

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

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March 29, 2022

HAND DELIVERED

Peter Stith, Principal Planner
Portsmouth Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

Re: 635 Sagamore Development, LLC, Owner/Applicant
Project Location: 635 Sagamore Avenue
Tax Map 222, Lot 19
General Residence A (GRA Zone)

Dear Mr. Stith and Zoning Board Members:

On behalf of 635 Sagamore Development, LLC, applicant, enclosed please find the following documents in support of a request for zoning relief:

- Portsmouth Land Use Application uploaded to Viewpoint today.
- Owner Authorization.
- 3/29/22 Memorandum and exhibits in support of zoning relief.

Very truly yours,



R. Timothy Phoenix
Kevin Baum

KMB:pcb
Enclosures

cc 635 Sagamore Development, LLC
Jones & Beach Engineers, Inc.
Artform Architecture, Inc.

DANIEL C. HOEFLE	R. PETER TAYLOR	MONICA F. KIESER	AMANDA M. FREDERICK
R. TIMOTHY PHOENIX	KIMBERLY J.H. MEMMESHEIMER	SAMUEL HARKINSON	OF COUNSEL:
LAWRENCE B. GORMLEY	KEVIN M. BAUM	JACOB J.B. MARVELLEY	SAMUEL R. REID
STEPHEN H. ROBERTS	GREGORY D. ROBBINS	DUNCAN A. EDGAR	JOHN AHLGREN

MEMORANDUM

To: Portsmouth Zoning Board of Adjustment (“ZBA”)
From: Kevin Baum, Esq.
R. Timothy Phoenix Esq.
Date: March 29, 2022
Re: 635 Sagamore Development, LLC, Owner/Applicant
Project location: 635 Sagamore Avenue
Tax Map 222, Lot 19
General Residence A (GRA) Zone

Dear Chairman Parrott and Zoning Board Members:

On behalf of 635 Sagamore Development, LLC (“Sagamore” or “Applicant”) we are pleased to submit this memorandum and the attached exhibits in support of zoning relief to be considered by the ZBA at its April 19, 2022 meeting.

I. Exhibits

1. Plan Set – by Jones and Beach Engineers
 - a. C1 – Existing Conditions Plan
 - b. C2 – ZBA Site Plan
 - c. C3 – Topographic Site Plan
2. Architectural Elevations and Floor Plans by ArtForm Architecture, Inc.
 - a. Sea Watch (Buildings 1-2)
 - b. Sweet Peekaboo (Buildings 3-5)
3. Site photographs
4. Tax Assessors Card
5. City GIS Map – identifying nearby zoning districts and surrounding area

II. Property/Project

The subject property is located at 635 Sagamore Avenue (the “Property”) in the GRA Zoning District. It is currently developed as the Luster King auto detailing shop, with an existing two story building towards the front of the lot and a service garage to the rear. **Exhibit 1.a.** The frontmost building also contains a residential apartment on the second floor, currently utilized by the former owner and operator of the Luster King business. The existing commercial buildings are non-conforming as to use, and with respect to primary commercial building, also non-conforming as to the front setback. Id. The buildings are generally in disrepair and incongruous with the surrounding residential area. **Exhibit 3.**

The Applicant proposes to remove the existing commercial building and garage and redevelop the Property with five new single-family homes with access via a private driveway from Sagamore Avenue. **Exhibit 1.b; Exhibit 2.** The proposal removes the long non-conforming commercial use and will create five new residences, consistent with the surrounding neighborhood. **Exhibit 3 (aerial photo); Exhibit 5.** Nearby properties include the 144 unit Sagamore Court Condominium to the north and the 122 unit Tidewatch Condominium, which directly abuts the Property to the west. Id. Other nearby abutters are largely developed with single family residences with similar density as the proposed project. The Property is currently served by septic, it is the Applicant's intention to tie into the municipal sewer system upon completion of the Sagamore Avenue Sewer Extension Project, as has been previously discussed with the Public Works Department.

The proposal meets all use and dimensional requirements of the Portsmouth Zoning Ordinance ("PZO") with the exception of Section 10.513 allowing no more than one free-standing dwelling per lot and Section 10.521 requiring a one acre lot area per dwelling unit. The proposal includes five dwelling units on a ± 1.947 acre lot, or 2.57 units/acre (1 unit per 16,959 square feet). As noted, this density is consistent with surrounding lots, including the more densely developed Sagamore Court Condominium (144 units/15.01 acre = 9.59 units per acre) to the north and similarly dense Tidewatch Condominium (122 units/53.59 acre = 2.27 units per acre) directly to the west. Notably, the SRB Zone, located across Sagamore Avenue, permits a lot area of 15,000 square feet per dwelling unit or approximately 2.9 units per acre. The proposal at 16,959 square feet per unit is slightly less dense. Thus, in addition to cleaning up a long distressed and non-conforming site, the proposal creates a natural transition between the GRB Zone and existing multi-building condominium developments to the north and west (rear) of the Property. The Applicant has spoken with several abutters who are in favor of the proposed five unit development.

III. Relief Required

The proposed project meets setback, lot coverage and open space requirements. **Exhibit 1.b.** However, limited relief is required to allow the proposed structures on a single lot and for lot area per dwelling unit. Required relief is as follows:

- PZO§10.513 permitting one freestanding dwelling per lot, where five freestanding single-family units are proposed.
- PZO§10.521 (Table of Dimensional Standards) permitting one dwelling unit per acre, five dwelling units on ±1.947 acres or 2.57 dwelling units per acre is proposed.

IV. 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 was enacted for the general purpose (PZO§10.121) 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 Property currently houses a non-conforming commercial auto detailing business and service garage. **Exhibit 3.** The proposal would replace those buildings with brand new, to code, residences consistent with surrounding uses.
2. **The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space-** The proposal complies with building coverage, height, yards and open space requirements. The proposed five new dwellings on a single lot, at 2.57 dwelling units per acre is consistent with surrounding properties and less than the density permitted by right across Sagamore Avenue.
3. **The design of facilities for vehicular access, circulation, parking and loading-** The Project will be served by a private driveway from Sagamore Avenue. **Exhibit 1.b.** There is currently no defined curb cut on the property so the redevelopment will improve driveway distances, site lines and overall traffic safety from the Property. **Exhibit 3.** The driveway will undergo further review as part of the Planning Board and NHDOT review processes.
4. **The impacts on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding-** The Property is currently used as a commercial auto detailing facility in the middle of a residential area. *Id.* The proposal will convert the Property to residential use with lighting, noise and other conditions more appropriate for the neighborhood. Stormwater runoff will be improved over the current development which is significantly

paved and will discontinue the use of cleaning and other commercial chemicals on the site.

5. The preservation and enhancement of the visual environment- The removal of the distressed commercial structures and addition of five new tastefully designed homes will preserve/enhance the visual environment.
6. The preservation of historic districts buildings and structures of historic or architectural interest-The property is not in the historic district. The existing structures to be removed are of no known historic or architectural interest.
7. The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat and air quality- The Project will have no negative effect on these purposes. It will remove a commercial use, including associated cleaning solutions and other chemicals used onsite. The Project will be further vetted by the Planning Board.

In considering whether variances "in a marked degree conflict with the ordinance such that they violate the ordinances 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 in a densely developed residential area. While there are some other nearby commercial properties, they are located closer to Sagamore Creek in the Waterfront Business Zone, are largely less impactful and are more buffered from nearby residences than the current business operations on the Property. The proposal would convert a long non-conforming commercial use that is grossly incongruent with the character of the locality and impacts the health, safety and welfare to residential use. The proposed new homes are consistent with the residential character of the neighborhood and the construction of five brand new, to code, residences will greatly improve the public health, safety and welfare over Luster King's existing commercial use. Sagamore Avenue can easily support the additional five dwelling units. The density is consistent with nearby properties, which include two large condominium developments and creates a natural transition between these developments and the adjoining GRB zone. Thus, permitting five code compliant, single-family buildings on ±1.947 acres does

not alter the essential character of the locality nor will it threaten the public health, safety or welfare.

3. Granting the variances will not diminish surrounding property values

The commercial buildings currently located on the Property are distressed, incongruent with the surrounding residential neighborhood and frankly an eyesore. The proposal would clean up the site by removing the commercial buildings/uses and replacing them with brand new tastefully designed residences. The proposal will improve the area significantly, thus greatly improving the overall value of surrounding properties.

4. Denial of the variances results in an unnecessary hardship

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

The Property at ±1.947 acre is larger than most lots in the area. **Exhibit 5.** Two notable exceptions are the Tidewatch and Sagamore Creek Condominiums, which are more or similarly dense with 122 and 144 units, respectively. Id.; see also 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). Additionally, the Property is non-conforming with respect to both its commercial use and front setback. The parcel size, location near other densely developed residential parcels and longstanding non-conformity of the current use combine to create special conditions.

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

The purpose of the requirements for one free standing dwelling per lot and lot area per dwelling unit is to prohibit overcrowding, allow for air, light, and separation between neighbors, and to permit stormwater treatment. The proposal meets all lot area, building and open space coverage, height and external setback requirements. Additionally, the proposal provides for voluntary setbacks between each of the five new buildings of at least 20 feet, consistent with the side setback requirement for the district. Thus, adequate area for air, light, separation between neighbors and stormwater treatment is provided. The proposed density is also consistent with the surrounding area, which includes many smaller sized lots with homes located in relatively

close proximity. **Exhibit 5.** Moreover, granting the requested variances will significantly improve the Property and surrounding area by removing two blighted, non-conforming commercial structures and replacing them with five brand new, needed homes. The entire area will be upgraded, thus it follows that there is no reason to apply the strict requirements of the ordinance. This transitional location, located near and adjoining two densely development condominiums and across Sagamore Avenue from the GRB Zone is well suited for the proposed five building single-family development.

c. The proposed use is reasonable

If the use is permitted, it is deemed reasonable. Vigant v. Hudson, 151 NH 747 (2005). The proposal is a residential use in a residential zone and thus is reasonable.

