24, 2023

Frances E. Mouflouze Revoc Trust of 2015
936 South Street #1
Portsmouth, New Hampshire 03801

RE: Board of Adjustment request for property located at 550 Sagamore Avenue (LU-23-164)

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **Tuesday, October 17, 2023**, considered your application for demolishing the existing structure and constructing two duplexes (creating a total of 4 living units) which requires the following: 1) Variance from Section 10.513 to allow more than one free-standing dwelling unit on a lot; and 2) Variance from Section 10.440 Use #1.30 to allow the construction of duplexes where they are not permitted. Said property is shown on Assessor Map 222 Lot 11 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted to to **deny** the request because it did not meet the spirit of the ordinance or hardship criteria as the lot is oversized and is presently conforming.

The Board's decision may be appealed up to thirty (30) days after the vote. Please contact the Planning Department for more details about the appeals process.

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

Phyllis Eldridge, Chair of the Zoning Board of Adjustment

cc:

R. Timothy Phoenix, Esq; Hoefle, Phoenix, Gormley & Roberts, PLLC
Eric D. Weinrieb, PE; Altus Engineering, Inc.

Findings of Fact | Variance

City of Portsmouth Zoning Board of Adjustment

Date: 10-17-2023

Property Address: 550 Sagamore Avenue

Application #: LU-23-164

Decision: **Deny**

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, It now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	Finding (Meets Criteria)	Relevant Facts
10.233.21 Granting the variance would not be contrary to the public interest.		
10.233.22 Granting the variance would observe the spirit of the Ordinance.	NO	<ul style="list-style-type: none"> The property is presently in conformity with the zoning ordinance and granting the variance would make it out of conformity.
10.233.23 Granting the variance would do substantial justice.		
10.233.24 Granting the variance would not diminish the values of surrounding properties.		
10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (a)The property has special Conditions that distinguish it from other properties in the area. AND	NO	<ul style="list-style-type: none"> The applicants lot is bigger than some lots and smaller than others and the 140-ft width is plenty of room for the applicant to put a 3-house subdivision and not even move the original house. The applicants lot can be

<p>(b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.</p>		<p>reasonably used in the way it is zoned and there is currently a single-family home on it now.</p>
---	--	--

**MINUTES OF THE
BOARD OF ADJUSTMENT MEETING
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

October 17, 2023

MEMBERS PRESENT: Phyllis Eldridge, Chair; Beth Margeson, Vice Chair; David Rheame; Paul Mannle; Thomas Rossi; Jeffrey Mattson; Jody Record, Alternate

MEMBERS EXCUSED: ML Geffert, Alternate

ALSO PRESENT: Stefanie Casella, Planning Department

Note: The timestamp denotes the time of the recording. Chair Eldridge called the meeting to order at 7:00 p.m. Ms. Record was seated for voting on all items in the excused absence of Ms. Geffert.

~~**I. APPROVAL OF MINUTES**~~

~~**A. Approval of the September 19, 2023 minutes.**~~

~~*Mr. Mannle moved to **approve** the September 19 minutes as **amended**, seconded by Mr. Mattson. The motion **passed** by unanimous vote, 7-0.*~~

~~The following amendments were made:~~

~~On page 3, top of the page, the word “clarify” was changed to “clarity” and the word “postponed” was changed to “postponement”, so the sentence reads as follows: Mr. Rheame said ... it was a complicated case and there was some lack of **clarity**, so the **postponement** was made to give the application the opportunity to get more information. On page 5, second to last line, unnecessary “change” was changed to “hardship”, so the sentence reads as follows: Mr. Mattson said there were more variances requested before and he had not seen an unnecessary hardship within the side yard setback, but since it was no longer asked for, the only thing left was whether the lot size was an unnecessary **hardship**. On page 10, last line, the word “district” was changed to “distract”, so the sentence reads as follows: He said the mural was a reasonably-sized piece of art work and in a parking lot that would not **distract** drivers.~~

~~**B. Approval of the September 26, 2023 minutes.**~~

~~*Mr. Mannle moved to **approve** the September 26 minutes as submitted, seconded by Vice-Chair Margeson. The motion **passed** by a unanimous vote of 7-0.*~~

~~Mr. Mannle moved to grant the variances as presented, seconded by Mr. Rossi.~~

Mr. Mannle referred to Sections 10.233.21 and .22 of the ordinance and said the project would not be contrary to the public interest and would observe the spirit of the ordinance. Referring to Section 10.233.23, he said granting the variances would do substantial justice because it was a mural and there was no ordinance for murals. He said the mural was clearly not a sign and was approved by the HDC, and the applicant just needed the setbacks for where the transformers would be covered up. Referring to Section 10.233.24, he said granting the variances would not diminish the values of surrounding properties. Referring to Section 233.25, he said literal enforcement of the provision of the ordinance would result in unnecessary hardship because the property has special conditions that distinguish it from others in the area and, owing to those special conditions, a fair and substantial relationship does not exist between the general public purposes of the ordinance's provision and the specific application of that provision to the property, and the proposed use is a reasonable one. He said the mural will cover up the transformer boxes and it was only before the Board because it was slightly closer to the sidewalk and was a mural, not a sign, which was a hardship. Mr. Rossi concurred and said there was published documentation of the historical significance of the woman presented on the mural, which was important because as the Board approved those types of murals, it would be important to be sure of the historical accuracy and relevance of the murals and the fact that the murals did not migrate into other territories of various things that could be on them.

Vice-Chair Margeson said she would not support the motion and wondered why the mural wouldn't face the pocket park so that people could actually read it. She said it would be distracting to drivers. She said if something was not in the zoning ordinance, which a mural wasn't, the Board was not supposed to be approving variances for it. She noted that the Board had a similar situation with an applicant who wanted to open an art studio in her home but there was no art studio in the ordinance, so the Board did not approve it. She said she would not support the motion for those reasons.

~~The motion passed by a vote of 6-1, with Vice-Chair Margeson voting in opposition to the motion.~~

- C. The request of **Frances E. Mouflouze Revocable Trust of 2015 (Owner)**, for property located at **550 Sagamore Road** whereas relief is needed to demolish the existing structure and construct two duplexes (creating a total of 4 living units) which requires the following: 1) Variance from Section 10.513 to allow more than one free-standing dwelling unit on a lot; and 2) Variance from Section 10.440 Use #1.30 to allow the construction of duplexes where they are not permitted. Said property is located on Assessor Map 222 Lot 11 and lies within the Single Residence B (SRB) District. (LU-23-164)

Mr. Rossi recused himself from the following petition.

SPEAKING TO THE PETITION

Attorney Tim Phoenix was present on behalf of the applicant, along with project engineer Eric Weinrieb and Brian White, who prepared the Analysis Property Value Impact Report. Attorney Phoenix reviewed the petition and criteria in detail. [Timestamp 5:06]

Vice-Chair Margeson asked what the hardship was in not being able to building another single-family dwelling on the lot. Attorney Phoenix said it was due to the lot's special conditions of being the largest property in the area, four times the size of the minimum required lot size for a single family home. He said most of the lots in the vicinity were that large and noted that the Board granted multi-family units at the Luster King site. He said, given the lot's location compared to other lots and densities in the area and considering the area where the zoning areas met, the lot had special conditions. Mr. Mannle asked how the current house was nonconforming, noting that the Staff Report said everything about the existing house was conforming. Attorney Phoenix said the front porch and steps went over the front setback line slightly. Ms. Casella said the City went by the survey information. Mr. Rheaume said it was apparent from the existing home photos that the current home was elevated relative to the street level, and he asked if the intent was to have the new structures also elevated or if there would be excavation. Mr. Weinrieb said the grade went up substantially behind the house and the new structures would be up a bit higher than the street, with stormwater draining back toward the front. He said they would not overly excavate the site but would work with its natural contours, which he further explained.

Chair Eldridge opened the public hearing.

SPEAKING IN FAVOR OF THE PETITION

No one spoke.

SPEAKING IN OPPOSITION TO THE PETITION

Sue Harding of 594 Sagamore Avenue said she was an abutter and thought the zoning would not change when she bought her home in 1997. She said her property had a buffer where there was a lot of wildlife that had to be protected and that she couldn't see why the Board would want to change the privacy, land, and nature behind the abutters' homes that had been that way for decades. She said allowing four dwellings in a unit where only one was allowed was spot rezoning and that the project did not meet any of the criteria and might set a precedent if approved.

Rick Hayes of 40 Walker Bungalow said he was an abutter to 550 Sagamore Road. He said the area was zoned SRB for a reason and that the proposal violated the zoning. He said the applicant wanted to maximize profits and that it would accelerate the exit of longtime residents.

Linda Brown of 650 Sagamore Avenue said adding more dwellings than zoned for would be detrimental and would add more traffic to an already busy road as well as pose safety concerns. She said changing zoning for financial gain did not pose a hardship.

Richard Wilder of 58 Walker Bungalow Road said he had lived there for 54 years and was an abutter. He said the requested variances went against the character and nature of the community and

that the applicant's attempt to relate the zoning of areas across the street as justification for the project was irrelevant. He said the project did not meet any of the criteria and that the ordinance for single-residence zones was a covenant to protect the homeowners and their land.

Alden Sweet of 72 Walker Bungalow Road said he abutted the property in the back corner. He said the variance requests should be rejected because the SRB District zoning did not allow duplexes. He said the anticipated market values of the duplex units would be in the range of one million dollars or more each, which wasn't a hardship. He said Portsmouth had a shortage of workforce housing and the applicant's proposal was not affordable housing. He said it would not improve the surrounding area and noted that what went on in Dover and Durham had no bearing on Portsmouth.

Eric McKnight of 546 Sagamore Avenue said if the project was approved, the duplexes would look into his side of the house where the kitchen, bedrooms and living room were. He said he thought he and his family were moving into a single-family dwelling zone when he bought the house a few months ago, and the project would change his home and his investment. He said he would not have bought his home if there were four dwellings looking into a side of it.

Joan Christy of 576 Sagamore Avenue said she had lived in her home since the 1980s and that the development would affect her because instead of looking out at the land that had stayed the same for about 150 years, she would now look out at a wall. She said the proposal would pave the way for the condoization of the neighborhood. She said the Board's decision had important implications.

Jim Lee of 520 Sagamore Avenue said he was a real estate broker of 43 years and thought cramming four housing units on one lot would alter the character of the neighborhood and injure public rights. He said there was no hardship to allow the project to take place in a neighborhood of single-family homes. He said the project did not meet any of the criteria.

Tim McNamara of 575 Sagamore Avenue, Unit 19, said three of the criteria – the public interest, spirit of the ordinance, and hardship – were not met. He said the reference to other zones as well as a recent approval for 635 Sagamore Avenue wasn't relevant. He said the applicant wanted a permit for four dwellings where one was allowed and for two duplexes where none were allowed.

Paige Trace of 27 Hancock Street said there was no hardship with the land but there was a question with the zoning, otherwise the applicant wouldn't be there. She said the entire neighborhood was opposed to the project and that the only hardship was for the neighborhood and not the amount of money the applicant stood to make or not make.

Petra Huda of 280 South Street said the proposal did not meet the criteria and that the zoning across and down the street and what had been previously approved were irrelevant.

Esther Kennedy of 41 Pickering Avenue said the community members were all abutters and it was up to the Board to decide whether they agreed with the zoning set by their predecessors and whether the five criteria were met. She asked the Board to reflect upon what had happened to some of Portsmouth's neighborhoods and to think about what's right for Portsmouth's future.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Christana McKnight of 546 Sagamore Avenue (via Zoom) said she and her husband chose her home because it was in a Single Residence Home District and said she was against the proposal.

Attorney Phoenix said they would agree to a condition that the rear area would be left in its current condition. He said the Board, when looking at the consideration for variances, looks at the overall neighborhood and can't just look at the five or six house lots in that particular strip, one of which didn't meet the density requirements. He said the applicant tried to do something consistent with the area and the prices of the condos would be more affordable than three houses. He said they never said it was affordable housing and that there were no other examples in Portsmouth to draw from except in Dover and Durham. He said the duplexes made sense in that area.

Jim Lee said the proposal was contrary to the public interest, did not observe the spirit of the ordinance, and did not provide substantial justice. He said it would also diminish the values of surrounding properties and that the hardship had to be with the land and not anything else, so there was no hardship with that lot because it was the same as every lot on the street.

No one else spoke, and Chair Eldridge closed the public hearing.

DECISION OF THE BOARD

[Timestamp 1:02:38] Vice-Chair Margeson said she would not support the application, noting that it was an eclectic mix of zoning but the Sagamore Court was garden apartment manufactured housing, the Tide Watch Condos was a planned unit development allowed by zoning because it was over ten acres, and the recent application for the Luster King site had more units on the lot than allowed but was a commercial use that brought the lot into compliance with surrounding areas. She said an argument for the hardship was that the lot was bigger than most of the surrounding lots but that it wasn't by much. She said in a sea of single-residence homes, it would be the only duplex and that it looked like a complex with a lot of parking. Mr. Rheume said there were arguments to be made that relief could be had for having multiple units on a single-family lot if it was large enough and that there was a potential for hardship because the lot was four times larger than required in the zoning ordinance, but he wasn't sure if that meant there could be four units on it. He said he saw the petition failing on two other criteria and perhaps a third. He said the applicant admitted that the proposed structures were out of character with the neighborhood so they wanted to put plenty of screening in front of them so that they would not be seen, which was the Board's first indication that the project was not in keeping with the spirit of the overall neighborhood. He said the property's shape drove a lot of that but wasn't sure that the Planning Board would accept the two structures at an angle to the street. He said it wasn't in keeping with the spirit of the ordinance because the structures were significantly big. He said there were significant hurdles when the applicant went before TAC and the Planning Board.

Mr. Mannle moved to deny the petition, seconded by Vice-Chair Margeson.

Mr. Mannle said he did not see the hardship or any special conditions to the lot relative to the other lots. He said it was bigger than some lots and smaller than others and thought that the 140-ft width was plenty of room for the applicant to put a 3-house subdivision and not even move the first house. He said there was a quirk in the zoning relating to the fact that any land use board approving an application request that requires demolition nixes any abutter's right to appeal that demolition, and that he would not support any application that involved demolishing a single-family home because of that. Vice-Chair Margeson said she didn't think the property had any hardship because it could be reasonably used in the way it was zoned and there was currently a single-family home on it now. She said it was presently in conformity with the zoning ordinance and granting the variance would make it out of conformity. She said it had a spirit and intent problem also.

Mr. Rheume said he would support the motion, although he disagreed with some of the arguments made. He said there was an argument for hardship and thought the proposal failed on other criteria. He pointed out that the Demolition Committee requirement was its own separate ordinance and not a part of the Board's ordinances, and he didn't know if the Board could tie their approval or disapproval to a completely separate ordinance. However, he thought the petition failed and did not meet other criteria. Chair Eldridge said she would also vote in favor of the motion because she thought a denial would provide a benefit to the general public. She said the way the proposed two-family homes sat on the lot would change the way the neighborhood feels.

The motion passed by a unanimous vote of 6-0, with Mr. Rossi recused.

- ~~D. The request of **Portsmouth Submarine Memorial Association (Owner)**, for property located at **569 Submarine Way** whereas relief is needed to construct an addition to the existing building to substantially increase the use which requires the following: 1) Variance from Section 10.440 Use #3.40 to allow a museum where the use is not permitted. Said property is located on Assessor Map 209 Lot 87 and lies within the Single Residence B (SRB) District. (LU-23-165)~~

SPEAKING TO THE PETITION

Attorney Kevin Baum was present on behalf of the applicant, along with project engineer John Chagnon. He noted that Albacore Park was originally approved by special exception and the Visitors Center was built in 1986. He said they proposed to place a 1,584-sf addition onto the Visitors Center to add more exhibit and meeting spaces, and because it was a significant addition it required a variance because it was a museum use in a residential zone. He said a Parking Demand Analysis was also provided. He reviewed the petition and criteria in detail.

Mr. Rheume said the museum use was originally granted by special exception and asked if the zoning changed. Attorney Baum the ordinance no longer prohibited it. Ms. Casella said she thought it was probably a zoning change and it was further discussed.

~~Chair Eldridge opened the public hearing.~~

WHITE APPRAISAL

REAL ESTATE APPRAISING & CONSULTING

Brian W. White, MAI, SRA



September 18, 2023

Timothy Phoenix, Esquire
Hoefle, Phoenix, Gormley & Roberts, PLLC
127 Parrott Avenue
P.O. Box 4480
Portsmouth, NH 03802-4480

RE: The Variance application for two residential duplex buildings to be located on 550 Sagamore Avenue in Portsmouth, New Hampshire.

