

Sean and Elizabeth Murphy  
470 Lincoln Avenue  
Portsmouth, New Hampshire

---

June 3, 2020

City of Portsmouth  
Zoning Board of Adjustment  
1 Junkins Ave  
Portsmouth, NH 03801

RE: Variance application of Sean and Liz Murphy  
470 Lincoln Ave., Portsmouth, NH (Tax Map Lot # 133-45)

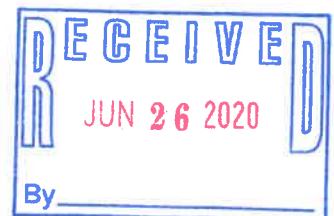
Dear Zoning Board,

Please accept this application for submission to the Zoning Board of Adjustment for consideration including the following materials:

- Narrative to Variance Application
- Site Plan
- Floor Plans and elevations
- Tax Map of property
- Letters from surrounding and neighboring residents

Appreciatively,

Sean and Liz Murphy  
470 Lincoln Ave., Portsmouth, NH



## **Narrative to Variance Application**

Sean and Elizabeth Murphy are owners of the property located at 470 Lincoln Ave., Portsmouth, identified on Portsmouth Tax Map Lot # 133-45. We purchased the property in May of 2010. The property is located in the GRA Zoning district and contains a single-family home originally built in 1941. Sean and Liz reside here with their three growing children.

The house is a colonial style home on the corner of Lincoln and Union streets. The living space consists of two floors. The first floor contains the kitchen and dining area as well as a living room and a half bathroom. The second floor has three bedrooms and one full bathroom. The attached garage has a lower roofline. On the ground level is a 1.5 car garage that faces Union Street. Above the garage is a multi-purpose room on a different heating system with insufficient insulation.

We seek to renovate the home to add living space and give it an updated appearance that is consistent with surrounding homes on Lincoln Avenue. The renovation includes the following:

- A renovation of the garage to divide the current garage into a mudroom and a one-car garage
- A renovation of the multi-purpose space above the garage to a bedroom and full bathroom on the same heating system as the main house and includes dormers on east and west sides while maintaining the existing lower roofline than the main section of the home, along with a bump-out window seat
- An addition of 108 sq.ft. toward the north facing Lincoln Avenue to increase the dining space, currently 132 sq. ft.
- A 160 sq. ft. proposed covered porch facing Lincoln Avenue that is flush with the dining room addition
- A 60 sq. ft. deck with entryway on the west side backyard behind the garage, not visible from Lincoln or Union Street allowing direct access to the backyard from the main living area (with proposed changes, one would pass through three sets of doors to access the backyard)

The footprint of the home will remain the same aside from an 8' extension of the north side of the kitchen as well as the farmers porch on Lincoln Avenue and a small deck in the backyard. The entryway to the garage would shift from the west facing backyard to the south facing backyard. An entryway to the mudroom facing Union Street on the

east side would be added for access to the home on that street other than the garage door.

According to table 10.521/ the table of dimensional standards, a lot size would be 7,500 sq. ft. per dwelling area. This lot is 5,000 sq. ft. which leads to a hardship of living area within the parameters of the ordinance. The gross area of 3,275 sq. ft. and the living area of 1,750 sq. ft. constitute a hardship related to the restricted lot size of 5,000 sq. ft. We request a variance to increase the living space that infringes on the 15' setback from the front facing Lincoln Ave. to create a small addition to the gross area and living area. The average setback of the neighboring houses within 200 feet on our side of Lincoln Ave. is 13'. Two of those structures are not in compliance with the ordinance for setback at 10 feet and 7.1 feet. Our setback after the renovation and addition would still exceed those two structures at 11 feet, still well back from Lincoln Ave.

In reference to section 10.321 regarding lawful nonconforming structures, we request a variance to extend, reconstruct or enlarge our residence because it conforms to the regulations of the district as defined below in response to the variance criteria. We request that the zoning board of adjustment consider that our minor addition on the 5,000 sq. ft lot contributes positively to the town and surrounding area while respecting the intent of the ordinance to maintain a setback from city streets.

Additionally, we seek a variance that would allow access to the backyard through one door by constructing a small deck on the right side of the backyard. The setback states 10 ft., but our house is currently 4 ft. from the neighboring yard, and our deck would align with this 4 ft. setback behind the neighboring fence. Currently, we need to pass through two doors in the main house and the garage to access the backyard. We feel this is a hardship, and the proposed renovation of the garage would add an additional door through which we would need to pass.

Lastly, in the GRA in which we are located, the maximum building coverage allowed is 25% of the lot. The existing coverage is 24.5%, and we respectfully request a variance from Section 10.521 to allow the renovation that would equate to 30% building coverage of the lot.