5. 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 development with respect to zoning. In this instance, granting approval not only protects the rights of the Owner/Applicant but renders the Property more conforming, to the benefit of the surrounding property owners as well.

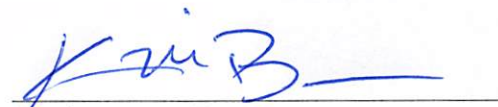
Granting approval removes blighted buildings and non-conforming commercial use while adding needed residential housing within Portsmouth. Thus, there will be no gain to the public from denying the variances and no harm to the public by granting the variances. Conversely, denial of the variances cause great harm to Sagamore and its abutters by continuing the commercial use of the property. Accordingly, substantial justice dictates that the requested variances be granted.

V. Conclusion

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

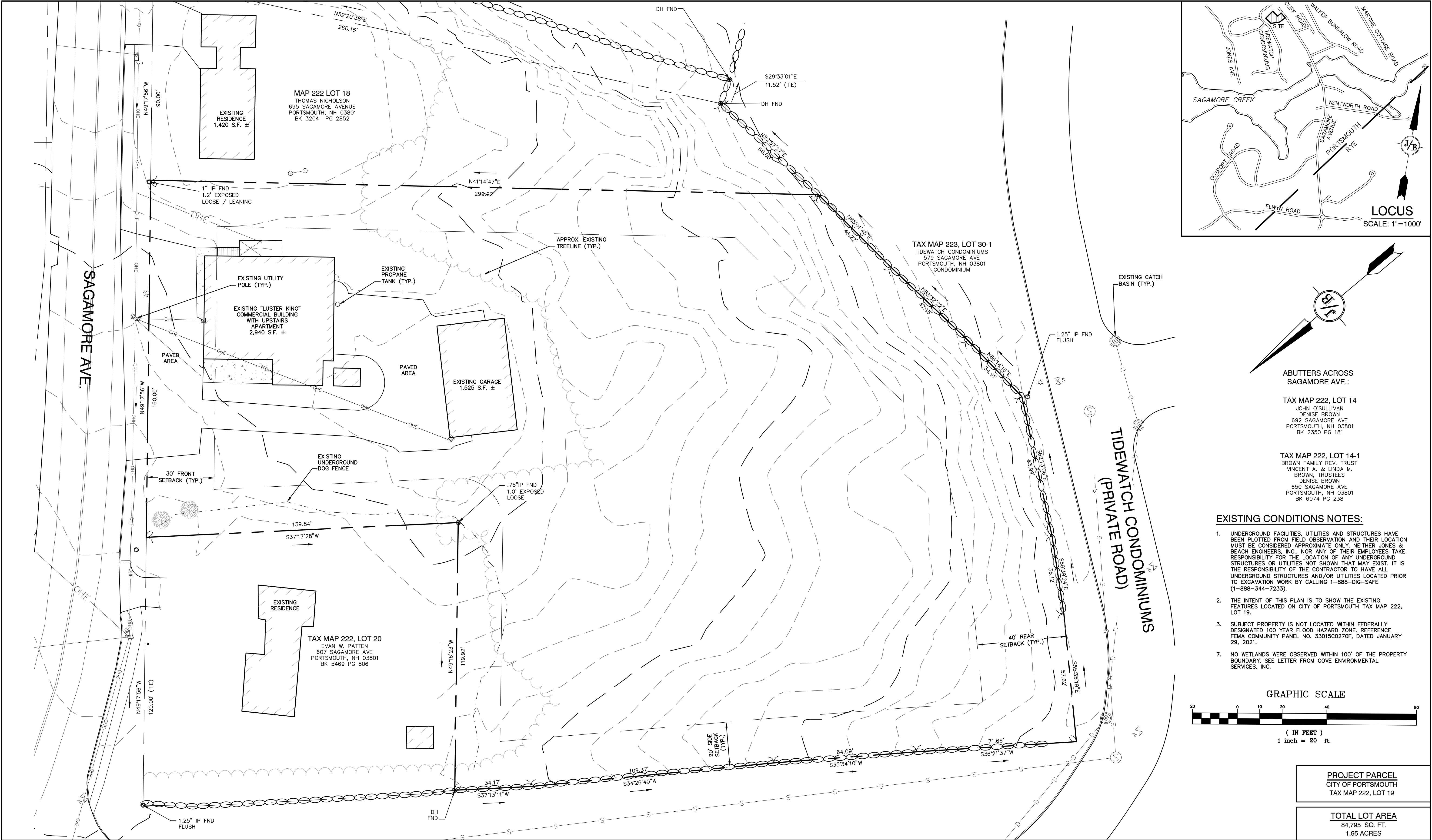
Respectfully submitted,
635 Sagamore Development, LLC

By:

A handwritten signature in blue ink, appearing to read "Kevin Baum", is written over a horizontal line.

Kevin Baum, Esq.
R. Timothy Phoenix, Esq.

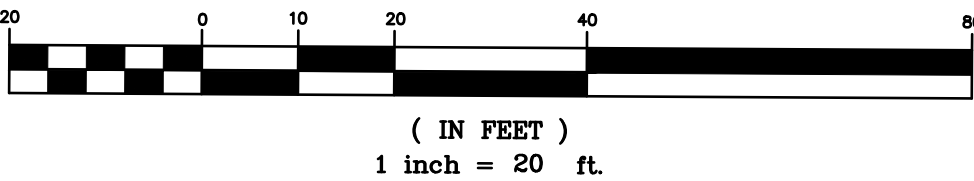
EXHIBIT 1



EXISTING CONDITIONS NOTES:

- UNDERGROUND FACILITIES, UTILITIES AND STRUCTURES HAVE BEEN PLOTTED FROM FIELD OBSERVATION AND THEIR LOCATION MUST BE CONSIDERED APPROXIMATE ONLY. NEITHER JONES & BEACH ENGINEERS, INC., NOR ANY OF THEIR EMPLOYEES TAKE RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND STRUCTURES OR UTILITIES NOT SHOWN THAT MAY EXIST. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL UNDERGROUND STRUCTURES AND/OR UTILITIES LOCATED PRIOR TO EXCAVATION WORK BY CALLING 1-888-DIG-SAFE (1-888-344-7233).
- THE INTENT OF THIS PLAN IS TO SHOW THE EXISTING FEATURES LOCATED ON CITY OF PORTSMOUTH TAX MAP 222, LOT 19.
- SUBJECT PROPERTY IS NOT LOCATED WITHIN FEDERALLY DESIGNATED 100 YEAR FLOOD HAZARD ZONE. REFERENCE FEMA COMMUNITY PANEL NO. 33015C0270F, DATED JANUARY 29, 2021.
- NO WETLANDS WERE OBSERVED WITHIN 100' OF THE PROPERTY BOUNDARY. SEE LETTER FROM GOVE ENVIRONMENTAL SERVICES, INC.

GRAPHIC SCALE



PROJECT PARCEL
CITY OF PORTSMOUTH
TAX MAP 222, LOT 19

TOTAL LOT AREA
84,795 SQ. FT.
1.95 ACRES

Design: JAC	Draft: DJM	Date: 12/07/2021
Checked: JAC	Scale: AS NOTED	Project No.: 18134.1
Drawing Name: 18134-CONCEPT-8.dwg		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
3	3/21/22	REVISED CONCEPTUAL LAYOUT	DJM
2	2/10/22	REVISED CONCEPTUAL LAYOUT	DJM
1	2/4/22	REVISED CONCEPTUAL LAYOUT	DJM
0	1/6/22	ISSUED FOR REVIEW	DJM

J/B

Jones & Beach Engineers, Inc.

