



June 22, 2021

City of Portsmouth  
Board of Adjustment  
1 Junkins Avenue  
Portsmouth, NH 03801

**RE: 145 Cabot Street, Map 145, Lot 88**

To the Board of Adjustment,

Condominium President, Jason Stringer at the above referenced location are requesting a variance be approved for the construction of a wood framed shed within the rear and side setbacks of their property. The property is a 4-unit condominium.

Below is a list of the zoning variances that are being requested as well as reasoning why we believe the variance should be approved.

**Zoning Sections Requesting a Variance:**

10.573.20 Accessory Building Height-to-Setback

The proposed accessory structure (shed) is proposed to be located within the allowable rear and side setbacks as established by this requirement. The proposed structure has a footprint of 282 square feet with a roof overhang footprint of 356 square feet. The proposed height of the shed is 10.0'. To utilize an existing concrete slab on the property, the structure would be 7.7' (5.7' at overhang) to the rear property line and 8.3' (7.8' at overhang) to the side property line.

**Variance Criteria:**

10.233.21 The variance will not be contrary to the public interest.

The proposed structure is in keeping with the architectural style and scale of similar structures in the surrounding area. This is a previously unused portion of the lot. Neighbors at the rear and sides of the property have already constructed privacy fencing and have either sheds and/or garages within their setback requirements. We believe there would be no adverse effect on the public interest. The proposed structure does not conflict with the ordinance's basic objectives in that it is not contrary to the public interest or negatively impacts the public rights of others.

10.233.22 The spirit of the ordinance will be observed.

The proposed structure is located on the only portion of the property where such a structure can be constructed. The Ordinance allows for such a structure at this location if it were less than 100 square feet in area. 100 square feet may be adequate for a single-family residence, it is not adequate storage

for 4 units. The Ordinance would allow for 4 separate 100 square foot accessory structures, however we believe that would not fit the character of the neighborhood. The proposed structure averages 70.5sf per unit, which we believe meets the spirit of the Ordinance. The proposed structure is keeping with the character of the neighborhood and will not have a negative impact on public health, safety, or welfare.

10.233.23 Substantial justice will be done.

Properties in the neighborhood and surrounding area have either garages and/or sheds. Most of which are within the City regulated setbacks, including two properties that abut this property. This property currently does not have a shed where lawn tools, bikes, etc. may be stored in a secure fashion. By providing each of the condominium owners a safe location to store their outdoor belongings, the property would have no more advantages than the surrounding property and would not be harmful to the general public.

10.233.24 The values of the surrounding properties will not be diminished.

The proposed structure will allow the owners to properly store lawn tools, bikes and other outdoor equipment and keep them out of sight. The structure will be constructed with quality materials and have a clean appearance and contribute to a more organized space. Therefore, it is believed it would only have a positive impact on the values of surrounding properties.

10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.

The property is unique in that it is a 4-unit condominium with no outdoor storage. If dimensional relief is not granted, we believe this provides the owners with a hardship of keeping their outdoor belongings in a clean, safe and secure manner.



## Conclusion

There may be other alternatives (such a four separate structures) that the ordinance would allow within 5' of the property line, but we believe our proposal is the best alternative that keeps with the spirit and maintains the character of the neighborhood while only having a positive impact to the neighbors and public.

Based on the above information provided, we respectfully request the Board of Adjustment approve the requested variance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mr. Batchelder".

Marc R. Batchelder, PE  
Owner, Seaport Engineering, PLLC

**Photo Log**



Existing concrete slab at rear of property.



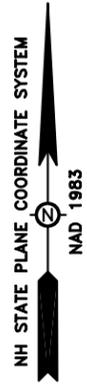
Existing concrete slab showing distance to rear property line (fence).