Attorney Phoenix:

At your request, I have been asked to investigate the impact on the value of the abutting properties for the proposed two residential duplex buildings to be located on 550 Sagamore Avenue (Map 222, Lot 11) and to prepare an analysis and opinion on the matter. I have reviewed the Portsmouth Zoning Ordinance that addresses the standards for the requested variance. I have also reviewed your Memorandum to the Portsmouth ZBA regarding the variance request. To prepare this letter, I have completed research on the proposed subject property, the neighborhood and the greater Portsmouth marketplace. The following letter summarizes my analysis, findings and conclusions:

1. The Existing Development:

The subject property is a 1.44-acre parcel of land located on the eastern side of Sagamore Avenue in the Single Residence B (SRB) zone. The subject property is currently improved with an older 1,092 square-foot single-family residence with an at-grade lower-level that contains a one-car garage and unfinished storage space. The improvements were constructed in 1960 with renovations made over the years. The residence appears to be in above average overall condition for a residence of its age in the Sagamore Avenue area. The front portion of the parcel has paved drive and parking area that accesses the one-car garage. There are interior and exterior stairways that provide access up to the first-floor area of the residence. There is a 448 square foot rear deck. Approximately one-third of the mostly level to gently sloping parcel is improved or landscaped. The rear two-thirds of the parcel is undeveloped natural wooded area. This rear wooded area has a combination of larger evergreens and deciduous trees. The terrain for the parcel is mostly level to gently sloping. The rear portion of the parcel has a high-point area that has a few exposed ledge areas. The terrain gently slopes downward from this high-point to both the front and the rear of the parcel. The parcel is serviced with municipal water and sewer, electricity, telephone, cable and internet. There are no wetland areas located on the parcel.

2. The Proposed Development:

The older wood-frame single-family building will be razed and a new paved drive will be installed off of Sagamore Avenue in the northwestern portion of the subject's parcel. This paved drive will extend into the western and central portions of the parcel providing access to two new duplex residences. There will be a vehicle turn-around and snow storage area located at the end of the paved drive area. Each of the duplex buildings will have a front paved driveway that will provide access to the two-car garage areas of the two residential units. The residences will each contain two levels of finished living area. The units will have quality interior and exterior finishes that are commensurate with other similar new construction residences located in Portsmouth. Based on the proposed site and building plans, the proposed townhouse style single-family residences will contain approximately 2,173 square feet of above ground space, a two-car garage and a basement storage area. The two duplex residential buildings will be surrounded by landscaped and grassed areas and each unit will have a rear deck area. There will be dense landscaped area located to the front, sides and rear of the development along with an elongated area located in between the two duplex buildings. The improved and developed areas of the parcel will utilize approximately 60% of the 1.44-acres of the parcel with the rear approximate 40% of the parcel will remain in a natural wooded state.

3. The Concept Plan for Three Residential Lots:

A conceptual site plan on the subject property has been completed by Altus Engineering, as of March 6, 2023. This plan identifies a three-lot residential subdivision which the subject property could accommodate based on the dimensional requirements in the SRB zone. The concept plan locates a short entry road off of Sagamore Avenue in the northeastern portion of the subject property. This road extends approximately 225' into the central portion of the parcel terminating in a cul-de-sac. Each of the three lots would have over 15,000 square feet of space, a minimum of 100' of road frontage and a buildable envelope suitable for accommodating a single-family residence. This concept plan demonstrates that the subject property has a sufficient amount of site area to accommodate a traditional three-lot residential subdivision. It also shows that in order to accomplish this the entire property is required to accommodate this three-lot plan.

4. Neighborhood & Abutting Properties:

The subject property is located in a Single Residence B (SRB) zone with the parcel being located directly across from the subject property being zoned Garden Apartments/Mobile Home Park (GA/MH). Sagamore Court is a large 144-unit multi-unit garden-style condominium and apartment development. The subject property looks directly at the front building in the center of the development. This development dominates the subject's immediate area on Sagamore Avenue. The SRB zone is largely a single-family zone while the GA/MH zone is largely a multi-dwelling unit zone. There are large Single Residence A (SRA) zoned areas located to the north and to the south of the subject's area on Sagamore Avenue. The SRA zone allows for the same uses as the subject's SRB zone with the difference being that the subject's SRB zone allows for a much higher density as the SRA zones requires 43,560 SF/dwelling unit and 150' of road frontage while the subject's SRB zone only requires 15,000 SF/dwelling unit and only 100' of road frontage. The parcels located in the SRA and the SRB zones in the surrounding area are largely developed with

single-family homes on parcels of varying sizes. There are a few multi-unit properties in the subject's immediate area along Sagamore Avenue. In addition to the forementioned Sagamore Court, the Tidewatch Condominium is a 116-unit condominium development that is located just south of the subject's area. There is a recently approved four-unit residential development located near the access road for the Tidewatch Condominium that is located at 635 Sagamore Avenue. Slightly further south on Sagamore Avenue, there is a 3-unit condominium development located at 792 Sagamore Avenue. The remainder of the residential properties located in the subject's immediate area along Sagamore Avenue are single-family residences. It is noted that further north and further south of the subject's area Sagamore Avenue is developed with a mixture of single-family homes, multi-unit developments and several scattered commercial properties.

The rear portion of the subject property abuts three single-family homes that are located on Walker Bungalow Road (40, 58 & 72 Walker Bungalow Road). This road is an interior road located off of Little Harbor Road that terminates in a cul-de-sac near Sagamore Creek. The rear portions of these homes can be seen through the natural wooded growth in the rear portion of the subject property. Any development located in the rear portion of the subject property would have an obstructed view of the improved portion of these neighboring properties while any development located in the central portion of the subject property would have a distant and very obstructed view of the improved portion of these neighboring properties. It is assumed that the same would be the case when viewing these portions of the subject property from these neighboring properties.

The subject property is currently an above average condition single-family residence. The other single-family homes in the surrounding area on Sagamore Avenue are generally in average to very good overall condition. The abutting properties on Sagamore Avenue are both older wood-frame single family homes constructed in the 1800's that appear to be in above average overall condition. To the rear of the subject property, the subject property abuts three single family homes that are located on Walker Bungalow Road. These homes, which were constructed in the 1960's and 1980's, appear to be in good overall condition. Over the past five years, the single-family homes located in the subject's immediate area have sold from approximately \$600,000 to \$1,100,000 while the residential condominium units in the area have sold from approximately \$600,000 to \$1,500,000. It is noted that there are two fairly recent sales of smaller garden-style condominiums located in the Sagamore Court development that sold for \$225,000 and \$245,000, respectively. Based on MLS data, the anticipated market values of the subject's proposed townhouse duplex condominium units would be in the range of \$1,000,000 or more.

5. *Factors that impact Value and the Application to the Subject Property:*

For the subject property, there are three potential factors that could directly impact the market value of the abutting properties. These factors are noise, view and use.

Noise:

It was previously noted that the proposed subject property will contain a single-entry drive and two duplex residential buildings. One of the proposed duplex buildings will be located in the rear of the existing single-family residence and the back yard of this residence while the other duplex buildings will be located in the center portion of the parcel in the area of the

existing shed structure and the start of the wooded area. The rear 40% of the parcel will remain undeveloped and treed. At the present time, the subject's single-family home likely emits noises that are typical for a residence in the area. There would be sounds of cars entering and exiting the property, property maintenance sounds and the sounds of people enjoying the exterior deck and yard areas. The sounds for the proposed duplex residential buildings would likely be similar to what is in place with the difference being that there will be four residences and more vehicles entering and exiting the property. In comparison, the sounds for subject property under the concept development plan would likely be greater than for the proposed two building duplex development. While the subject's proposed development will contain one more unit than the three-lot conceptual plan contains, the developed area for the subject property only extends approximately 60% into the parcel while the developed area for the concept plan calls for developing almost all of the parcel. The fact that the concept plan extends to the rear of the parcel and the two-building duplex plan does not, makes it likely that the two-building duplex plan would be emitting much less overall noise to the three rear abutting residences. The fact that the duplex plan calls for the garage areas to be located in the middle of the duplex building structure would also be a noise mitigating factor as typical single-family residences have their garage on one end of the residence or they are located in a detached building. The single-family garage areas would also likely be located closer to the side or rear lot lines as compared to the central garage location of the proposed two building duplex plan. It would be reasonable to conclude that the proposed two building duplex plan would emit a higher level of residential noises that is currently in place but it would emit a lower level of residential noises that would come from the three-lot concept plan.

View:

At the present time, the subject's single-family residence can be viewed from Sagamore Avenue, from the Sagamore Court development across from the subject property and from the two abutting single-family residence. The three single-family residences located along Walker Bungalow Road are completely obstructed by the existing central and wooded areas of the subject property. The existing view is of a fairly well maintained older raised ranch residence that was constructed in 1960. From the street, the residence, drive area and front landscaped areas can be seen. The view from the improved residential area of the two abutting residences located along Sagamore Avenue is of these same areas along with that of the rear yard areas. These abutter views are all slightly obstructed by the location of existing fence areas that run along the front area of the subject property and the abutting properties. The three single family residences located along Walker Bungalow Road all have views of the subject's rear and central wooded areas.

The proposed two building duplex development plan will locate the duplex buildings in the front and central portions of the parcel. The drive area will extend from Sagamore Avenue and it will extend straight to the front duplex building, then with a slight bend, it will extend to the centrally located duplex building. The two duplex building will be oriented at a slight angle with the fronts of the buildings facing northwest. There will be a combination of wood and PVC fences located along the southern side of the subject property. The northern side of the subject property has an existing wood fence located on the neighboring property. In addition to these existing and proposed fences, there will be several areas that will have dense landscaped areas. These areas will be located to the front of the property along Sagamore Avenue (all but the location of the drive area), along the sides of the front and

central areas of the parcel and to the rear of both of the duplex buildings. All of the existing and proposed screening features will result in the subject's building being largely screened from both Sagamore Avenue and from the three residential properties located on Walker Bungalow Road. The two abutting single-family residences located on Sagamore Avenue will have as much new screening as possible for the proposed two duplex building plan. The views of the subject property from these two abutting residences will change but not to the extent that any negative impact will result. It could be argued that the views of the neighboring properties will be enhanced by replacing the older above average condition single-family residence with two new construction duplex townhouse residences that will be in very good condition with retail values that will exceed that of most of the neighboring single-family homes in the immediate area.

Use:

The subject property is proposed for development with two new residential duplex buildings. In the surrounding neighborhood, the Sagamore Avenue area is developed with a variety of residential uses (single-family, residential condominiums and apartments) and several scattered commercial and mixed-use developments. The interior streets located off of Sagamore Avenue are largely developed with residential uses. The proposed residential duplex development of the subject property will be in-line with that of the surrounding uses. It is noted that the subject's immediate area along Sagamore Avenue is unique where within 300' of the subject property there are properties that are located in four different zones (SRA, SRB, GA/MH & GRA). The unique location of the subject property has created an area along Sagamore Avenue where there are a variety of different residential properties (single-family, townhouse, apartment & condominium) in the immediate area. The fact that the subject property, and a few other older single-family residences are directly across from a 144-unit garden-style residential development (Sagamore Court) demonstrates the variety of residence types in the immediate neighborhood.

The proposed use for the subject's 1.44-acre parcel is for development with four townhouses-style residential units. This translates into a property density of 2.78-units/acre. It is noted that the Sagamore Court Condominiums, directly across Sagamore Court from the subject property and located in the GA/MH zone, is a 144-unit development on 15.01-acres (9.59-units/acre). The Tidewatch Condominium development, to the south and west of the subject property on Sagamore Avenue, is located in the SRA zone. This townhouse-style condominium development contains 116 units located on 53.59 acres of land. This translates into a density of 2.16-units per acre. On 635 Sagamore Avenue, to the south and west of the subject property, a 1.947-acre parcel was recently granted relief by the Portsmouth ZBA allowing for the property to be developed with 4 residential units (2.05-units/acre). On 792-796 Sagamore Avenue, to the south of the subject property by Cliff Road, a small 0.28-acre parcel was improved with an older duplex building. Several years ago, this building was renovated and expanded into 3 condominium units (10.71-units/acre). This property is located in the SRB zone similar to the subject property. Considering the density of these nearby residential developments, the subject's proposed density (2.78-units/acre) is reasonably in-line with the existing density in the immediate area. It can reasonably be concluded that the proposed use of the subject property with four townhouse-style residential units is a use that will be compatible with the surrounding neighborhood.

6. *Specific Standards – Variances:*

The owners are requesting a Variance from the following – Portsmouth Zoning Ordinance – 10.513 – One Freestanding Dwelling/Lot – to permit two dwelling buildings (four units) on a 1.44-acre lot where one dwelling is permitted and 10.440 Table of Uses – to permit two duplexes where duplexes are prohibited.

I spoke with Scott Scott, Tax Assessor II for the City of Portsmouth. I wanted to get his opinion on the subject's proposed two residential duplex building development and that of several other similar developments in the area. He stated that he is very familiar with the Sagamore Avenue area. He indicated that the best nearby comparable for the subject property is the three-unit condominium development that is located to the south of the subject property at 792-796 Sagamore Avenue. This development is a three-unit residential condominium located in the same SRB zone as the subject property. Rosanne Maurice-Lentz, City Assessor, was on vacation for the week so I asked Mr. Scott for his opinion on any diminishing property values due to the three-unit residential condominium being located nearby. He indicated that the existence of this multi-unit residential development in the SRB zone on Sagamore Avenue has not led to diminishing the values of the surrounding properties. This is good evidence that multiple units located on the subject property would also not have a negative impact on surrounding properties but it does not speak to the exact relief that is being requested by the applicant. In order to address these specific variance requests, the appraiser has expanded his search to other municipalities located in the greater Seacoast area of New Hampshire.

In the nearby City of Dover, a variance was granted in 2021 to a residential parcel located on 400 Gulf Road which allowed for two residential buildings to be constructed on a 5.0-acre parcel where only one dwelling is permitted. These residences are currently under construction. The property is located in a very desirable rural area of Dover near many waterfront homes. According to Donna Langley, the Dover Assessor, while this property is new construction, she has not had anyone approach her asking for assessment relief because of their nearby location to this multiple dwelling development. In the nearby Town of Durham, there are a couple of multiple dwelling developments that are fairly comparable to the subject's proposed multiple dwelling development. On 9 Bayview Road, there is a two-residence development that was developed in 1983. This property is located on Bayview Road which, other than this property, is developed entirely with single-family homes. On 20 Strafford Avenue, there is a two-residence development that has an older residence that was constructed in 1935. In 2009, they were permitted to construct a second residence in the location of an older building creating an upgraded two-residence development. This property is located on Strafford Avenue which is developed with a mixture of single-family homes, multi-unit residential developments and university properties. Jim Rice, the Durham Assessor, indicated that there has not been any negative impact on the values of the surrounding properties that are in close proximity to these two multiple dwelling developments.

Two slightly older student housing buildings located at 26 & 28 Young Drive and 34 & 36 Young Drive in Durham that were constructed in 1968 were recently renovated into duplex residences. A new duplex residence was constructed at 7 Young Drive in 2022. All of these duplex residences are located in a residential zone in Durham that does not allow for duplex

residences. Young Drive also contains a couple of free-standing single-family homes. The surrounding area consists of a mixture of single-family homes, multi-tenant apartment buildings and scattered commercial developments. Jim Rice, the Durham Assessor, indicated that there has not been any negative impact on the values of the surrounding properties that are in close proximity to these duplex residential developments.

In the greater Portsmouth area, there is no exactly similar property from which to extract paired-sales. Therefore, only general observations can be made based on my experience in the marketplace. Over the past several years in the greater Sagamore Avenue area of Portsmouth, several new multi-unit residential developments have been constructed or are currently proposed. In general, the addition of these new residential developments has resulted in upgrading the overall condition of the neighborhood and therefore enhancing the overall desirability of the area.

It is my opinion that granting the requested variances for the subject property to be improved with two duplex residential buildings would not result in the diminution in value of the abutting property values in the immediate vicinity of the subject property and the proposed subject property would not change the characteristics of the neighborhood. In fact, the addition of the proposed subject property will add two attractive and modern duplex residences to the neighborhood that very well could enhance the value of the surrounding properties as it will add new residential units to a location that is currently under improved for the area.