Designed and Produced in NH

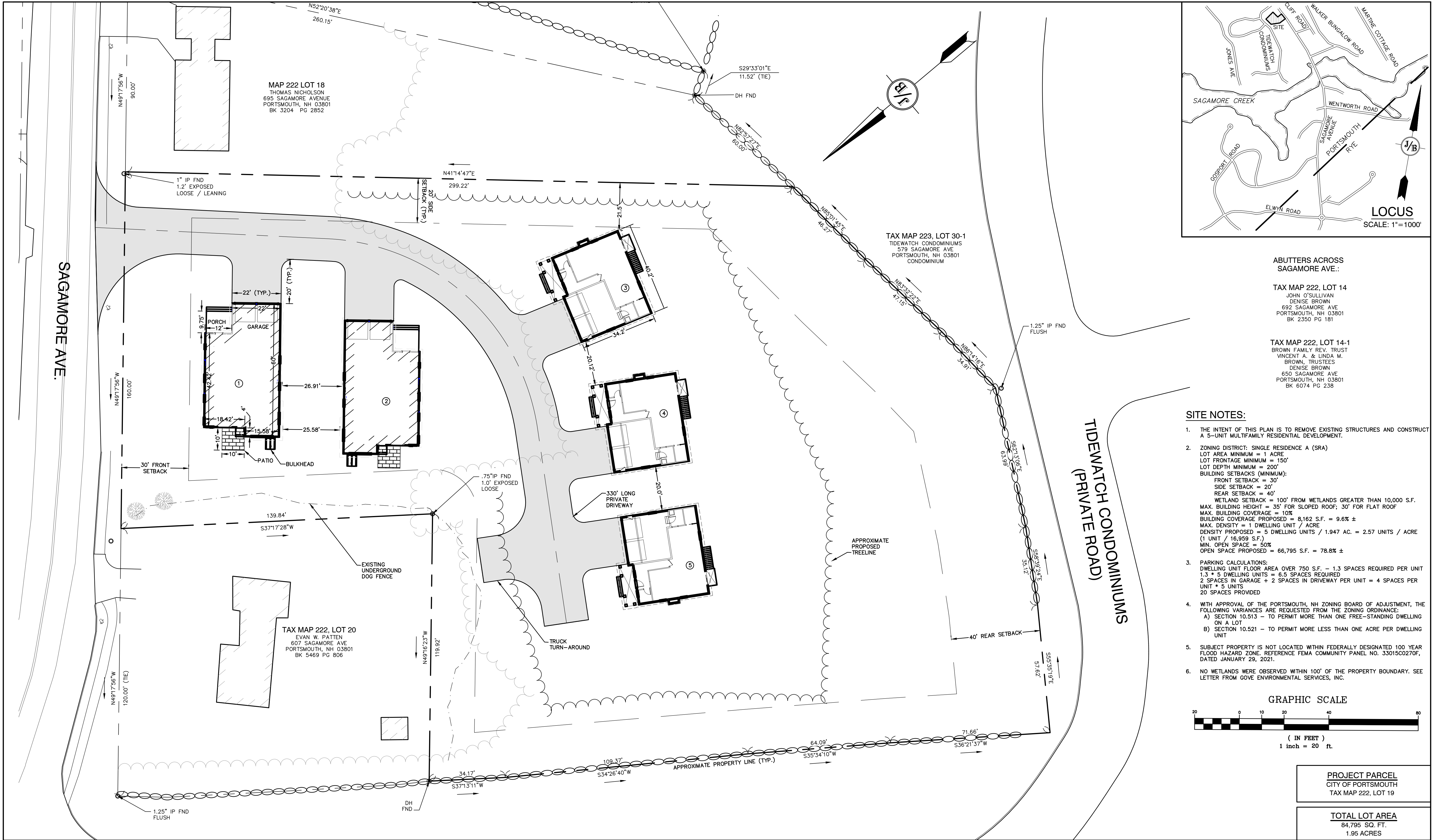
85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885

Civil Engineering Services

603-772-4746
FAX: 603-772-0227
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name:	EXISTING CONDITIONS PLAN
Project:	5-UNIT RESIDENTIAL SITE 635 SAGAMORE AVE., PORTSMOUTH, NH
Owner of Record:	635 SAGAMORE DEVELOPMENT, LLC 3612 LAFAYETTE RD., DEPT 4, PORTSMOUTH, NH 03801 BK 6332 PG 1158

DRAWING No.	C1
SHEET 1 OF 3	JBE PROJECT NO. 18134.1



Design: JAC	Draft: DJM	Date: 12/07/2021
Checked: JAC	Scale: AS NOTED	Project No.: 18134.1
Drawing Name: 18134-CONCEPT-8.dwg		
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3	3/21/22	REVISED CONCEPTUAL LAYOUT	DJM
2	2/10/22	REVISED CONCEPTUAL LAYOUT	DJM
1	2/4/22	REVISED CONCEPTUAL LAYOUT	DJM
0	1/6/22	ISSUED FOR REVIEW	DJM
REV.	DATE	REVISION	BY

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

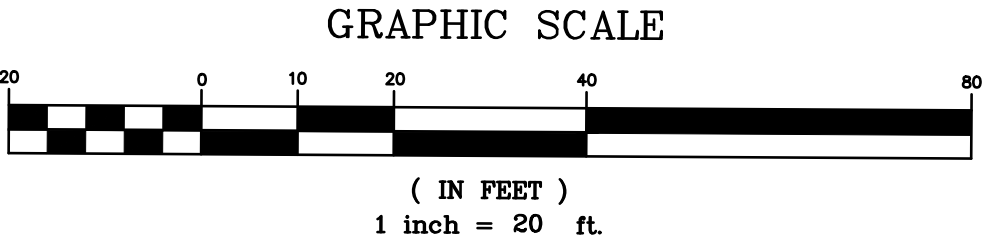
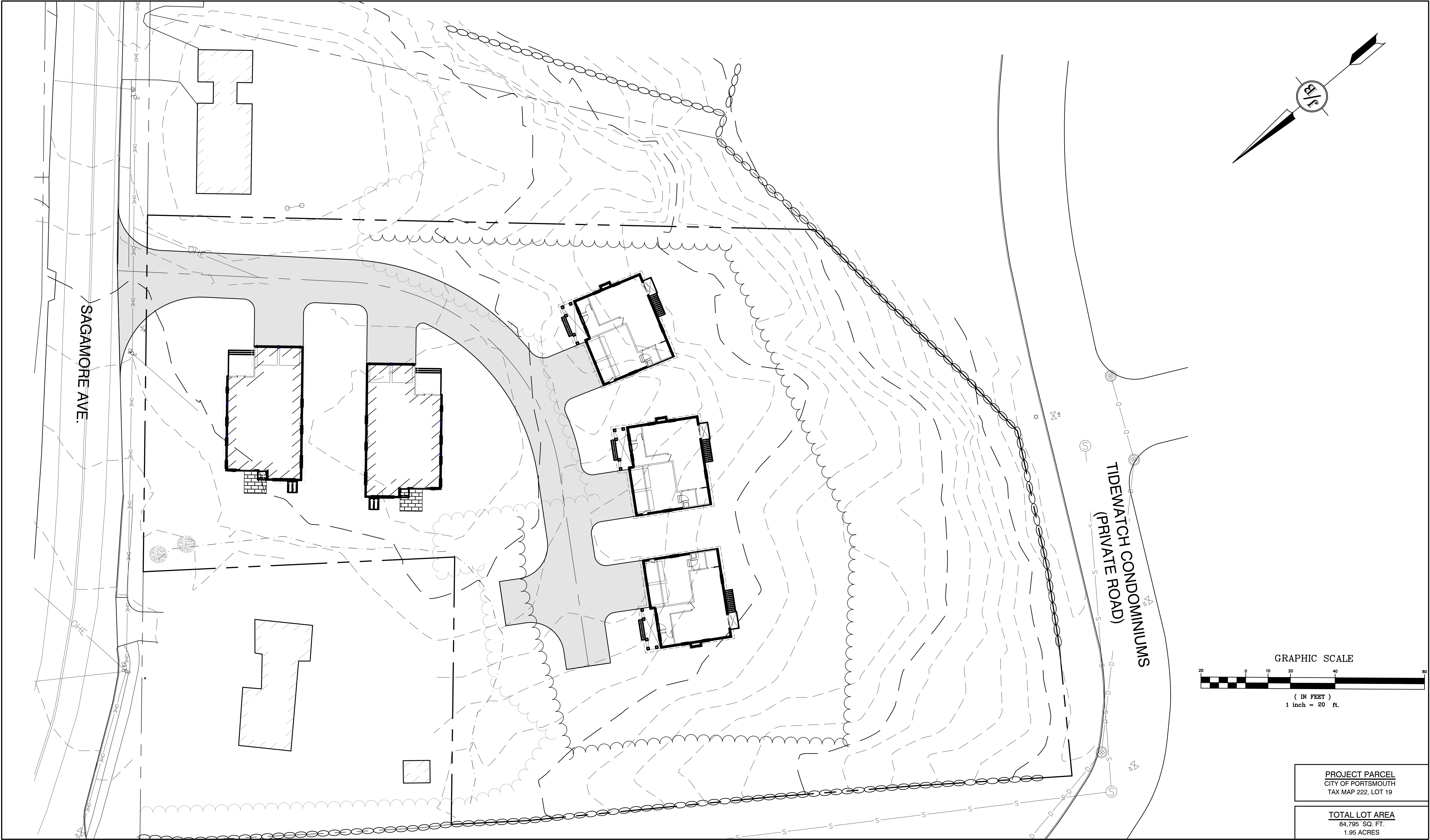
85 Portsmouth Ave. PO Box 219 Stratham, NH 03885

Civil Engineering Services

603-772-4746 FAX: 603-772-0227 E-MAIL: JBE@JONESANDBEACH.COM

Plan Name:	ZBA SITE PLAN
Project:	5-UNIT RESIDENTIAL SITE 635 SAGAMORE AVE., PORTSMOUTH, NH
Owner of Record:	635 SAGAMORE DEVELOPMENT, LLC 3612 LAFAYETTE RD., DEPT 4, PORTSMOUTH, NH 03801 BK 6332 PG 1158

DRAWING No.
C2
SHEET 2 OF 3 JBE PROJECT NO. 18134.1



PROJECT PARCEL
CITY OF PORTSMOUTH
TAX MAP 222, LOT 19

TOTAL LOT AREA
84,795 SQ. FT.
1.95 ACRES

Design: JAC	Draft: DJM	Date: 12/07/2021
Checked: JAC	Scale: AS NOTED	Project No.: 18134.1
Drawing Name: 18134-CONCEPT-8.dwg		
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REV.	DATE	REVISION	BY
3	3/21/22	REVISED CONCEPTUAL LAYOUT	DJM
2	2/10/22	REVISED CONCEPTUAL LAYOUT	DJM
1	2/4/22	REVISED CONCEPTUAL LAYOUT	DJM
0	1/6/22	ISSUED FOR REVIEW	DJM

J/B

Jones & Beach Engineers, Inc.

