

II. OLD BUSINESS

- B. The request of **Jared J Saulnier (Owner)**, for property located at **4 Sylvester Street** whereas relief is needed to subdivide one lot into two lots which requires the following: Proposed Lot 1: 1) Variances from **Section 10.521** to allow a) a lot area and lot area per dwelling of 9,645 square feet where 15,000 is required for each; b) 80 feet of lot depth where 100 feet is required; and c) a 9 foot right side yard where 10 feet is required. Proposed Lot 2: 1) Variances from Section 10.521 to allow a) a lot area and lot area per dwelling unit of 6,421 square feet where 15,000 is required for each; b) 40 feet of street frontage where 100 feet is required; and c) 80 feet of lot depth where 100 feet is required. Said property is located on Assessor Map 232 Lot 36 and lies within the Single Residence B (SRB) District. (LU-23-27)

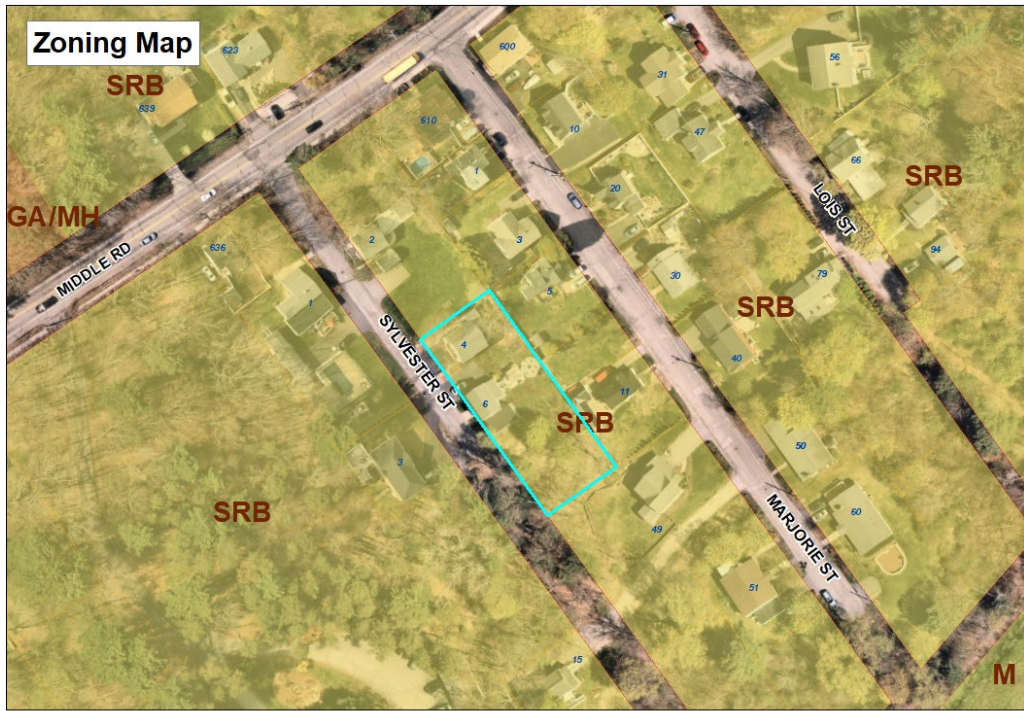
Existing & Proposed Conditions

	<u>Existing</u>	<u>Proposed</u>		<u>Permitted / Required</u>
<u>Land Use:</u>	Single Family Home	Lot 1	Lot 2	Primarily residential
<u>Lot area (sq. ft.):</u>	16,067	9,645	6,421	15,000 min.
<u>Lot Area per Dwelling Unit (sq. ft.):</u>	16,067	9,645	6,421	15,000 min.
<u>Lot depth (ft.):</u>	80	80	80	100 min.
<u>Street Frontage (ft.):</u>	200.01	119.9	40	100 min.
<u>Primary Front Yard (ft.):</u>	7.95	7.95	n/a	30 min.
<u>Right Yard (ft.):</u>	>10	9	10	10 min.
<u>Left Yard (ft.):</u>	9.7	9.7	10	10
<u>Rear Yard (ft.):</u>	33.9	33.9	30	30 min.
<u>Height (ft.):</u>	21.75	21.75	n/a	35 max.
<u>Building Coverage (%):</u>	11.1	18.5	0	20 max.
<u>Open Space Coverage (%):</u>	78.8	67.2	100	40 min.
<u>Parking:</u>	2	2	n/a	2
<u>Estimated Age of Structure:</u>	1910		Variance request(s) shown in red.	

Other Permits/Approvals Required

- Subdivision Review and Approval – TAC and Planning Board

Neighborhood Context



4 Sylvester Street

Previous Board of Adjustment Actions

No previous BOA history found.

Planning Department Comments

The applicant is proposing to divide the existing lot into two 2 lots. As the road dead ends at the applicant's property the applicant is proposing to extend the public road by 40 feet to provide access to the new lot.

Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
 - (a) *The property has special conditions that distinguish it from other properties in the area.*

AND

 - (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

 - (c) *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.*

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

127 Parrott Avenue | Portsmouth, NH, 03801
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

March 1, 2023

HAND DELIVERED

Peter Stith, Principal Planner
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Jared J. Saulnier, Owner/Applicant
4 Sylvester Street
Tax Map 232/Lot 36

Dear Mr. Stith & Zoning Board Members:

On behalf of Jared J. Saulnier (“Saulnier”), enclosed please find the following in support of a request for zoning relief:

- Digital Application submitted via Viewpoint earlier today.
- Owner Authorization.
- 3/1/2023 – Memorandum and exhibits in support of variance application.

We look forward to presenting this application to the Zoning Board at its March 21, 2023 meeting.

Very truly yours,



R. Timothy Phoenix
Monica F. Kieser

Encl.

cc: Jared J. Saulnier
Altus Engineering (email)

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

OWNER'S AUTHORIZATION

I, Jared J. Saulnier, Owner/Applicant of 4 Sylvester Street, Tax Map 232/Lot 36, hereby authorize law firm Hoefle, Phoenix, Gormley & Roberts, PLLC to represent me before any and all City of Portsmouth Representatives, Boards and Commissions for permitting the project.