Respectively submitted,



Brian W. White, MAI, SRA NHC#-52

ADDENDA

TABLE OF CONTENTS

Transmittal Letter	1-7
Addenda	8
Table of Contents	9
Photographs	10-24
Portsmouth Assessor's Card	25-26
Deed	27-28
Aerial View	29
Assessor's Map	30
Zoning Map	31-33
Flood Map	34
Zoning Information	35-58
Site Plan	59
Concept Plan – Three Lots	60
Proposed Two Duplex Plan	61
Building Plans	62-69
Certification	70
Qualifications of the Appraiser	71-73

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Front of the Subject Property
Looking Northeast from Sagamore Avenue - (9/2023)



Front of the Subject Property
Looking East from Sagamore Avenue - (9/2023)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Street Scene - Front of the Subject Property
Looking South on Sagamore Avenue - (9/2023)



Street Scene - Front of the Subject Property
Looking North on Sagamore Avenue - (9/2023)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Front of the Subject Property
Looking Northeast from Sagamore Avenue - (9/2023)



Front of the Subject Property
Looking Southeast from Sagamore Avenue - (9/2023)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Subject Property – Rear of the Residence
Looking Northwest from Rear Yard Area – (9/2023)



Subject Property – Rear of the Residence
Looking Northwest from Rear Yard Area – (9/2023)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Subject Property – Rear Deck & Yard & Proposed Location of Front Duplex
Looking South from Rear Yard Area – (9/2023)



Subject Property – Rear Shed & Proposed Location of Rear Duplex
Looking South from Rear Yard Area – (9/2023)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Subject Property – Front of the Subject Property
Looking South – (9/2023)



Subject Property – Proposed Access Drive Location – Duplex Development
Looking West – (9/2023)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



Subject Property – Proposed Access Drive Location – Conceptual Development
Looking East – (9/2023)



Subject Property – Southern Side of Residence
Looking East – (9/2023)

PHOTOGRAPHS OF THE NEIGHBORING PROPERTIES



View of Abutting Residence to the South of the Subject Property
Looking East - (9/2023)



View of Abutting Residence to the North of the Subject Property
Looking Northeast - (9/2023)

PHOTOGRAPHS OF THE REAR NEIGHBORING PROPERTIES



View of Rear Abutting residence from Rear of Subject Property
Looking Southeast - (9/2023)



View of Rear Abutting residence from Rear of Subject Property
Looking East - (9/2023)

PHOTOGRAPHS OF THE REAR NEIGHBORING PROPERTIES



View of Rear Abutting Residence from Rear of Subject Property
Looking Northeast - (9/2023)



View of Rear Abutting Garage & Residence from Rear of Subject Property
Looking Northeast - (9/2023)

PHOTOGRAPHS OF NEIGHBORING/COMPARABLE PROPERTIES



View of Sagamore Court Building – Directly Across from the Subject Property
Looking West - (9/2023)



View of Tidewatch Condominium development – Typical Townhouse Building
Looking East - (9/2023)

PHOTOGRAPHS OF NEIGHBORING/COMPARABLE PROPERTIES



View of Sagamore Court Development – Neighborhood Development
Looking Northwest from Tidewatch Access Road - (9/2023)



View of 635 Sagamore Avenue – Neighborhood Development
Looking Southwest from Sagamore Avenue - (9/2023)

PHOTOGRAPHS OF NEIGHBORING/COMPARABLE PROPERTIES



View of 792-796 Sagamore Avenue – Neighborhood Development
Looking Northeast from Sagamore Avenue - (9/2023)



View of 400 Guld Road, Dover, NH – Multiple Residence Development
Looking Northwest from Entry Drive - (9/2023)

PHOTOGRAPHS OF NEIGHBORING/COMPARABLE PROPERTIES



View of 9 Bayview Road, Durham, NH - Multiple Residence Development
Looking Southwest from Bayview Road - (9/2023)



View of 20 Strafford Avenue, Durham, NH - Multiple Residence Development
Looking North from Entry Drive - (9/2023)

PHOTOGRAPHS OF NEIGHBORING/COMPARABLE PROPERTIES

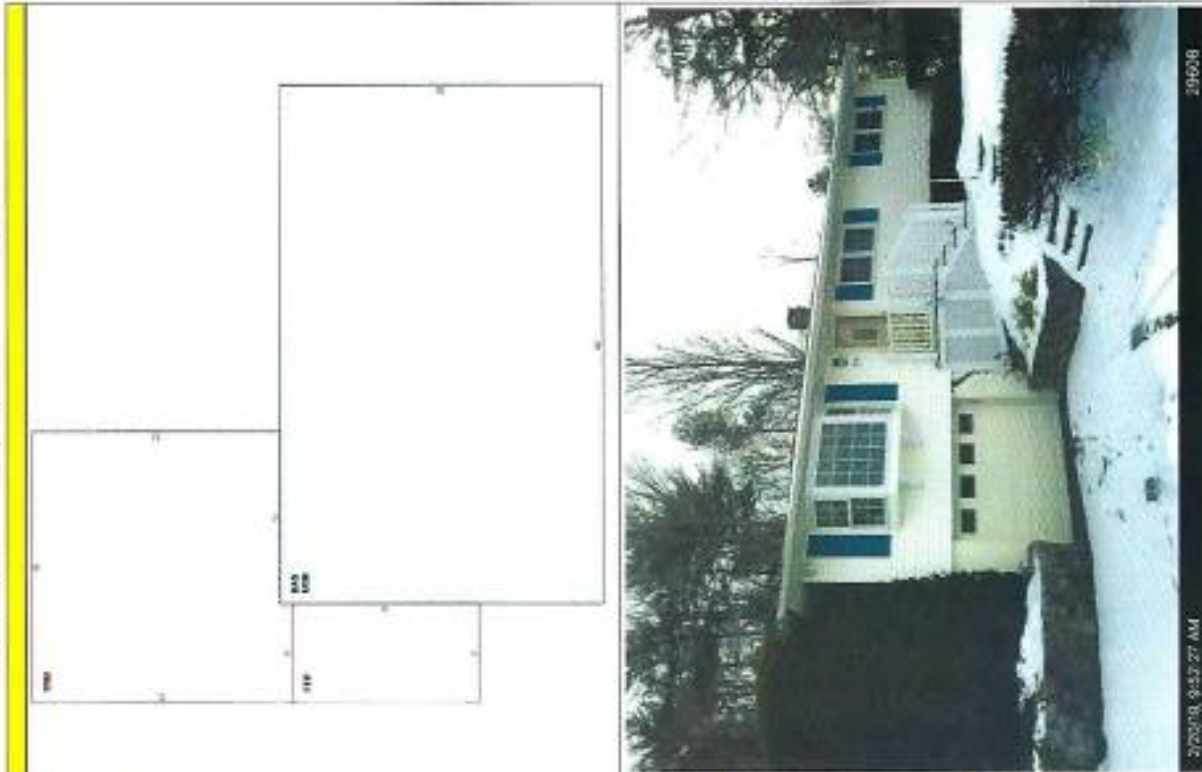


View of 26-36 Young Road, Durham, NH – Duplex Development
Looking North on Young Road - (9/2023)



View of 7 Young Road, Durham, NH - Duplex Development
Looking West from Young Road - (9/2023)

Property Location		Map D		Bldg Name		State Use	
550 SAGAMORE AVE	29608	0222/0011/0005/	1	0222/0011/0005/	1	1010	1010
Parcel ID	Account #	TOPO	UTILITIES	STRT/ROAD	LOCATION	Current Assessment	Print Date
29608	29608	1 Local	0 All Public	1 Paved		2278	10/31/2022 1:08:43 P
CURRENT OWNER		MOLFLOUZE FRANCES E REVOC T		RESIDENTL		Assessed	
MOLFLOUZE F ALEX T CAMERON P		550 SAGAMORE AVE		RES LAND		175,000	
PORTSMOUTH NH 03801		SUPPLEMENTAL DATA		RESIDENTL		270,100	
PREC 1/2 HSE		CORRIDOR				300	
GIS ID		29608				445,400	
RECORD OF OWNERSHIP		BK VOL/PAGE		SALE DATE		VC	
MOLFLOUZE FRANCES E REVOC TR OF 20		3690 2227		10-07-2013		0 44	
MOLFLOUZE FRANCES		3485 0942		04-04-1984		0	
EXEMPTIONS		Amount		Description		Number	
VETERAN-1		500.00				Amount	
Total		500.00				Exempt Int	
MIND		Name		Address		Branch	
112		ASSESSING NEIGHBORHOOD		1 Tracing			
NOTES		07/13- REPL WINDS; CHNG SHD; COND TO 30					
APPT LETTER 67/13		BUILDING PERMIT RECORD		Date Comp		Date Comp	
3405		1-10-2018 PL		100		REPLACING HOT WATER HE	
3511		11-30-2018 EL		100		REPLACE WIRING FROM CL	
B Use Code		Description		Zone		Frontage	
1 9010		SINGLE FAM M		SRB		43.9901 SF	
1 9010		SINGLE FAM M		SRB		0.480 AC	
Total Curd Land Units		1 AC		Parcel Total Land Area		1	
Total Appraised Parcel Value		445,400		VISIT/CHANGE HISTORY		Total Land Value	
Appraised Bldg. Value (Card)		170,360		Date		ID	
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Element	Code	Description	Element	Cd	Description	Percentage
Style: Residential	01	Resid				
Model: C+	01	Residential				
Stories: 1						
Occupancy: Exterior Wall 1	25	Vinyl Siding				100
Exterior Wall 2						
Roof Structure: Gable/Hip	03	Gable/Hip				0
Roof Cover: Asphalt/Gls/Cmp	03	Asphalt/Gls/Cmp				0
Interior Wall 1: Drywall/Sheet	05	Drywall/Sheet				0
Interior Wall 2						
Interior Flt 1: Carpet	14	Carpet				151.74
Interior Flt 2: Hard Shl/Gds	06	Hard Shl/Gds				
Heat Fuel: Oil	02	Oil				218,355
Heat Type: Warm Air	02	Warm Air				1960
AC Type: Central	03	Central				1967
Total Bedrooms: 3	03	3 Bedrooms				GD
Total Baths: 1	1	1 Bath				22
Total Half Baths: 0	0	0 Half Baths				
Total Xtra Rm: 5	5	5 Xtra Rm				1
Total Rooms: 1	1	1 Room				78
Bath Style: Kitchen Style	1	Kitchen Style				170,300
Kitchen Style: Kitchen Gr	0	Kitchen Gr				
WB Appliances: 0	0	0 WB Appliances				
Extra Openings: 0	0	0 Extra Openings				
Metal Finishes: 0	0	0 Metal Finishes				
Extra Openings: 0	0	0 Extra Openings				
Basement: 1	1	1 Basement				

Code	Description	Unit Price	Yr Bld	Cond	Cd	% Gld	Grade Adj	Appr Value
REC ROOM B	240	1987	A	78	C	1.00		4,700
SHD1 SHED FRAME L	96	13.00	F	30	D	0.90		300

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Est Area	Underpin Value	
BAS	First Floor	1,092	1,092	1,092	165,702	
FEP	Porch, Enclosed	0	64	64	12,746	
UBM	Basement, Unfinished	0	1,052	213	33,080	
WDK	Deck, Wood	0	448	45	6,828	
Tl Gross Liv / Usable Area					2,752	218,355



044882



2015 OCT -7 AM 10: 17

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That **FRANCES E. MOUFLOUZE**, a single person, of 550 Sagamore Avenue, Portsmouth, County of Rockingham, New Hampshire, for consideration paid, grants to **FRANCES E. MOUFLOUZE, AS CO-TRUSTEE OF THE FRANCES E. MOUFLOUZE REVOCABLE TRUST OF 2015 u/d/t dated September 24, 2015**, having a mailing address of 550 Sagamore Avenue, Portsmouth, County of Rockingham, New Hampshire, **TED W. ALEX, AS CO-TRUSTEE OF THE FRANCES E. MOUFLOUZE REVOCABLE TRUST OF 2015 u/d/t dated September 24, 2015**, having a mailing address of 104 Locke Road, Rye, New Hampshire and **PATRICIA CAMERON, AS CO-TRUSTEE OF THE FRANCES E. MOUFLOUZE REVOCABLE TRUST OF 2015 u/d/t dated September 24, 2015**, having a mailing address of 59 Old Mountain Road, Cape Neddick, Maine, with

WARRANTY COVENANTS,

the following described premises:

A certain lot or parcel of land with the buildings thereon, situate in Portsmouth, County of Rockingham and State of New Hampshire, bounded and described as follows:

Beginning at a point in the easterly sideline of Sagamore Avenue, so-called, at the northwesterly corner of the land herein conveyed, and at the southwesterly corner of land of one Michaud, formerly of Mary T. Trefethen, and thence running easterly by said land of said Michaud and land now or formerly of John Brownell, 450 feet, more or less, to a point at land of Richard C. and Marie E. Wilder; thence turning and running southerly by land of said Wilder, 143.82 feet to a set drill hole at land of Mildred Hewitt and Grace Bowden; thence turning and running westerly by said Hewitt and Bowden land and land now or formerly of one Fenwick, 271 feet, more or less, to a point; thence turning and running northerly 10 feet, thence turning and running westerly 200 feet, all by said Fenwick land, to Sagamore Avenue; thence turning and

running northerly by and along Sagamore Avenue, 140 feet, more or less, to the point of beginning.

Being the same premises conveyed to **FRANCES E. MOUFLOUZE** and **GEORGE S. MOUFLOUZE** by deed of Frances E. Moufrouze dated April 4, 1984, recorded in Rockingham County Registry of Deeds, Book 2485, Page 0342 and identified as 55 Sagamore Avenue, Portsmouth, New Hampshire.

GEORGE S. MOUFLOUZE is deceased as of August 25, 2015. Please see Death Certificate to be recorded prior hereto.

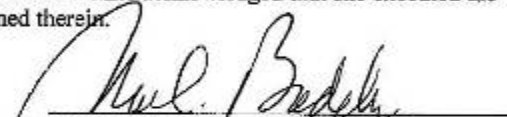
This conveyance is a non-contractual transfer pursuant to NH R.S.A. 78-B:2(IX) and only minimum state transfer tax applies.

Executed this 24th day of September, 2015.


FRANCES E. MOUFLOUZE

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this 24th day of September, 2015, before me, the undersigned officer, personally appeared **FRANCES E. MOUFLOUZE**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and further acknowledged that she executed the foregoing instrument for the purposes contained therein.


Justice of the Peace: Mae C. Bradshaw, Esq.
My Commission Expires: 02/08/2017

AERIAL VIEW



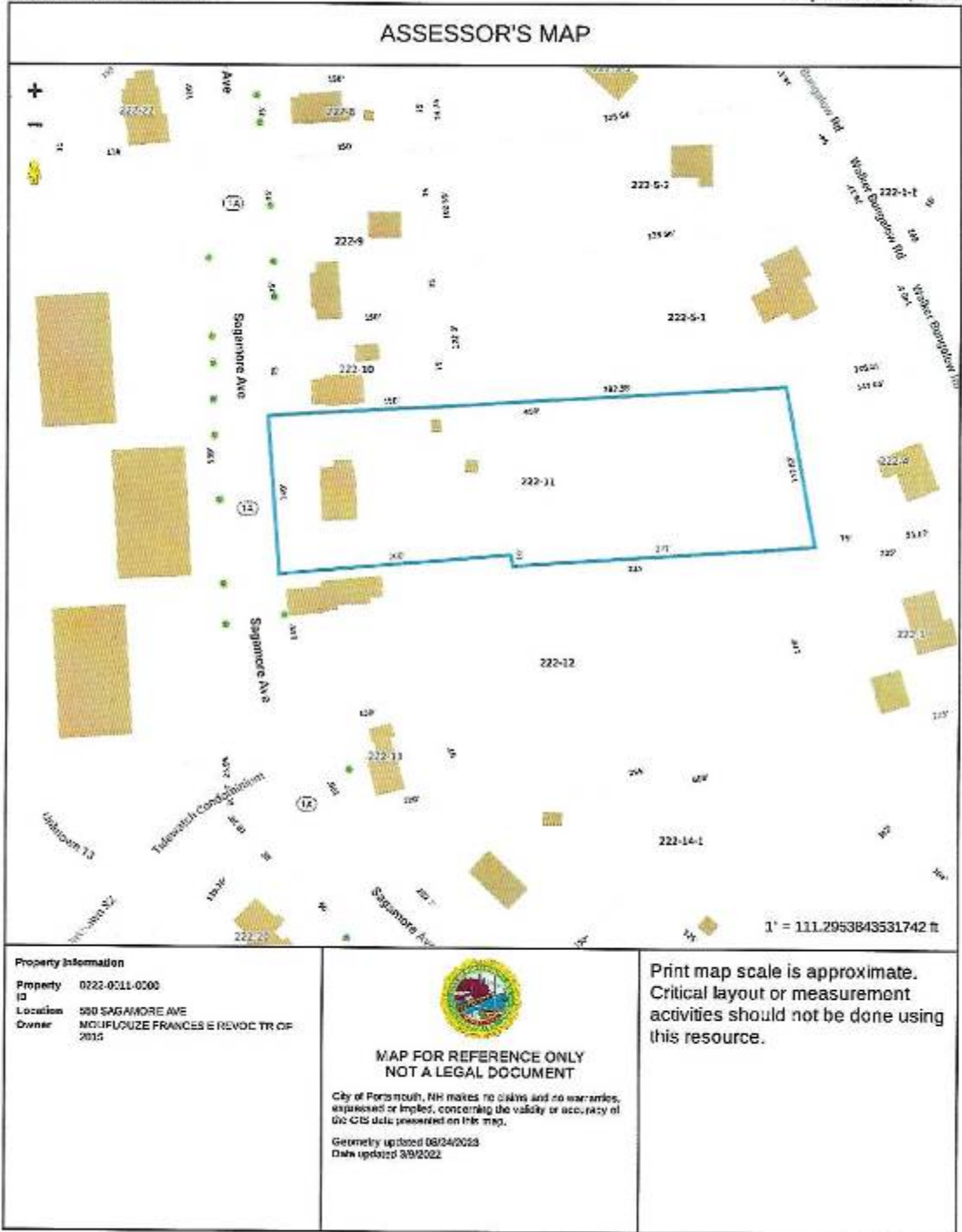
Property Information
 Property ID: 0322-0011-0000
 Location: 550 SAGAMORE AVE
 Owner: MOUFOUZE FRANCES E REVOC TR OF 2015