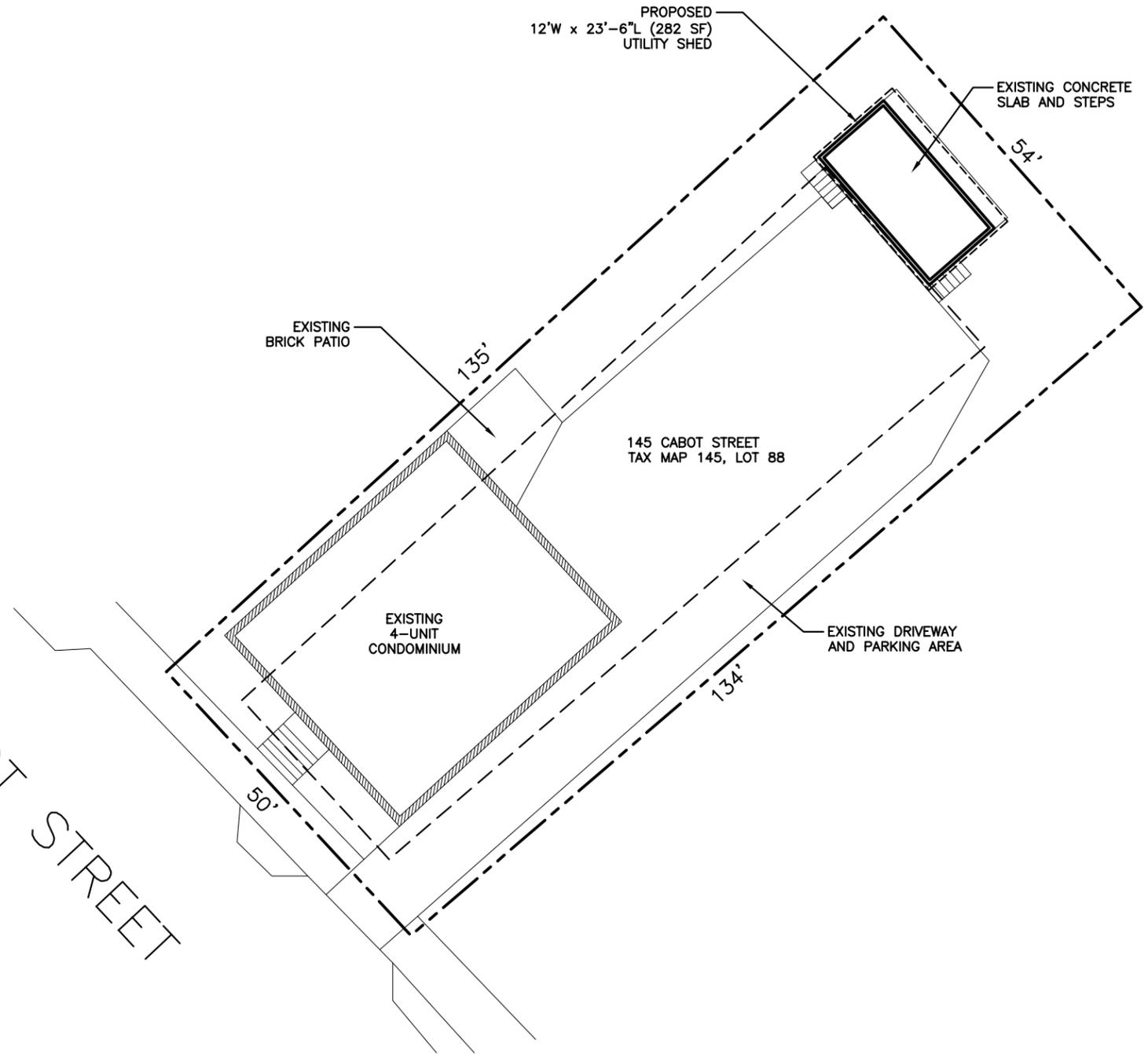
Existing concrete slab showing distance to side property line (fence).



Fish-eye view of existing concrete slab.



