



July 11th, 2023

Online Application

Anthony Richards, Engineer
Portsmouth Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

Re:

Owner/Applicant: Anthony Richards
Project Location 82 Wibird Street
Tax Map 148, Lot 59
GRA Zone

Dear Mr. Stith & Zoning Board Members,

On behalf of Robert and Angela Braswell, we are pleased to submit the following documents in support of a request for zoning relief.

1. Variance from the Board of Adjustment Application - uploaded
2. 7.11.2023 - Memorandum & Exhibits in support of zoning relief.

We look forward to presenting this application to the Zoning Board of Adjustments at its Sep 19, 2023 meeting.

Regards,

Anthony Richards
Architectural Engineer

Cc: Stefanie L. Casella



To: Portsmouth Zoning Board of Adjustment
From: Anthony Richards
Date: 7/11/2023
Re: Owner/Applicant: Angela Braswell
Project Location 82 Wibird Street
Tax Map 148, Lot 59
GRA Zone

Dear Zoning Board Members:

On behalf of Angela Braswell (Applicant), we are pleased to submit this memorandum and attached exhibits in support of Zoning Relief to be considered by the Zoning Board of Adjustment at its August 15, 2023 meeting.

1.
 - a. Portsmouth Tax Map - indicating subject property location
 - b. 7.11.2023 Architectural Plans - Southern Maine Designs, LLC
 - i. A0.0: Site Plan Proposed Footprint Overlaid on the site plan
 - ii. A1.0: Floor Plans
 - iii. A2.0-A2.1: Elevations
 - iv. A3.0-A3.1: Sections
 - c. Existing Site Photographs

2. Property/Project:

82 Wibird Street is a 7840.8 sf. Lot holding a 3-4 bedroom single family home with a detached garage. The existing garage violates the rear setback (10 ft) by 310 SF.

The applicant is proposing the demolition of the existing detached garage and the reconstruction of a new garage. The new garage is to be 4" (0.3') forward to reduce the encroachment to 217 SF to better accommodate the setback. The new garage will have an identical footprint to the original detached garage.

Relief is required in order to provide for the reduction of encroachment where 217 SF will encroach 30% less than the existing structure. The right side setback will remain at 6 ft.



3. Relief Required:

Portsmouth Zoning Ordinance 10.521 - to permit two hundred and seventeen (217) square feet of new structure four inches (.33) feet from the rear property line

Portsmouth Zoning Ordinance 10.521 - to permit new structure six (6) feet from the right side property line

4. Variance Requirements:

a. The Variances will not be contrary to the public interest.

b. The spirit of the ordinance is observed

The Portsmouth Zoning Ordinance was enacted for the general purpose of promoting the health, safety & 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 encroaching and dilapidated garage will be replaced by a tasteful single-story garage. The use, size, shape & dimensions of the proposed garage are in keeping with the area.
2. *The intensity of land use, including lot sizes, building coverage, building height & bulk, yards, and open space* - A single-family home use will remain. The garage will be compliant with lot size & open space requirements and renders the lot less nonconforming than the existing conditions with respect to the rear setback.
3. *The design of facilities for vehicular access, circulation, parking, and loading* - The proposal reduces the intensity of use within the setbacks and reduces the overall area of the lot given over to vehicular access both in the existing condition
4. *The impacts on properties of outdoor lighting, noise, vibration stormwater runoff, and flooding* - No adverse impacts will exist. The impact on the neighbor behind the property will be improved.
5. *The preservation and enhancement of the visual environment* - The aesthetics of the home & grounds will be improved and with the improved setbacks, the visual environment will be preserved & enhanced.
6. *The preservation of historic districts, and buildings and structures of historic or architectural interest* - The property is not in the historic district, but every effort has been made to design a garage that fits into the neighborhood.



7. *The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat, and air quality* - The new home will not adversely affect natural resources.

This proposal maintains the primary single-family use of the property. Only a small portion of the proposed structure is within the back setback, a significant improvement over the existing conditions. The character of the area will be improved and will result in a garage built to modern standards.

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

Removing significant structures very close to the common lot line and the construction of a new garage requiring only minor rear variances will improve the value of the property. Thus, it will not harm surrounding property values.

d. Denial of the variances results in an unnecessary hardship

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

Moving the existing garage at the back of the property so as to reduce the amount of setback encroachment & constructing a safe and code-compliant garage, cannot be reasonably accomplished without a minimal intrusion on the rear setback.

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

The purpose of the setback requirements is to maintain space between neighbors, provide light & air, sightlines & stormwater treatment. In this case, a significant encroachment will be removed & replaced by a new structure only slightly encroaching. The resulting open space of the lot will be minimally reduced and the ability of vehicular traffic to exit the lot without backing into the street will be maintained. In total, the applicant feels that there is no reason to apply the strict requirements of the ordinance.

- iii. The proposed use is reasonable.*

The proposal maintains the single-family residential use of the property, which is permitted in the GRA Zone.

e. Substantial justice will be done by granting the variance

Because the encroachment on the rear setback will be decreased, the improvements to the existing conditions including the removal of hazardous



materials (potentially lead paint & asbestos) from the site and the minor variance request will have no negative effect upon the general public. However, denial of the minor variance will harm the applicant by creating a less safe vehicular exit from the lot.

5. Conclusion

For all the reasons stated above, the applicant respectfully requests that the Portsmouth Zoning Board of Adjustment grant the requested variances.

Respectfully,
Anthony Richards

By:
Anthony Richards
Southern Maine Designs



Southern Maine Designs, LLC
Owner's Letter of Authorization

I, Angela M. Braswell, give authority for the following person(s) to execute all documents and activities (including but not limited to: submitting and signing for associated applications for consideration by the City of Portsmouth Planning Commission and/or Board of Zoning Adjustment) with the City of Portsmouth Planning & Zoning Department, on my behalf for my property, located within the city limits of Portsmouth, New Hampshire at 82 Wibird St.

Furthermore, I hereby agree to allow the City of Portsmouth to post on my property, which is under consideration for a Planning Commission and/or Board of Zoning Adjustment application, a public notice sign notifying the general public of said request. I understand that the City of Portsmouth may erect and maintain said sign for the prescribed period of time.