Designed and Produced in NH

85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885

Civil Engineering Services

603-772-4746
FAX: 603-772-0227
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name:	ZBA TOPOGRAPHIC SITE PLAN
Project:	5-UNIT RESIDENTIAL SITE 635 SAGAMORE AVE., PORTSMOUTH, NH
Owner of Record:	635 SAGAMORE DEVELOPMENT, LLC 3612 LAFAYETTE RD., DEPT 4, PORTSMOUTH, NH 03801 BK 6332 PG 1158

DRAWING No.

C3

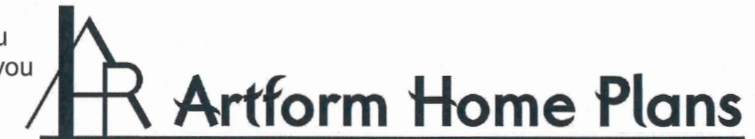
SHEET 3 OF 3
JBE PROJECT NO. 18134.1

1/27/2022

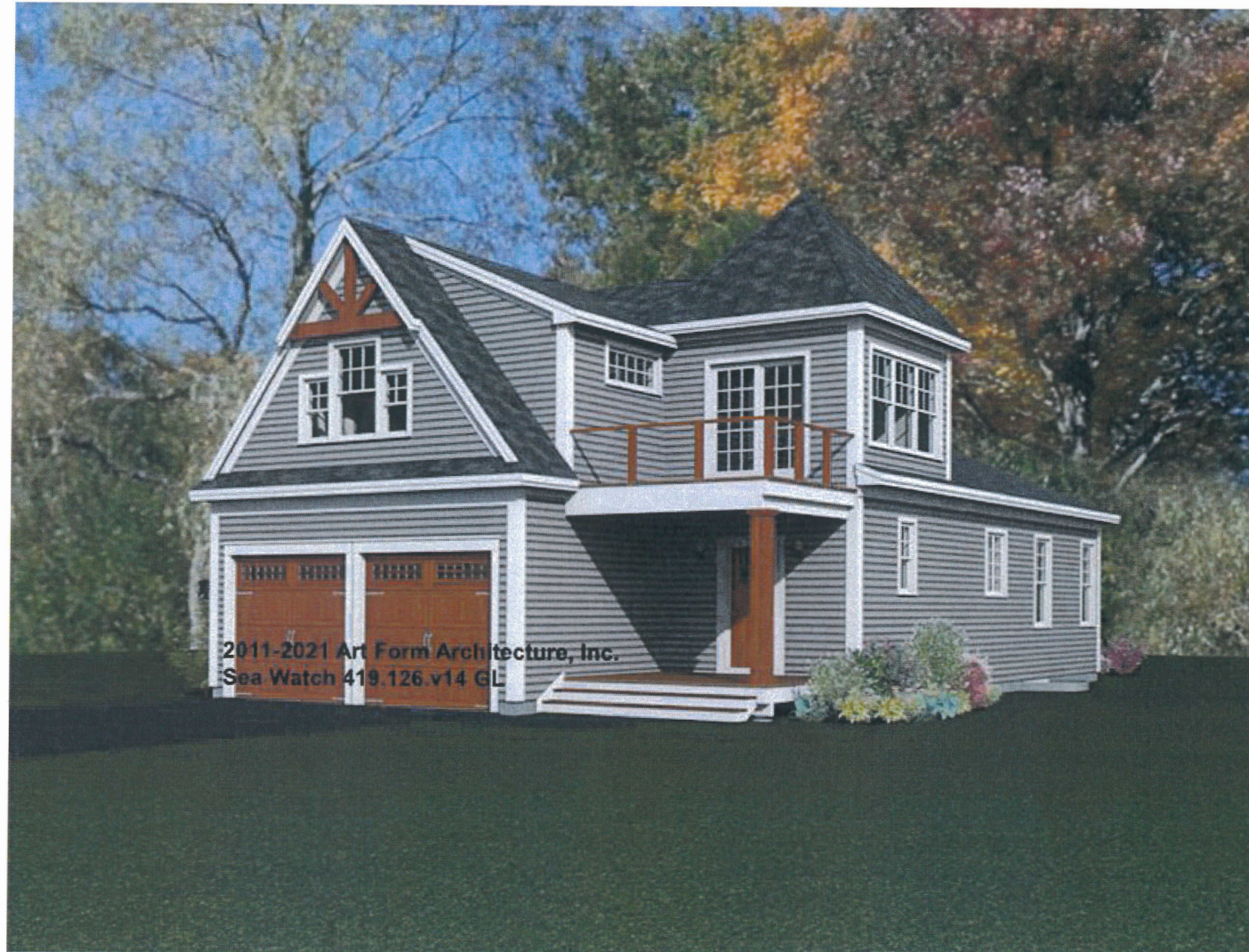
Sea Watch

419.126.v14 GL (1/27/2022)

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603-431-9559



Dear Builders and Home Buyers,

In addition to our Terms and Conditions (the "Terms"), please be aware of the following:

This design may not yet have Construction Drawings (as defined in the Terms), and is, therefore, only available as a Design Drawing (as defined in the Terms and together with Construction Drawings, "Drawings"). It is possible that during the conversion of a Design Drawing to a final Construction Drawing, changes may be necessary including, but not limited to, dimensional changes. Please see Plan Data Explained on www.ArtformHomePlans.com to understand room sizes, dimensions and other data provided. We are not responsible for typographical errors.

Artform Home Plans ("Artform") requires that our Drawings be built substantially as designed. Artform will not be obligated by or liable for use of this design with markups as part of any builder agreement. While we attempt to accommodate where possible and reasonable, and where the changes do not denigrate our design, any and all changes to Drawings must be approved in writing by Artform. It is recommended that you have your Drawing updated by Artform prior to attaching any Drawing to any builder agreement. Artform shall not be responsible for the misuse of or unauthorized alterations to any of its Drawings.

Facade Changes:

- To maintain design integrity, we pay particular attention to features on the front facade, including but not limited to door surrounds, window casings, finished porch column sizes, and roof friezes. While we may allow builders to add their own flare to aesthetic elements, we don't allow our designs to be stripped of critical details. Any such alterations require the express written consent of Artform.
- Increasing ceiling heights usually requires adjustments to window sizes and other exterior elements.

Floor plan layout and/or Structural Changes:

- Structural changes always require the express written consent of Artform
- If you wish to move or remove walls or structural elements (such as removal of posts, increases in house size, ceiling height changes, addition of dormers, etc), please do not assume it can be done without other additional changes (even if the builder or lumber yard says you can).

1/27/2022

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Artform Home Plans

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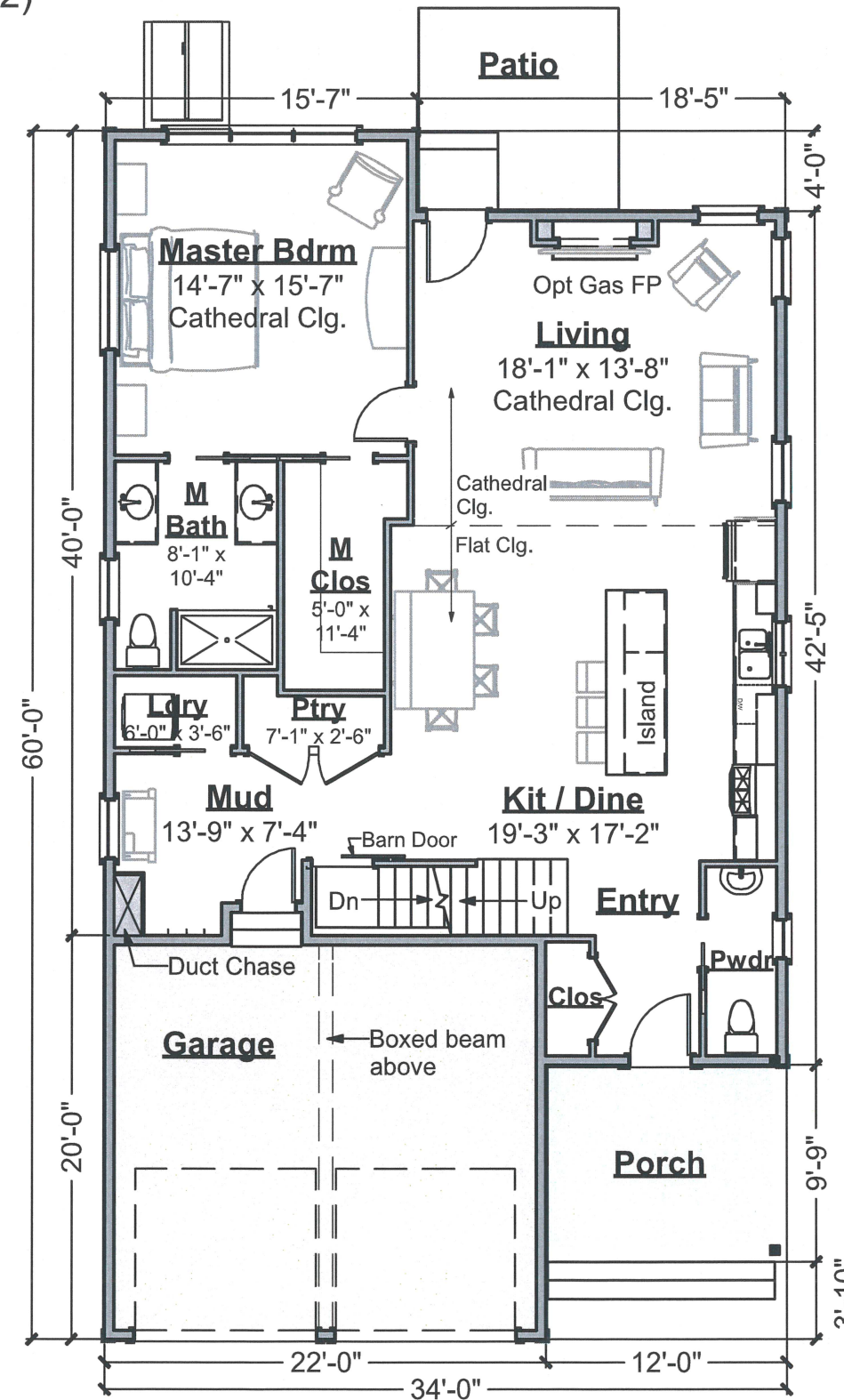
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603-431-9559