CABOT STREET



**LEGEND:**

- PROPERTY LINE
- SETBACK LINE
- EXISTING BUILDING
- EDGE OF PAVEMENT
- PROPOSED STRUCTURE w/ROOF OVERHANG

**DIMENSIONAL REGULATIONS**  
ZONE: GENERAL RESIDENCE C (GRC)

LOT DESCRIPTION	REQUIRED	EXISTING	PROPOSED
MIN. LOT SIZE	3,500 SF	6,970± SF	6,970± SF
MIN. YARD SIZES			
FRONT	5'	9.2'±	9.2'±
SIDE	10'	1.6'±	1.6'±
REAR	20'	83.0'±	5.7'±
MAX. HEIGHT (SHED)	35'	N/A	10.0'
MAX. STRUCTURE COVER	35%	23.0%±	28.1%±
MIN. OPEN SPACE	20%	26.1%±	26.3%±

**VARIANCES REQUESTED:**  
10.573.20 - ACCESSORY BUILDING IS GREATER THAN 100 S.F. AND NOT SET BACK FROM LOT LINE AT LEAST THE HEIGHT OF THE STRUCTURE.

**NOTES:**  
1. PROPERTY LINES DETERMINED BY USING CITY OF PORTSMOUTH MAPGEO. PROPERTY WAS NOT SURVEYED.

**GRAPHIC SCALE**



NO.	DESCRIPTION	DATE
A	FOR PERMIT	06/15/21
	MRB	
	APP'D	

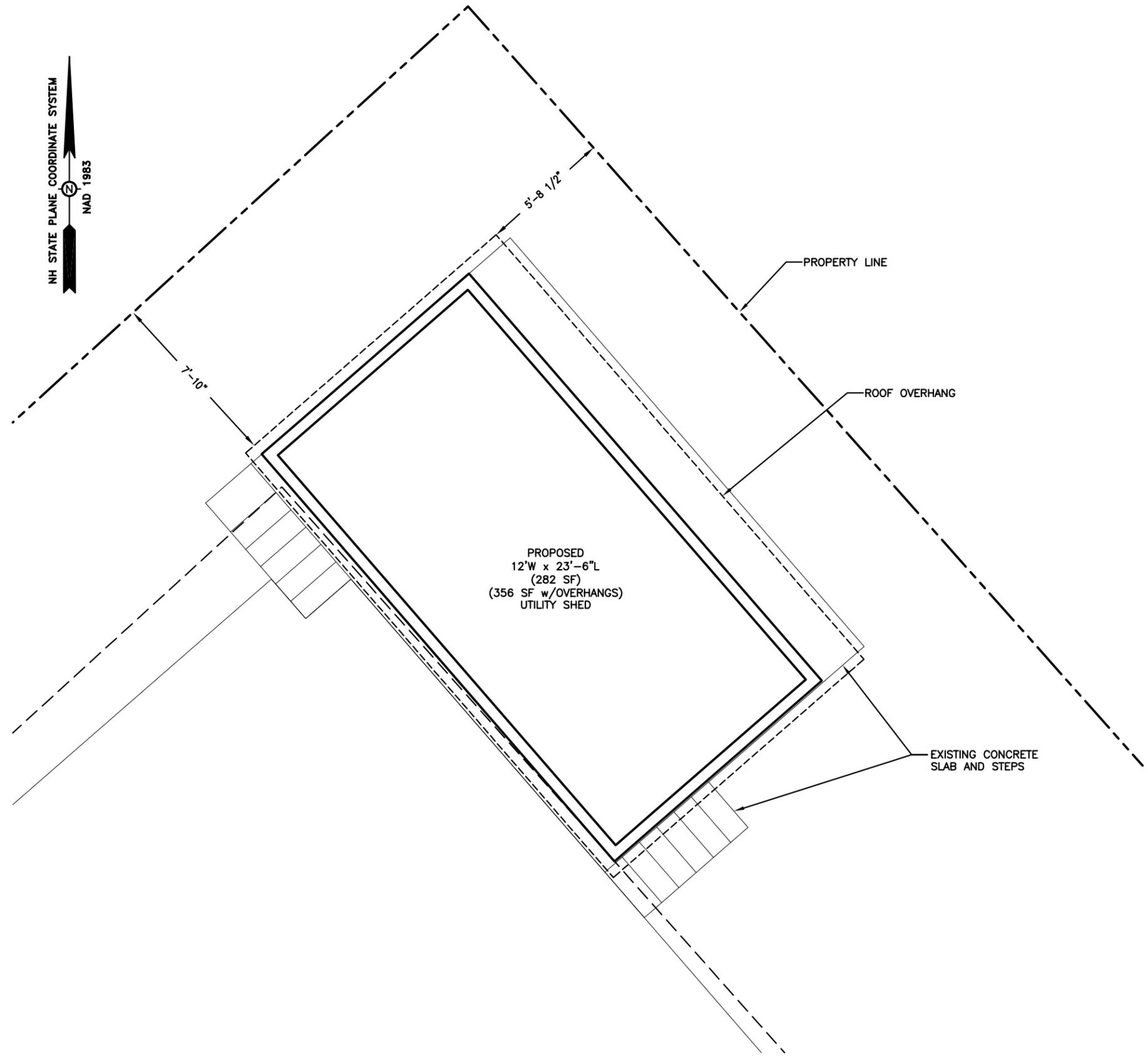
DATE: JUNE 13, 2021  
SCALE: AS NOTED  
PROJECT NO.: MISC-02Z  
MARC R. BATCHELDER, PE  
ENGINEER OF RECORD