Anthony Richards
Designee (1)

tucker@southernmainedesigns.com
Email

207 200 5414
Phone Number


Signature of Property Owner

Angela M. Braswell
Designee (2)

angela.braswell@unh.edu
Email

603-502-1387
Phone Number

8/14/2023
Date

82 WIBIRD ST

Location 82 WIBIRD ST

Mblu 0148/ 0059/ 0000/ /

Acct# 34592

Owner BRASWELL BOBBY H AND ANGELA M

PBN

Assessment \$642,100

Appraisal \$642,100

PID 34592

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$280,000	\$362,100	\$642,100

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$280,000	\$362,100	\$642,100

Owner of Record

Owner BRASWELL BOBBY H AND ANGELA M
Co-Owner
Address 82 WIBIRD ST
PORTSMOUTH, NH 03801

Sale Price \$0
Certificate
Book & Page 4592/2913
Sale Date 12/12/2005
Instrument

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
BRASWELL BOBBY H AND ANGELA M	\$0		4592/2913		12/12/2005
BRASWELL BOBBY H AND ANGELA M	\$270,900		3897/0577	33	11/26/2002

Building Information

Building 1 : Section 1

Year Built: 1910
Living Area: 2,017

Replacement Cost: \$387,056

Building Percent Good: 71

Replacement Cost

Less Depreciation: \$274,800

Building Attributes

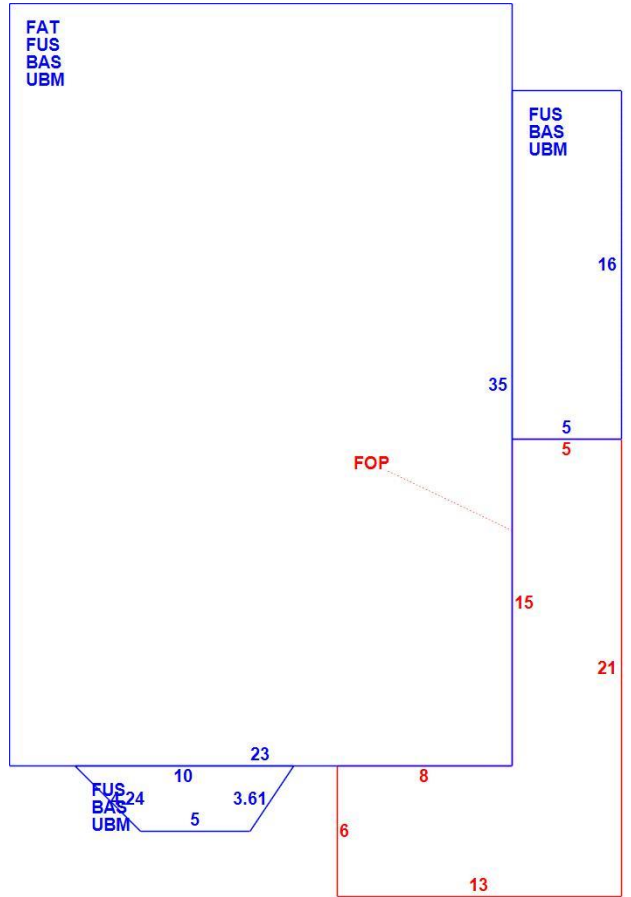
Field	Description
Style:	Conventional
Model	Residential
Grade:	B
Stories:	2
Occupancy	2
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Warm Air
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	2
Total Half Baths:	0
Total Xtra Fixtrs:	1
Total Rooms:	10
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	0
Extra Openings	0
Metal Fireplaces	0
Extra Openings 2	0
Bsmt Garage	

Building Photo

Building Photo

(<https://images.vgsi.com/photos2/PortsmouthNHPhotos//0034/DSC02249>)

Building Layout



(ParcelSketch.ashx?pid=34592&bid=34592)

Building Sub-Areas (sq ft)

Legend

Code	Description	Gross Area	Living Area
BAS	First Floor	908	908
FUS	Upper Story, Finished	908	908
FAT	Attic	805	201
FOP	Porch, Open	153	0
UBM	Basement, Unfinished	908	0
		3,682	2,017

Extra Features

Extra Features

Legend

No Data for Extra Features

Land

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone GRA
Neighborhood 103B
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 0.18
Frontage
Depth
Assessed Value \$362,100
Appraised Value \$362,100

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
FGR1	GARAGE-AVE	02	DETACHED	620.00 S.F.	\$5,200	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$314,200	\$362,100	\$676,300
2020	\$314,200	\$362,100	\$676,300
2019	\$313,900	\$362,100	\$676,000

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$314,200	\$362,100	\$676,300
2020	\$314,200	\$362,100	\$676,300
2019	\$313,900	\$362,100	\$676,000



Property Information

Property ID 0148-0059-0000
Location 82 WIBIRD ST
Owner BRASWELL BOBBY H AND ANGELA M

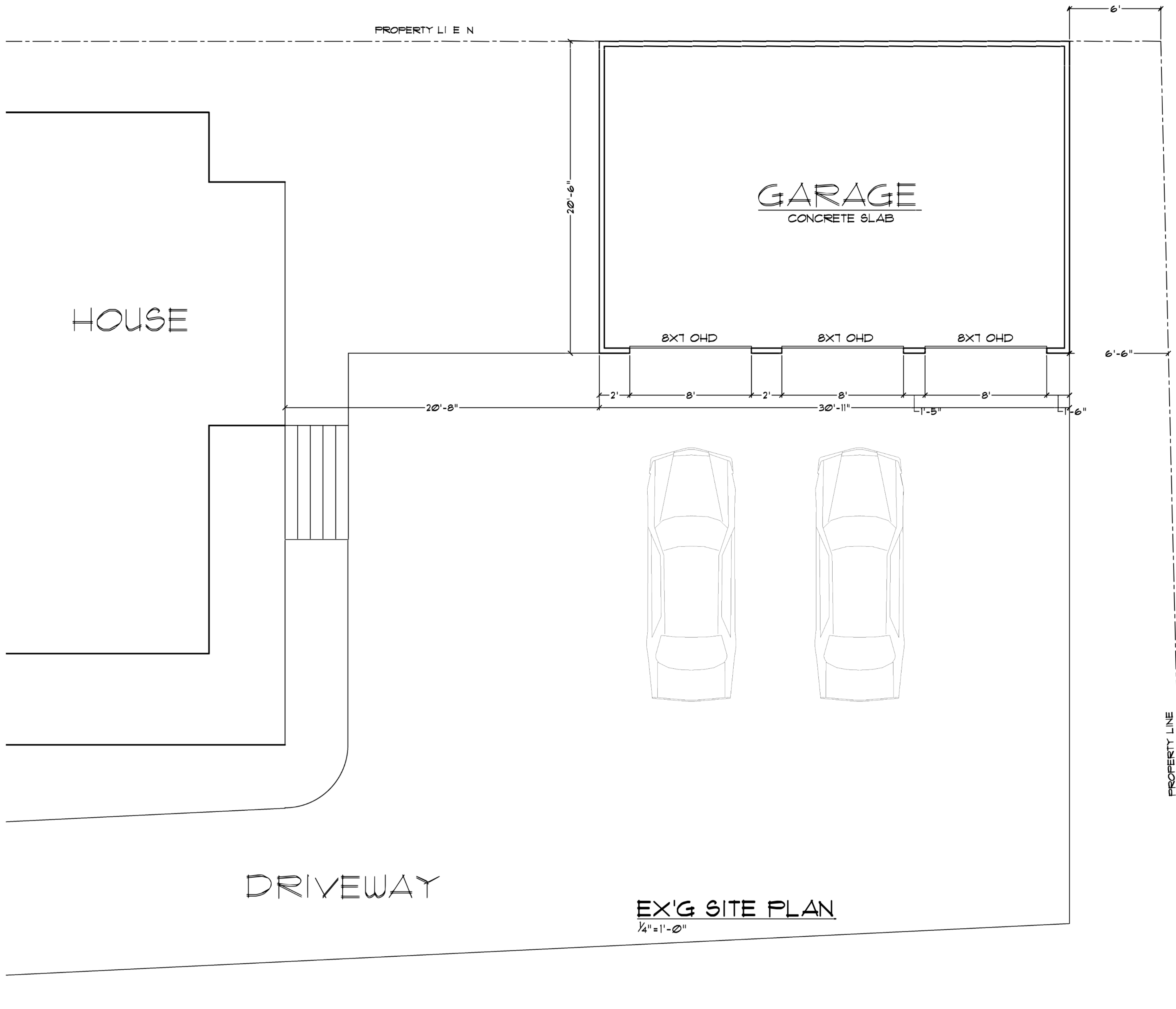


**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**


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.