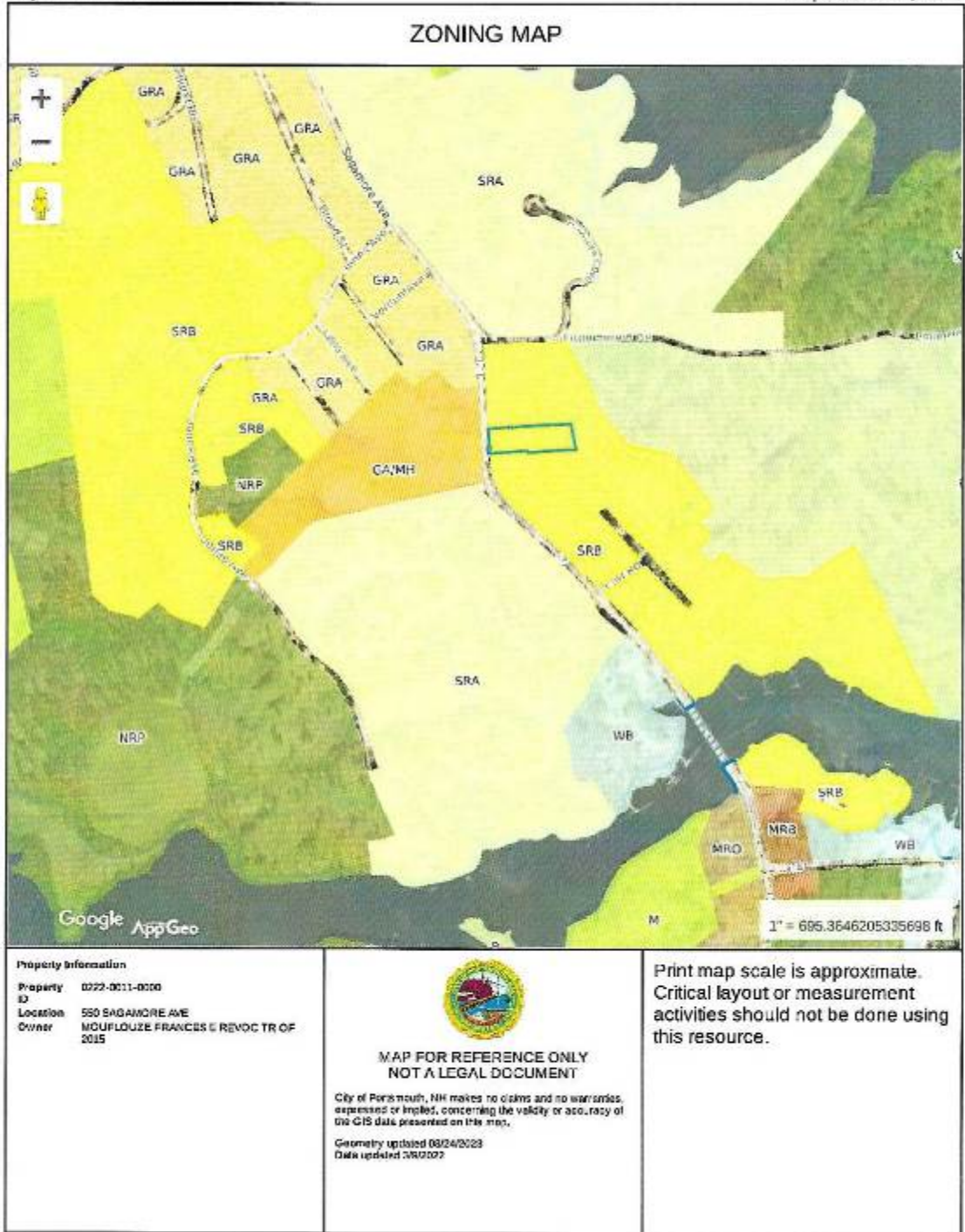


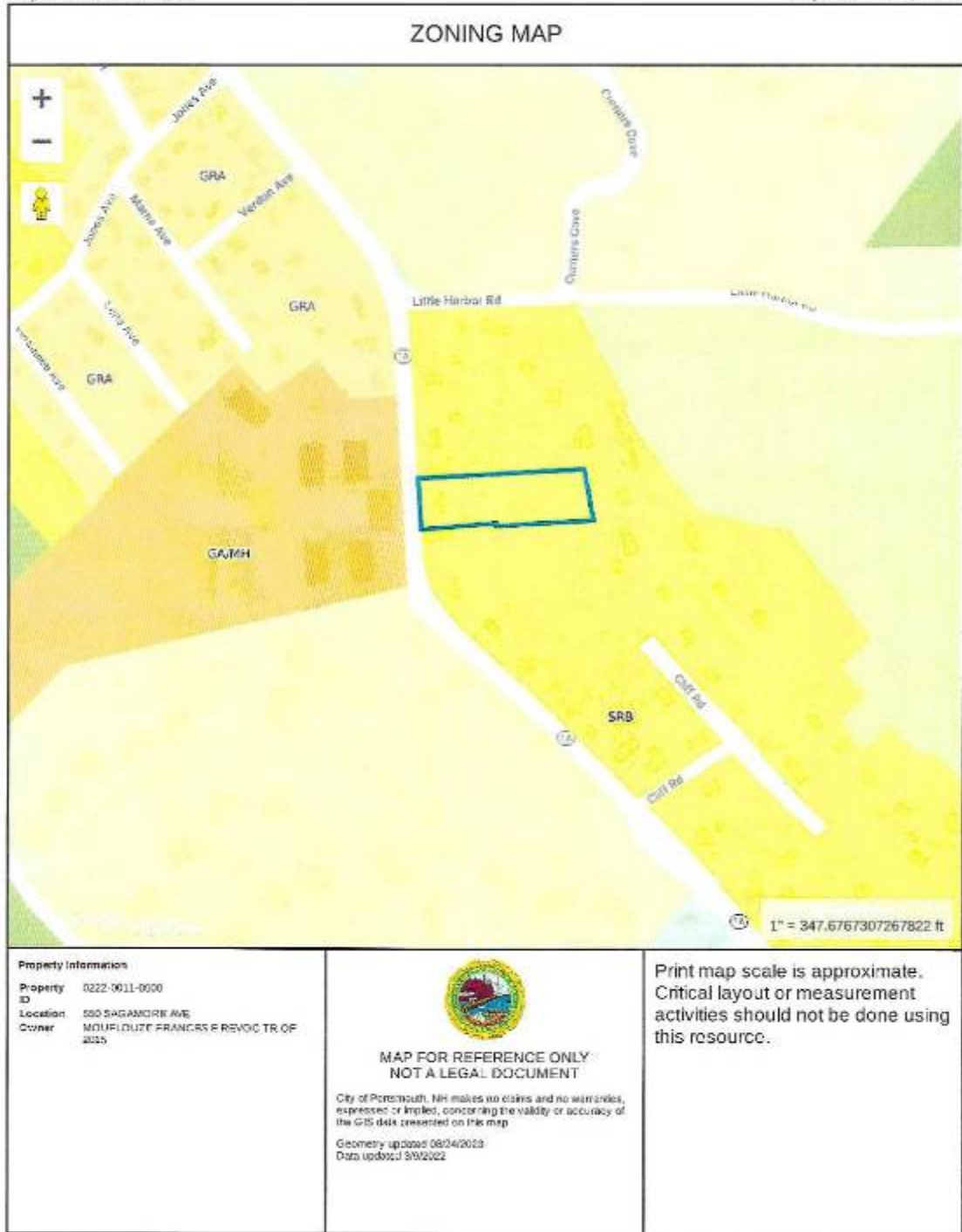
**VAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

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 Geometry updated 05/24/2023
 Data updated 05/02/23

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.





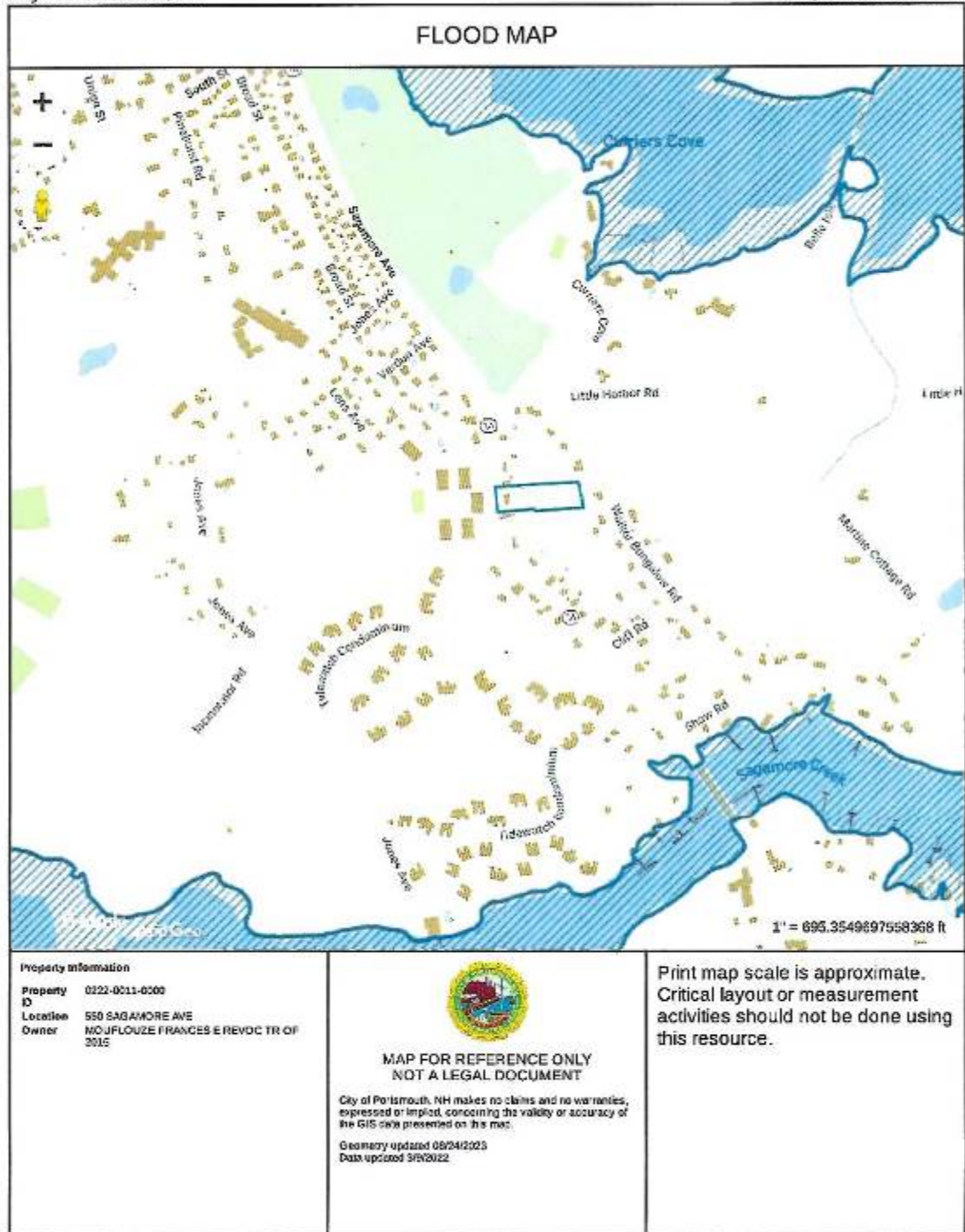


Map Theme Legends

Zoning

Residential Districts	
	R Rural
	SRA Single Residence A
	SRB Single Residence B
	GRA General Residence A
	GRB General Residence B
	GRC General Residence C
	GAM Garden Apartments/Mobile Home Park
Mixed Residential Districts	
	MRO Mixed Residential Office
	MRB Mixed Residential Business
	C1 Condominium
	G2 Gateway Center
Business Districts	
	GB General Business
	B Business
	NB Neighborhood Business
Industrial Districts	
	OR Office Research
	I Industrial
	WI Waterfront Industrial
Airport Districts	
	AIR Airport
	AI Airport Industrial
	PI Peak Industrial
	ABC Airport Business Commercial
Conservation Districts	
	M Municipal
	NRP National Resource Protection
Character Districts	
	CD5 Character District 5
	CD4 Character District 4
	CD4W Character District 4-W
	CD4-L1 Character District 4-L1
	CD4-L2 Character District 4-L2
Civic District	
	CIV Civic District
Municipal District	
	MUN Municipal District
Overlay Districts	
	CLOD Cooper Landing Overlay District
	DOW Downtown Overlay District
	HIS Historic District

City of Portsmouth



P = Permitted AP = Administrative Approval S = Special Exception CU = Conditional Use Permit N = Prohibited

Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts

Use	R	SRA	GRA	GRC	GA/	MRD	CD4-	MRB	CD5	GB	G1	G2	CD4-	WB	OR	I	WI	Supplemental Regulations
		SRB	GRB	(A)	ME	L1		L2	CDM									
I. Residential Uses																		
1.10 Single family dwelling	P	P	P	P	N	P	P	P	N	N	P	P	N	N	N	N	N	
1.20 Accessory dwelling unit																		10.814 (Accessory Dwelling Units)
1.21 Attached accessory dwelling unit (AADU)	AP	AP	AP	AP	N	AP	AP	AP	CU	N	CU	CU	N	N	N	N	N	
1.211 Up to 750 sq. ft. GLA and entirely within an existing single-family dwelling																		
1.212 Up to 750 sq. ft. GLA and in an expansion of an existing single-family dwelling	CU	CU	CU	CU	N	CU	CU	CU	N	N	CU	CU	N	N	N	N	N	

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Use	R		SRA		GRA		GRC		GA/		MRO		CD4-		MRB		CD5		GB		G1		G2		CD4-		WB		OR		1		WT		Supplemental Regulations							
	SRB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB	GRB	ARB							
1.22 Detached accessory dwelling unit (DADU)	CU	CU	AP	AP	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N					
1.221 Up to 600 sq. ft. GLA and entirely within an existing accessory building that conforms with the dimensional requirements of this Ordinance	CU	CU	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
1.222 Up to 750 sq. ft. GLA and entirely within an existing accessory building that conforms with the dimensional requirements of this Ordinance.	CU	CU	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.223 Up to 600 sq. ft. GLA in an existing accessory building that does not conform with the dimensional requirements of this Ordinance or includes the expansion of the existing accessory building.	CU	CU	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
1.224 Up to 750 sq. ft. GLA on a lot and in a new building that complies with all lot and building dimensional standards of this Ordinance for a single-family dwelling.	CU	CU	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

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Use	R		SRA		GRA		GRC		GA/		MRO		CD5		G1		G2		CD4-		WB		OR		1		W1		Supplemental Regulations	
	SRA	SRB	GRA	GRB	GA	(A)	MH	CD4-	L1	CD4-	L2	MRB	CD4	G1	G2	CD4-	W	WB	OR	1	W1									
1.30 Two-family dwelling	N	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.640 (Downtown Overlay district)	
1.40 Townhouse	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.640 (Downtown Overlay district)	
1.50 Multifamily dwelling	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.5A32 (Charter district permitted uses)	
1.51 3 or 4 dwelling units	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.640 (Downtown Overlay district)	
1.52 5 to 8 dwelling units	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.813 (Multifamily Dwellings in the Business District)	
1.53 More than 8 dwelling units	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.640 (Downtown Overlay District)	
1.60 Conversion of a building existing on January 1, 1980, with less than the required minimum lot area per dwelling unit specified in Article 5	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.812 (Conversion of Existing Dwelling to Multifamily Dwelling)	
1.61 To 2 dwelling units	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
1.62 To 3 or 4 dwelling units	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
1.63 To 5 to 8 dwelling units	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
1.64 To more than 8 dwelling units	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
1.70 Live/work unit	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
1.80 Manufactured housing park	N	N	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.816 (Manufactured Housing Park Dimensional Standards)	
1.90 Planned unit development (PUD)	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.720 (Planned Unit Developments)	
1.91 Open space PUD	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

P = Permitted AP = Administrative Approval S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRA	GRA GRB	GRC (A)	MH	MRO CD4- L1	CD4- L2	MRB	CD5 CD4	GB	G1	G2	CD4- WB W	OR	I	WI	Supplemental Regulations	
1.92 Residential density incentive PUD	N	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N		
2. Institutional Residence or Care Facilities																		
2.10 Assisted living facility	N	N	N	N	N	N	N	N	N	P	S	S	S	P	N	N		
2.11 Assisted living center	S	S	S	S	S	S	S	S	N	N	S	S	S	N	N	N		
2.12 Assisted living home	S	S	S	S	S	S	S	S	N	N	S	S	S	N	N	N		
2.20 Residential care facility	S	S	S	S	S	S	S	S	N	N	S	S	S	N	N	N		
2.21 5 or fewer residents	N	N	N	N	N	S	S	S	P	S	S	S	S	N	S	N		
2.22 More than 5 residents	N	N	N	N	N	S	S	S	P	S	S	S	S	N	S	N		
3. Educational, Religious, Charitable, Cultural and Public Uses																		
3.10 Place of assembly	S	S	S	N	N	S	S	S	S	S	S	S	S	S	N	N		
3.11 Religious	N	N	N	N	N	S	S	S	S	S	S	S	S	S	N	N		
3.12 Other nonprofit	N	N	N	N	N	S	S	S	S	S	S	S	S	S	N	N		
3.20 School	N	N	N	N	N	S	S	S	P	P	S	S	S	P	N	N		
3.21 Primary or secondary	N	N	N	N	N	S	S	S	P	P	S	S	S	P	N	N		
3.30 Post-secondary	N	N	N	N	N	S	S	S	P	P	S	S	S	P	N	N		