Living Area This Floor: 1370 sq ft

9 ft Ceilings, unless noted otherwise

First Floor Plan

Scale: 3/32" = 1'-0"

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

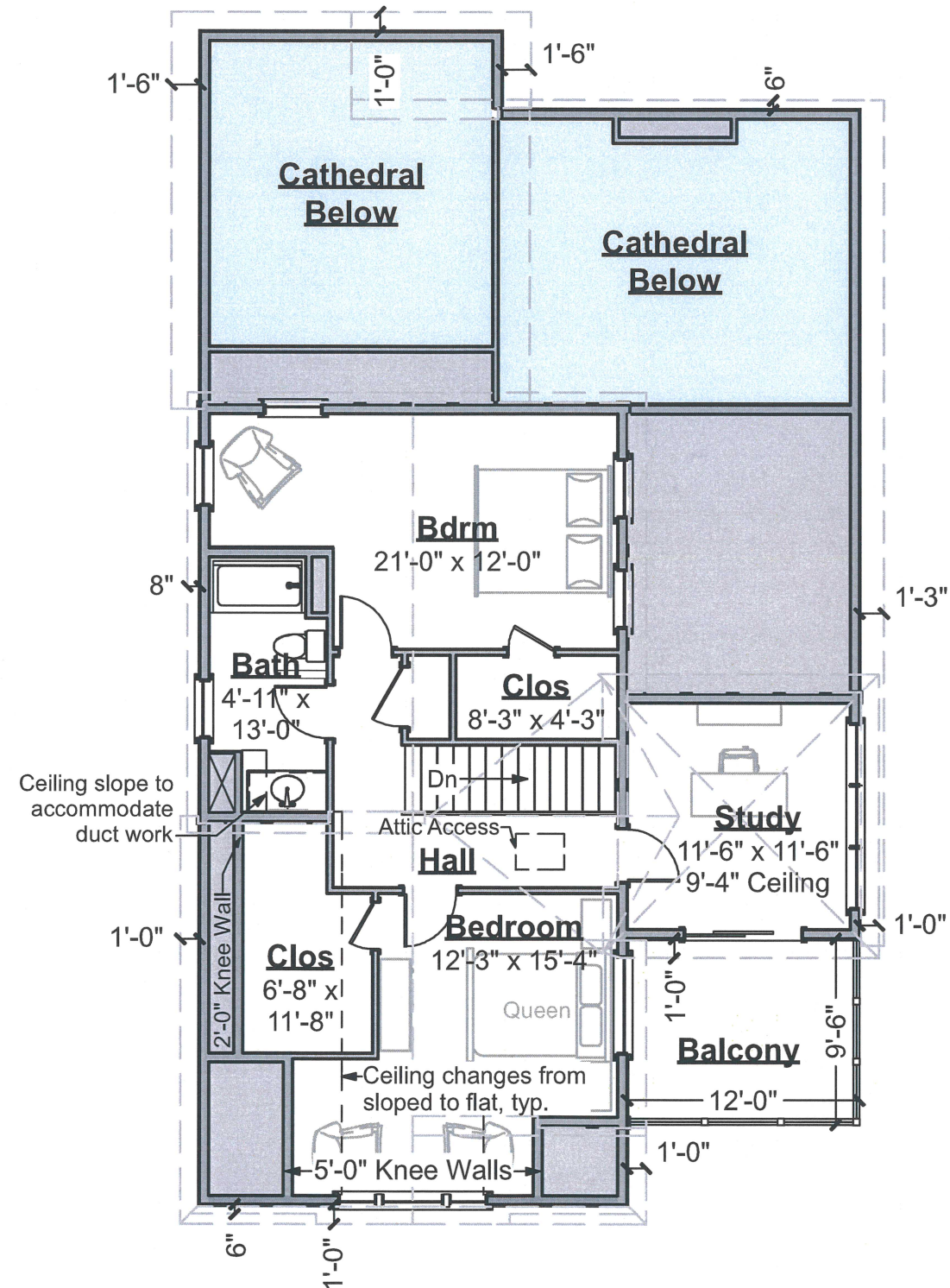
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Living Area This Floor: 979 sq ft

8 ft Ceilings, unless noted otherwise



Second Floor Plan

Scale: 3/32" = 1'-0"

1/27/2022

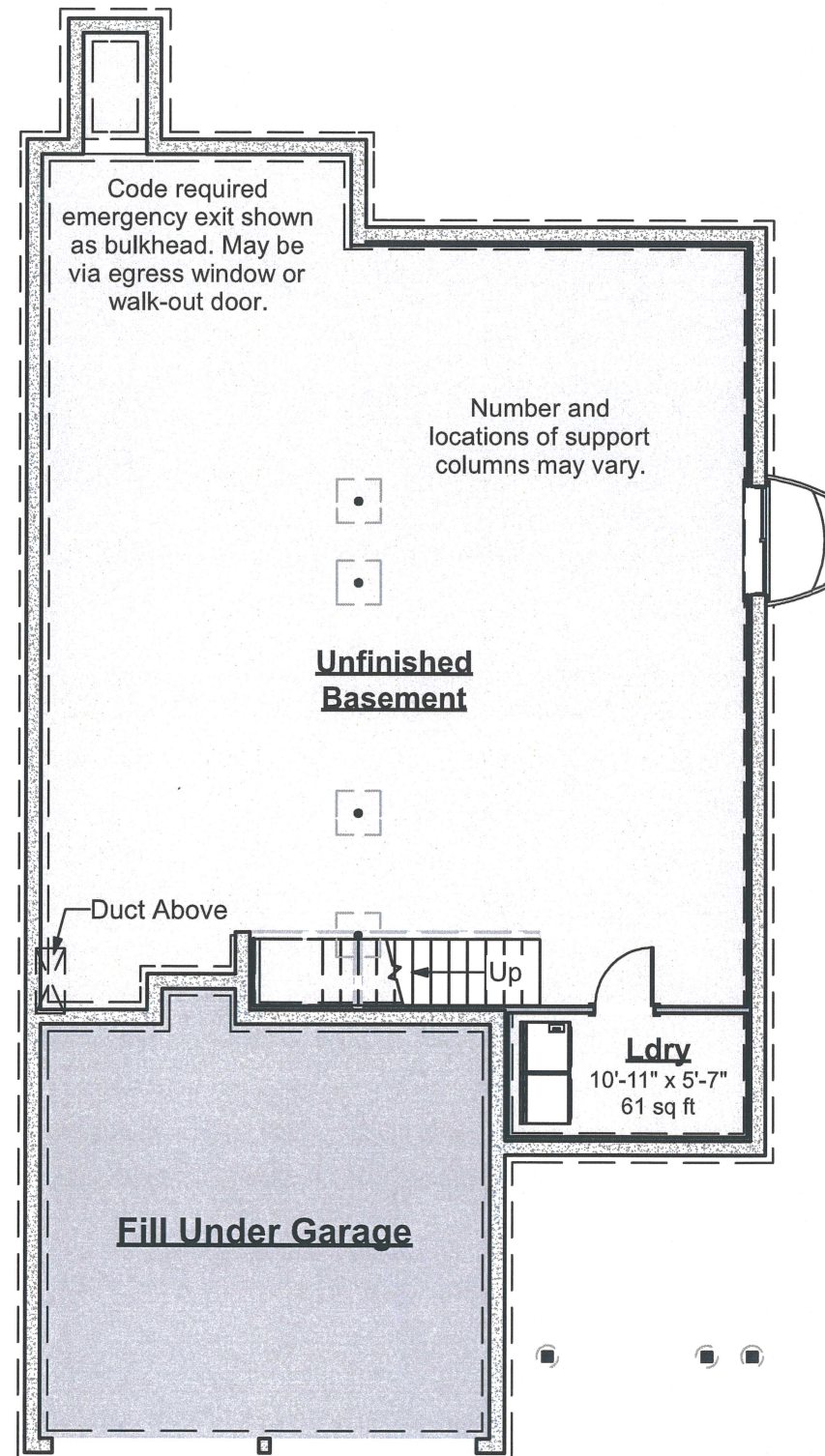
Sea Watch

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Foundation Plan

Scale: 3/32" = 1'-0"

1/27/2022

Sea Watch

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Artform Home Plans

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Front Elevation

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

1/27/2022

Sea Watch

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603-431-9559



Right Elevation

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

419.126.v14 GL Sea Watch

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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603-431-9559



Rear Elevation

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

603-431-9559 419.126.v14 GL Sea Watch

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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603-431-9559



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

603-431-9559 Artform Home Plans

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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Artform Home Plans

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©2022 Artform Home Plans

Interior Views

3/4/2022

Sweet Peekaboo

418.124.v13 GL (3/4/2022)

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In addition to our Terms and Conditions (the "Terms"), please be aware of the following:

This design may not yet have Construction Drawings (as defined in the Terms), and is, therefore, only available as a Design Drawing (as defined in the Terms and together with Construction Drawings, "Drawings"). It is possible that during the conversion of a Design Drawing to a final Construction Drawing, changes may be necessary including, but not limited to, dimensional changes. Please see Plan Data Explained on www.ArtformHomePlans.com to understand room sizes, dimensions and other data provided. We are not responsible for typographical errors.

