

January 6th, 2021

City of Portsmouth, NH

Attn: Board of Adjustment

We would like to add heating and cooling to the 3rd floor of the house and add air conditioning to the first and second floors. This would require the addition of two outdoor HVAC units that will be placed beneath the existing deck off the side of the house. The units will consist of one Trane condenser (40" w x 36" h x 14" d) and one Mitsubishi heat pump (32" w x 22" h x 12" d).

There is not currently a heat source on the 3rd floor of the house which serves as a bedroom, closet, and bathroom. A variance is required given there is no location on the property that does not encroach within 10 ft of the property line. The location under the deck is the only feasible location on the property. The proposed location will place the units 6 ft and 8 ft from the rear and side property lines. In other words, the units will encroach into the setback limits by 4 ft and 2 ft respectively.

We believe this request complies with the requirements of the Zoning Ordinance as provided in Article 2 (Section 10.233.20):

**10.233.21 The variance will not be contrary to the public interest and 10.233.22 The spirit of the Ordinance will be observed**

The placement of the units will not be visible from any adjacent property since the deck will be screened in vertical lattice. The units therefore will not diminish the character of the neighborhood. The units are relatively quiet and will be below a 50 dB noise at 4 ft from the property line. We are making our best effort to keep the units as far from the property line as we can, while concealing them under the existing deck.

**10.233.23 Substantial justice will be done**

The 3rd floor is the primary sleeping bedroom for the homeowners so the addition of heat and A/C will make their living space much more comfortable and enjoyable. The first and second floors will also benefit from having A/C which will make the entire living space more comfortable.

**10.233.24 The values of surrounding properties will not be diminished**

The addition of the two units will not diminish the value to the nearby or adjacent properties. Since the units will be hidden from view, they will not be a detriment to any property's value / an unsightly view or negatively affect the neighborhood's essential characteristics.

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

Literal enforcement of the Ordinance would inhibit the homeowners from having a heat supply on the 3rd floor since there is currently no available heating source for the 3rd floor bedroom/living area.

Thank you for your consideration and please let me know if you have any questions,

Chris Atwood

We are requesting your approval for the following improvements that we are making to our residence at 45 Gardner St.



No changes to front facing Gardner St.



No changes facing Walton Alley.

### 3. Condensers - 2 added and hidden by deck

- a. A condenser for heating and cooling system for the 3rd floor to be added as currently no heat is available on the 3rd floor, the primary bedroom. The current cooling is available on the third floor is the wall unit external air conditioner, and therefore the replacement unit would be a Mitsubishi heat pump. As this condenser would be required, we will also replace our furnace system that is aging out with a full furnace and air conditioner unit. This will also utilize the condenser. The condenser will be placed in the side patio, with no view from the street, under the deck.



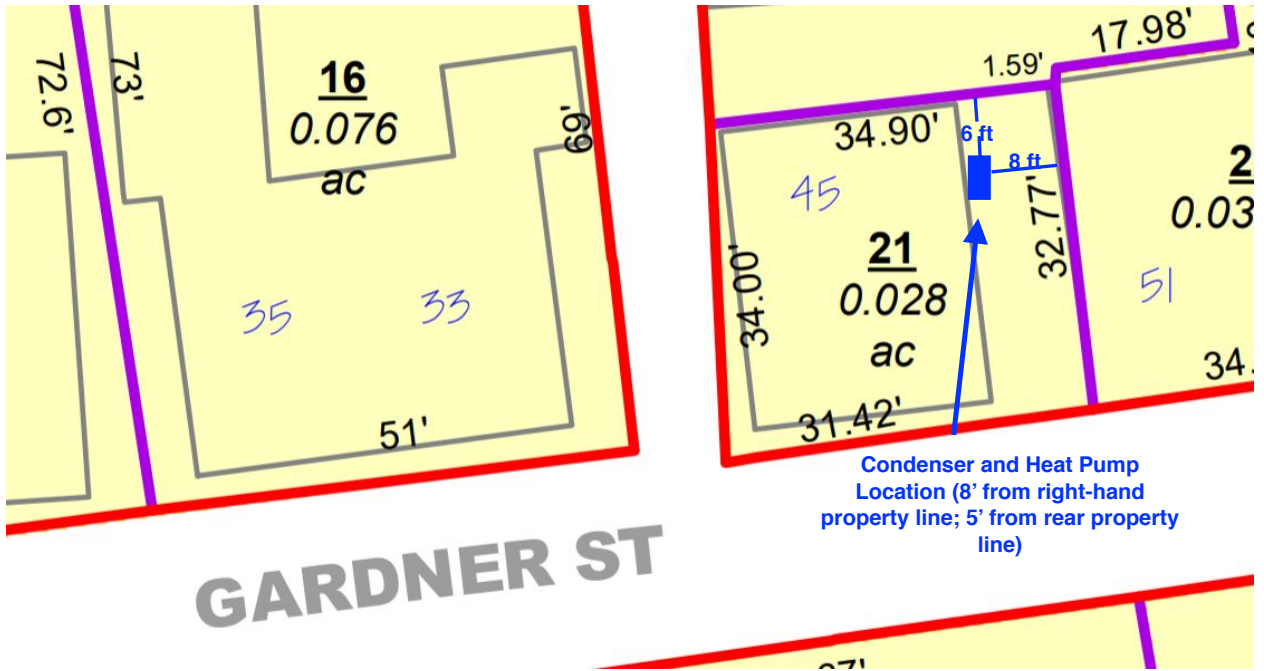
Side yard hidden by fence.



Condensers hidden by fence, and again by deck.



SitePlan:



45 Gardner

Property Location: 45 GARDNER ST      MAP ID: 0103/ 0021/ 0000/ /      Bldg Name:      State Use: 1010  
 Vision ID: 32977      Account #32977      Bldg #: 1 of 1      Sec #: 1 of 1      Card 1 of 1      Print Date: 09/27/2019 22:31

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)				
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	06		Conventional	Bsmt Garage			
Model	01		Residential				
Grade	B+		B+				
Stories	2						
Occupancy	1						
Exterior Wall 1	11		Clapboard				
Exterior Wall 2	11						
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asph/F Gls/Cmp				
Interior Wall 1	03		Plastered				
Interior Wall 2	03						
Interior Flr 1	12		Hardwood				
Interior Flr 2	12						
Heat Fuel	03		Gas				
Heat Type	02		Warm Air				
AC Type	01		None				
Total Bedrooms	03		3 Bedrooms				
Total Bthrms	2						
Total Half Baths	1						
Total Xtra Fixtrs	1						
Total Rooms	7						
Bath Style	1		Avg Quality				
Kitchen Style	1		Avg Quality				
Kitchen Gr							
WB Fireplaces	0						
Extra Openings	0						
Metal Fireplaces	0						
Extra Openings	0						
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)			COST/MARKET VALUATION			MIXED USE	
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr
BUILDING SUB-AREA SUMMARY SECTION			APPRaisal		VALUATION		
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value	
BAS	First Floor	586	586	586	235.67	138,102	
FAT	Attic	154	616	154	58.92	36,293	
FOP	Porch, Open	0	54	11	48.01	2,592	
FUS	Upper Story, Finished	640	640	640	235.67	150,828	
UBM	Basement, Unfinished	0	586	117	47.05	27,573	
Ttl. Gross Liv/Lease Area:		1,380	2,482	1,508		355,388	