Respectfully submitted,

Date: 01-11-2023

Jared Saulnier

Jared J. Saulnier

MEMORANDUM

TO: Portsmouth Zoning Board of Adjustment (“ZBA”)
FROM: R. Timothy Phoenix, Esquire
Monica F. Kieser, Esquire
DATE: March 1, 2023
RE: Jared J. Saulnier, Owner/Applicant
4 Sylvester Street
Tax Map 232/Lot 36
Single Residence B District

Dear Chair Eldridge and Zoning Board Members:

On behalf of the Owner/Applicant, Jared J. Saulnier (“Saulnier”), we are pleased to submit this memorandum and attached exhibits in support of Zoning Relief for the subdivision of the existing lot to be considered by the ZBA at its March 21, 2023 meeting.

I. EXHIBITS

- A. Prospect Park, Annex #3, 1903 – Rockingham County Registry of Deeds #00225
- B. Plat of Land & Limited Elevations – issued by James Verra & Associates, Inc.
- C. ZBA Plan – issued by Altus Engineering.
- D. Map of area depicting lots with less than required area, frontage, and/or depth.
- E. Site Photographs.
 - Satellite view
 - Street views
- F. Tax Map 233.

II. PROPERTY/PROJECT

4 Sylvester Street is a 16,067 s.f. lot with 200 ft. of frontage comprised of five (5) historic lots (40 ft. by 80 ft.) depicted on the 1903 Plan of Prospect Park, Annex #3 (the “Property”).

(Exhibits A & B). Although Sylvester Street is laid out on the Prospect Park Plan, it does not continue past the Property, which is the last house on the left, but continues on the other side of a wooded area with access from Marjorie. The Property is developed with a single family home and garage on the left side of the lot, and a shed and wood storage structure on the right side of the lot. A 20 ft. utility easement benefitting the City crosses the Property between the home and garage. The garage was constructed outside that easement area and is therefore 9.7 ft. from the left side lot line. The Property contains nearly twice the required frontage but like nearly all the historic lots, is 80 ft. deep, failing to conform to today’s Single Residence B District Requirements.

Saulnier proposes to subdivide the Property into two lots, Lot 1 containing 9,645 s.f., and

119.90 ft. of frontage and the existing home and barn, and Lot 2 containing 6,421 s.f., 80 ft. of frontage and an existing lot depth of 80 ft. (the “Project”). **(Exhibit C)**. The Project confers the benefit of an additional buildable lot in Portsmouth, where housing opportunities are in high demand and many lots fail to conform to current requirements for frontage, lot area, lot area/dwelling unit, and lot depth. **(Exhibit D)**. In anticipation of a Subdivision Application, Saulnier seeks variances to permit two lots with less than 15,000 s.f., one with a side yard of less than 10 ft., and one lot with less than 100 ft. of frontage and less than 100 ft. lot depth.

III. RELIEF REQUIRED

<u>Variance Section/Requirement</u>	<u>Existing</u>	<u>Proposed</u>
<u>PZO §10.520/Table §10.521:</u> <u>Dimensional Standards</u> 15,000 s.f. Lot area 15,000 s.f. Lot area/dwelling unit	16,067 s.f.	Lot 1: 9,645 s.f. Lot 2: 6,421 s.f.
<u>PZO §10.520/Table §10.521:</u> <u>Dimensional Standards</u> 100’ Continuous Street Frontage	200.01’	Lot 1: 119.90’ (no relief) Lot 2: 80.11’ ft.
<u>PZO §10.520/Table §10.521:</u> <u>Dimensional Standards</u> 100’ Lot Depth	80’	80’
<u>PZO §10.520/Table §10.521:</u> <u>Dimensional Standards</u> 10’ Side Yard	Lot 1: 9.7’ (left side)	Lot 1: 9.1’ (right side)

IV. VARIANCE REQUIREMENTS

- 1. The variances will not be contrary to the public interest.**
- 2. The spirit of the ordinance is observed.**

The first step in the ZBA’s analysis is to determine whether granting the variances 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 N.H. 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 ordinance’s basic zoning objectives”. Id. “Mere conflict with the zoning ordinance is not

enough”. *Id.*

Portsmouth Zoning Ordinance (“PZO”) Section 10.121 identifies the general purposes and intent of the ordinance “to promote the health, safety and general welfare of Portsmouth...in accordance with the...Master Plan” This is accomplished by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes – The intended use of the property is and will remain residential. The requested relief will satisfy the need for additional housing with creation of additional building lot on an underutilized area of land in a populated area where many similar sized lots exist.
2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – Lot 2 has 80.11 ft. of frontage where 100 ft. is required, but is the last lot on a dead-street; though under the required 15,000 s.f., it can accommodate a modest sized home without increasing the intensity of land use in the area. Many lots in the area are smaller than 15,000 s.f., lack 100 feet of frontage and/or depth, or required side yards, so the new lot fits in the area.
3. The design of facilities for vehicular access, circulation, parking and loading – Both lots will have sufficient space to accommodate appropriate facilities for these needs.
4. The impact on properties on of outdoor lighting, noise, vibration, stormwater runoff and flooding – The creation of an additional residential lot will not impact surrounding properties.
5. The preservation and enhancement of the visual environment – Allowance of an additional residential building lot among similarly sized developed lots will not negatively affect the visual environment.
6. The preservation of historic districts and building and structures of historic architectural interest – The Property is not located in the Historic Overlay District.
7. The protection of natural resources, including groundwater, surface water, wetlands, wild life habitat and air quality – The granting of the variances will not undermine these purposes of the Ordinance.

The intent of Single Residence B District is “[t]o provide areas for single-family dwellings at low to medium densities (approximately 1 to 3 dwellings per acre), and appropriate accessory uses. PZO §10.410. The Property is comprised of five lots depicted on a plan recorded prior to zoning. The proposal meets the intentions of the Single Residence B District by providing another residential building lot that is consistent with many in the area. Given these factors, granting the limited requested variances will not conflict with the basic zoning objectives of the PZO.