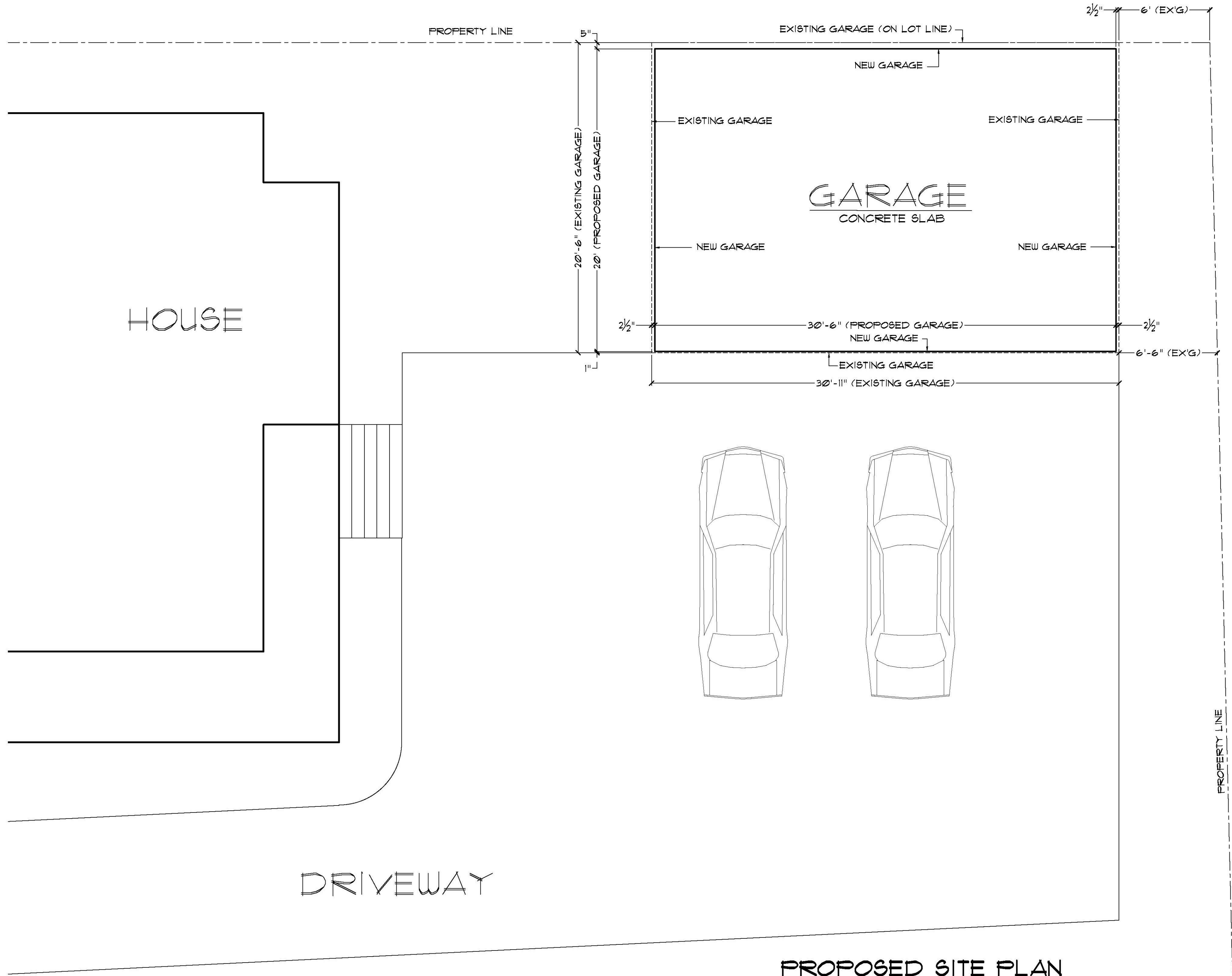
Geometry updated 06/21/2023
Data updated 3/9/2022

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



EX'G SITE PLAN
1/4" = 1'-0"

DRAWN BY	Author
DATE	07/11/23
TITLE	GARAGE
SCALE	
SHEET	A0.1
PAGE	SITE
	
<small>UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE IN INCHES</small>	
<small>ALL BUILDERS/CONTRACTORS MUST VERIFY TYPES, SIZES, AND LOCATIONS OF THE DETAILS SHOWN FOR ACCURACY, INTENT AND COMPLIANCE WITH APPLICABLE CODES AND OWNER'S ACCEPTANCE</small>	



PROPOSED SITE PLAN

1/4" = 1'-0"

Richards

10/09/23

GARAGE

A0.2

PROPOSED SITE



UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE IN INCHES
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Author