FOR:  
4-Unit Utility Shed  
145 Cabot Street  
Portsmouth, NH

**Seaport Engineering, LLC**  
PORTSMOUTH, NH  
(603) 498-8449  
www.seaporteng.com

TITLE:  
PROPOSED  
SITE PLAN

NH STATE PLANE COORDINATE SYSTEM  
NAD 1983



PROPOSED  
12'W x 23'-6"L  
(282 SF)  
(356 SF w/OVERHANGS)  
UTILITY SHED

PROPERTY LINE

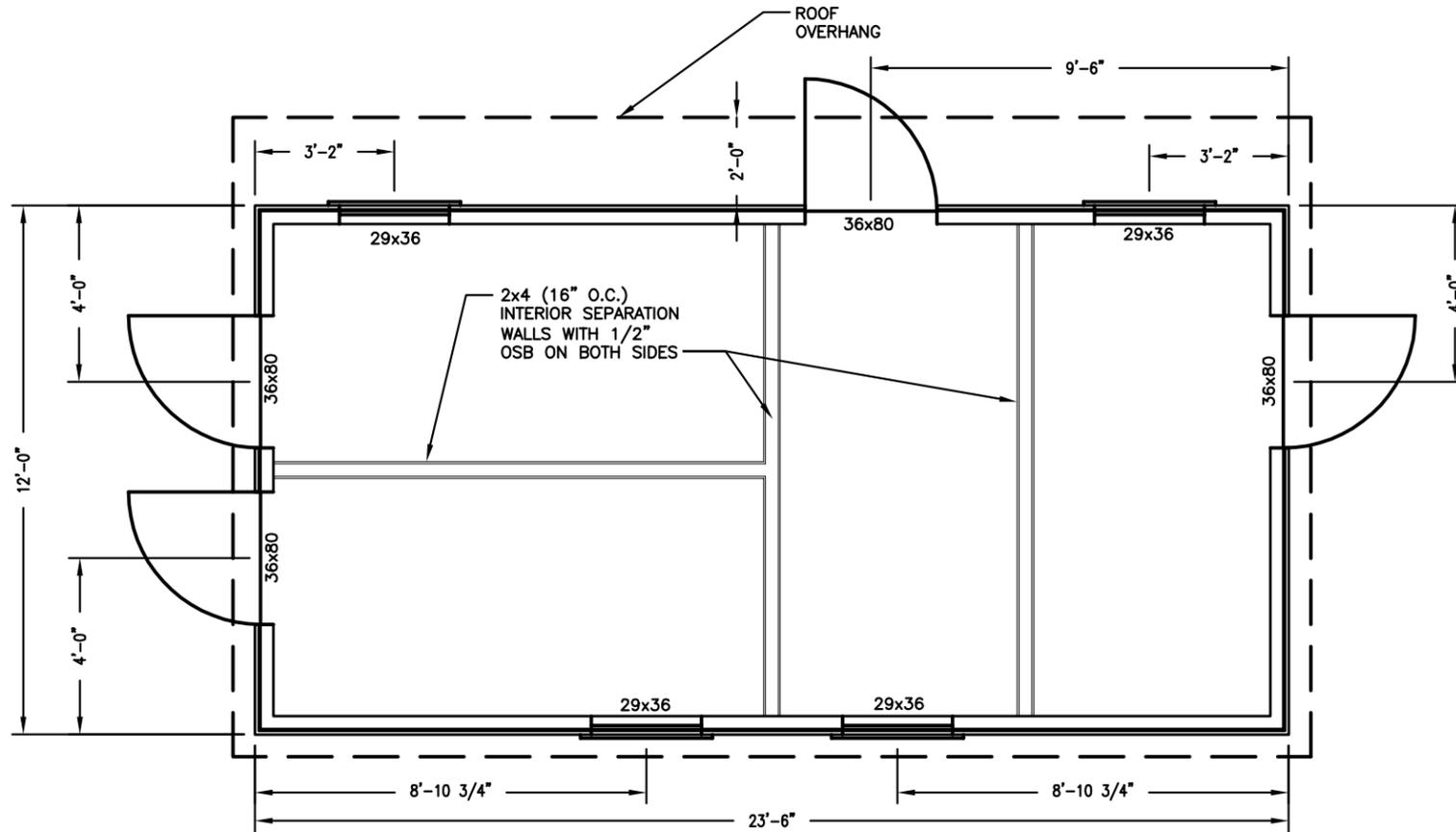
ROOF OVERHANG

EXISTING CONCRETE  