In considering whether variances “in a marked degree conflict with the ordinance such that they violate the ordinance’s basic zoning objectives,” Malachy Glen, *supra*, also held:

One way to ascertain whether granting the variance would violate basic zoning objectives is to determine 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)

Notably, there are several properties in the immediate area with lot areas less than 15,000 s.f., less than 100 ft. of frontage, **and** less than 100 ft. lot depth; more yet lack required lot area **or** frontage, **or** depth. **(Exhibit D)**. The minimal deviation from the required side yard is not noticeable and also matches yard setbacks of the small lots nearby. Given the existence of many similar lots in the area, granting the variances for a lot on a major thoroughfare in this area will not alter the essential characteristics of the neighborhood.

Similarly, there will be no threat to the public health, safety or welfare by granting the requested variances when the relief required is for a building lot size, frontage, depth, and side yard comparable to several existing in the surrounding area. Allowance of an additional residential building lot in a populated residential zone satisfies the need for additional housing and affords Saulnier the highest and best use of his land.

The requested variances neither alter the essential character of the locality nor threaten the public health safety or welfare. Accordingly, none of the variances are contrary to the public interest and all observe the spirit of the ordinance.

3. Granting the variance will not diminish surrounding property values.

Granting the requested variances will not diminish surrounding property values. The proposal will satisfy the need for housing in Portsmouth through creation of an additional building lot on Sylvester Street comparable to others in the surrounding area. The later addition of a modest home on a lot similar in size to many in the area will not diminish surrounding property values.

4. Denial of the variances results in an unnecessary hardship.

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

The Property contains nearly twice the required frontage and is comprised of five historic lots. The home and garage are located on the left side of the lot separated by a 20 ft. utility easement. This configuration under-utilizes prospective Lot #2 as an additional yard, when a more productive use would be as an additional residential building lot. A hardship may be found where similar nonconforming uses exist within the neighborhood and the proposed use

will have no adverse effect on the neighborhood. See Walker v. City of Manchester, 107 N.H. 382, 386 (1966). In Walker, an applicant sought to convert the use of a large building to a dwelling and funeral home in a residential zone. Denied by the Manchester Zoning Board of Adjustment, the Trial Court and Supreme Court found that a hardship existed, thus the variances should have been granted, where numerous other large dwellings in the area had been converted to office or other business use, and numerous funeral homes existed in an otherwise residential district via the issuance of variances. Here, the density, frontage, and lot configuration resulting from the requested variances are similar to the conditions in the surrounding area with similar sized developed lots and will have no adverse effect on the neighborhood, thus a hardship exists. Walker, supra.

Finally, a municipality's ordinance must reflect the current character of the neighborhood, See Belanger v. City of Nashua, 121 N.H. 389, 393 (1981). Granting the requested variances allow the subject lot to be in keeping with the character of other residential uses in the vicinity. Thus, the variances in this instance will allow the Ordinance to reflect the character of the area. In light of these conditions and restrictions, special conditions exist at the Property.

- 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 dimensional requirements is to regulate density and prevent overcrowding of land and population. The purpose of frontage requirements is to provide air, light and promote visibility for motorists, cyclists, and pedestrians. The requested variances do not undermine the purpose of the Ordinance, particularly in the context of the Property's location at the end of Sylvester among many similar sized properties.

- c. The proposed use is reasonable.

If the use is permitted, it is deemed reasonable. Vigeant v. Hudson, 151 N.H. 747 (2005). Residential use is permitted and the creation of Lot 2 is consistent with the overall intent of the zoning district and similar conditions in the neighborhood. Thus, the improvements and variances required for them are 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, L.L.C., 162 N.H. 508

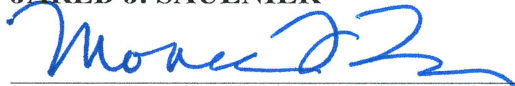
(2011). That is, “any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice.” Malachy Glen, *supra* at 109. The variances needed to create a building lot for a modestly sized residential home in a residential zone satisfy the need for housing and result in a lot comparable to many others in the surrounding area, so will not impact the general public. Conversely, Saulnier will be greatly harmed by denial of any of the variances, as he will lose the ability to create needed housing in Portsmouth. Without question, substantial justice will be done by granting each variance while a substantial injustice will be done by denying any of them.

V. **CONCLUSION**

For all of the reasons stated, Jared J. Saulnier respectfully requests that the Portsmouth Zoning Board of Adjustment grant each variance request.