Artform Home Plans ("Artform") requires that our Drawings be built substantially as designed. Artform will not be obligated by or liable for use of this design with markups as part of any builder agreement. While we attempt to accommodate where possible and reasonable, and where the changes do not denigrate our design, any and all changes to Drawings must be approved in writing by Artform. It is recommended that you have your Drawing updated by Artform prior to attaching any Drawing to any builder agreement. Artform shall not be responsible for the misuse of or unauthorized alterations to any of its Drawings.

Facade Changes:

- To maintain design integrity, we pay particular attention to features on the front facade, including but not limited to door surrounds, window casings, finished porch column sizes, and roof friezes. While we may allow builders to add their own flare to aesthetic elements, we don't allow our designs to be stripped of critical details. Any such alterations require the express written consent of Artform.
- Increasing ceiling heights usually requires adjustments to window sizes and other exterior elements.

Floor plan layout and/or Structural Changes:

- Structural changes always require the express written consent of Artform
- If you wish to move or remove walls or structural elements (such as removal of posts, increases in house size, ceiling height changes, addition of dormers, etc), please do not assume it can be done without other additional changes (even if the builder or lumber yard says you can).

3/4/2022
Sweet Peekaboo
418.124.v13 GL (3/4/2022)

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Artform Home Plans

603-431-9559



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Sweet Peekaboo 418.124.v13 GL

3/4/2022

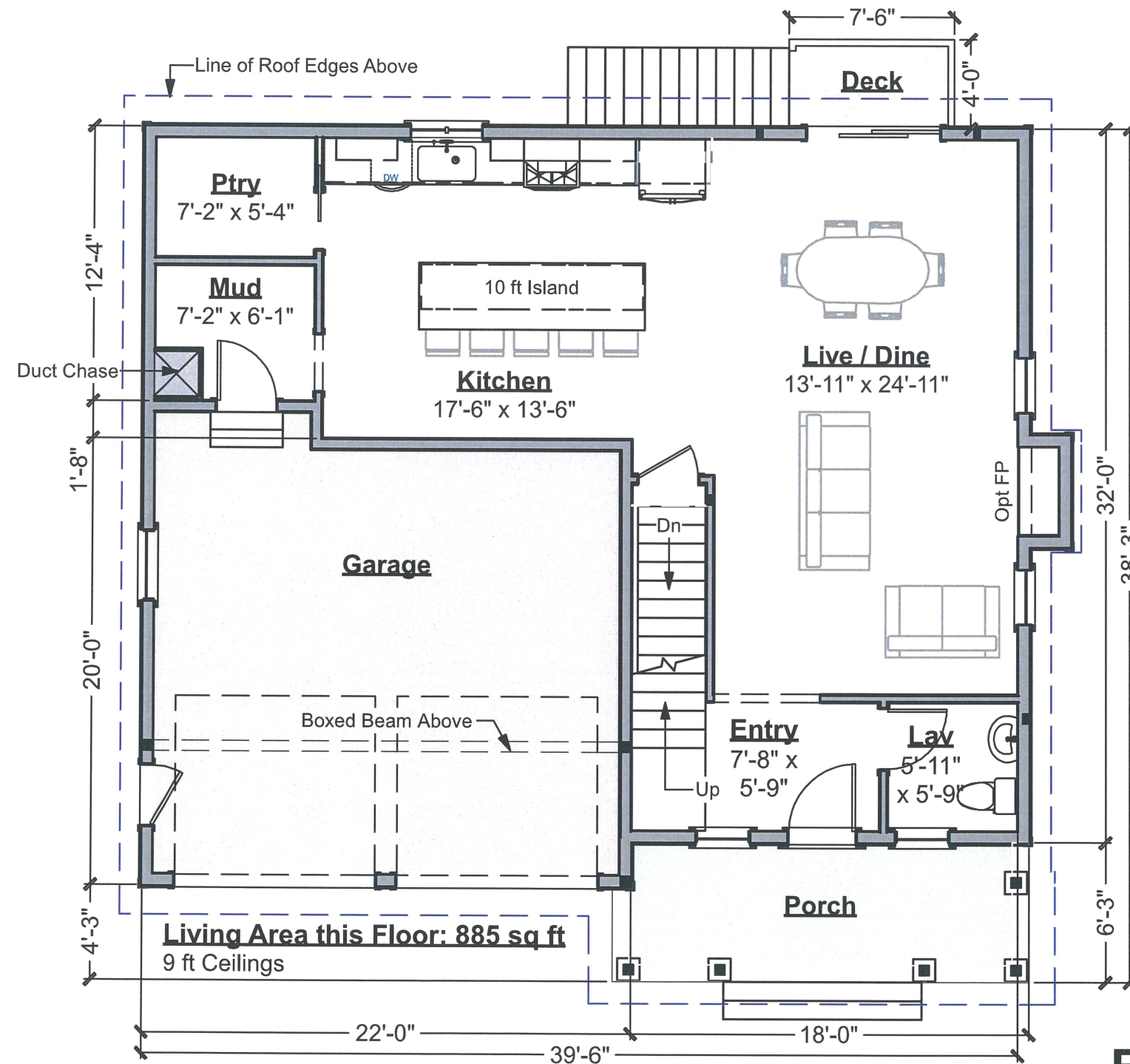
Sweet Peekaboo

418.124.v13 GL (3/4/2022)