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Use	R		SRA		GRC		GA/		MH		MRO		CD4-		MRB		CD5		G1		G2		CD4-		WB		OR		I		WJ		Supplemental Regulations		
	S	N	S	R	S	R	S	A	G	A	M	H	L	L	L	L	L	CD4	CD4	G1	G1	G2	G2	CD4	CD4	WB	WB	OR	OR	I	I	WJ	WJ		
3.30 Historic preservation building	S	N	S	R	S	R	S	A <td>G</td> <td>A</td> <td>M</td> <td>H</td> <td>L</td> <td>L</td> <td>L</td> <td>L</td> <td>CD4</td> <td>CD4</td> <td>G1</td> <td>G1</td> <td>G2</td> <td>G2</td> <td>CD4</td> <td>CD4</td> <td>WB</td> <td>WB</td> <td>OR</td> <td>OR</td> <td>I</td> <td>I</td> <td>WJ</td> <td>WJ</td> <td>10.821 (Historic Preservation Buildings and Museums)</td>	G	A	M	H	L	L	L	L	CD4	CD4	G1	G1	G2	G2	CD4	CD4	WB	WB	OR	OR	I	I	WJ	WJ	10.821 (Historic Preservation Buildings and Museums)		
3.40 Museum	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.821 (Historic Preservation Buildings and Museums)		
3.50 Performance facility																																			
3.51 Indoor performance facility																																			
3.511 Occupancy up to 500 persons	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location)	
3.512 Occupancy more than 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.860 (hours of operation)	
3.52 Outdoor performance facility																																			
3.521 Occupancy up to 500 persons	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location)
3.522 Occupancy more than 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.822 (yards)
3.60 Consistency	S	N	S	R	S	R	S	A <td>G</td> <td>A</td> <td>M</td> <td>H</td> <td>L</td> <td>L</td> <td>L</td> <td>L</td> <td>CD4</td> <td>CD4</td> <td>G1</td> <td>G1</td> <td>G2</td> <td>G2</td> <td>CD4</td> <td>CD4</td> <td>WB</td> <td>WB</td> <td>OR</td> <td>OR</td> <td>I</td> <td>I</td> <td>WJ</td> <td>WJ</td> <td>10.860 (hours of operation)</td>	G	A	M	H	L	L	L	L	CD4	CD4	G1	G1	G2	G2	CD4	CD4	WB	WB	OR	OR	I	I	WJ	WJ	10.860 (hours of operation)		
3.70 Club, fraternal or service organization	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
3.80 Municipally operated park and related activities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	For other municipal uses see Section 10.460 (Municipal districts)
4. Recreational Uses																																			
4.10 Religious, sectarian or private non-profit recreational use	N	S	N	N	N	N	N	N	N	N	N	S	S	N	S	N	P	P	S	S	S	S	P	P	N	N	N	N	N	N	N	N	N	N	
4.20 Casino or similar indoor amusement use with no live performance	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.825 (misc)

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Use	R		SRA		GRB		CRC		GA/		CD4-		M3B		CD4-		G1		G2		CD4-		WB		OR		I		WI		Supplemental Regulations	
	SRB	GRB	GRB	(A)	MIT	LI	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2	CD4-	L2
4.30 Indoor recreation use, such as bowling alley or arcade	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.825 (noise) 10.860 (hours of operation)	
4.40 Health club, yoga studio, martial arts school, or similar use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
4.41 Up to 2,000 sq. ft. GFA*	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
4.42 More than 2,000 sq. ft. GFA	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location) 10.860 (hours of operation)	
4.50 Outdoor recreation use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
4.60 Amusement park, water park or theme park	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
S. Office Uses, Non-Medical																																
5.10 Professional office	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.833 (Mixed Residential districts)
5.20 Business office (incl. real estate office)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.833 (Mixed Residential districts)
5.30 Financial Institution	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
5.31 Financial services office	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
5.32 Retail bank	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
5.40 Social service campus	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
5.41 Nonresidential	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.823

*GFA = gross floor area.

As Amended Through August 7, 2023

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Use	R	SEA	GRA	CIRC	GAJ	MRO	CD4-	MRB	CD4	GB	G1	G2	CD4-	WB	OR	I	W1	Supplemental Regulations	
		SRB	CRB	(A)	MH	L1	L2						W						
5.42 Residential	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N		
5.50 Media studio	N	N	N	N	N	S	S	S	P	P	S	S	P	N	N	P	N		
5.51 Excluding any transmitting antennas tower	N	N	N	N	N	N	N	N	N	S	N	N	S	N	N	S	N	10.834	
5.52 Including accessory transmitting antennas tower	N	N	N	N	N	S	S	S	P	P	P	P	P	N	P	P	N		
5.60 Publishing facility or similar electronic production operation	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	S	N		
5.70 Call Center	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	S	N		
6. Medical Services and Health Care																			
6.10 Hospital	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N		
6.20 Medical offices and clinics (outpatient only)	N	N	N	N	N	S	S	S	P	P	P	P	P	P	P	N	N		
6.30 Clinics with inpatient care	N	N	N	N	N	N	N	N	N	S	S	N	S	N	S	N	N		
6.40 Ambulatory surgical center	N	N	N	N	N	N	N	N	N	S	S	N	S	N	S	N	N		
6.50 Substance abuse treatment facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
6.60 Psychiatric hospital for the criminally insane	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
7. Services, Other Than Health Care																			
7.10 Day Care																			

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Use	R		SRA		GRA		CIRC		GA/		MRO		CD4-		CD4-		CD5		GB		GI		G2		CD4-		WB		OR		I	WI	Supplemental Regulations
	SRA	SRB	GRA	GRB	GRA	GRB	(A)	MH	CD4-	L1	CD4-	L2	MIRB	CD4-	L1	CD4-	L2	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-	CD4-			
7.11 Family day care facility	P	P	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
7.12 Group day care facility including private preschool and kindergartens	S	S	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.824 (group day care facilities) 10.860 (hours of operation)	
7.20 Personal services	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
7.30 Consumer services such as copy shop, bicycle repair, and pet grooming	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
7.40 Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	All storage of materials and equipment shall be located within a building	
7.50 Veterinary Care	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.832	
7.60 Laundry and dry cleaning establishments	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
7.61 Drop-off/pick-up only for items to be dry cleaned or laundered off site	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
7.62 Self-service laundry for use by the general public	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
7.63 Dry cleaning establishment with on-site cleaning facilities.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

P = Permitted AP = Administrative Approval S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	SRA		GRA		GRC		GA/		MRO		CD4- MIB		CD5		GB		GI		G2		CD4- WB		OR		1		WT		Supplemental Regulations		
	R	SRB	GRB	(A)	MH	LI	CD4- L2	CD4- MIB	CD5	GB	GI	G2	CD4- WB	OR	1	WT															
7.70 Underlaking establishment, funeral parlor or mortuary chapel, excluding crematorium	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
8. Retail Trade																															
8.10 Convenience goods																															
8.11 Convenience goods 1																															
8.111 Hours of operation between 6:00 AM and 11:00 PM	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
8.112 24 hours per day operation	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
8.12 Convenience goods 2																															
8.121 Hours of operation between 6:00 AM and 11:00 PM	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
8.122 24 hours per day operation	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
8.30 Retail sales conducted within a building																															
8.31 Not marine-related	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
8.32 Marine-related	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
8.40 Shopping center																															
8.50 Retail sales, large format																															
8.60 Fish market																															
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10,860 (hours of operation)	

As Amended Through August 7, 2023

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Use	R	SRA	GRA	GRC	G/A/	MRO	CD4-	MRB	CD4-	CD5	GB	GI	G2	B	CD4-	WB	OR	I	WI	Supplemental Regulations	
		SRB	GRB	(A)	MH	L1	L2	L3	CD4-	CD4				W							
8.70 Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods	N	N	N	N	N	N	S	S	P	P	P	P	P	P	N	N	N	P	N	Maximum of 5 persons employed in manufacture	
8.80 Sexually oriented business	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	10.930 (Sexually Oriented Businesses)	
9. Eating and Drinking Places																					
9.10 Nightclub or bar																					
9.11 Occupant load less than 250	N	N	N	N	N	N	N	N	P	P	P	P	S	N	N	N	N	N	N	10.590 (location)	
9.12 Occupant load from 250 to 500	N	N	N	N	N	N	N	N	S	S	S	S	S	N	N	N	N	N	N		
9.13 Occupant load greater than 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.20 Restaurant, take-out only																					
9.30 Restaurant, fast food	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	N	N	N	N		
9.40 Restaurant, place of public assembly or function room	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	N	N	N	N	10.590 (location) 10.860 (hours of operation)	
9.41 Occupant load less than 50	N	N	N	N	N	N	P	N	P	P	P	P	P	P	N	N	N	N	N		
9.42 Occupant load from 50 to 250	N	N	N	N	N	N	N	N	P	P	P	P	S	S	N	N	N	N	N		
9.43 Occupant load from 250 to 500	N	N	N	N	N	N	N	N	P	S	S	S	S	S	N	N	N	N	N		
9.44 Occupant load greater than 500	N	N	N	N	N	N	N	N	S	S	S	S	S	S	N	N	N	N	N		
9.50 Permanently moored vessel used as restaurant or bar, with occupant load less than 250	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

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Use	R	SRA	GRA	GRC	GA/	MRO	CD4-	MRB	CD5	GB	G1	G2	B	CD4-	WB	OR	I	WI	Supplemental Regulations
		SRB	GRB	(A)	MH	L1	L2		CD4				W						
10. Lodging Establishments																			
10.10 Boarding house	N	N	N	N	N	N	N	N	N	S	S	N	S	N	N	N	N	N	
10.20 Bed and breakfast	N	N	S	N	N	S	S	P	P	N	S	S	P	N	N	N	N	N	
10.21 Bed and Breakfast 1	N	N	N	N	N	S	S	P	P	N	S	S	P	N	N	N	N	N	
10.22 Bed and Breakfast 2	N	N	N	N	N	S	S	P	P	N	S	S	P	N	N	N	N	N	
10.30 Inn	N	N	N	N	N	N	S	S	P	P	S	S	P	N	N	N	N	N	
10.40 Hotel or motel	N	N	N	N	N	N	N	N	P	S	S	S	N	N	N	P	N	N	10.836 (Office Research districts)
10.41 Up to 125 rooms	N	N	N	N	N	N	N	N	P	S	S	S	N	N	N	P	N	N	
10.42 126 to 250 rooms	N	N	N	N	N	N	N	N	P	S	S	S	N	N	N	S	N	N	
10.42 251 to 500 rooms	N	N	N	N	N	N	N	N	P	S	S	S	N	N	N	N	N	N	
10.43 More than 500 rooms	N	N	N	N	N	N	N	N	P	S	S	S	N	N	N	N	N	N	
10.50 Conference hotel	N	N	N	N	N	N	N	N	P	P	S	N	N	N	N	N	N	N	
10.60 Conference center	N	N	N	N	N	N	N	N	P	P	S	N	N	N	N	N	N	N	
11. Motor Vehicle-Related Uses																			
11.10 Sales, renting or leasing of passenger cars and light trucks, motorcycles, tractors, snowmobiles and small power equipment (e.g., lawnmowers), including necessary repair services	N	N	N	N	N	N	N	N	N	P	S	N	S	N	N	N	N	N	10.592 (location) 10.843 (motor vehicle related uses)

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Use	R	SRB	GRC	GA/	MIRG	CD5	GB	G1	GZ	CD4-	WB	OR	J	WI	Supplemental Regulations
	SRB	GRC	GA/	CD4-	LI	CD4-	MRB	LI	LI	W					
11.20 Motor vehicle service station, motor vehicle repair or washing facility for passenger cars and light trucks	N	N	N	N	N	N	N	N	S	S	N	S	N	N	10.581 (for area) 10.592 (location) 10.843 (motor vehicle related uses)
11.30 Sales, rental, leasing, distribution, and repair of trucks over 10,000 lb gross vehicle weight (GVW), recreational vehicles, marine craft or manufactured housing, and related equipment	N	N	N	N	N	N	N	N	S	S	N	S	N	N	10.581 (for area) 10.592 (location) 10.843 (motor vehicle related uses)
11.40 Impound lot (principal or accessory use)	N	N	N	N	N	N	N	N	N	N	N	N	S	N	
11.50 Truck fueling facility	N	N	N	N	N	N	N	N	N	N	N	N	S	N	10.581 (for area) 10.592 (location) 10.843 (motor vehicle related uses)
11.60 Truck terminal	N	N	N	N	N	N	N	N	N	N	N	N	S	N	10.581 (for area) 10.592 (location) 10.843 (motor vehicle related uses)
12. Marine Craft Related Uses															
12.10 Boat landings, boat docks, boatbuses and associated marine uses															
12.11 Non-commercial	P	P	P	P	P	P	P	P	P	P	P	P	N	N	
12.12 Fishing boat landing 1	N	S	S	N	N	N	N	N	N	N	N	N	N	P	0.837.10 (Residential districts)
12.13 Fishing boat landing 2	N	N	N	N	N	N	N	N	N	N	N	N	N	P	
12.20 Marinas															

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Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MEH	MRD CD4- L1	CD4- L2	MRB	CD5 CD4	GB	GI	G2	B CD4- W	WB	OR	I	WI	Supplemental Regulations	
12.21 With no repair, servicing or fueling facilities.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
12.22 With repair, servicing or fueling facilities.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	10.581 (lot area) 10.592 (location) 10.860 (hours of operation)	
12.30 Repair of commercial marine craft and marine-related structures.	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	S	P	10.581 (lot area) 10.592 (location) 10.860 (hours of operation)	
12.40 Landside support facility for commercial passenger vessel	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	P		
13. Wholesale Trade, Warehousing and Distribution																			
13.10 Wholesale use																			
13.11 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N
13.12 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
13.20 Wholesale sales devoted to, and in the same establishment as, a permitted retail use																			
13.21 Occupying up to 20% of gross floor area of establishment	N	N	N	N	N	N	N	N	N	P	P	S	N	P	N	N	N	N	N

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Use	R	SRA	GRA	GRC	GA/	MRO	CD4-	CD4-	CD4-	CD5	GB	G1	G2	CD4-	WB	OR	I	WI	Supplemental Regulations	
		SRB	GRB	(A)	MH	L1	L2	L3	MIK	CTM				W						
13.22 Occupying 21% to 40% of gross floor area of establishment	N	N	N	N	N	N	N	N	N	N	P	N	N	P	N	N	N	N		
13.30 Wholesale lumber yards, lumber and contractor sales																				
13.31 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
13.32 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	S	
13.40 Warehousing or distribution of non-flammable, non-hazardous materials, not classified as a high hazard use																				
13.41 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
13.42 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	
14. Industrial Uses																				
14.10 Light Industry																				
14.11 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	S	S	S	N	N	N	N	P	N	
14.12 Marine-dependent	N	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	P	P	
14.20 Research and development																				
14.21 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	S	S	N	S	N	S	N	P	N	
14.22 Marine-dependent	N	N	N	N	N	N	N	N	N	N	S	N	N	S	P	S	P	P	P	

As Amended Through August 7, 2023

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Use	R	SRA	GRA	GRC	GA/	MRO	CDM-	MIRB	CD5	GB	G1	G2	B	CD4-	WB	OR	I	W1	Supplemental Regulations	
		SRB	GRB	(A)	MH	L1	L2	CD4-	CD4				W							
14.30 Food processing																				
14.31 Not including seafood processing	N	N	N	N	N	N	N	N	N	P	S	N	N	N	N	N	P	P		10.592 (location) 10.851 (use contained in building)
14.32 Including seafood processing	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	S	S		
14.40 Electronics manufacturing																				
14.40 Electronics manufacturing	N	N	N	N	N	N	N	N	N	S	S	N	S	N	N	N	P	N		
14.50 General manufacturing																				
14.51 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	S	S	N	N	N	N	P	N		
14.52 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	S		
14.60 Biological or chemical laboratory																				
14.61 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N		
14.62 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	S		
14.70 Recycling facility or recycling plant																				
14.70 Recycling facility or recycling plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N		10.592 (location) 10.853
14.80 High hazard use, including other uses listed in this section but not including uses described in 14.90																				
14.80 High hazard use, including other uses listed in this section but not including uses described in 14.90	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N		10.593 (location)

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Use	R		SRA		GRA		GRC		GA/		MRO		CD4-		CD4-		CD4-		WB		OR		I		WI		Supplemental Regulations
	SRB	GRB	GRB	(A)	MH	LI	CD4-	L2	MEB	CD4	CD5	GB	G1	G2	CD4-	WB	OR	W	OR	OR	OR	OR	OR	OR	OR	OR	
14.00 Storage (other than normal accessory use), processing, disposal, or transfer of petroleum, petrochemicals, natural gas and liquid petroleum products, coal, alcohol, wood pulp, solid or liquid waste, junk or hazardous waste as classified by Federal or State law	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
15. Transportation and Utilities																											
15.10 Public or private transformer station, substation, pumping station or automatic telephone exchange, not including any business office, storage yard or storage building																											
15.11 Essential to service the area in which it is located	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
15.12 Providing community-wide or regional service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
15.20 Heliport or helipad																											
15.21 Helipad, as an accessory use to a permitted hospital use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
15.22 Heliport	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