Respectfully submitted,

JARED J. SAULNIER



By: R. Timothy Phoenix
Monica F. Kieser

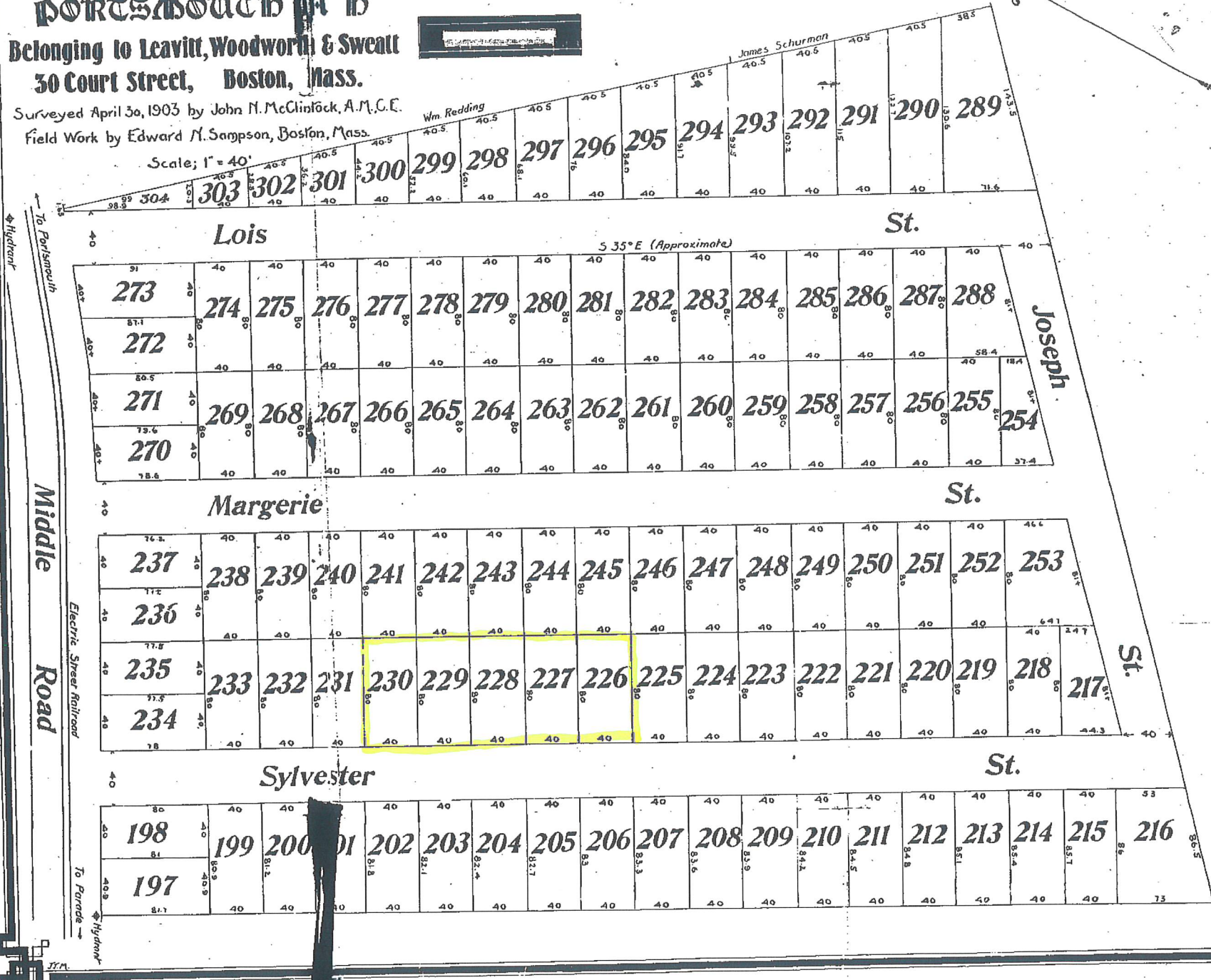
PROSPECT PARK PORTSMOUTH N.H.

ANNEX NO. 3.

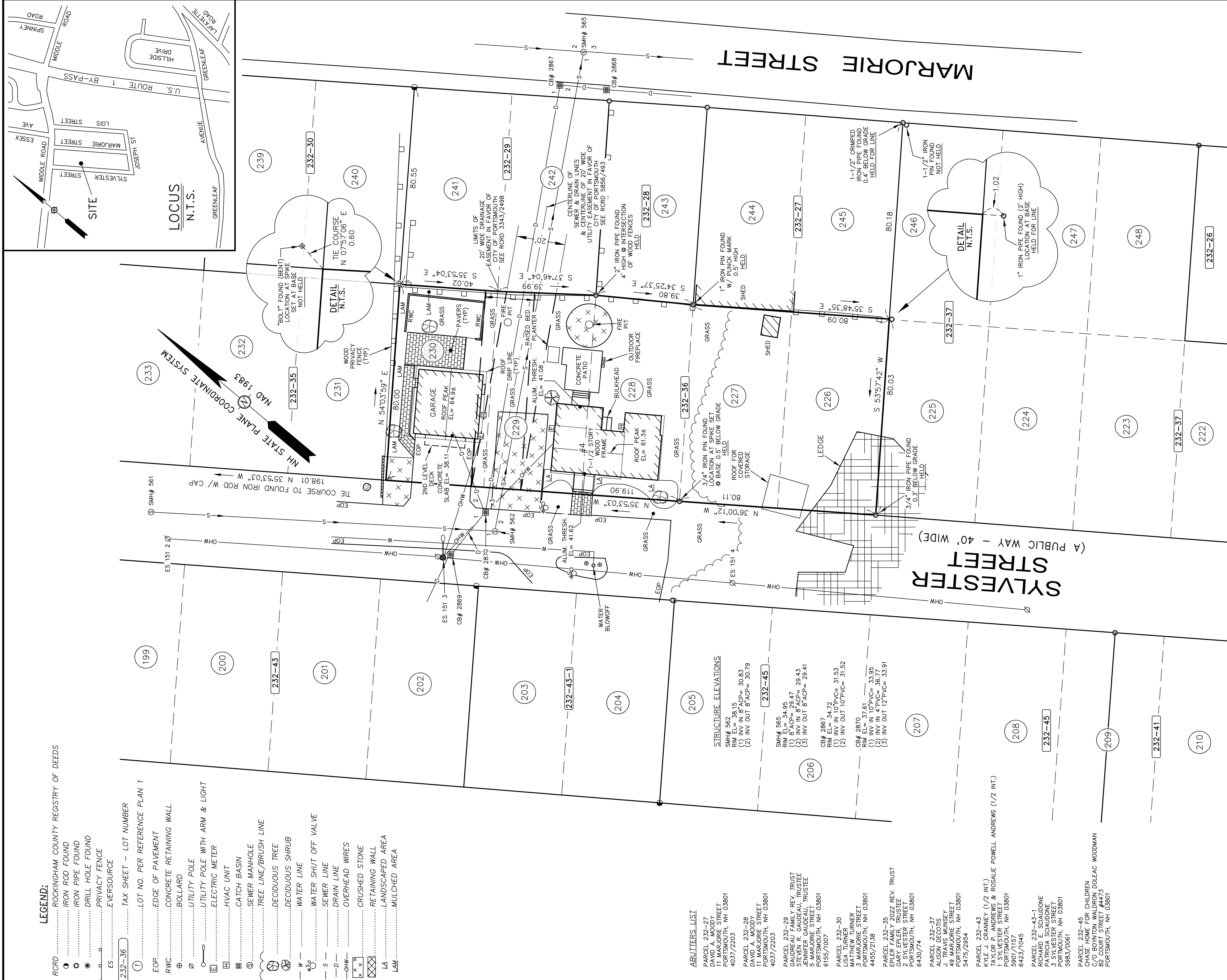
Belonging to Leavitt, Woodworth & Sweatt
30 Court Street, Boston, Mass.