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603-431-9559



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

3/4/2022

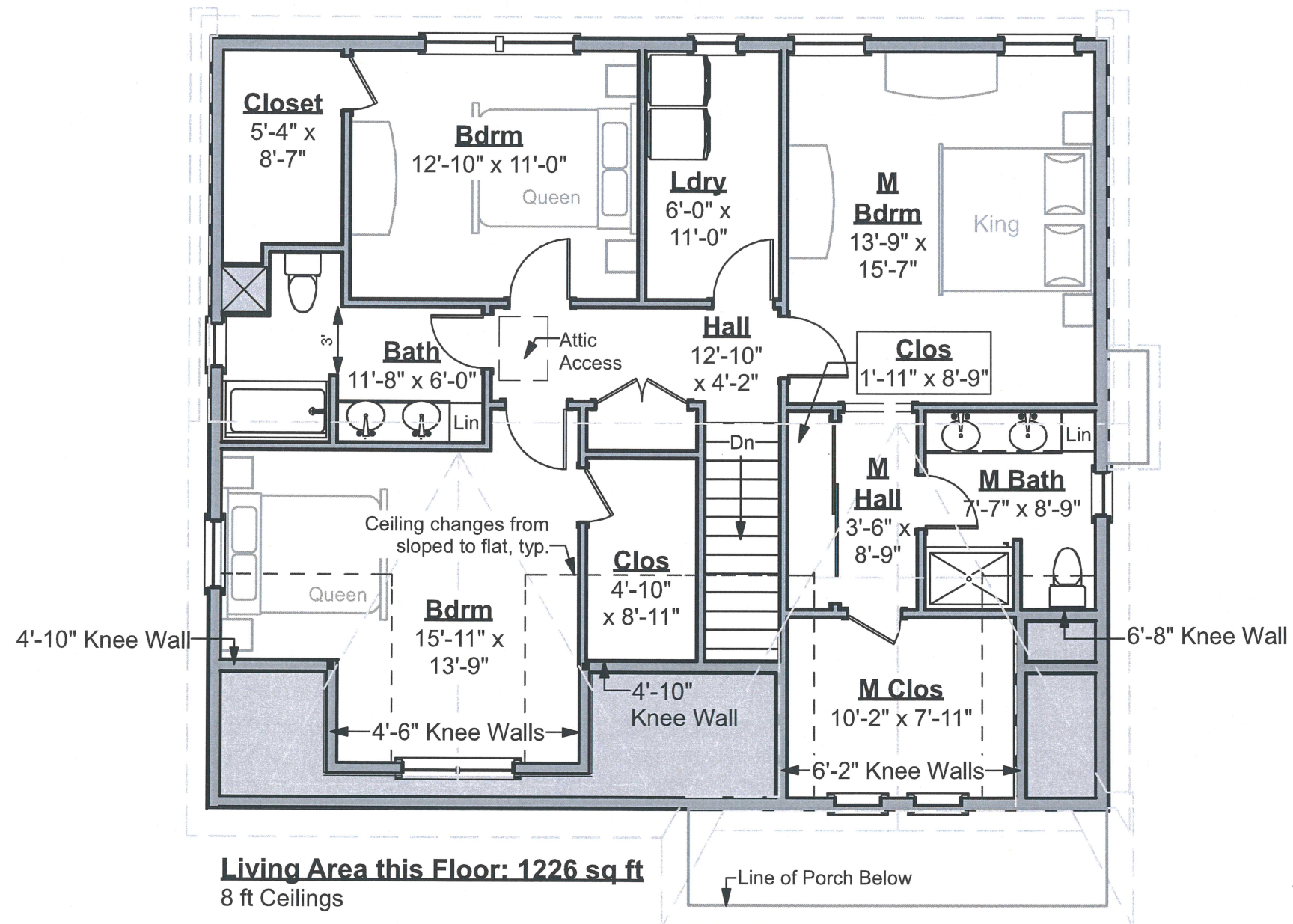
Sweet Peekaboo

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603-431-9559



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

3/4/2022

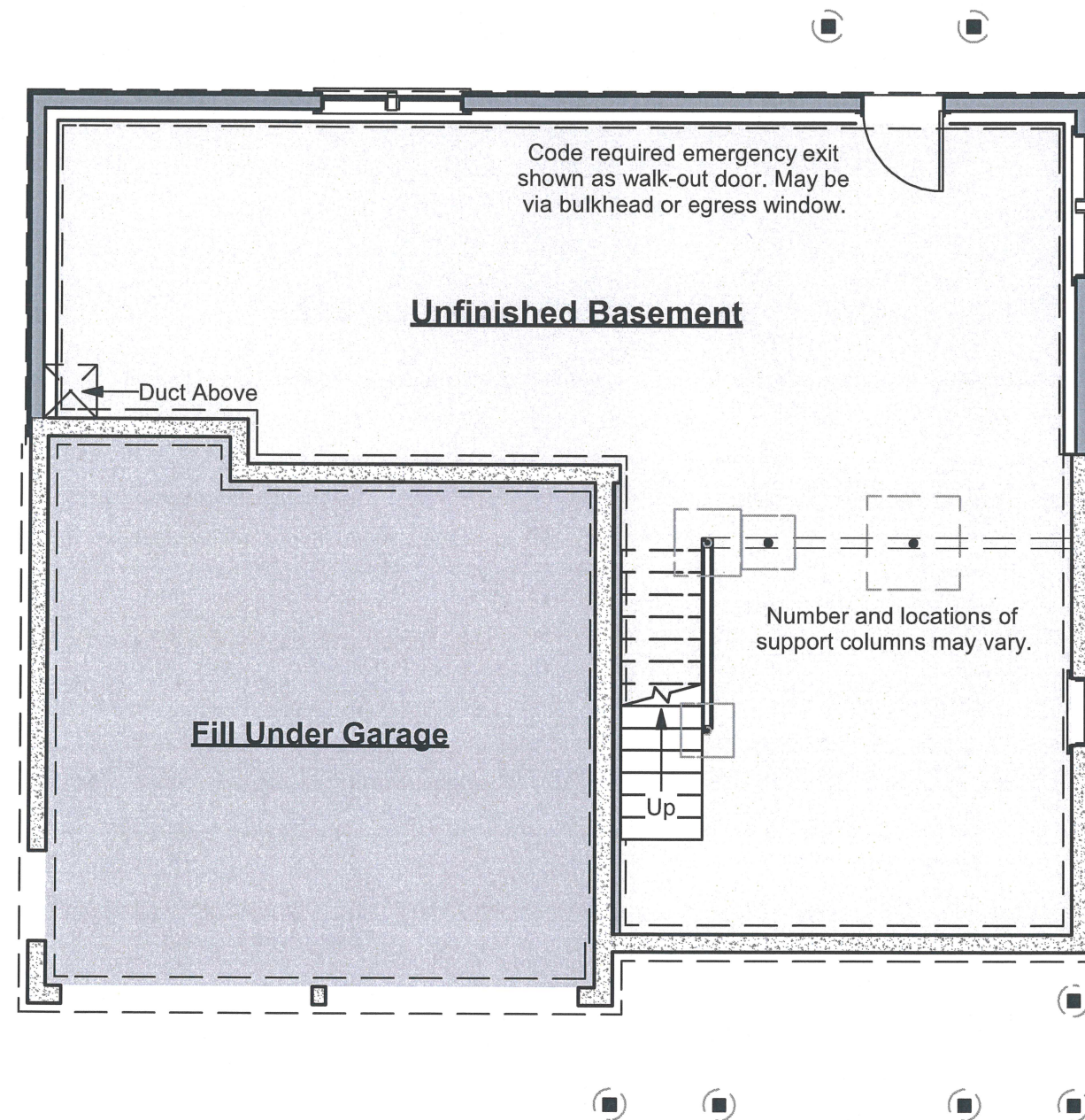
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Foundation Plan
Scale: 1/8" = 1'-0"

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Artform Home Plans

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

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

3/4/2022

Sweet Peekaboo

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

3/4/2022

Sweet Peekaboo

418.124.v13 GL (3/4/2022)

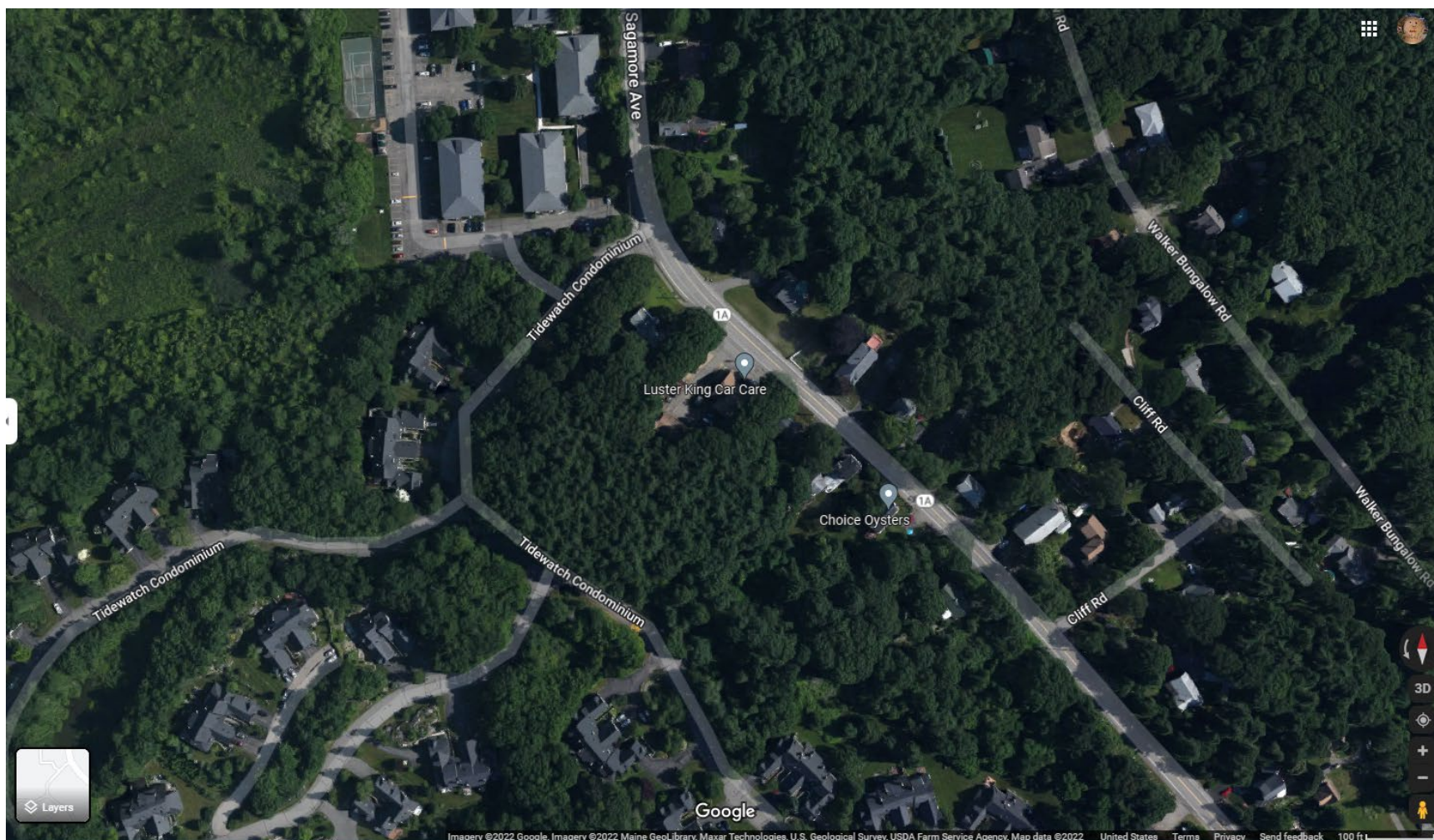
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Left Elevation
Scale: 1/8" = 1'-0"



Aerial view of Property



Front View of Property (Sagamore Ave)



Front View of Property



Front View of Property



Side View of Property



View of Service Garage and Shed



Rear View of Property

Exhibit 4

635 SAGAMORE AVE

Location 635 SAGAMORE AVE

Mblu 0222/ 0019/ 0000/ /

Acct# 35416

Owner 635 SAGAMORE
DEVELOPMENT LLC

PBN

Assessment \$682,800

Appraisal \$682,800

PID 35416

Building Count 2

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$407,600	\$275,200	\$682,800
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$407,600	\$275,200	\$682,800

Owner of Record

Owner 635 SAGAMORE DEVELOPMENT LLC
Co-Owner
Address 3612 LAFAYETTE RD DEPT 4
PORTSMOUTH, NH 03801

Sale Price \$387,133
Certificate
Book & Page 6332/1158
Sale Date 09/24/2021

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
635 SAGAMORE DEVELOPMENT LLC	\$387,133		6332/1158	09/24/2021
HINES FAMILY REVO TRUST	\$0		4885/1538	02/11/2008