In summary, we respectfully seek a variance related to the setback of the front of the home, a variance pertinent to the right side deck, and a variance pertaining to the building coverage of the lot.

## Variance Criteria

1. *The Variance is not contrary to the public interest.*
2. *The spirit of the ordinance is observed.*

The use of this variance would not alter the character of the neighborhood. Several homes on Lincoln Avenue surrounding the property have front porches that stretch toward Lincoln Avenue. The updated renovation of the porch and kitchen addition would add a fresh architectural look to the home while maintaining the character of a traditional colonial house. Updating the entryway on Union Street would add lighting and safety to a dark section of this street. Maintaining the existing height of roofline while adding dormers will not infringe upon or injure others' public rights. This renovation would support the essential character of the neighborhood and in no way threaten public health.

3. *Substantial justice is done.*

This renovation would not harm the general public or other individuals while benefiting the Murphys. This renovation would contribute positively to property at 470 Lincoln Avenue and there would be no gain to the surrounding homes or general public by denying the variance relief. The proposed renovation improves the home's functionality and appearance which is outdated. The proposal is mutually beneficial to the Murphys, the surrounding residents, and the City of Portsmouth.

4. *The values of surrounding properties are not diminished.*

The values of the surrounding properties would be increased by the architecturally updated facades on the north facing Lincoln Avenue and the east facing Union Street. Because the addition maintains an appropriate setback of 11' from Lincoln Avenue and does not encroach toward Union Street, the open aesthetic of the intersection will be maintained. The proposed renovation would add value to the property as well as surrounding properties while still maintaining a setback farther than neighboring homes with 200 ft.

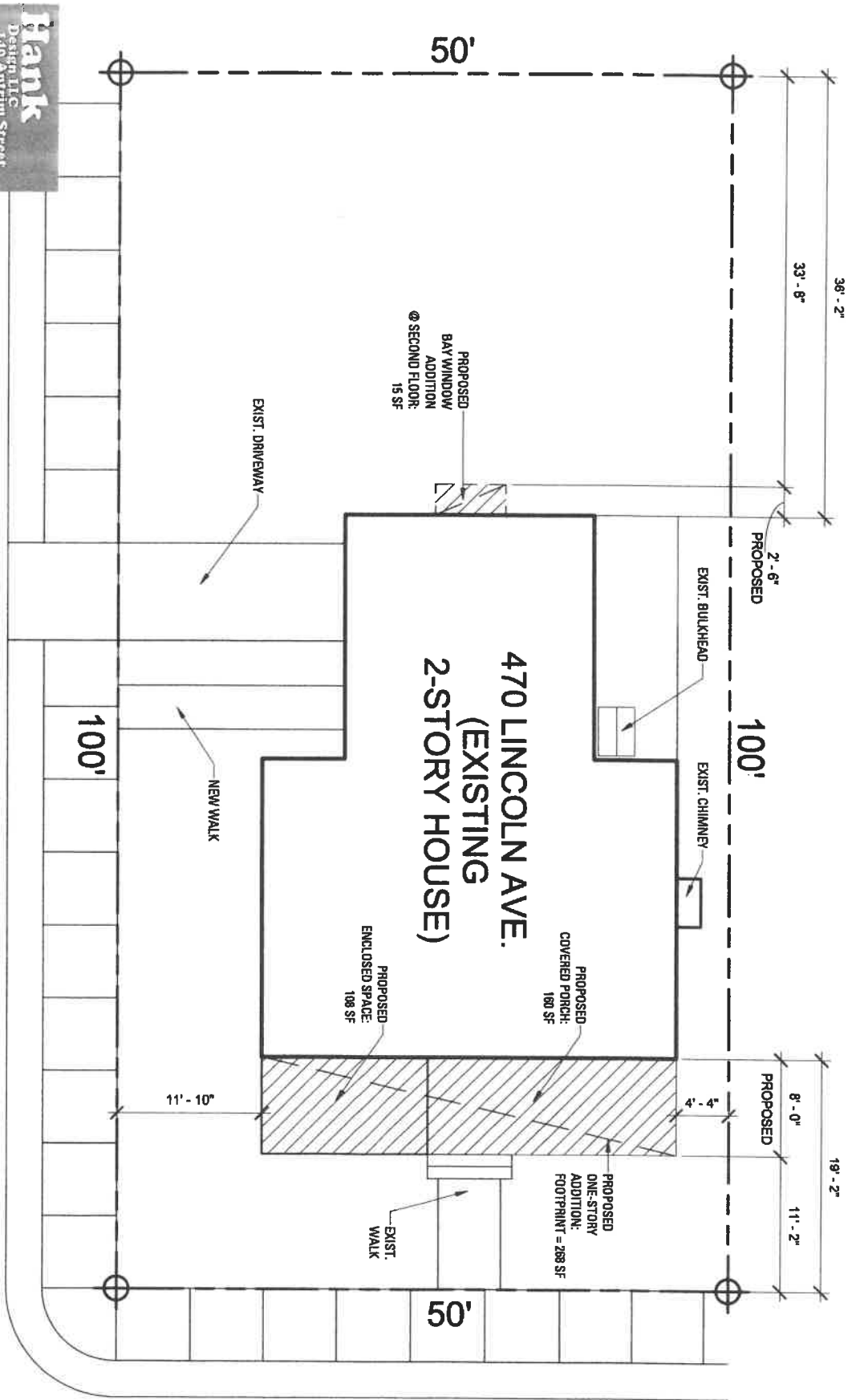
5. *Literal reinforcement of the ordinance would result in unnecessary hardship.*