Surveyed April 30, 1903 by John N. McClintock, A.M.C.E.
Field Work by Edward N. Sampson, Boston, Mass.

Scale; 1" = 40'



- LEGEND:**
- RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
 - IRON ROD FOUND
 - IRON PIPE FOUND
 - ⊙ DRILL HOLE FOUND
 - PRIVACY FENCE
 - ES EVERSOURCE
 - 232-36 TAX SHEET - LOT NUMBER
 - ① LOT NO. PER REFERENCE PLAN 1
 - EOP EDGE OF PAVEMENT
 - RWC CONCRETE RETAINING WALL
 - ⊕ BOLLARD
 - ⊕ UTILITY POLE
 - ⊕ UTILITY POLE WITH ARM & LIGHT
 - ⊕ ELECTRIC METER
 - ⊕ HVAC UNIT
 - ⊕ CATCH BASIN
 - ⊕ SEWER MANHOLE
 - ⊕ TREE LINE/BRUSH LINE
 - ⊕ DECIDUOUS TREE
 - ⊕ DECIDUOUS SHRUB
 - WATER LINE
 - WATER SHUT OFF VALVE
 - SEWER LINE
 - DRAIN LINE
 - OVERHEAD WIRES
 - CRUSHED STONE
 - RETAINING WALL
 - LA LANDSCAPED AREA
 - LAM MULCHED AREA



ABUTTERS LIST

PARCEL 232-27 DAVID A. MOODY 11 MARJORIE STREET PORTSMOUTH, NH 03801 4037/2203	PARCEL 232-28 DAVID A. MOODY 11 MARJORIE STREET PORTSMOUTH, NH 03801 4037/2203	PARCEL 232-29 CAROL E. FAHEY REV. TRUST JENNIFER GAUDEAU, TRUSTEE 5 MARJORIE STREET PORTSMOUTH, NH 03801 6155/1007	PARCEL 232-30 US4 MATTHEW TURNER 3 MARJORIE STREET PORTSMOUTH, NH 03801 4455/2138	PARCEL 232-35 EPLER FAMILY 2022 REV. TRUST GARY EPLER, TRUSTEE 5 MARJORIE STREET PORTSMOUTH, NH 03801 6430/74	PARCEL 232-37 JAMES W. DOLAN J. TRAVIS MUNSEY 49 MARJORIE STREET PORTSMOUTH, NH 03801 5475/2984	PARCEL 232-43 KYLE J. CRANNEY (1/2 INT.) TAYLOR P. ANDREWS & ROSALIE POWELL ANDREWS (1/2 INT.) 5901/1157 6423/1045	PARCEL 232-43-1 RICHARD E. SGAUDONE PATRICIA SGAUDONE 3 SYLVESTER STREET PORTSMOUTH, NH 03801 5983/081	PARCEL 232-45 CHASE HOME FOR CHILDREN 1000 WOODMAN 52 COURT STREET #423 PORTSMOUTH, NH 03801
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STRUCTURE ELEVATIONS

SMH# 562 RIM EL= 38.15 (1) INV IN 8"ACP= 30.83 (2) INV OUT 8"ACP= 30.79	SMH# 565 RIM EL= 34.95 (1) INV IN 8"ACP= 29.47 (2) INV IN 8"ACP= 29.43 (3) INV OUT 8"ACP= 29.41	CB# 2867 RIM EL= 34.72 (1) INV IN 10"PVC= 31.51 (2) INV OUT 10"PVC= 31.52	CB# 2870 RIM EL= 37.61 (1) INV IN 4"PVC= 33.95 (2) INV IN 4"PVC= 35.77 (3) INV OUT 12"PVC= 33.91
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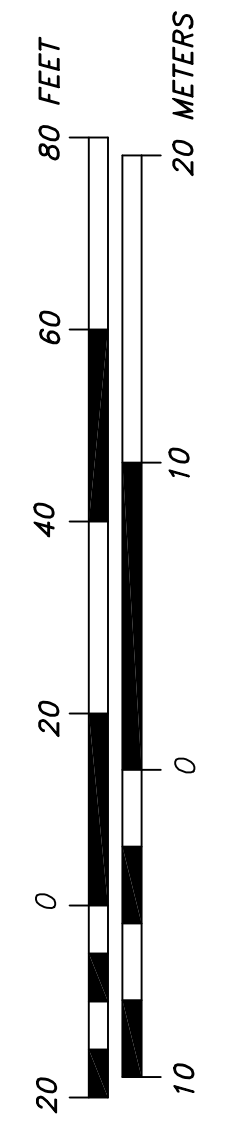
REFERENCE PLANS:

- PROSPECT PARK, ANNEX NO. 3, PORTSMOUTH, NH, BELONGING TO LEAVITT, WOODWORTH & SHEATT, SURVEYED 4/30/1903, RCRD PLAN 00223.
- PLAN OF LAND, PORTSMOUTH, N.H., FOR MAX MILTON, SCALE: 1"=30', DATED 7/1974, FILE NO. 72A, PLAN NO. 4336, BY JOHN W. DURGIN, CEPA, NOT RECORDED.
- A PLAN OF LAND IN PORTSMOUTH, N.H., FOR THE CHASE HOME FOR CHILDREN; SCALE: 1"=60', DATED 9/10/1980, BY JOHN W. DURGIN ASSOCIATES, INC., NOT RECORDED.
- EASEMENT PLAN, ACCESS EASEMENT, MARJORIE STREET, PORTSMOUTH, NH, DATED 3/2013, RCRD PLAN D-37716.
- PLAT OF LAND PREPARED FOR ARNE, LLC, 3 SYLVESTER STREET, PORTSMOUTH, NH, DATED 2/15/2019, RCRD PLAN D-41324.