Building Information

Building 1 : Section 1

Year Built: 1950
Living Area: 4,477

Replacement Cost: \$513,721
Building Percent Good: 54
Replacement Cost
Less Depreciation: \$277,400

Building Attributes	
Field	Description
Style:	Retail/Apartment
Model	Commercial
Grade	C
Stories:	2
Occupancy	3.00
Residential Units	
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	Pre-Fab Wood
Roof Structure	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Inlaid Sht Gds
Interior Floor 2	Carpet
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	Unit/AC
Bldg Use	PRI COMM
Total Rooms	
Total Bedrms	
Total Baths	
Kitchen Grd	
Heat/AC	NONE
Frame Type	WOOD FRAME
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	10.00
% Comn Wall	
1st Floor Use:	
Class	

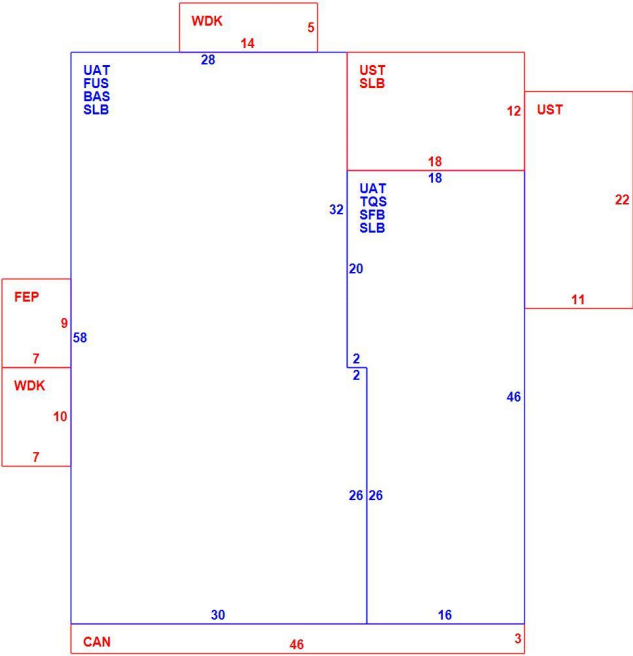
Building 2 : Section 1

Year Built: 2000
Living Area: 1,650
Replacement Cost: \$153,450

Building Photo

 Building Photo
(http://images.vgsi.com/photos2/PortsmouthNHPhotos///0033/DSC01732_;

Building Layout



(ParcelSketch.ashx?pid=35416&bid=35416)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,676	1,676
FUS	Upper Story, Finished	1,676	1,676
TQS	Three Quarter Story	776	582
SFB	Base, Semi-Finished	776	543
CAN	Canopy	138	0
FEP	Porch, Enclosed	63	0
SLB	Slab	2,668	0
UAT	Attic	2,452	0
UST	Utility, Storage, Unfinished	458	0
WDK	Deck, Wood	140	0
		10,823	4,477

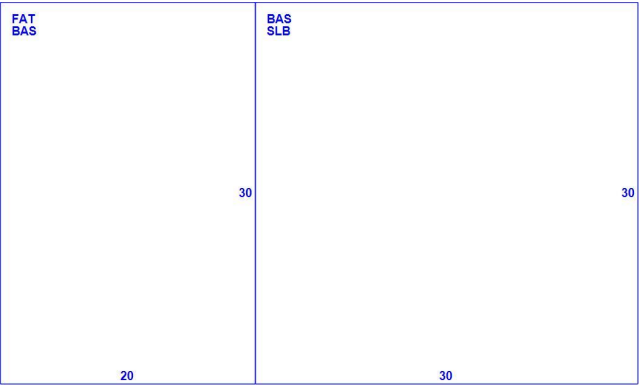
Building Percent Good: 84
Replacement Cost
Less Depreciation: \$128,900

Building Attributes : Bldg 2 of 2	
Field	Description
Style:	Service Shop
Model	Commercial
Grade	C
Stories:	1
Occupancy	1.00
Residential Units	
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Concr-Finished
Interior Floor 2	Carpet
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	None
Bldg Use	AUTO S S&S
Total Rooms	
Total Bedrms	
Total Baths	
Kitchen Grd	
Heat/AC	NONE
Frame Type	WOOD FRAME
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	12.00
% Comn Wall	
1st Floor Use:	
Class	

Building Photo

 Building Photo
(http://images.vgsi.com/photos2/PortsmouthNHPhotos///0033/DSC01731_;

Building Layout



(ParcelSketch.ashx?pid=35416&bid=40140)

Building Sub-Areas (sq ft)			<u>Legend</u>
Code	Description	Gross Area	Living Area
BAS	First Floor	1,500	1,500
FAT	Attic	600	150
SLB	Slab	900	0
		3,000	1,650

Extra Features

Extra Features	<u>Legend</u>
----------------	---------------

Land

Land Use

Use Code 0310
Description PRI COMM
Zone SRA
Neighborhood 306
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 1.93
Frontage
Depth
Assessed Value \$275,200
Appraised Value \$275,200

Outbuildings

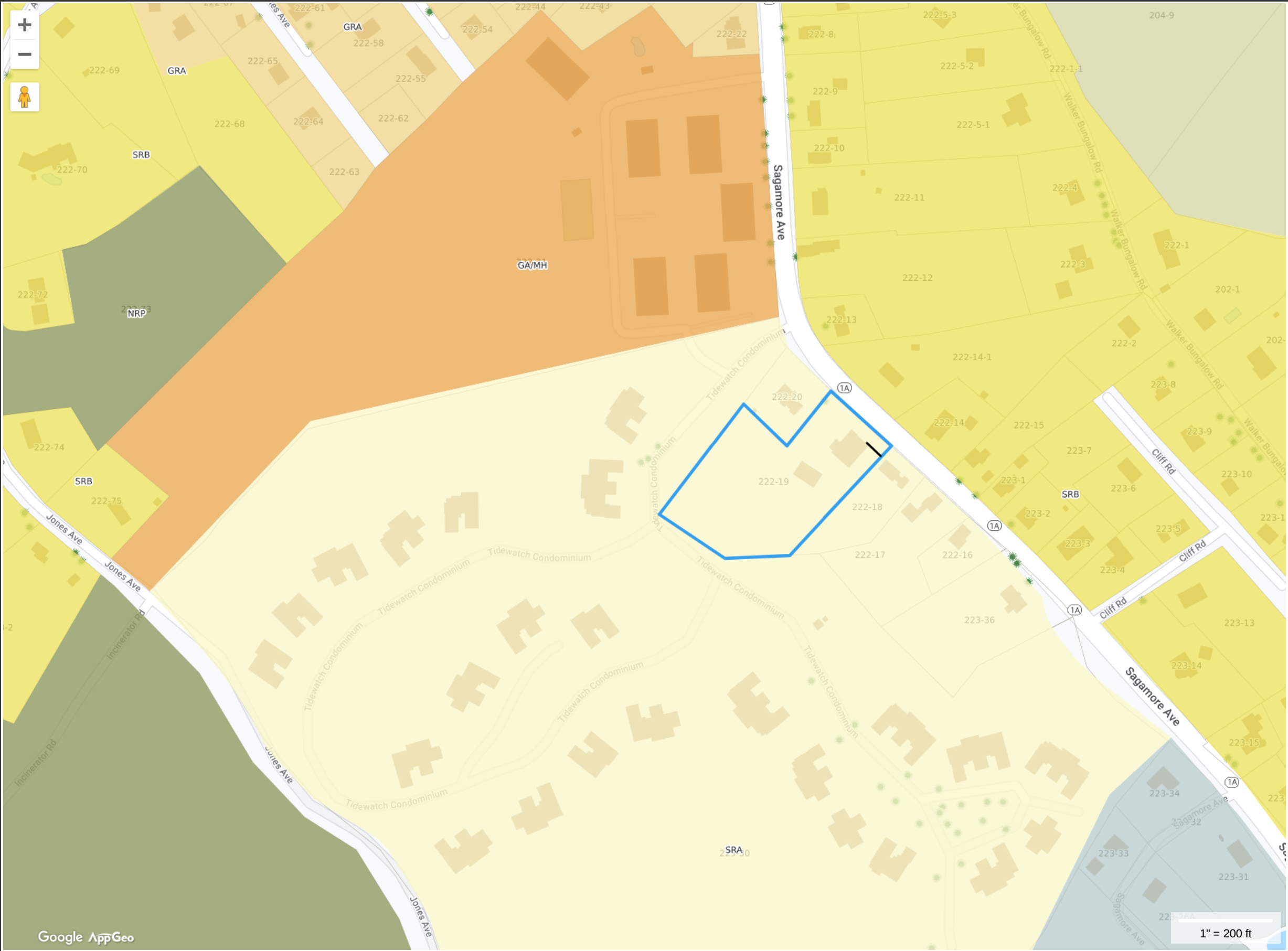
Outbuildings						<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			1344.00 S.F.	\$1,200	1
SHD1	SHED FRAME			96.00 S.F.	\$100	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$418,400	\$275,200	\$693,600
2019	\$418,400	\$275,200	\$693,600
2018	\$391,100	\$254,800	\$645,900

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$418,400	\$275,200	\$693,600
2019	\$418,400	\$275,200	\$693,600
2018	\$391,100	\$254,800	\$645,900

635 Sagamore Avenue



Property Information	
Property ID	0222-0019-0000
Location	635 SAGAMORE AVE
Owner	635 SAGAMORE DEVELOPMENT LLC



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 3/9/2022
Data updated 3/9/2022

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

Exhibit 5

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-B

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