Because of the size of the lot, the footprint of the house is not served in a "fair and substantial" way by the literal definition of the ordinance according to table

10.521. The variance is requested to add reasonable use to the house despite the size of the lot while maintaining existing rooflines and respecting neighboring setbacks from surrounding sidewalks and streets. According to table 10.521/ the table of dimensional standards, the gross area of 3,275 sq. ft. and the living area of 1,750 sq. ft constitute a hardship related to the restricted lot size of 5,000 sq. ft. and should qualify for a small addition to the gross area and living area.

### **Conclusion**

The Murphys contend that the five criteria are met for granting a variance for ordinance relief and respectfully request the Board to approve the application for the renovation.



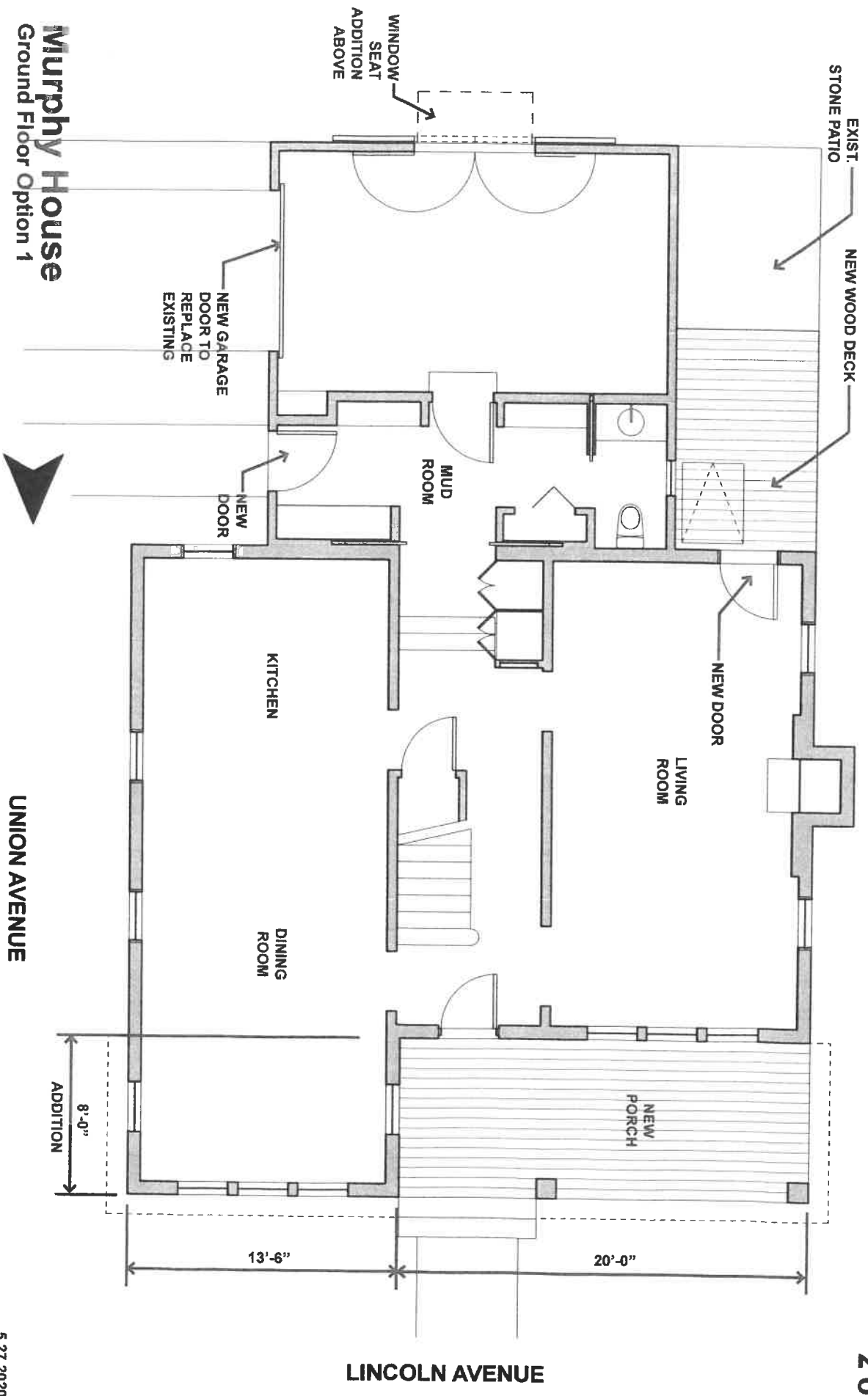
LINCOLN AVENUE

**Hank**  
 Design LLC  
 140 Antfarm Street  
 Cambridge, MA 02139

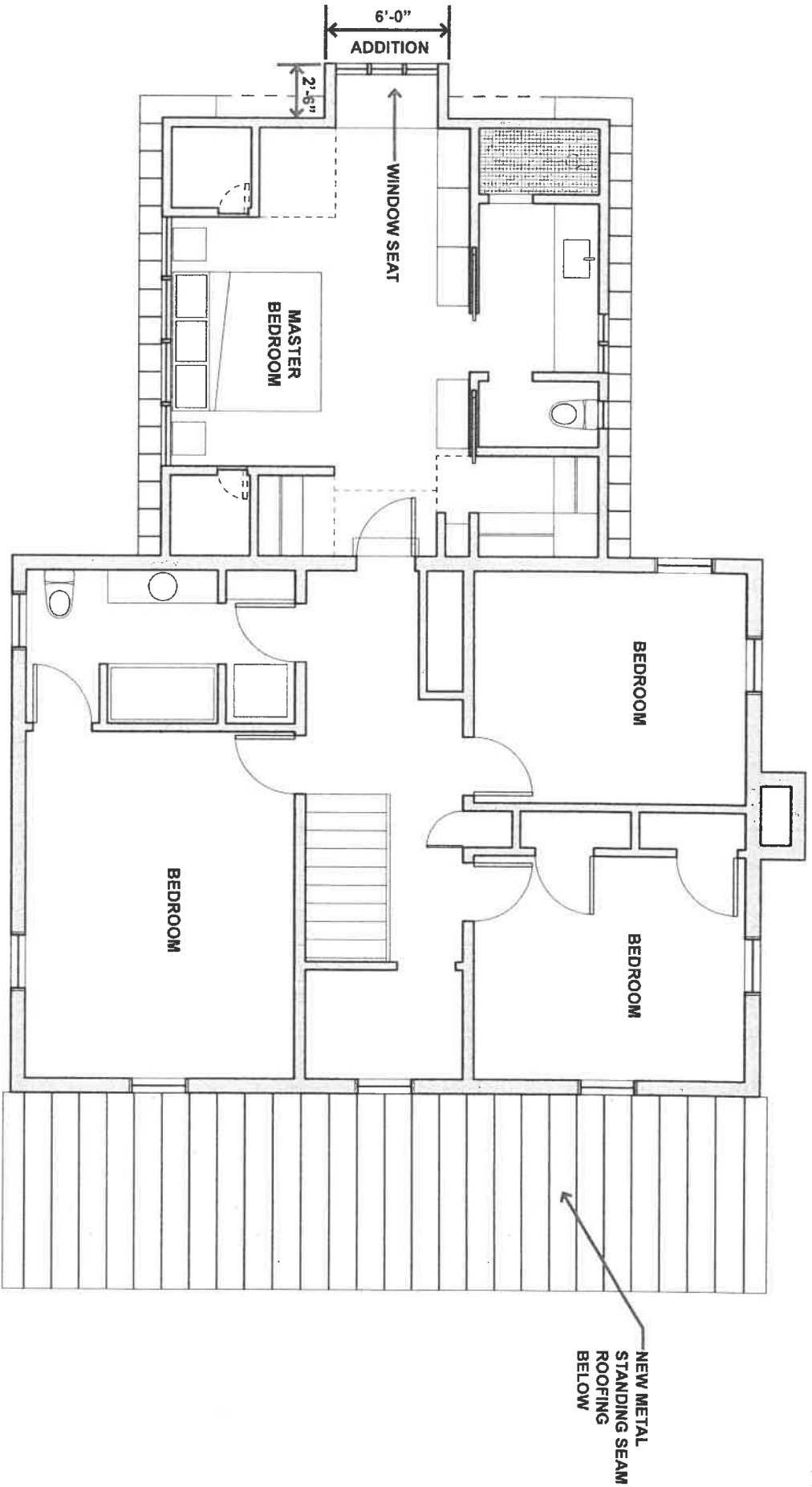
**Murphy House**  
 Site Plan 1/8" = 1'-0"