As Amended Through August 7, 2023

4-22

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Use	R	SRB	GRA	GRC	GA	MRO	CD4-	MRE	CD4	CB	G1	G2	CD4-	WB	OR	I	WI	Supplemental Regulations
	SRB	GRA	GRC	GA	MRO	CD4-	MRE	CD4	CB	G1	G2	CD4-	WB	OR	I	WI		
	SRB	GRA	GRC	GA	MRO	CD4-	MRE	CD4	CB	G1	G2	CD4-	WB	OR	I	WI		
	SRB	GRA	GRC	GA	MRO	CD4-	MRE	CD4	CB	G1	G2	CD4-	WB	OR	I	WI		
16. Wireless Telecommunications Facilities																		
16.10 Satellite dish receiver 42 inches or less in diameter:																		
16.11 Building-mounted, maximum height less than or equal to 4 feet from the roof surface:	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
16.12 Ground-mounted, complying with all yard requirements for the district:	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
16.20 Satellite dish receiver more than 42 inches in diameter:																		
16.21 Building-mounted, maximum height less than or equal to 4 feet from the roof surface:	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
16.22 Ground-mounted, complying with all yard requirements for the district:	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
16.30 Whip antenna not more than 30 feet in height:	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
16.40 Other wireless telecommunications facility not included above:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
																		10.460 (Municipal districts) 10.930 (Wireless telecommunications facilities)

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Use	R		SIA		GRC		GA/		MRD		CD4-		CD4-		B		CD4-		WB		OR		I		WI		Supplemental Regulations		
	S	S	GRA	GRB	(A)	MH	LI	CD4-	L2	MRB	CD4	CD5	GB	G1	G2	CD4-	W	W	W	W	W	W	W	W	W	W	W	W	
17. Agricultural Uses																													
17.10 Farms, not including the keeping of farm animals	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
17.20 Keeping of farm animals	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
18. Temporary Uses																													
18.10 Construction trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.20 Temporary structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.21 Up to 30 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
18.22 31 to 90 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
18.23 91 to 180 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
18.24 More than 180 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
18.30 Manufactured housing not on a foundation, or temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.31 Up to 180 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
18.32 More than 180 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

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Use	SRA		GRA		GRC		GA/		MRO		CD5		CD4-		B		Supplemental Regulations		
	R	SRB	GRB	GRA	GRB	(A)	MH	LI	CD4-	L2	MRB	CD4	G1	G2	CD4-	WB		OR	WI
18.40 Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food	N	N	N	N	N	N	N	N	N	N	N	P	P	S	N	P	N	P	P
19. Accessory Uses																			
19.10 Accessory use to a permitted principal use, but not including any outdoor storage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
19.20 Home occupation																			
19.21 Home occupation 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N
19.22 Home occupation 2	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	N	N	N
19.30 Concessions and services located within the principal building	N	N	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
19.40 Drive-through facility, as accessory use to a permitted principal use	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU	N	CU	N	N	N
19.50 Outdoor dining or drinking area, as accessory use to a permitted principal use	N	N	N	N	N	N	N	N	N	CU	N	P	P	P	CU	N	N	N	N
20. Accessory Storage																			
20.10 Indoor storage of motor vehicles or boats as an accessory use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Section 10.520 Residential and Mixed Residential Districts

10.521 Table of Dimensional Standards – Residential and Mixed Residential Districts¹

	R	SRA	SRB	GRA	GRB	GRC	GA/MH	MRO	MRB
Minimum Lot Dimensions									
Lot area	5 acres	1 acre	15,000 sf	7,500 sf	5,000 sf	3,500 sf	5 acres	7,500 sf	7,500 sf
Lot area per dwelling unit	5 acres	1 acre	15,000 sf	7,500 sf	5,000 sf	3,500 sf	10,000 sf	7,500 sf	7,500 sf
Continuous street frontage	NA	150'	100'	100'	80'	70'	N/A	100'	100'
Depth	NA	200'	100'	70'	60'	50'	N/A	80'	80'
Minimum Yard Dimensions									
Front	50'	30'	30' ²	15'	5'	5'	30' ^{2,4}	5'	5' ²
Side	20'	20'	10'	10'	10'	10'	25'	10'	10'
Rear	40'	40'	30'	20'	25'	20'	25'	15'	15'
Maximum Structure Dimensions									
Structure height									
Sloped roof	35'	35'	35'	35'	35'	35' ³	35' ^{3,4}	40'	40'
Flat roof	35'	30'	30'	30'	30'	30'	35' ^{3,4}	30'	30'
Roof appurtenance height	8'	8'	8'	8'	8'	8'	8'	10'	10'
Building coverage	5%	10%	20%	25%	30%	35%	20% ⁴	40%	40%
Minimum open space	75%	50%	40%	30%	25%	20%	50%	25%	25%

Notes: NA = Not Applicable NR = No Requirement

1. See Article 5A and Article 5B for dimensional standards in Character and Gateway Neighborhood Mixed Use Districts.
2. See Section 10.533 for special front yard requirements on Lafayette Road.
3. Within the General Residence C and Garden Apartment/Mobile Home Park districts an additional 8' of height may be added to the maximum structure height in order to provide for multifamily dwellings that include vehicular parking spaces located within the residential building itself, if the additional height results in increased open space when compared to a site plan showing what open spaces would remain if required parking spaces were located in the open and in accessory structures.
4. See Section 10.816 for requirements within a manufactured housing park.

10.522 Multifamily Dwellings

The maximum **building length** of a **multifamily dwelling** shall not exceed 160 feet.

Section 10.530 Business and Industrial Districts
 10.531 Table of Dimensional Standards – Business and Industrial Districts¹

	B	GB	WB	I	WI	OR
Minimum Lot Dimensions						
Lot Area	20,000 sf	43,560 sf	20,000 sf	2 acres	2 acres	3 acres ²
Lot Area per dwelling unit	2,500 sf	NR	NR	N/A	N/A	N/A
Continuous street frontage	100'	200'	100'	200'	200'	300' ²
Depth	80'	100'	100'	200'	200'	300' ²
Minimum Yard Dimensions						
Front	20'	30'	30'	70'	70'	50' ²
Side	15'	30'	30'	50'	50'	75' ²
Rear	15'	50'	20'	50'	50'	50'
Maximum Structure Dimensions						
Structure height	50'	60'	35'	70' ³	70' ³	60' ³
Roof appurtenance height	10'	10'	10'	10'	10'	10'
Building coverage	35%	30%	30%	50%	50%	30%
Floor Area Ratio	NR	NR	NR	NR	NR	NR
Minimum open space	15%	20%	20%	20%	20%	30%

Notes:
 1. See Article 5A and Article 5B for dimensional standards in Character and Gateway Neighborhood Mixed Use Districts.
 2. See Section 10.532.10 for requirements for lots adjacent to North Mill Pond.
 3. See Section 10.532.20 for reduced structure height within 200' of North Mill Pond or Piscataqua River.
 N/A – Not Applicable NR = No Requirement

PROPOSED TWO-DUPLEX PLAN



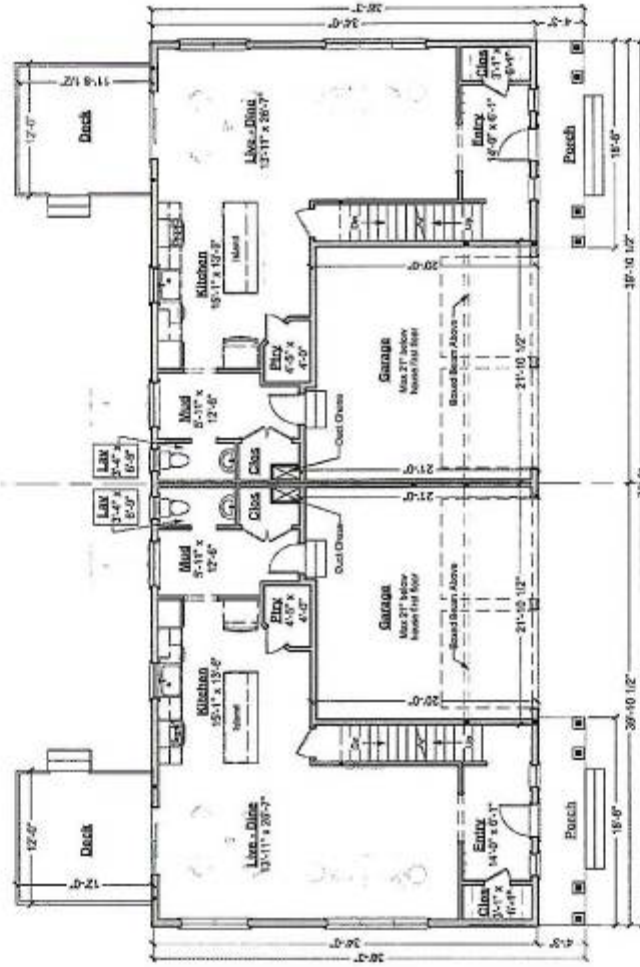
Sweet Peekaboo Duplex
418.224 (08/2023)

NOTE: To scale as noted only if printed on 11x17 paper with no scaling (as not "fit").

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Art Form Architecture, LLC
603-431-8550



Living Area: 12'-0" x 12'-0"
 Typical - 525 sq ft per unit (to the outside face of framing, for comparison to similar single family)
 Condo - 863 sq ft per unit (to the inside face of framing, usual Condo measurement)
 8 ft Ceilings

First Floor Plan
Scale: 1/8" = 1'-0"

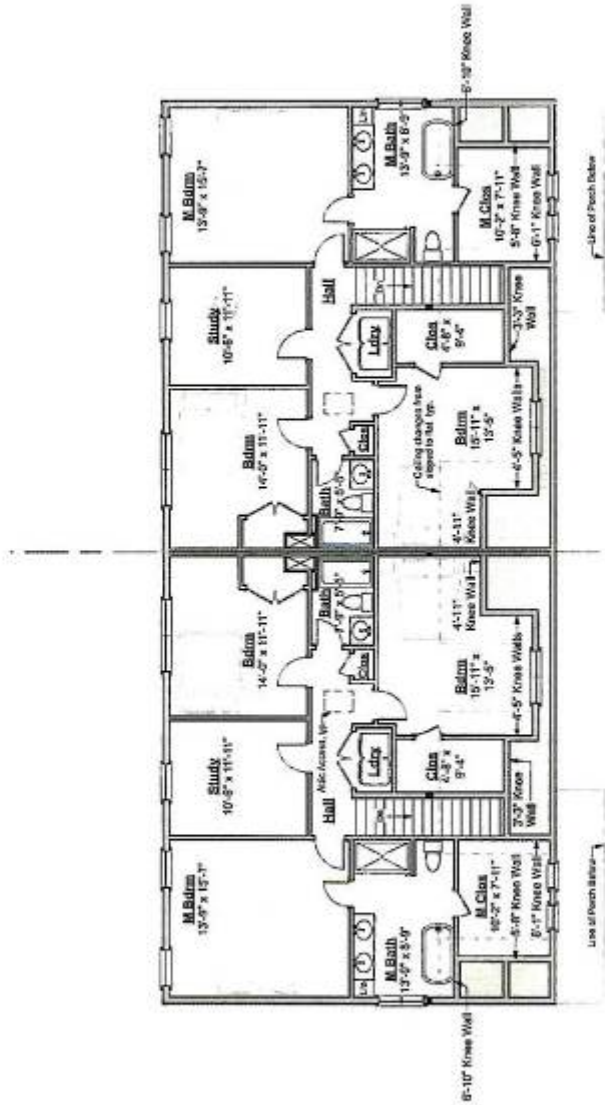
Sweet Peekaboo Duplex
418.224 (8/8/2023)

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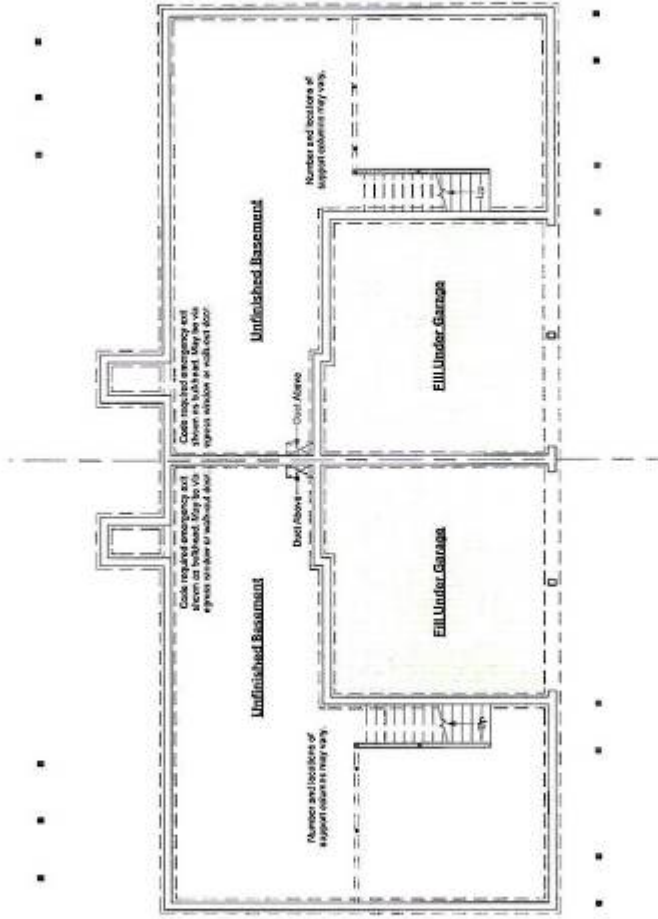


603-631-6039



Living Area this Floor:
 Typical - 1244 sq ft per unit (to this outside face of framing, for comparison to similar single family)
 Condo - 1178 sq ft per unit (to the inside face of framing, usual Condo convention)
 8 ft Ceilings

Second Floor Plan
Scale: 1/8" = 1'-0"



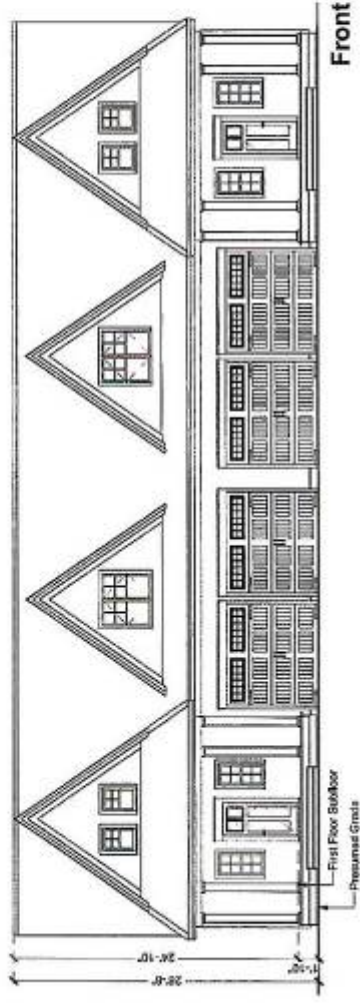
Foundation Plan
Scale: 1/8" = 1'-0"

Sweet Peekaboo Duplex
418.224 (08/2023)

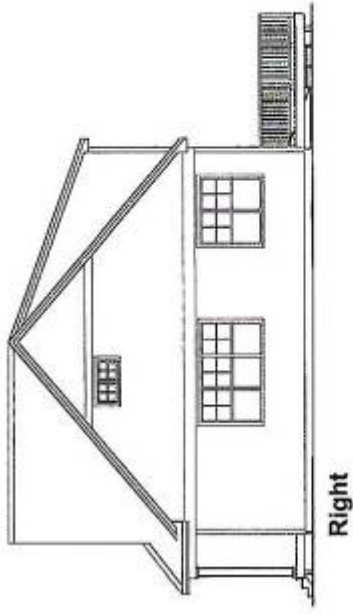
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603-431-9696



Front



Right

Elevations
Scale: 1/8" = 1'-0"

Sweet Peekaboo Duplex
4.18.224 (8/9/2023)

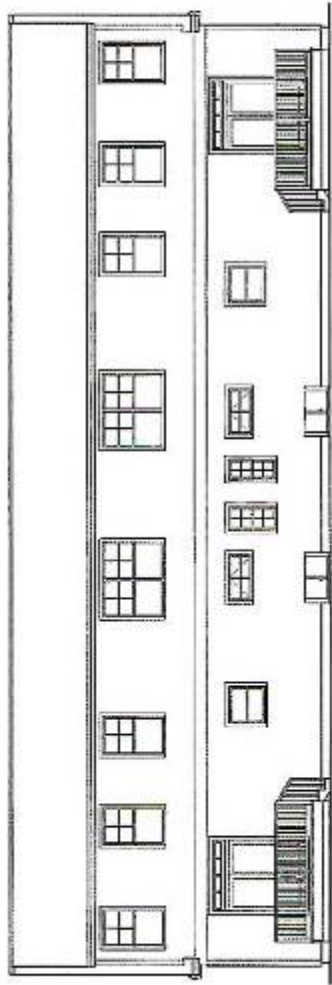
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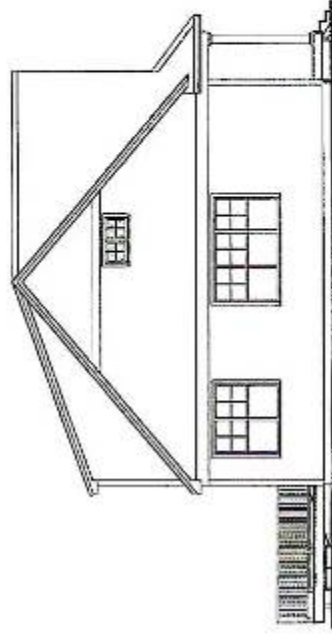


Art Farm Architecture, LLC

603-437-8559



Rear



Left

Elevations
Scale: 1/8" = 1'-0"

Sweet Peekaboo Duplex
41B.224 (6/8/2023)

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603-431-6689



Interior Views - First Floor
Left Side Unit (Right Side Unit is Mirror Image)

Sweet Peekaboo Duplex
418.224 (6/8/2023)

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A Art Farm Architecture, LLC
603-431-9569



Interior Views - Second Floor
Left Side Unit (Right Side Unit is Mirror Image)



CERTIFICATION

I do hereby certify that, except as otherwise noted in this report:

1. the statements of fact contained in this report are true and correct;
2. the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, unbiased professional analyses, opinions and conclusions;
3. I have no present or prospective interest in the property which is the subject of this report and I have no personal interest or bias with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
5. my engagement in this assignment was not contingent upon developing or reporting predetermined results;
6. my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal;
7. my analysis, opinions, and conclusions, were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice;
8. Brian W. White, MAI, SRA a made a personal inspection of the property that is the subject of this report;
9. no one has provided significant real property appraisal assistance to the persons signing this certification;
10. I have prepared no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment;
11. the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute;
12. the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
13. as of the date of this report, Brian W. White, MAI, SRA, has completed the continuing education program for Designated Members of the Appraisal Institute.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Brian W. White".