NOTES:

- OWNER OF RECORD..... JARED J. SAULNIER
ADDRESS..... 4 SYLVESTER ST, PORTSMOUTH, NH 03801
DEED REFERENCE..... 6155/1007
TAX SHEET / LOT..... 232-36
PARCEL AREA 16,067 S.F.
- ZONED..... SRB
MINIMUM LOT AREA 15,000 S.F.
FRONTAGE..... 100'
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GATES ETC.) AND INFORMATION COMPILED FROM PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE @ 1-888-DIG-SAFE.
- THIS PLAN IS BASED ON A FIELD SURVEY PERFORMED 8/2022 & 11/2022. ON SITE CONTROL ESTABLISHED USING SURVEY GRADE GPS UNITS. HORIZONTAL DATUM: NAD 1983 (2011)(EPOCH 2010.0000). VERTICAL DATUM: NAVD 1988. PRIMARY BM: CITY CONTROL POINT "ROBE"
- PARCEL 232-36 IS SUBJECT TO 2'0" WIDE UTILITY EASEMENTS IN FAVOR OF THE CITY OF PORTSMOUTH AS SHOWN HEREON.
- PARCEL 232-36 LIES IN ZONE X (NO SCREEN). AREA OF MINIMAL FLOOD HAZARD AS SHOWN ON FLOOD INSURANCE RATE MAP 33015C0270F, REVISED 1/29/2021, BY FEMA.

EXHIBIT B



REV. NO. DATE DESCRIPTION APPROV

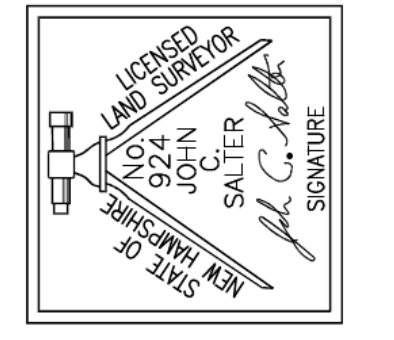
PLAT OF LAND & LIMITED ELEVATIONS
4 SYLVESTER STREET
PORTSMOUTH, NEW HAMPSHIRE
ASSESSOR'S PARCEL 232-36

for
JARED J. SAULNIER

JAMES VERRA and ASSOCIATES, INC.
101 SHATTUCK WAY
SUITE 8
NEWINGTON, N.H. 03801-7876
603-436-3597

DATE: 12/13/2022
JOB NO: 24021
SCALE: 1" = 20'
DWG NAME: 24021
PLAN NO: 24021
SHEET: 1 OF 1

PROJECT MGR: JES
DRAWN BY: JES
CHECKED BY: JES
COPYRIGHT © 2022 by JAMES VERRA and ASSOCIATES, INC.



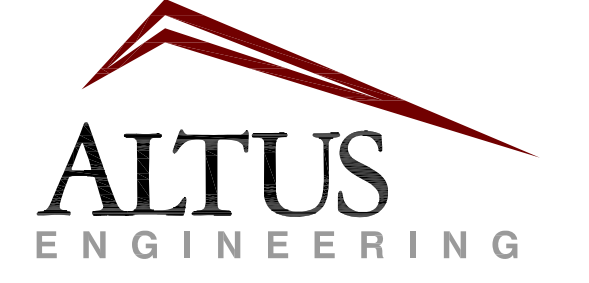


SITE NOTES

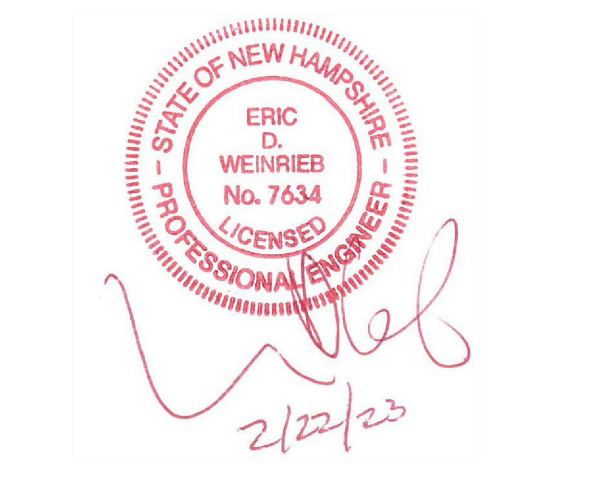
- DESIGN INTENT – THIS PLAN SET IS INTENDED TO DEPICT THE REESTABLISHMENT OF AN ABANDONED LOT LINE TO SUBDIVIDE LOT 232-36 INTO TWO RESIDENTIAL HOUSE LOTS.
- LOT AREA: 16,067 S.F. (±0.37 AC.)
- ZONE: SINGLE RESIDENCE B (SRB)
- DIMENSIONAL REQUIREMENTS:

	REQUIRED	EXIST.	LOT 1	LOT 2
MIN. LOT AREA:	15,000 S.F.	16,067	9,645	6,421
MIN. STREET FRONTAGE:	100'	200.01'	119.90'	80.11'
MIN. LOT DEPTH:	100'	80.02'	80.15'	80.17'
FRONT SETBACK*:	30'	7.95'	7.95'	30' MIN.
(*MAY BE REDUCED TO AVERAGE WITHIN 200' ON SAME SIDE OF STREET)				
SIDE SETBACK:	10'	±9.7'	±9.1'	10' MIN.
REAR SETBACK:	30'	±33.9'	±33.9'	30' MIN.
MAX. BUILDING HEIGHT:	35'	±21.75'	±21.75'	35' MAX.
MAX. BLDG. COVERAGE:	20%	11.1%	18.5%	20% MAX.
MIN. OPEN SPACE:	40%	78.8%	67.2%	40% MIN.