SLAB AND STEPS

GRAPHIC SCALE

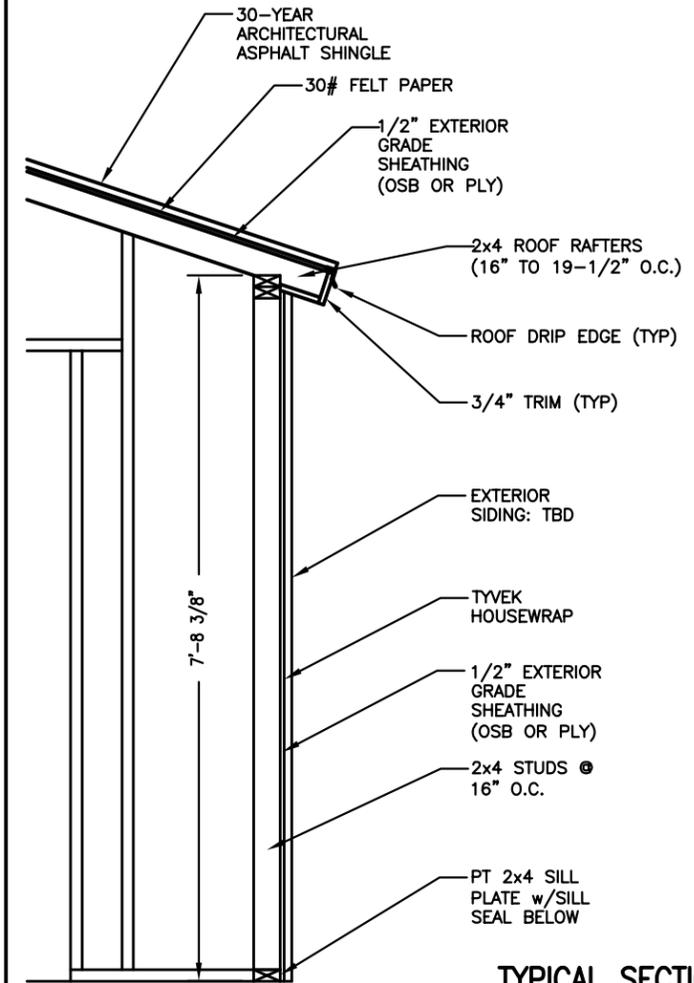


TITLE: DETAILED SITE PLAN	FOR: 4-Unit Utility Shed 145 Cabot Street Portsmouth, NH	DATE: JUNE 13, 2021	REVISIONS
		SCALE: AS NOTED	NO.
C-2	Seaport Engineering, LLC PORTSMOUTH, NH (603) 498-8449 www.seaporteng.com	PROJECT NO.: MISC-02Z	DESCRIPTION
		MARC R. BATCHELDER, PE ENGINEER OF RECORD	APP'D
		MARB	DATE
		06/14/21	