DATE 02/27/21

TITLE GARAGE

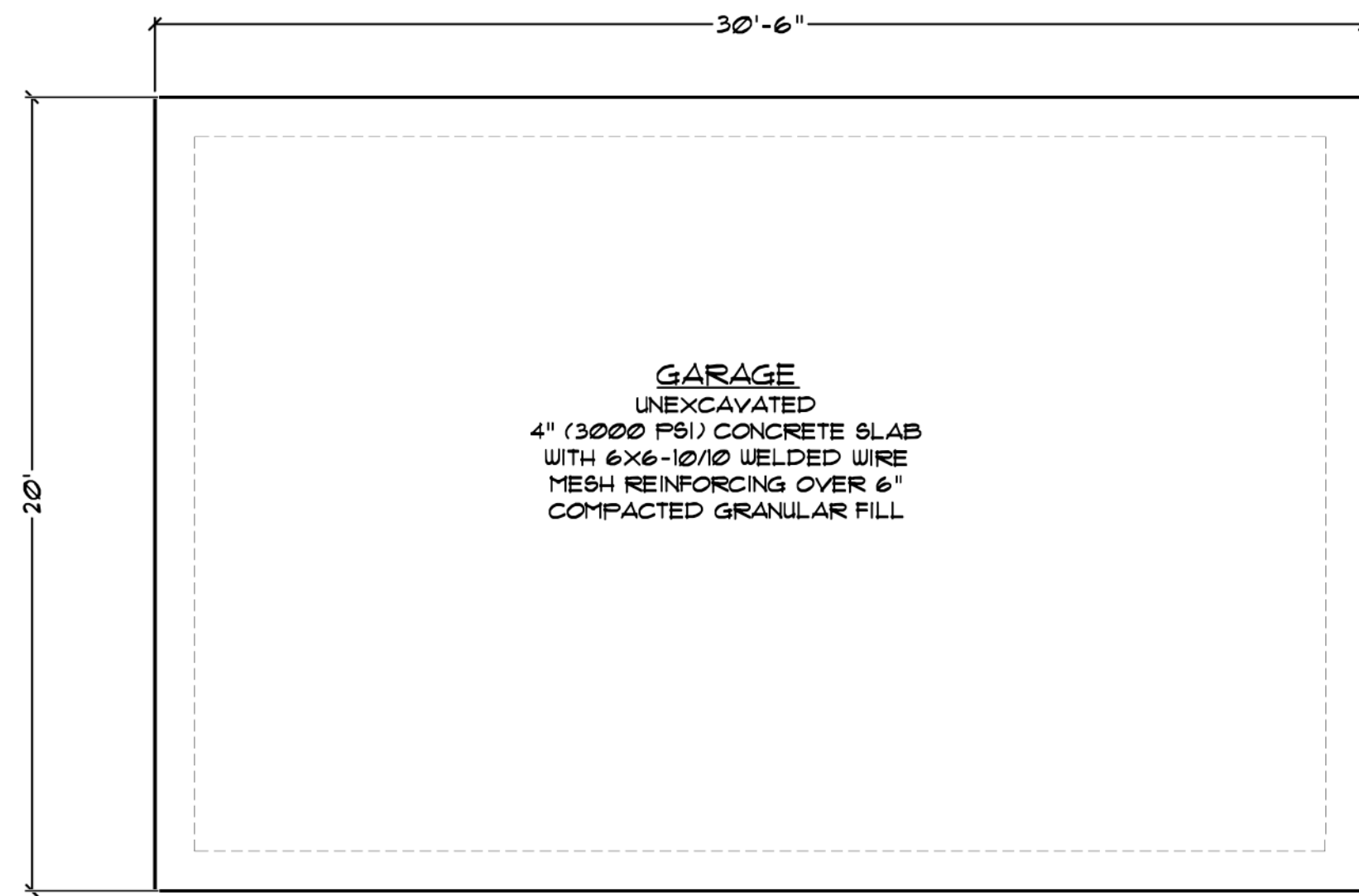
SCALE

SHEET A1.0

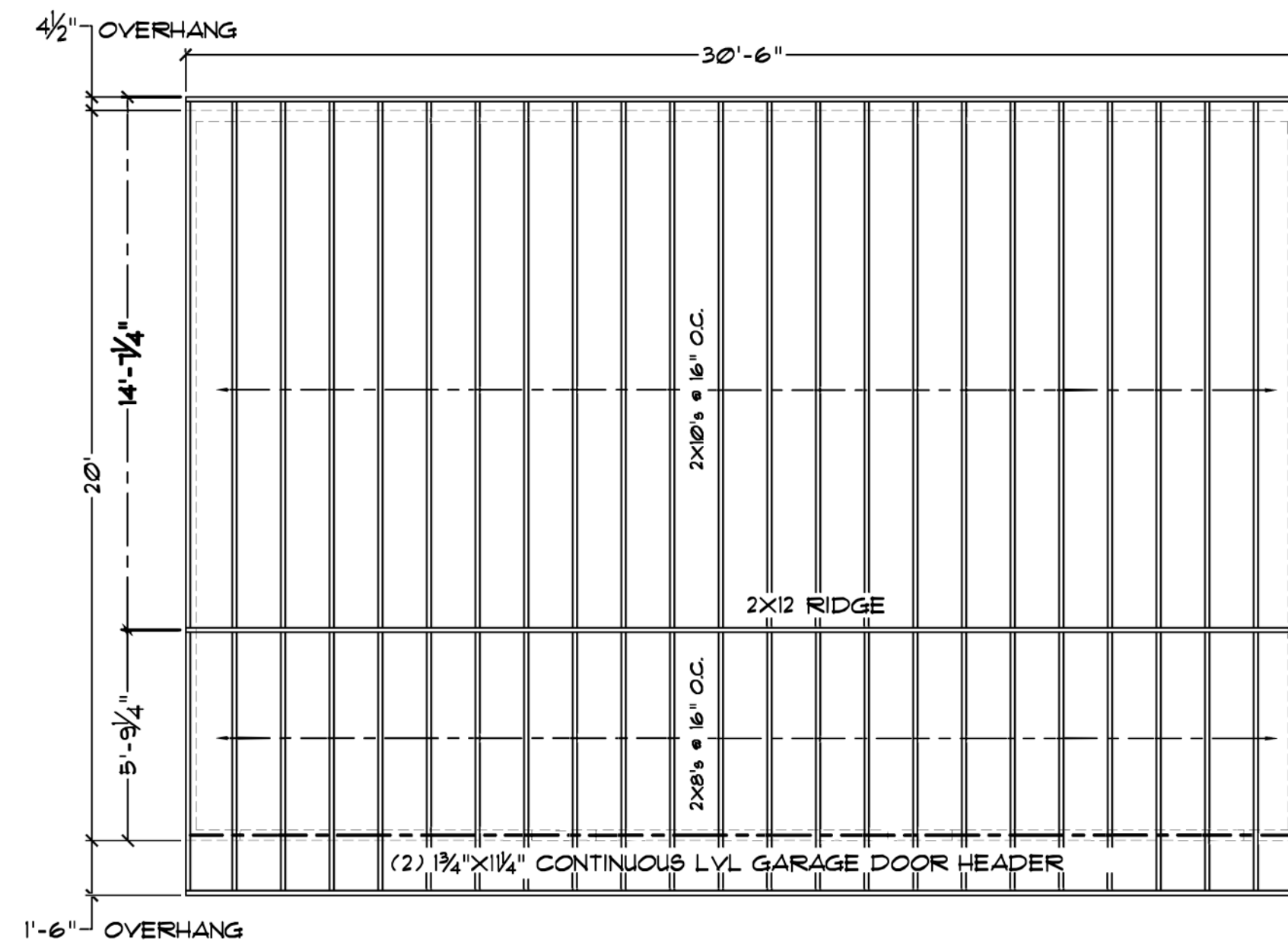
FIG. FLOOR PLAN



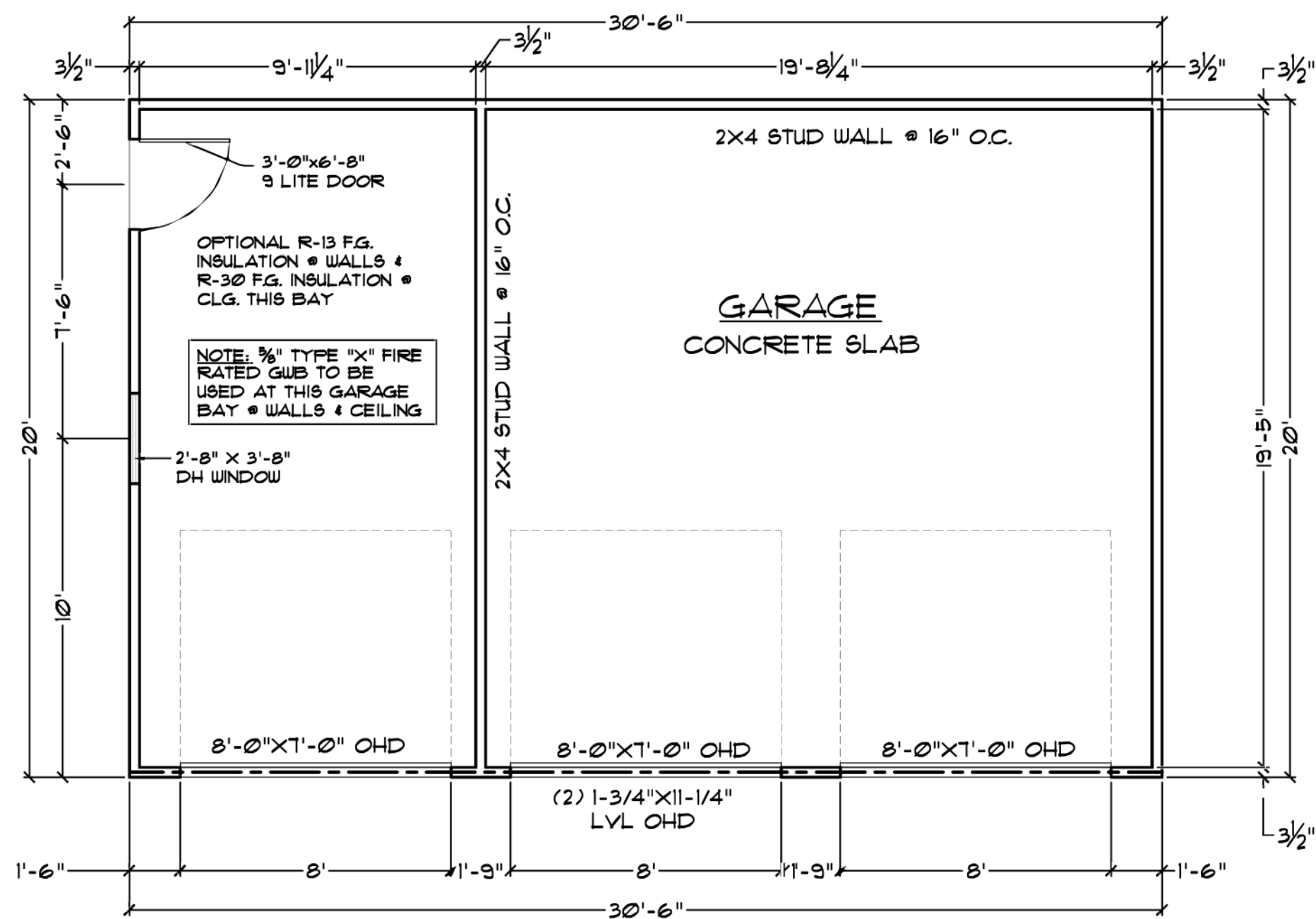
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FOUNDATION PLAN
1/4" = 1'-0"



ROOF FRAMING PLAN