- THE FOLLOWING VARIANCES FROM THE PORTSMOUTH ZONING ORDINANCE ARE REQUIRED:
 - SECTION 10.520, TABLE 10.521 – VARIANCE REQUIRED TO ALLOW A LOT SIZE LESS THAN THE REQUIRED MINIMUM (9,645 S.F. AND 6,421 S.F. VS. 15,000 S.F.).
 - SECTION 10.520, TABLE 10.521 – VARIANCE REQUIRED TO ALLOW LOT FRONTAGE LESS THAN THE REQUIRED MINIMUM (80.11' VS. 100').
 - SECTION 10.520, TABLE 10.521 – VARIANCE REQUIRED TO ALLOW LOT DEPTH LESS THAN THE REQUIRED MINIMUM (80.17' VS. 100').
 - SECTION 10.520, TABLE 10.521 – VARIANCE REQUIRED TO ALLOW A SIDE SETBACK LESS THAN THE REQUIRED MINIMUM (9.1' VS. 10').



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



NOT FOR CONSTRUCTION

ISSUED FOR: ZBA

ISSUE DATE: FEBRUARY 21, 2023

NO.	DESCRIPTION	BY	DATE
0	ZBA	EBS	02/21/23

EXHIBIT C

DRAWN BY: EBS
APPROVED BY: EBS
DRAWING FILE: 5313-SUB.dwg

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

OWNER:
JARED SAULNIER
4 SYLVESTER STREET
PORTSMOUTH, NH 03801

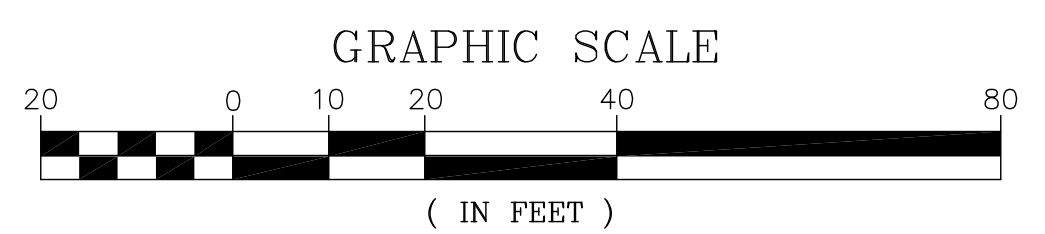
APPLICANT:
JARED SAULNIER
4 SYLVESTER STREET
PORTSMOUTH, NH 03801

PROJECT:
SAULNIER
SUBDIVISION
TAX MAP 232 LOT 36
4 SYLVESTER STREET
PORTSMOUTH, NH

TITLE:

ZBA PLAN

SHEET NUMBER:
C-1



Lots with less than the required Lot Area/Frontage/Depth



EXHIBIT D







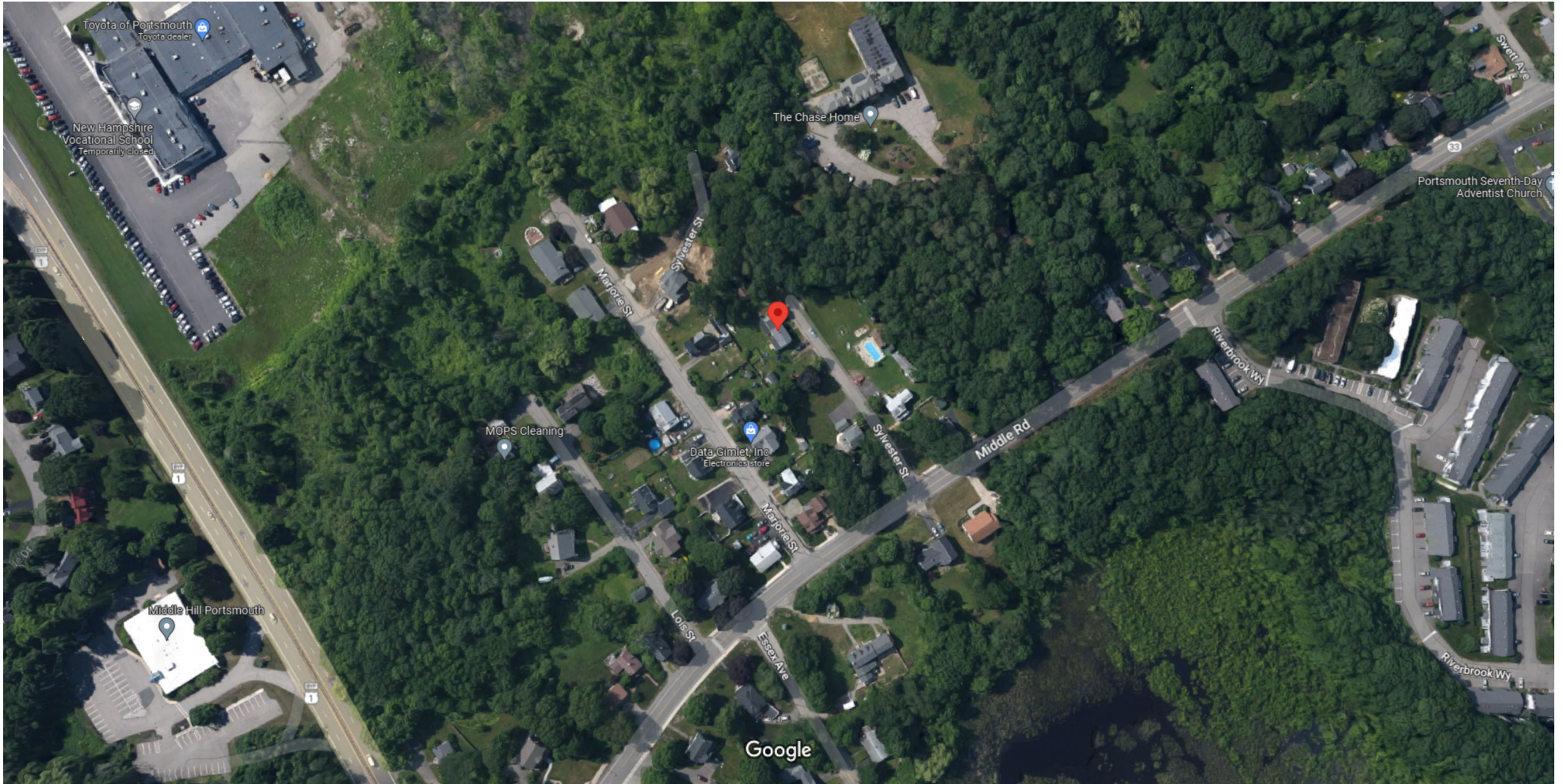
MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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 09/21/2022
Data updated 3/9/2022