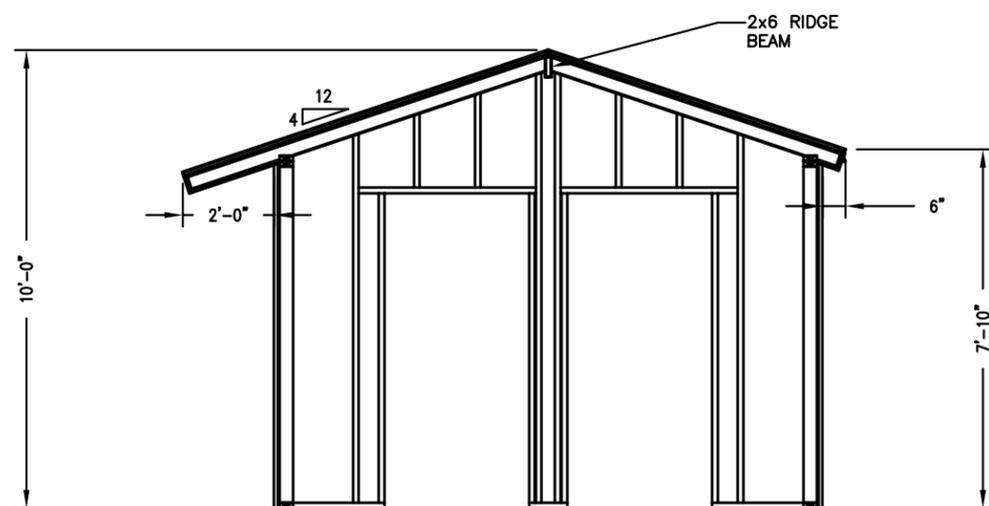


**FLOOR PLAN**  
SCALE: 1/4"=1'

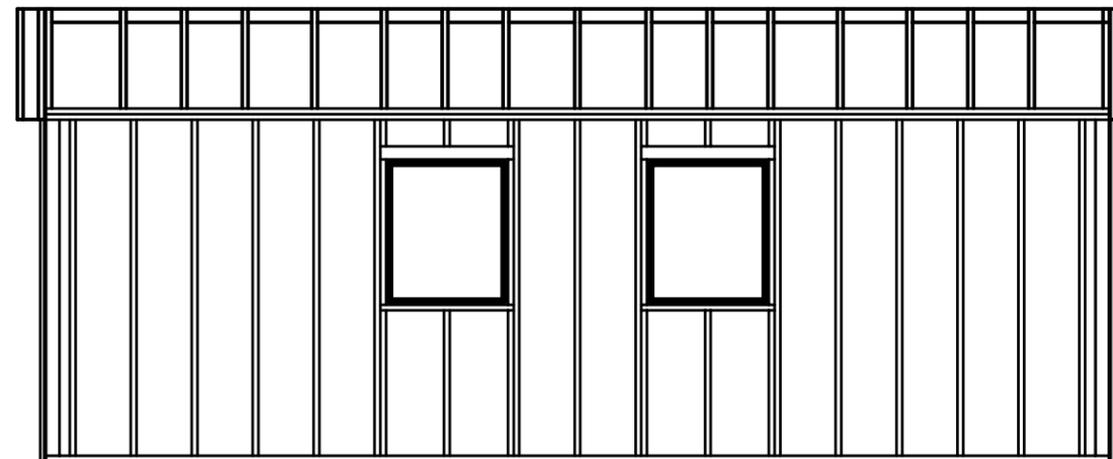
- NOTES:**
- EXISTING SLAB SHALL BE USED FOR FOUNDATION.
  - DRILL & EPOXY ANCHORS INTO EXISTING SLAB.
  - ALL STORAGE UNITS ARE 5'-5"x11'-2"