1/4" = 1'-0"



FLOOR PLAN
1/4" = 1'-0"

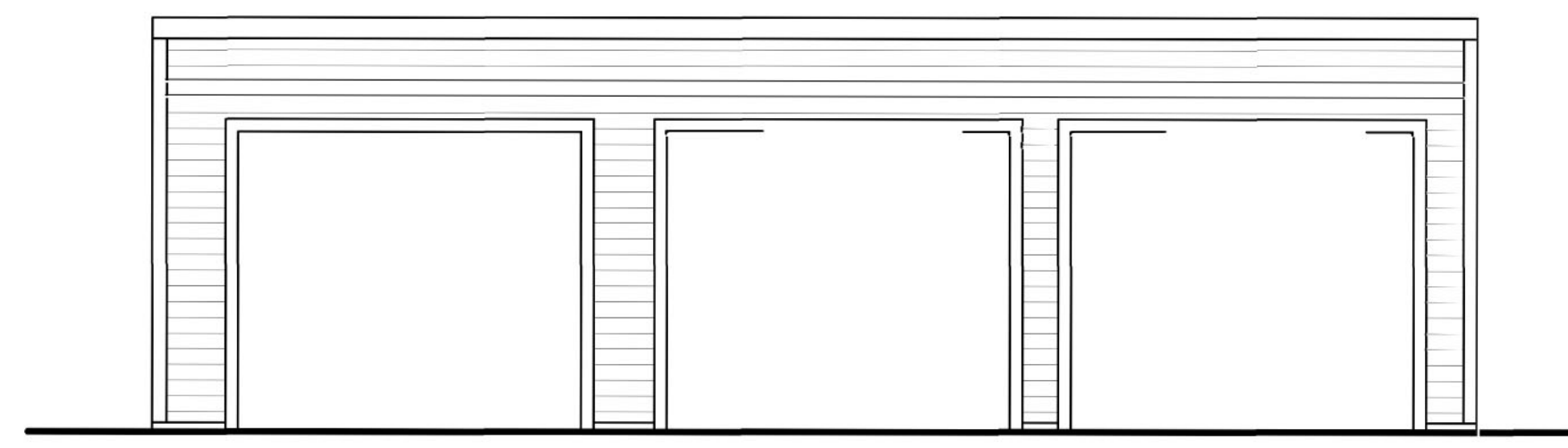
Author

01/29/21

GARAGE



SIDE ELEVATION



FRONT ELEVATION

EX'G ELEVATIONS
1/4" = 1'-0"

A2.0

EX'G
ELEVATIONS



UNLESS OTHERWISE SPECIFIED
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Author

