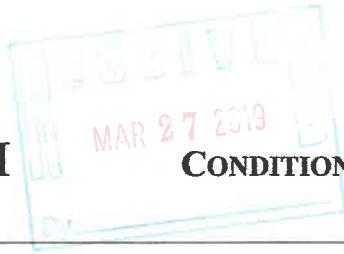


# CITY OF PORTSMOUTH New Hampshire



M 127 1 26  
CONDITIONAL USE PERMIT APPLICATION

Department Use Only

Assessor Plan # \_\_\_\_\_  
Zone CRK

Lot # 26  
Lot area \_\_\_\_\_

Date \_\_\_\_\_  
Fee \_\_\_\_\_  
By \_\_\_\_\_

Applicant Frank Veneroso & Roslyn Weems Owner of Record Frank Veneroso

Applicant Street Address 53 Austin Street Owner Street Address 53 Austin Street

Applicant City / State / Zip Portsmouth NH 03801 Owner City / State / Zip Portsmouth NH 03801

Applicant phone (603) 430-8482 Owner phone (603) 430-8482

Applicant e-mail whoisros@gmail.com

Location (street address) of proposed work: 53 Austin Street Portsmouth NH

Existing Use: Single family residence with attached rental units

All applications must file an online building permit application (<https://portsmouthnh.viewpointcloud.com/#/1071>) or reference an existing one on file.

Building Permit Application # We are not building anything therefore a building permit is not applicable.

Requesting a Conditional Use Permit Per Section 10, 11, 2, 143 of the Zoning Ordinance.

Provide a detailed description of the project, including reference to the relevant Zoning Sections and how the criteria of the Zoning Ordinance are met (Attach additional sheets as necessary):

We are requesting a conditional use permit to allow for less than the required parking spaces for an 8-room ind. Currently according to the zoning ordinance 17 parking spaces are required for 8 rooms. Based on the proposed use of this property 12 parking spaces 9 of which measure 8'6" x 24' and 3 of which are 10' x 26' in a 3-car garage, are more than adequate for the proposed use. Because we have a historical conditional use permit for 8 parking spaces we believe that with the addition of 4 more spaces we are able to provide sufficient off-street parking that meet the dimensional space requirements for this use.

The undersigned certifies that all the required conditions exist for granting of this request according to the terms of the Zoning Ordinance as demonstrated in the attached submittals.

Only complete applications will be accepted by the deadline date. A complete application shall consist of: a completely filled out application form with original signatures, the application fee, twelve (12) packets of required plans and any supporting documents or photos, and an electronic file in PDF format of application and all submissions. Incomplete applications will not be accepted. Applications received after the deadline will be scheduled for the following month. The owner or his/her representative is required to attend the Planning Board Public Hearing for the above Conditional Use Permit.

Signature of Property Owner (If not owner, authorization to file on owner's behalf is required) \_\_\_\_\_ Date 3/27/19

Please PRINT name here Frank Veneroso

**Applicant's Responsibilities  
& Submission Requirements**

1. All applications for Conditional Use Permits (CUP) must be submitted to the Planning Department prior to the published deadline.
2. An online Building Permit application must also be filed or referenced for the project in order for the CUP application to be considered complete.
3. An applicant shall only be the owner of the property or the owner's authorized representative.
4. It is the obligation of the applicant to submit adequate plans and exhibits to demonstrate compliance with the criteria outlined in the Zoning Ordinance.
5. The applicant shall submit one (1) original and eleven (11) copies of the application and any plans, exhibits, and supporting documents.
6. If a Site Plan is submitted as supporting documentation to the application, the applicant shall submit four (2) full-size (22"x34") copies and six (10) reduced (11"x17").
6. The applicant shall provide electronic files in Portable Document Format (PDF) of all submittals.
7. The Planning Department reserves the right to refuse applications which do not meet these minimum requirements. The Planning Department may also require additional information and/or exhibits as needed to illustrate the scope of the project.

I have read the above list of responsibilities, have provided all required information, and such information is current, accurate, and complete to the best of my knowledge.

*3/27/19*

(Applicant's Signature, date)

The Applicant is encouraged to consider the following when completing the application:

- Provide neat and clearly legible plans and copies
- Use of color or highlights is encouraged in order to identify pertinent areas on plans
- Applicants are encouraged to review the application with a member of the Planning Department staff prior to submittal
- All applicants are encouraged to discuss the project with impacted neighbors

This permit application is intended for the conditional use permit requests for the following relevant sections of the Zoning Ordinance:

- Section 10.720 – Flexible Development – Open Space PUD/Residential Density PUD
- Section 10.835 – Accessory Drive-through Uses
- Section 10.5A43.43 – Building Footprint (CD4, CD4-W, CD5)
- Section 10.5A46.22.1(f) – Community Space on a separate lot
- Section 10.5A46.23 – Community Space excess credit
- Section 10.5B25.20 – Excess dwelling units per building (Gateway Neighborhood Mixed-Use Districts)
- Section 10.5B41.10 – Development Site approval (Gateway Neighborhood Mixed-Use Districts)
- Section 10.5B72 – Density Bonus Incentives (Gateway Neighborhood Mixed-Use Districts)
- Section 10.862 – Hours of Operation
- Section 10.1112.52 – Maximum and Minimum Number of Parking Spaces
- Section 10.1112.62 – Shared parking on separate lots



**Plan Key**  
 Grey: Drive Aisle  
 Green: Landscaped Area

**Veneroso Residence**  
 53 Austin Street  
 Portsmouth, NH

Progress Set  
 NOT FOR  
 CONSTRUCTION

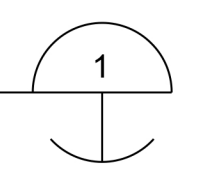
drawing scale: As Noted  
 drawing date: 13 March 2019

Site Plan

**A-050**

MAP ID: 0127/0026/0000

Site Plan  
 SCALE: 1/8" = 1'-0"



April 17, 2019

City Of Portsmouth  
Planning Department  
1 Junkins Avenue  
Portsmouth, NH 03801

Dear Planning Department:

We live at 53 Austin Street which is currently a single family residence built in 1804 with an attached carriage house that currently has 3 rental units. We applied for and were (as of April 16, 2019) approved for a variance to operate an inn in a district where an inn is currently not allowed. We plan to operate an 8 room inn providing lodging accommodations and food to transient guests. The inn would be fully staffed round the clock.

According to section 10.1112.52 and section 10.1112.143 of the zoning ordinance, 17 parking spaces are required for 8 units. Since we have rental units, we have a conditional use permit dating back to 1982 for 8 parking spaces. So our request for a conditional use permit to operate with less than the require number of parking spaces for an inn is actually only requesting to add 4 to that number.

Because we only have 8 rooms, 17 spaces is an excessive amount of parking as our expectation is that there would be (1) vehicle per each room. Further, the zoning ordinance is expressly written to apply to a large hotel such as the Sheraton Hotel on Market Street. This is a small scale inn which only needs minimal parking.

There are a number of ways that we meet the criteria for off street parking:

- We have a historical conditional use parking permit dating back to 1982.
- Our parking spaces are set back from neighboring property line 38 feet on the side, 45 feet on another side and the setback from the street is 28 feet.
- Austin Street is at times filled, most especially during mass at the Catholic Church on Summer Street which is Wednesday and Thursday nights and Sunday mornings and notably major holidays. However, aside from those times, parking is still available on the street.

In addition, there are several walkable public parking lot options:

- Masonic Temple Public Parking at 33 Miller Avenue
- Parrott Avenue Parking
- Hanover Parking Garage

We are perfectly situated between Middle and Islington Streets offering walkable bus stops.

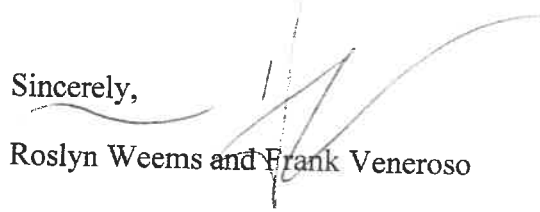
Lastly, we could opt for hired shuttle service from the new Foundry Parking lot if necessary.

Based on our use, nine (9) spaces measuring 8'6 x 24, and three (3) spaces measure 10x26, we are confident that we have more than adequate parking for this inn.

Our current parking is paved; we would only be updating/ adding a brick overlay to an area that is currently bricked. All spaces would be marked.

We want to highlight a final consideration: our neighbor, a direct abutter, was kind enough to express support for the inn and also his concern about potentially having his view of our big beautiful copper beach marred by a "parking lot". We love our copper beach tree. It is an incredible sight to behold in full bloom. Sadly, it suffers from a white fungus disease which our tree arbor has been treating for about 4 years now. We have never had any intention of getting rid of the tree and have in fact declined to work with multiple fire sprinkler companies who insist (erroneously so) that the only option for a dedicated water line to support a fire sprinkler system is one that would fatally impact the copper beach. Historically, speaking, we have had 8-10 vehicles parked in our courtyard but that may have gone largely unnoticed. Given that there is now, however, a change of use, it is our plan to implement a landscape design that will be appropriate for the house and at the same time, provide some adornment to distract the eye from the vehicle placement. I will add that any restriction that this board may entertain imposing must take into consideration our copper beach tree and its current fragile state. That being said, we certainly understand our neighbor's concerns as we share them and are being thoughtful about how we will proceed with this project while simultaneously honoring the depth of history, our neighborhood and our neighbors' wishes.

Sincerely,

  
Roslyn Weems and Frank Veneroso