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

- Subject Property 
- Lots with Insufficient Frontage 
- Lots under 15,000 s.f. 
- Lots with Insufficient Depth 

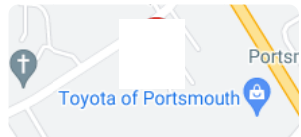


Imagery ©2023 Google, Imagery ©2023 Maine GeoLibrary, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2023 100 ft



Portsmouth, New Hampshire
Google Street View
Sep 2019 See more dates

Image capture: Sep 2019 © 2023 Google

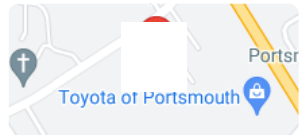


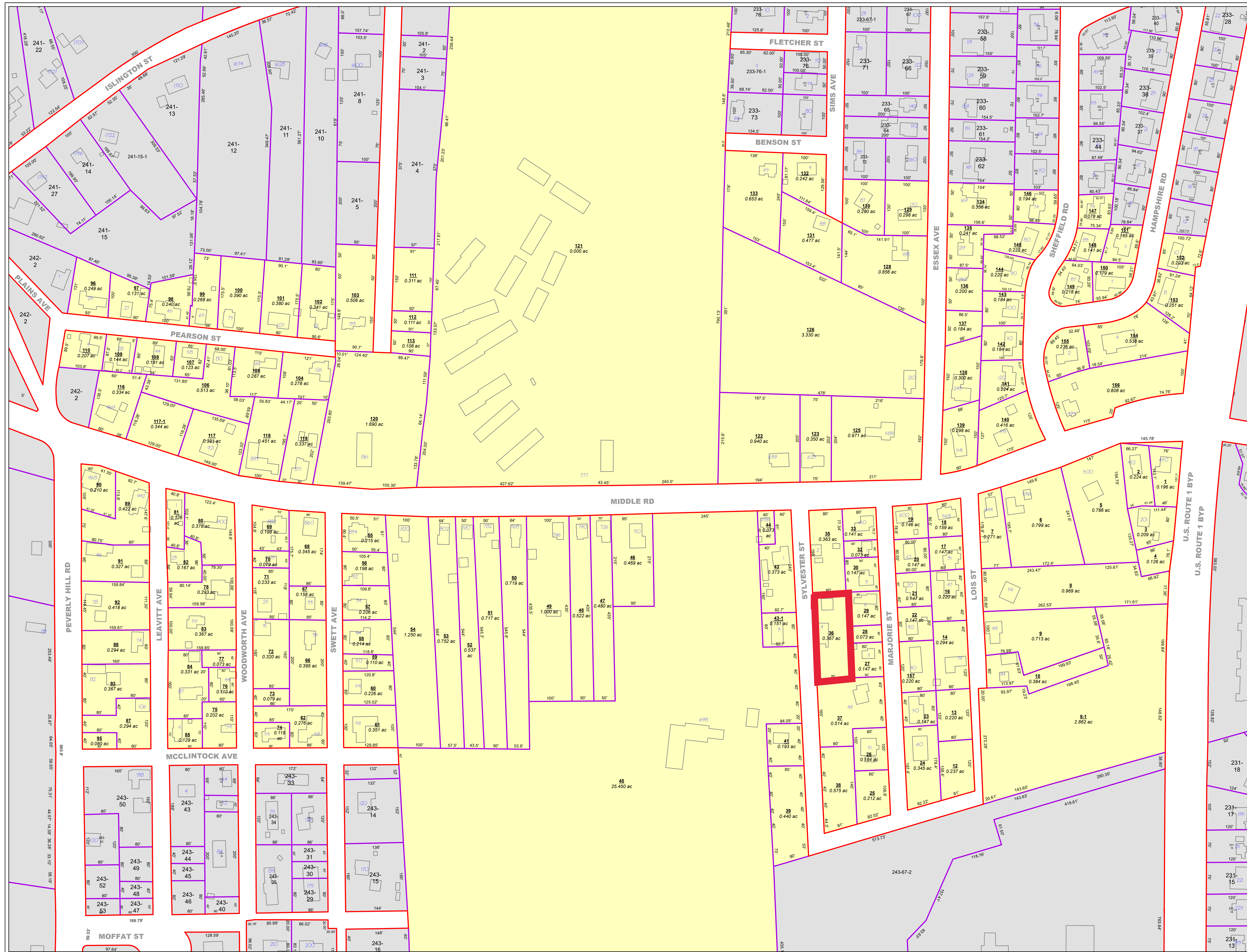
Portsmouth, New Hampshire
Google Street View
Sep 2019 See more dates



Google

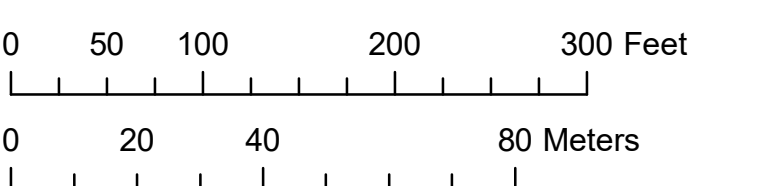
Image capture: Sep 2019 © 2023 Google





- 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**
 Street name
- 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 F



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.