Brian W. White, MAI, SRA NHC#52

Qualifications of the Appraiser

Brian W. White, MAI, SRA

Professional Designations:

Member, Appraisal Institute (**MAI**) – Awarded by the Appraisal Institute. MAI #9104
Senior Residential Appraiser (**SRA**)

Employment:

1989 to Present White Appraisal – Dover, NH
President – Senior Appraiser
Owner of White Appraisal, a commercial and residential
real estate appraisal firm. Complete appraisals on all
types of commercial and residential properties.
Consulting.

1988 Finlay Appraisal Services – Portsmouth, NH
Senior Vice President/Chief Operations Officer
Oversaw the operation of four appraisal offices. Completed commercial
and residential appraisals on all types of properties.

1985 Finlay Appraisal Services – Portsmouth, NH
and Appraisal Services Manager – South Portland, ME. Completed
commercial and residential appraisals on all types of properties.

Education:

Mitchell College
Associate of Arts, Liberal Studies

University of Southern Maine
Bachelors of Science, Business Administration
Bus 022 Real Estate Law
Bus 023 Real Estate Practice
Bus 025 Real Estate Valuation

American Institute of Real Estate Appraisers
1A-1 Real Estate Appraisal Principles
1A-2 Basic Valuation Procedures
1B-A Cap. Theory and Technique (A)
1B-B Cap. Theory and Technique (B)
2-3 Standards of Pro. Practice
2-4 Exam #7 Industrial Valuation

Society of Real Estate Appraisers
101 Intro. To Appraising Real Property
102 Applied Residential Property Valuation
201 Prin. Of Income Property Appraising
202 Applied Income Property Valuation

Recent Appraisal Institute Classes:
Introduction to Appraising Green Buildings – 2011
USPAP Update - 2013
USPAP Update - 2015
Introduction to Land Valuation - 2016
USPAP Update- 2017

Education (Continued):

USPAP Update- 2019
Business Practices & Ethics- 2021
USPAP 2022/2023 Update- 2021

Recent Seminars:

Appraising Energy Efficient Residential Properties – 2018
Commercial Real Estate Roundtable – 2019
Appraiser Essentials with CRS and Green Fields – 2019
Land Development & Residential Building Costs – 2019
Myths in Appraiser Liability – 2019
Appraising in Uncertain Times – 2019
Market Trends in NH Real Estate – 2020
Appraising Commercial Properties during a Pandemic – 2020
Defining the Appraisal Problem: Sleuthing for the Approaches to Value- 2021
Forest Valuation- 2021
Appraiser Essentials Paragon MLS- 2021
Residential Building Systems- 2021
2021-2022 NH Market Insights- 2021
Implications for Appraisers of Conservation Easement Appraisals- 2022
NH's Housing Market & Covid: What a Long, Strange Road It's Been!- 2022
Current Residential & Commercial Valuation Concerns- 2022
Commercial Real Estate Markets in Turbulent Times- 2023
NH in a Time of Virus: Are We in Recovery? An Economist's View- 2023
Dealing with Atypical Properties or Assignment Conditions- 2023

Appointments:

Board of Directors – New Hampshire Chapter of the Appraisal
Institute - 1991 to 1993; 2000 to 2010 and 2015-2018
Vice President - New Hampshire Chapter of the Appraisal Institute – 2011-2012 & 2019
President – New Hampshire Chapter of the Appraisal Institute – 2013 & 2014

Experience:

Review Chairperson – New Hampshire Chapter of the Appraisal
Institute – 1994 to 2010

Licenses:

N.H. Certified General Appraiser #NHCG -52, Expires 4/30/2025

Partial List of Clients:

Banks:

Androscoggin Bank
Granite Bank
Federal Savings Bank
Sovereign Bank
Eastern Bank
Century Bank
TD Bank
Kennebunk Savings Bank
Northeast Federal Credit Union
Profile Bank
Peoples United Bank
Key Bank
Optima Bank and Trust
Provident Bank

Attorneys:

John Colliander
Karyn Forbes
Michael Donahue
Richard Krans
Simone Massy
Samuel Reid
Daniel Schwartz
Robert Shaines
William Shaheen
Steve Soloman
Gerald Giles
Ralph Woodman
Gayle Braley
Fred Forman

Others:

City of Dover
Town of Durham
University of New Hampshire
Wentworth-Douglass
The Homemakers
Strafford Health Alliance
Goss International
Chad Kageleiry
Gary Levy
Stan Robbins
Daniel Philbrick
Keith Frizzell
Chuck Cressy
John Proulx

State of New Hampshire



Real Estate Appraisers Board

Authorized as
Certified General Appraiser

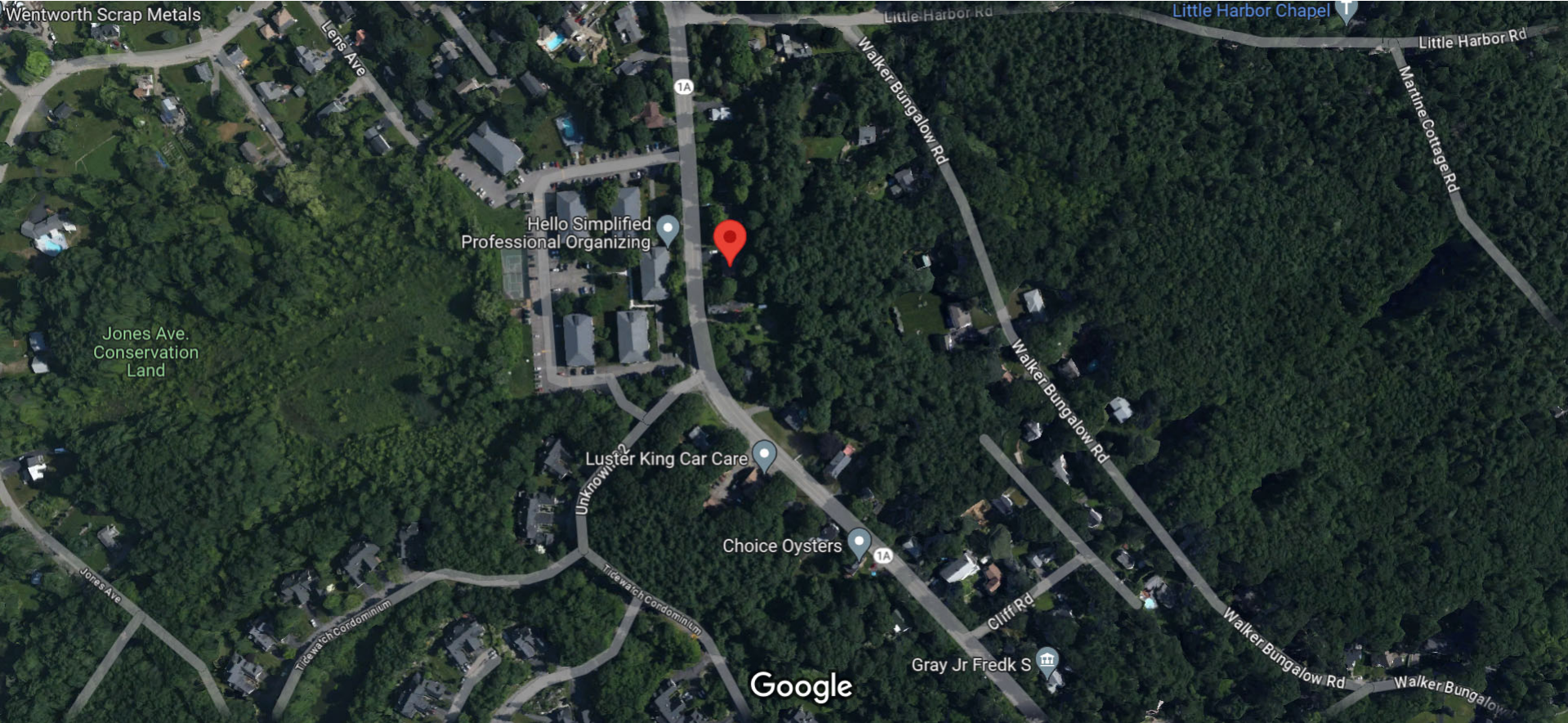
Issued To
BRIAN W WHITE

License Number: NHCG-52

Active

Issue Date: 01/01/1992

Expiration Date: 04/30/2025



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Portsmouth, New Hampshire

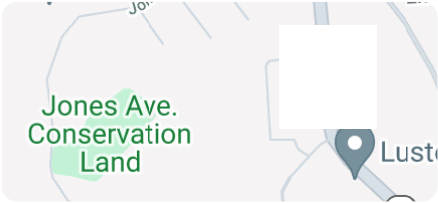
Google Street View

Sep 2019

See more dates



Image capture: Sep 2019 © 2024 Google





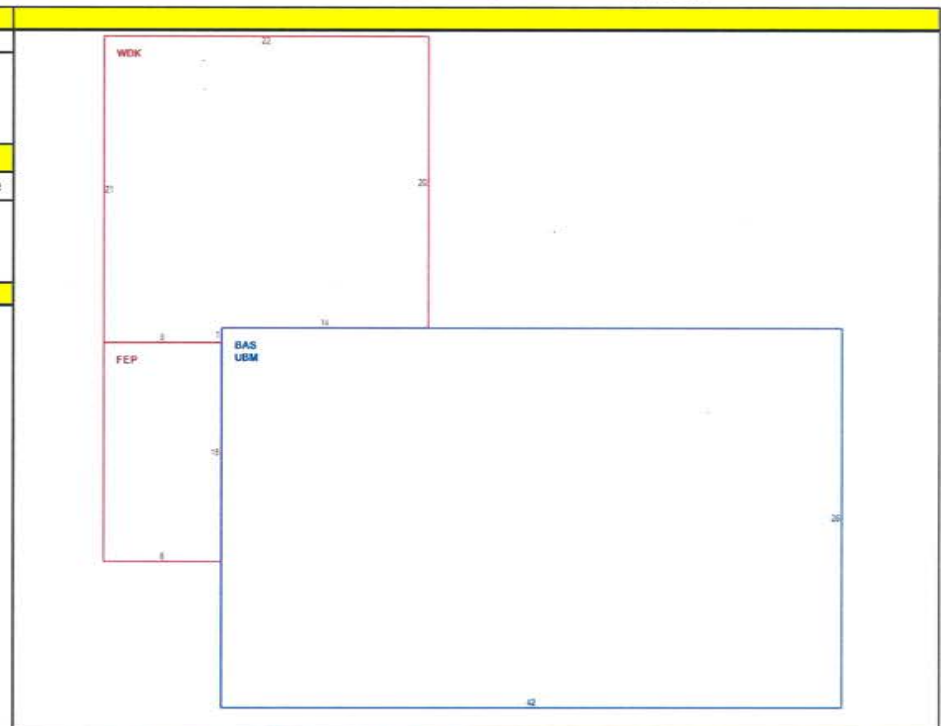




CURRENT OWNER		TOPO	UTILITIES	STRY/ROAD	LOCATION	CURRENT ASSESSMENT				2229 PORTSMOUTH, NH VISION								
MOUFLOUZE FRANCES E REVOC T MOUFLOUZE F ALEX T CAMERON P 550 SAGAMORE AVE PORTSMOUTH NH 03801		1 Level	0 All Public	1 Paved		Description	Code	Appraised	Assessed									
		8 Landscaped				RESIDNTL	1010	175,000	175,000									
		SUPPLEMENTAL DATA				RES LAND	1010	270,100	270,100									
		Alt Prcl ID 0222-0011-0000-0000	CONDO C			RESIDNTL	1010	300	300									
		OLDACTN 8920	INLAW Y/															
		PHOTO	LOT SPLIT															
		WARD	2015 Reva	JM														
		PREC.	Ex/Cr Appli															
		1/2 HSE																
		GIS ID 29608	Assoc Pid#															
						Total		445,400	445,400									
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)										
MOUFLOUZE FRANCES E REVOC TR OF 20 MOUFLOUZE FRANCES		5660 2227	10-07-2015	U	I		0 44	Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed		
		2485 0342	04-04-1984				0	2021	1010	175,000	2020	1010	175,000	2019	1010	174,500		
									1010	270,100		1010	270,100		1010	270,100		
									1010	300		1010	300		1010	300		
								Total		445,400	Total		445,400	Total		444,900		
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor										
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int										
2008	1	VETERAN-1	500.00															
			Total					500.00										
ASSESSING NEIGHBORHOOD																		
Nbhd		Nbhd Name		B		Tracing		Batch										
112																		
NOTES																		
07/13- REPL WINDS; CHNG SHD1 COND TO 30																		
APPT LETTER 6/7/13																		
BUILDING PERMIT RECORD										VISIT / CHANGE HISTORY								
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments		Date	Id	Type	Is	Cd	Purpost/Result			
34005	12-03-2018	PL	Plumbing	1,400	02-20-2019	100		REPLACING HOT WATER HE		02-20-2019	BH	02		50	Building Permit			
35111	11-30-2018	EL	Electric	500	02-20-2019	100		REPLACE WIRING FROM OL		07-04-2017	PM			FR	Field Review Stat Update			
										04-17-2015	RT			FR	Field Review Stat Update			
										07-01-2013	JM			10	Measu/LtrSnt No Respons			
										10-13-2000	SS		1	1	Entry + Sign INACTIVE			
LAND LINE VALUATION SECTION																		
B	Use Code	Description	Zone	Frontage	Depth	Land Units	Unit Price	Size Ad	Site	Cond.	ST Idx	S.I. Adj.	Notes- Adj	Special Pricing	Adj Unit P	Land Value		
1	1010	SINGLE FAM M	SRB			43,560 SF	4.16	1.0000	1	0.95	112	1.500	-5% traffic	1.0000	5.93	258,200		
1	1010	SINGLE FAM M	SRB			0.480 AC	16,500	1.0000	0	1.00	112	1.500		1.0000	24,750	11,900		
Total Card Land Units						1 AC	Parcel Total Land Area						1	Total Land Value				270,100