01/29/21

GARAGE

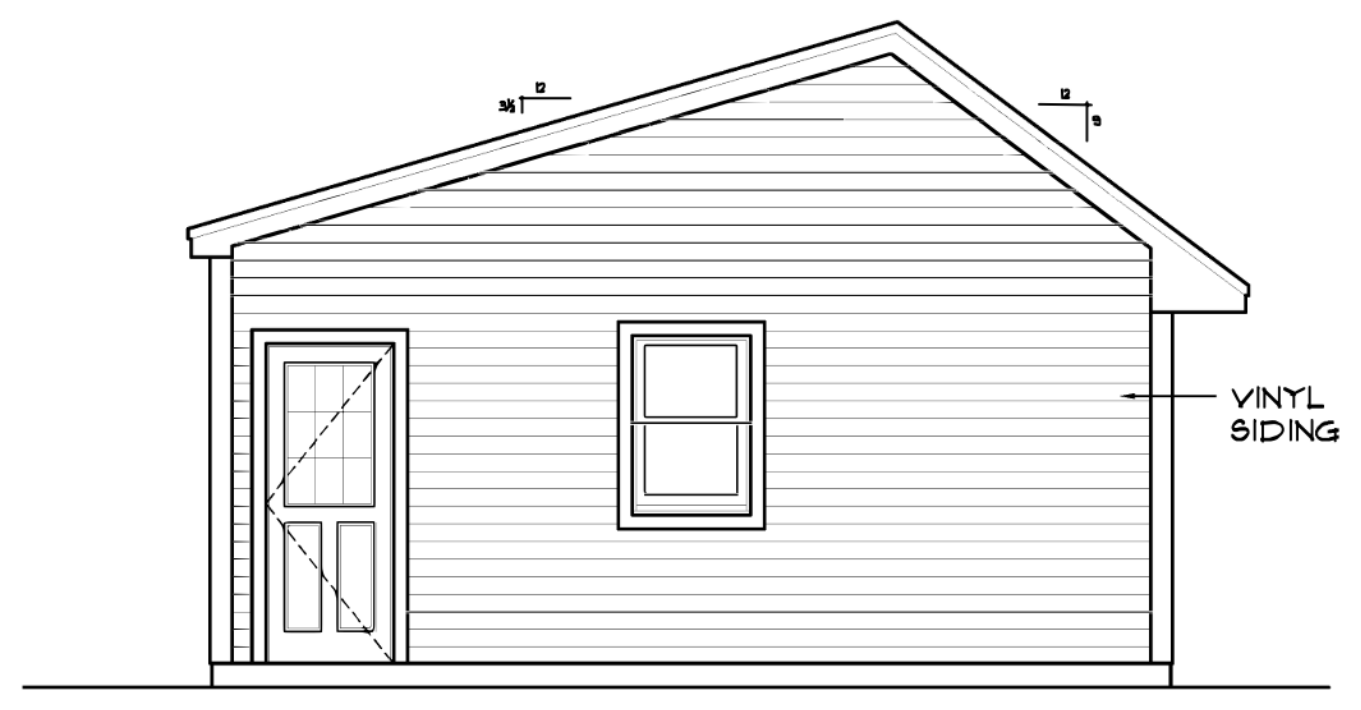
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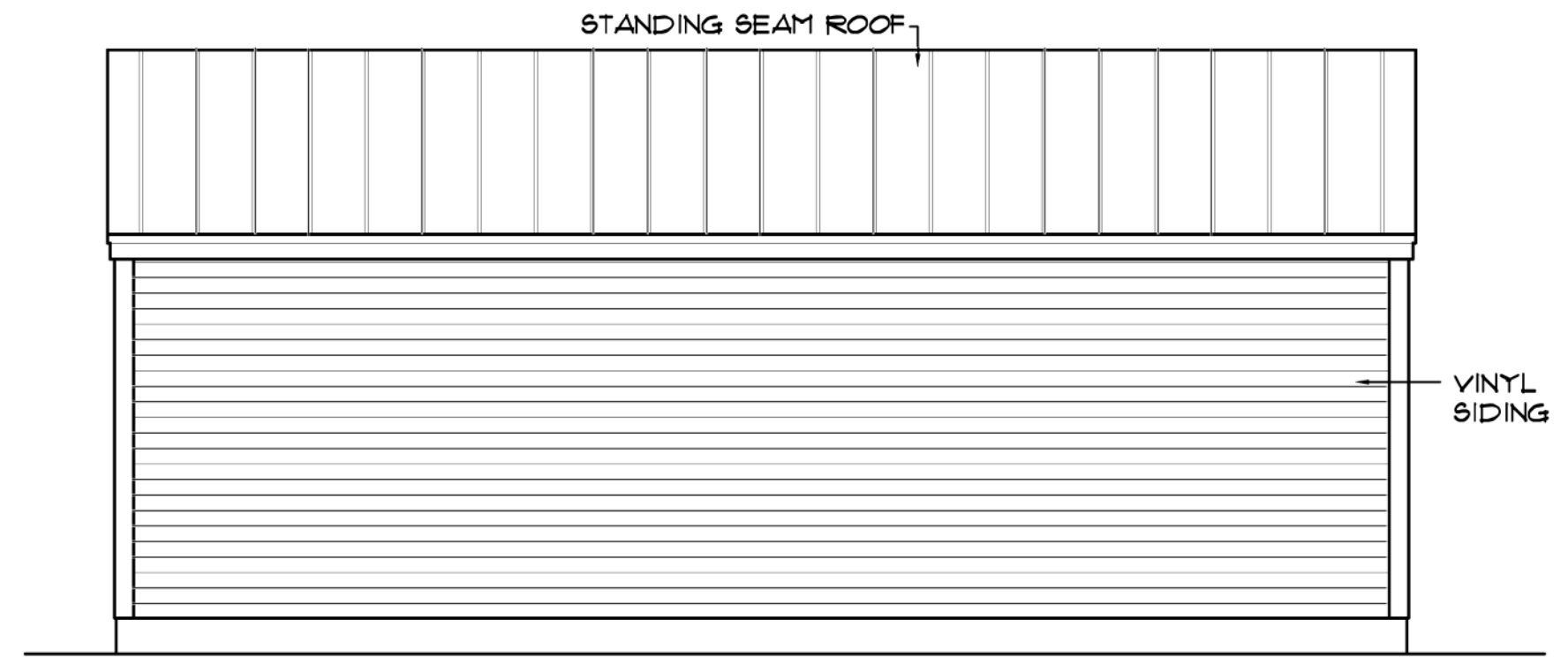
ELEVATIONS