**TYPICAL SECTION**  
SCALE: 1/2"=1'

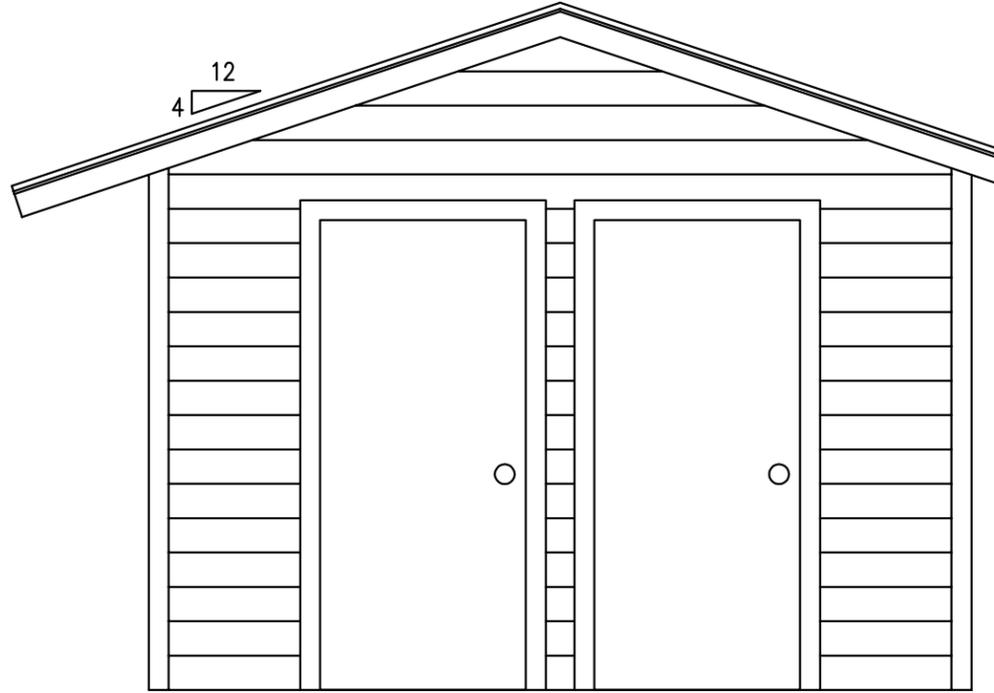


**FRAMING PLAN**  
SCALE: 1/4"=1'

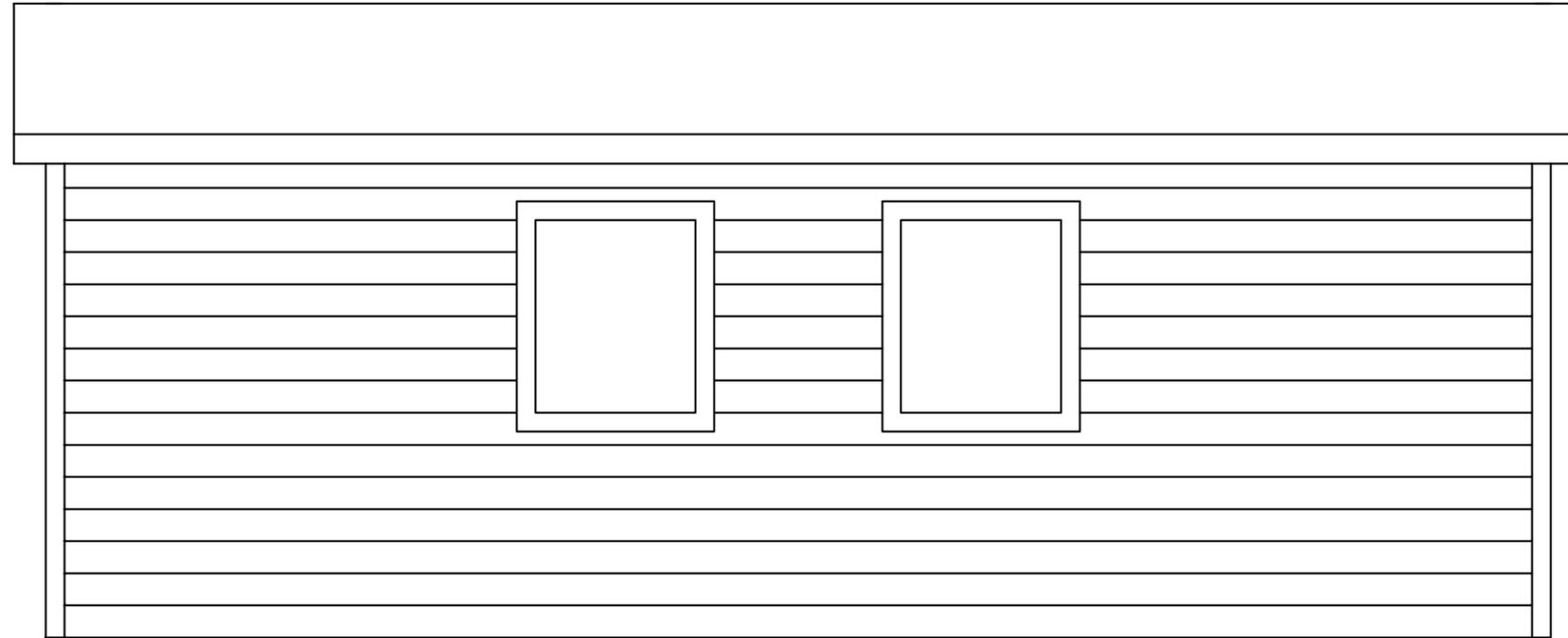


- FRAMING NOTES:**
- WALL STUDS SHALL BE 2x4 AT 16" ON CENTER.
  - ROOF RAFTERS SHALL BE 2x4 AT 16" TO 19-1/2" ON CENTER.
  - VERIFY WINDOW OPENING WITH HOMEOWNER. WINDOWS ARE 29x36.
  - PROVIDE APPROPRIATE ROUGH OPENINGS FOR 36x80 DOORS.
  - EXTERIOR SHEATHING SHALL BE 1/2" OSB OR PLYWOOD
  - WALL UNDERLAMENT SHALL BE TYVEK HOUSE WRAP WITH ALL EDGES OVERLAPPED AND TAPED.
  - WALL SIDING: TBD
  - TRIM BOARDS SHALL BE 3/4" THK PINE OR AZEK PRIMED ON ALL SIDES.
  - ROOF UNDERLAMENT SHALL BE 30# FELT PAPER.
  - ROOF SHALL BE 30-YEAR ARCHITECTURAL ASPHALT SHINGLES.
  - ALL SILL PLATES SHALL BE PRESSURE TREATED WITH SILL SEAL BENEATH.

DATE: JUNE 13, 2021		FOR PERMIT		MRB		06/15/21	
SCALE: AS NOTED		NO.		APP'D		DATE	
PROJECT NO.: MISC-027		DESCRIPTION		REVISIONS			
MARC R. BATCHELDER, PE		ENGINEER OF RECORD					
FOR: 4-Unit Utility Shed							
145 Cabot Street							
Portsmouth, NH							
Seaport Engineering, LLC							
PORTSMOUTH, NH							
(603) 498-8449							
www.seaporteng.com							
TITLE: FLOOR PLAN, FRAMING PLAN & SECTION							
S-1							



**WEST ELEVATION**  
SCALE: 3/8"=1'



**SOUTH ELEVATION**  
SCALE: 3/8"=1'

TITLE:	ELEVATION VIEWS		FOR: 4-Unit Utility Shed 145 Cabot Street Portsmouth, NH	DATE: JUNE 13, 2021
	S-2			SCALE: AS NOTED
		<b>Seaport Engineering, LLC</b> PORTSMOUTH, NH (603) 498-8449 www.seaporteng.com	PROJECT NO.: MISC-02Z	
			MARC R. BATCHELDER, PE ENGINEER OF RECORD	
				FOR PERMIT
				MRB
				APP'D
				06/15/21
				DATE
				NO.
				DESCRIPTION
				REVISIONS