EXHIBIT G

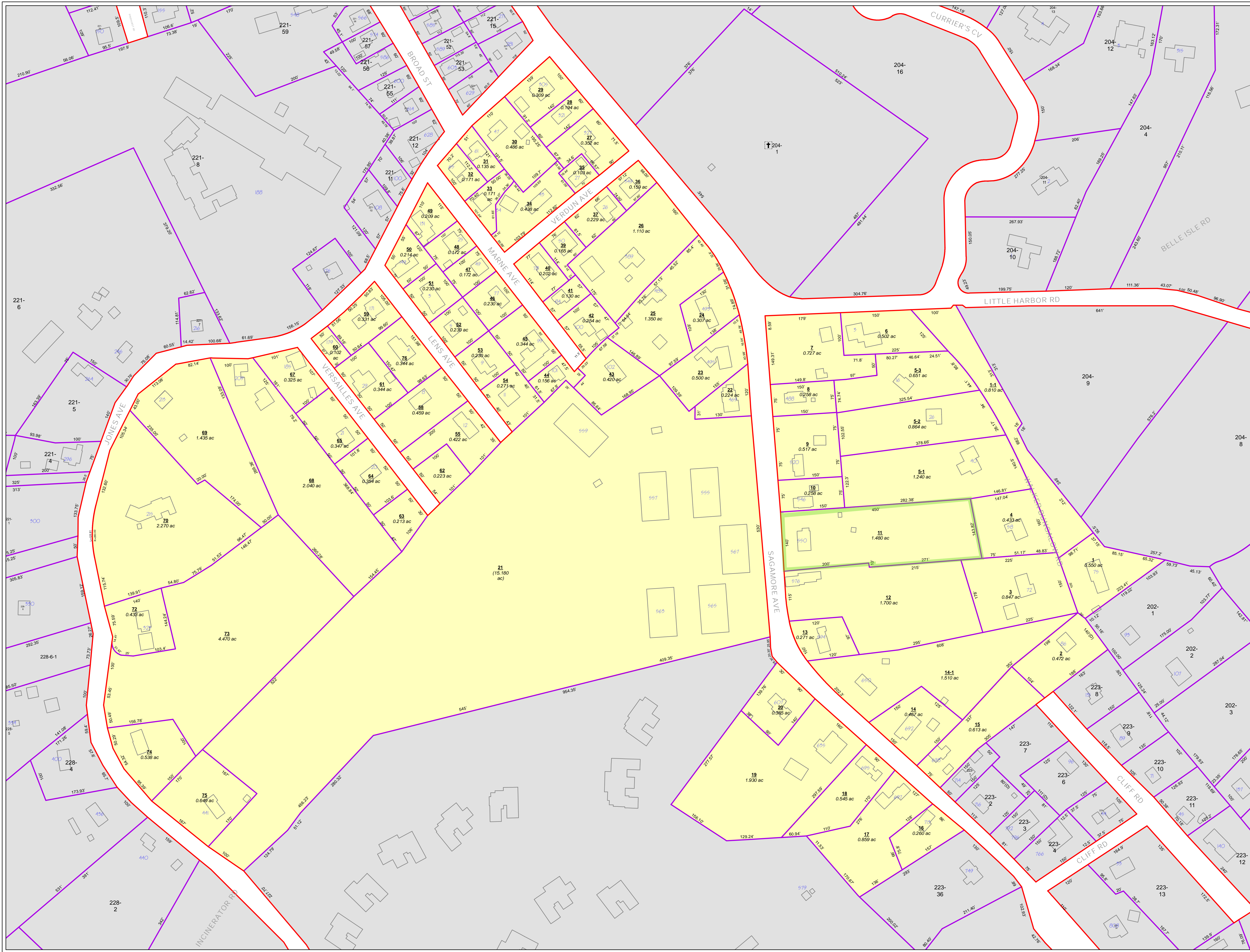
CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	01	Ranch			
Model:	01	Residential			
Grade:	C+	C+			
Stories:	1				
Occupancy	1				
Exterior Wall 1	25	Vinyl Siding			
Exterior Wall 2					
Roof Structure:	03	Gable/Hip			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	05	Drywall/Sheet			
Interior Wall 2					
Interior Flr 1	14	Carpet			
Interior Flr 2	06	Inlaid Sht Gds			
Heat Fuel	02	Oil			
Heat Type:	02	Warm Air			
AC Type:	03	Central			
Total Bedrooms	03	3 Bedrooms			
Total Bthrms:	1				
Total Half Baths	1				
Total Xtra Fixtrs	0				
Total Rooms:	5				
Bath Style:	1	Avg Quality			
Kitchen Style:	1	Avg Quality			
Kitchen Gr					
WB Fireplaces	0				
Extra Openings	0				
Metal Fireplace	0				
Extra Openings	0				
Bsmt Garage	1				
			MIXED USE		
			Code	Description	Percentage
			1010	SINGLE FAM MDL-01	100
					0
					0
			COST / MARKET VALUATION		
			Adj. Base Rate		151.74
			Building Value New		218,356
			Year Built		1960
			Effective Year Built		1997
			Depreciation Code		GD
			Remodel Rating		
			Year Remodeled		
			Depreciation %		22
			Functional Obsol		
			External Obsol		
			Trend Factor		1
			Condition		
			Condition %		
			Percent Good		78
			RCNLD		170,300
			Dep % Ovr		
			Dep Ovr Comment		
			Misc Imp Ovr		
			Misc Imp Ovr Comment		
			Cost to Cure Ovr		
			Cost to Cure Ovr Comment		



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
REC	REC ROOM	B	240	25.00	1997	A	78	C	1.00	4,700
SHD1	SHED FRAME	L	96	13.00	1970	F	30	D	0.90	300

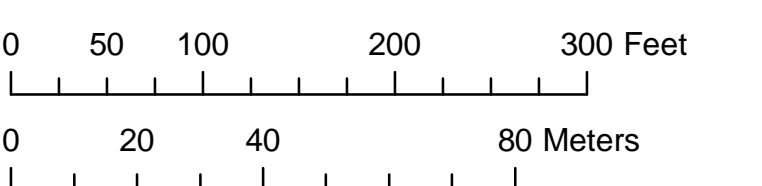
BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,092	1,092	1,092	151.74	165,702
FEP	Porch, Enclosed	0	120	84	106.22	12,746
UBM	Basement, Unfinished	0	1,092	218	30.29	33,080
WDK	Deck, Wood	0	448	45	15.24	6,828
Ttl Gross Liv / Lease Area		1,092	2,752	1,439		218,356



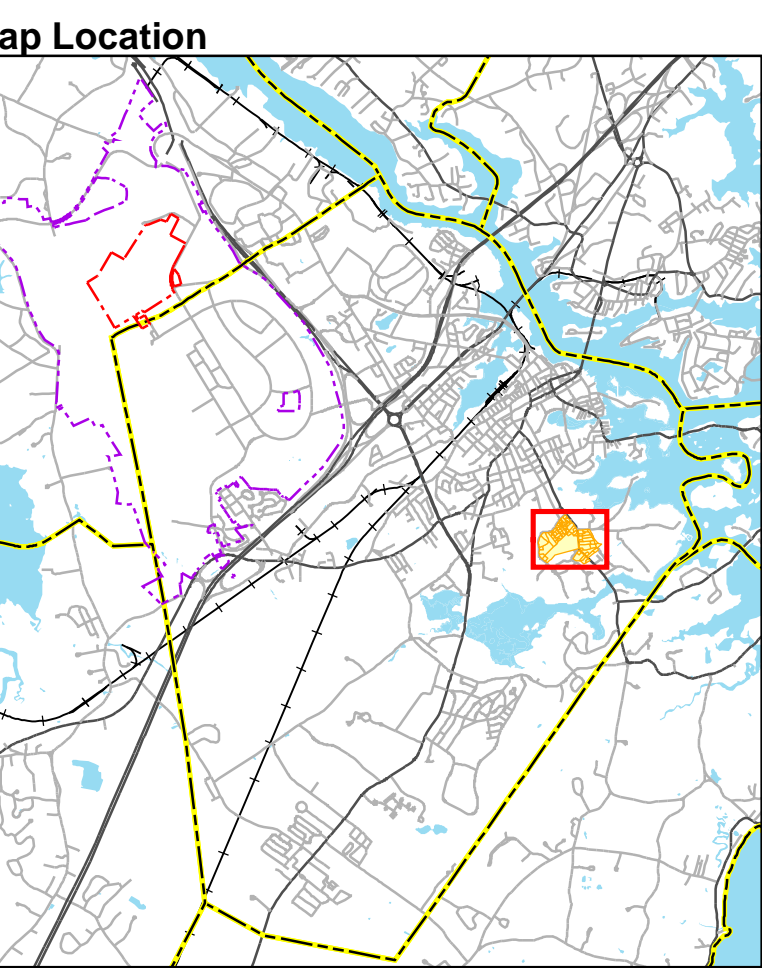
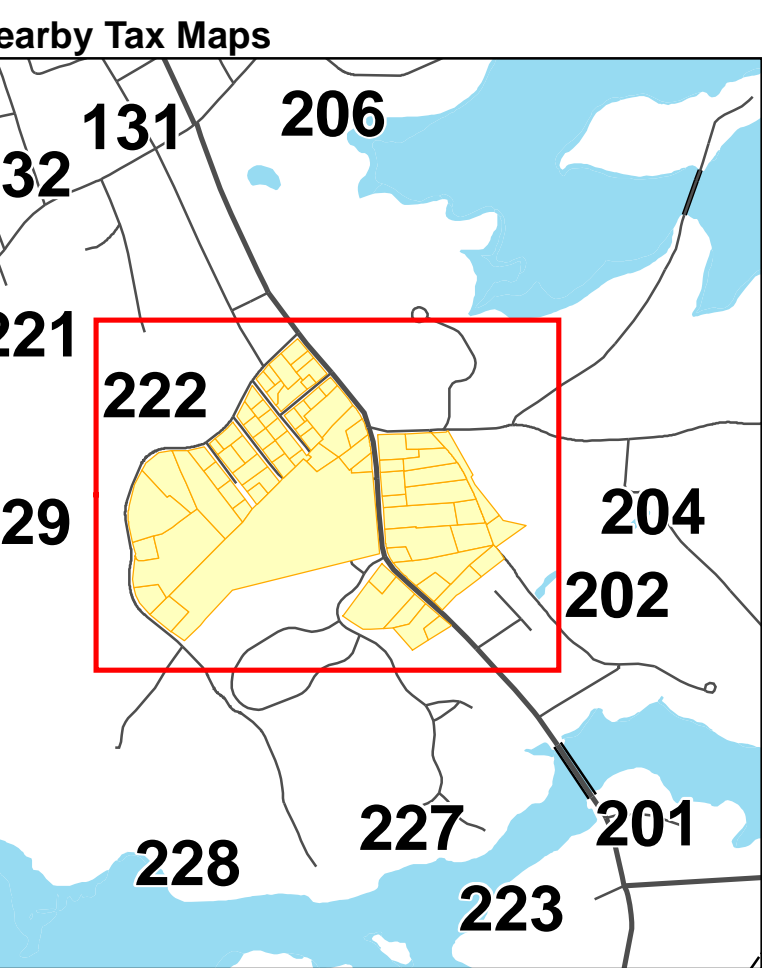


- Partial Legend**
 See the cover sheet for the complete legend.
- 7-5A** Lot or lot-unit number
 - 2.56 ac Parcel area in acres (ac) or square feet (sf)
 - 25 Address number
 - 233-137 Parcel number from a neighboring map
 - 68 Parcel line dimension
 - Street name
- SIMS AVE
- Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structure (1994 data)
- Parcel covered by this map
 - Parcel from a neighboring map (see other map for current status)

EXHIBIT H

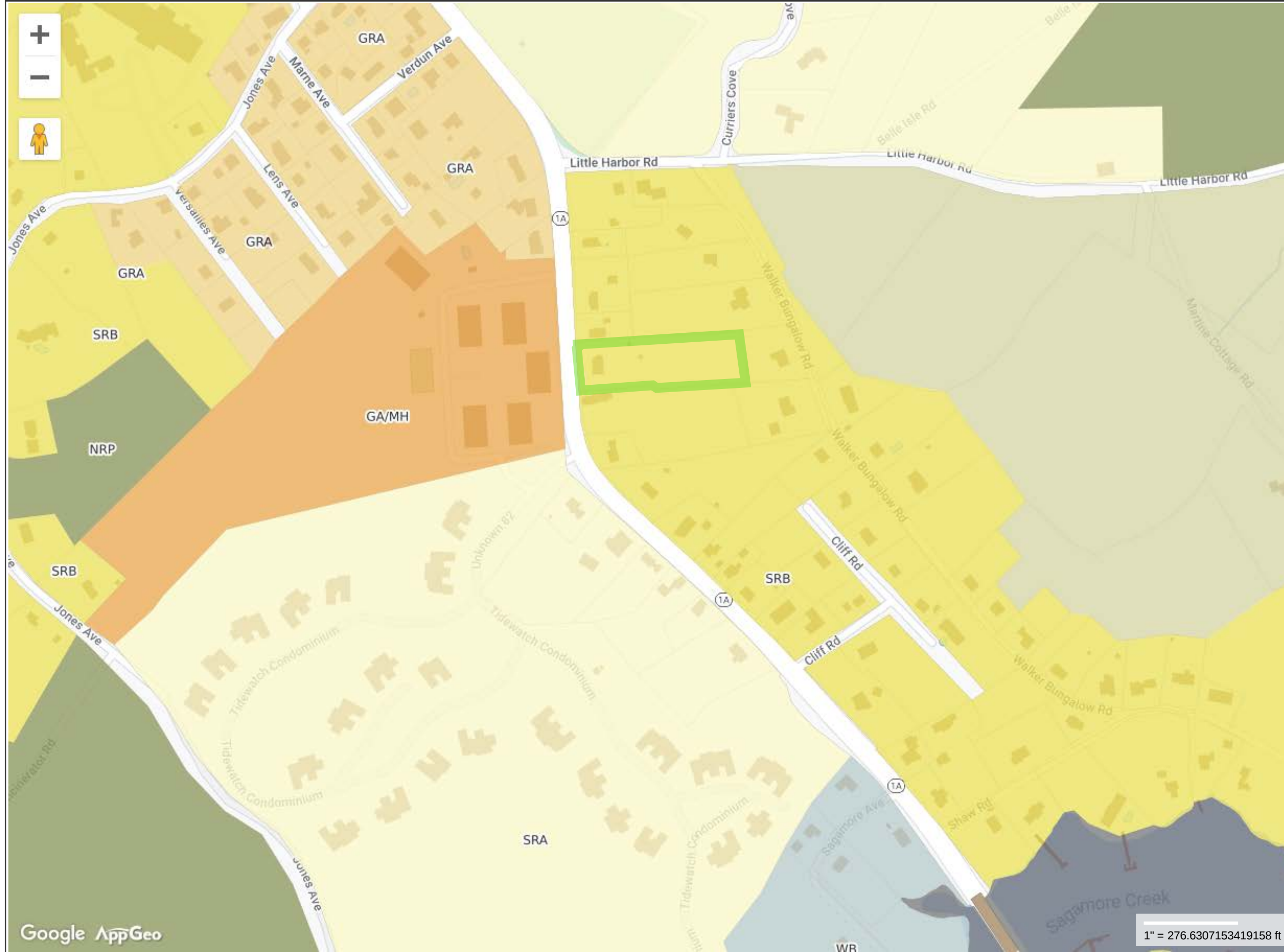


This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.



Portsmouth, New Hampshire
 2022
Tax Map 222

550 Sagamore in Context



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

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 08/24/2023
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

EXHIBIT I

Map Theme Legends

Zoning

Residential Districts

- R Rural
- SRA Single Residence A
- SRB Single Residence B
- GRA General Residence A
- GRB General Residence B
- GRC General Residence C
- GA/MH Garden Apartment/Mobile Home Park

Mixed Residential Districts

- MRO Mixed Residential Office
- MRB Mixed Residential Business
- G1 Gateway Corridor
- G2 Gateway Center

Business Districts

- GB General Business
- B Business
- WB Waterfront Business

Industrial Districts

- OR Office Research
- I Industrial
- WI Waterfront Industrial

Airport Districts

- AIR Airport
- AI Airport Industrial
- PI Pease Industrial
- ABC Airport Business Commercial

Conservation Districts

- M Municipal
- NRP Natural Resource Protection

Character Districts

- CD5 Character District 5
- CD4 Character District 4
- CD4W Character District 4-W
- CD4-L1 Character District 4-L1
- CD4-L2 Character District 4-L2

Civic District

- Civic District

Municipal District

- Municipal District

Overlay Districts

- OLOD Osprey Landing Overlay District
- Downtown Overlay District
- Historic District

City of Portsmouth

DRAFT

NOT FOR CONSTRUCTION

ISSUED FOR: CLIENT REVIEW

ISSUE DATE: MARCH 6, 2023

REVISIONS
 NO. DESCRIPTION BY DATE
 0 DISCUSSION EDW 03/06/23

DRAWN BY: RLH
 APPROVED BY: EDW
 DRAWING FILE: 5385SUBD.dwg

SCALE:
 22" x 34" - 1" = 20'
 11" x 17" - 1" = 40'

OWNER:
 XX
 XX
 XX
 XX
 XX

APPLICANT:
 XX
 XX
 XX
 XX
 XX

PROJECT:
 XX
 XX
 XX
 XX
 XX

TITLE:
 CONCEPTUAL
 SUBDIVISION PLAN
 (3 LOT SUBDIVISION)

SHEET NUMBER:
 CO - 1

SITE NOTES

- DESIGN INTENT - THIS PLAN IS INTENDED TO DEPICT A CONCEPTUAL SITE PLAN FOR RESIDENTIAL UNITS.
- APPROXIMATE LOT AREA: 1.44 AC.±
- ZONE: SINGLE RESIDENCE RESIDENCE B (SRB)
- DIMENSIONAL REQUIREMENTS:

	EXISTING	PROPOSED
MIN. LOT AREA:	15,000 S.F.	±15,005 S.F.
MIN. LAND AREA PER DWELLING UNIT:	15,000 S.F.	±15,005 S.F.
MIN. STREET FRONTAGE:	100'	100'
MIN. LOT DEPTH:	100'	100'
FRONT SETBACK:	30'	30'
SIDE SETBACK:	10'	10'
REAR SETBACK:	30'	30'
MAX. BUILDING HEIGHT:	35'	<35'
MAX. BLDG. COVERAGE:	20%	<20%
MIN. OPEN SPACE:	40%	>40%