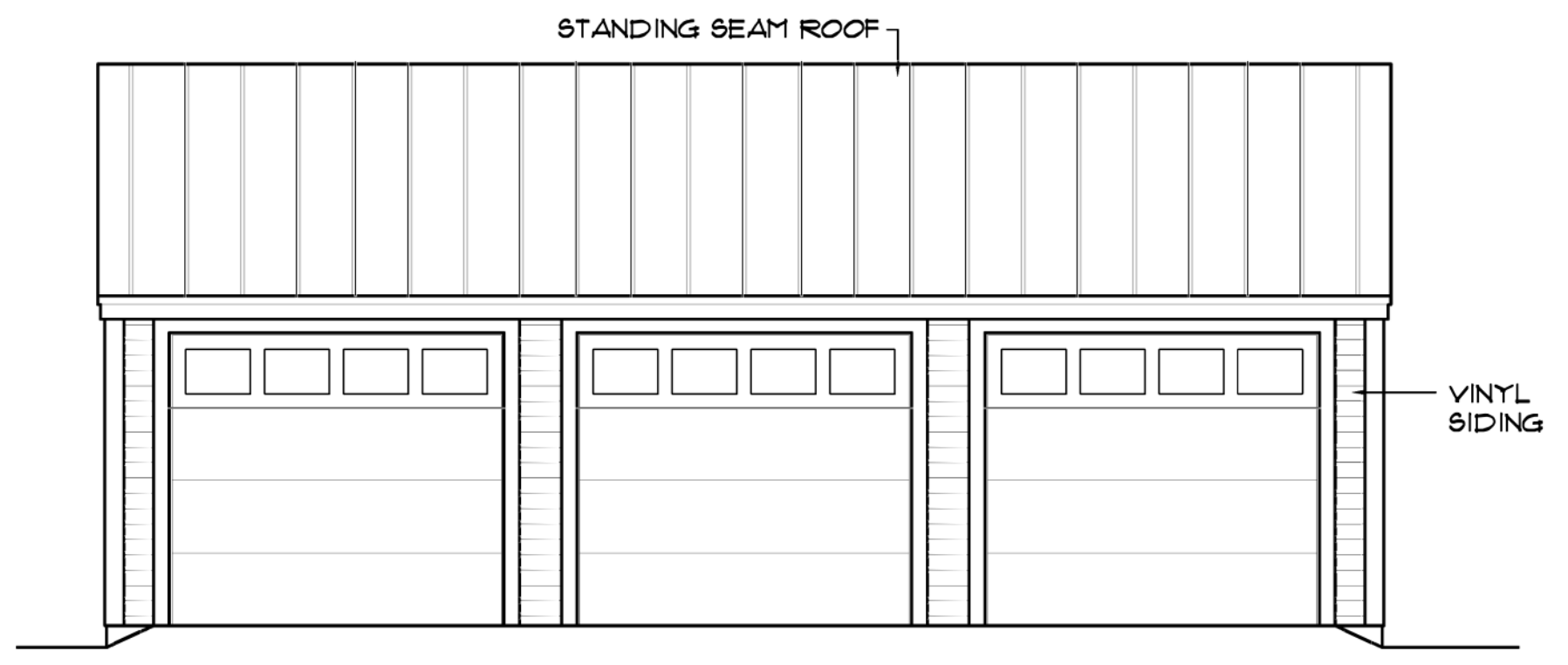
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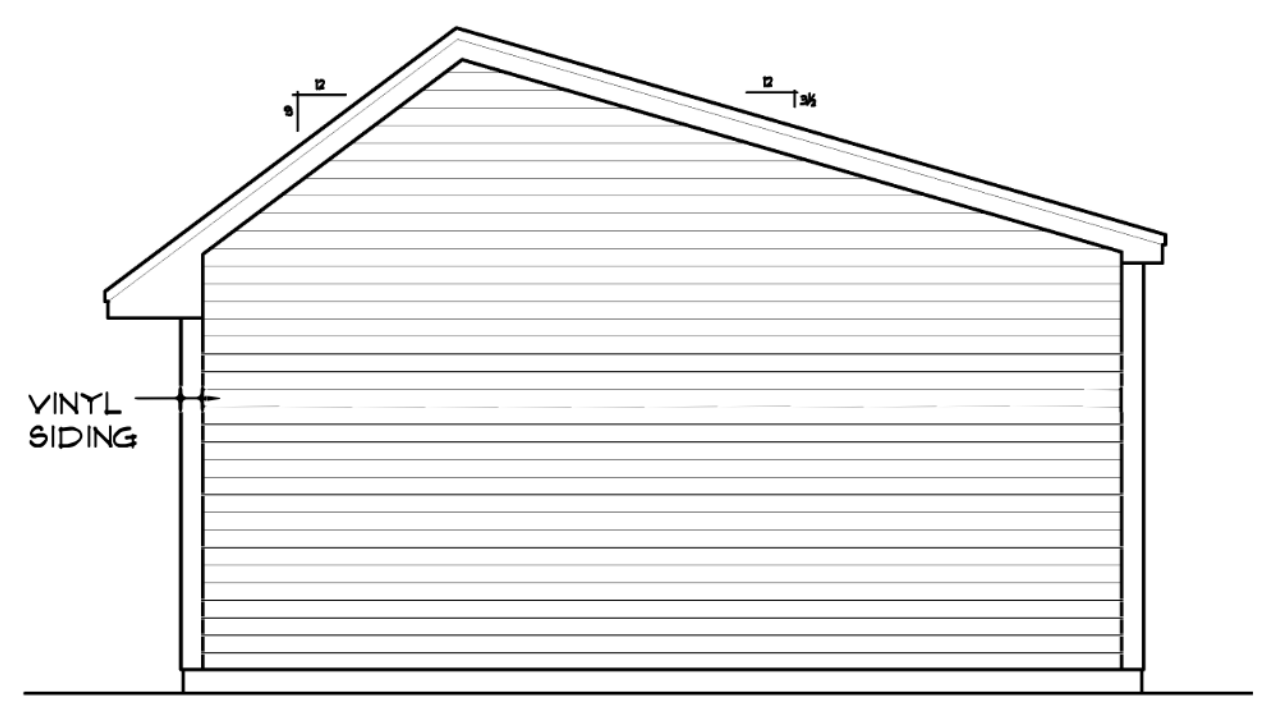
LEFT SIDE ELEVATION
1/4"=1'-0"



REAR ELEVATION
1/4"=1'-0"



FRONT ELEVATION
1/4"=1'-0"

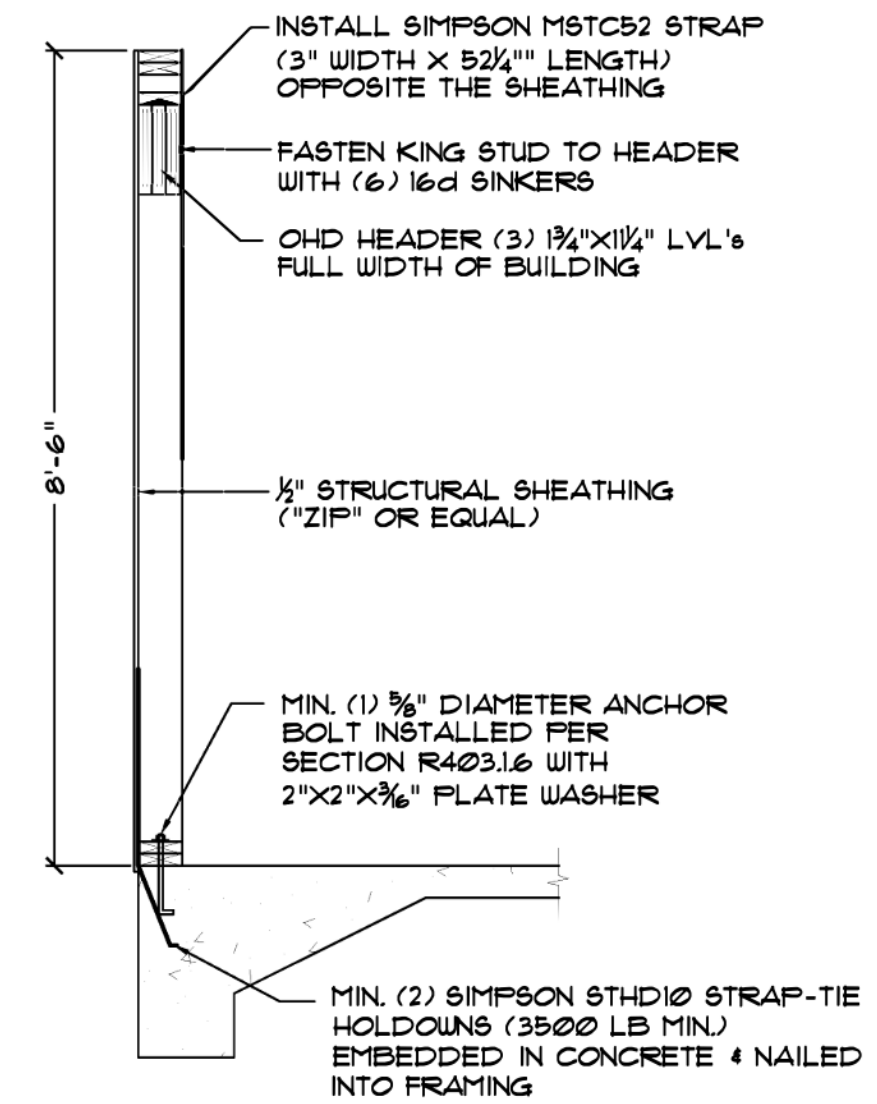


RIGHT SIDE ELEVATION
1/4"=1'-0"

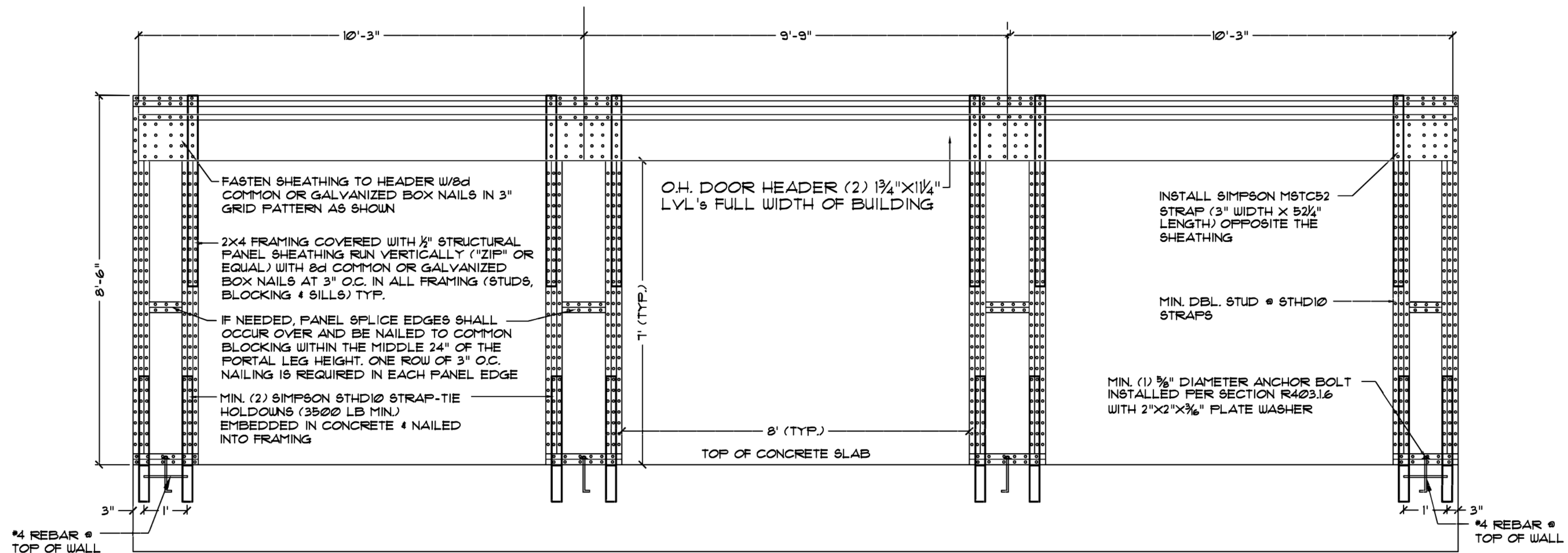
Author

01/29/21

GARAGE



PORTAL FRAME - SIDE VIEW
1/2" = 1'-0"



PORTAL FRAME - FRONT VIEW
1/2" = 1'-0"

A3.0

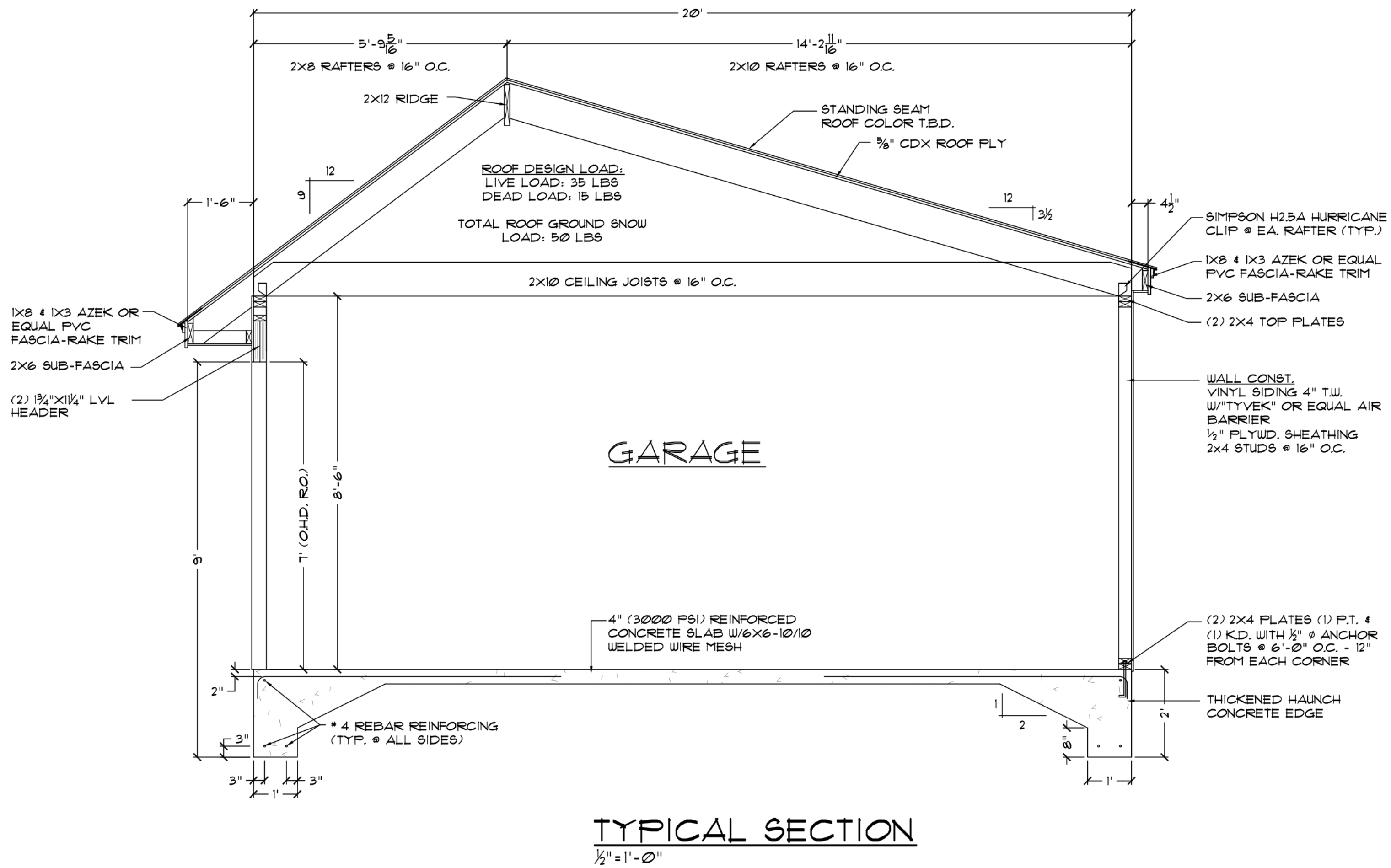
SECTION



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GARAGE



SCALE

A3.1

TYPICAL SECTION



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