UNION AVENUE



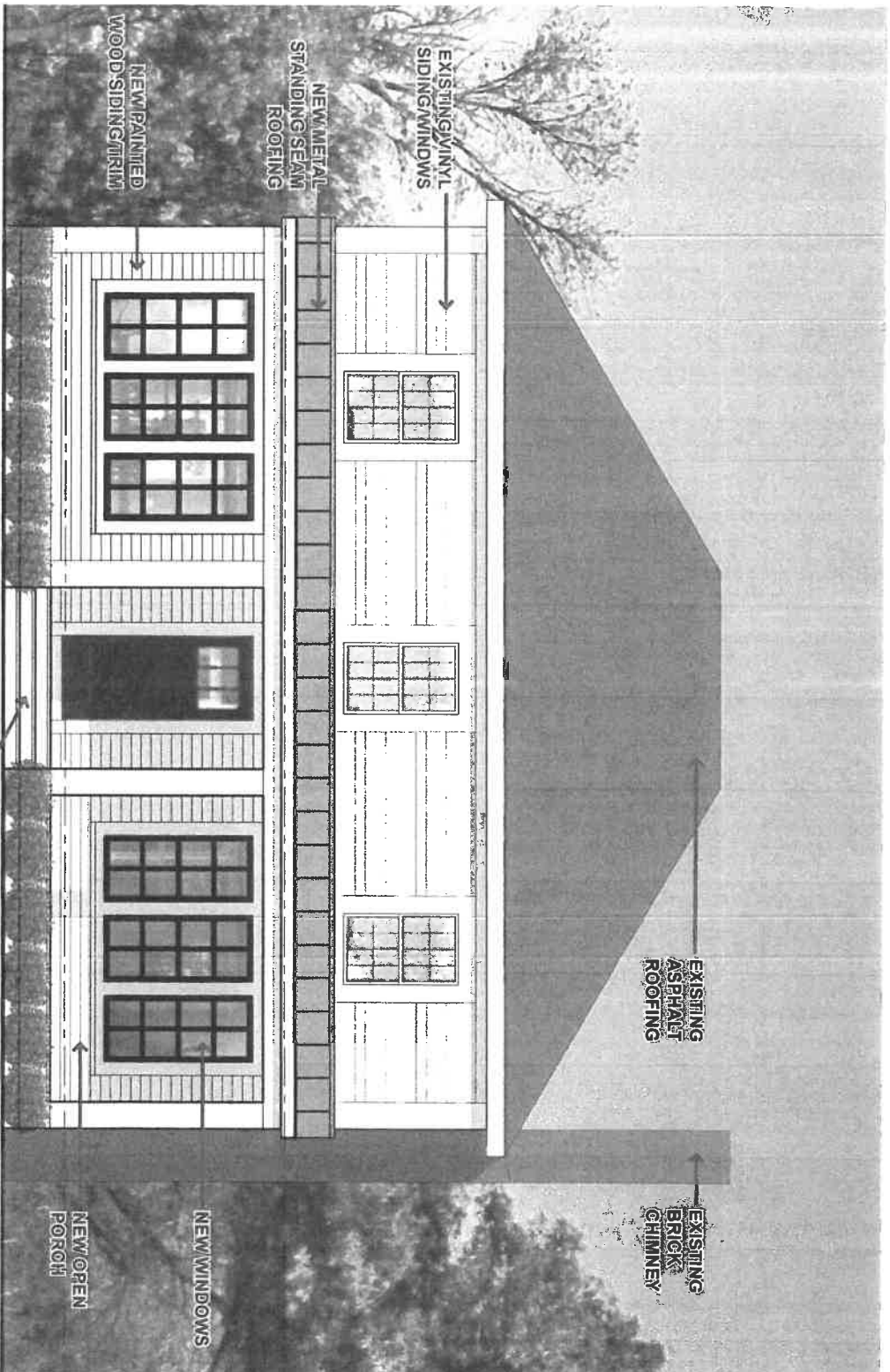
**Murphy House**  
Ground Floor Option 1



**Murphy House**  
Second Floor

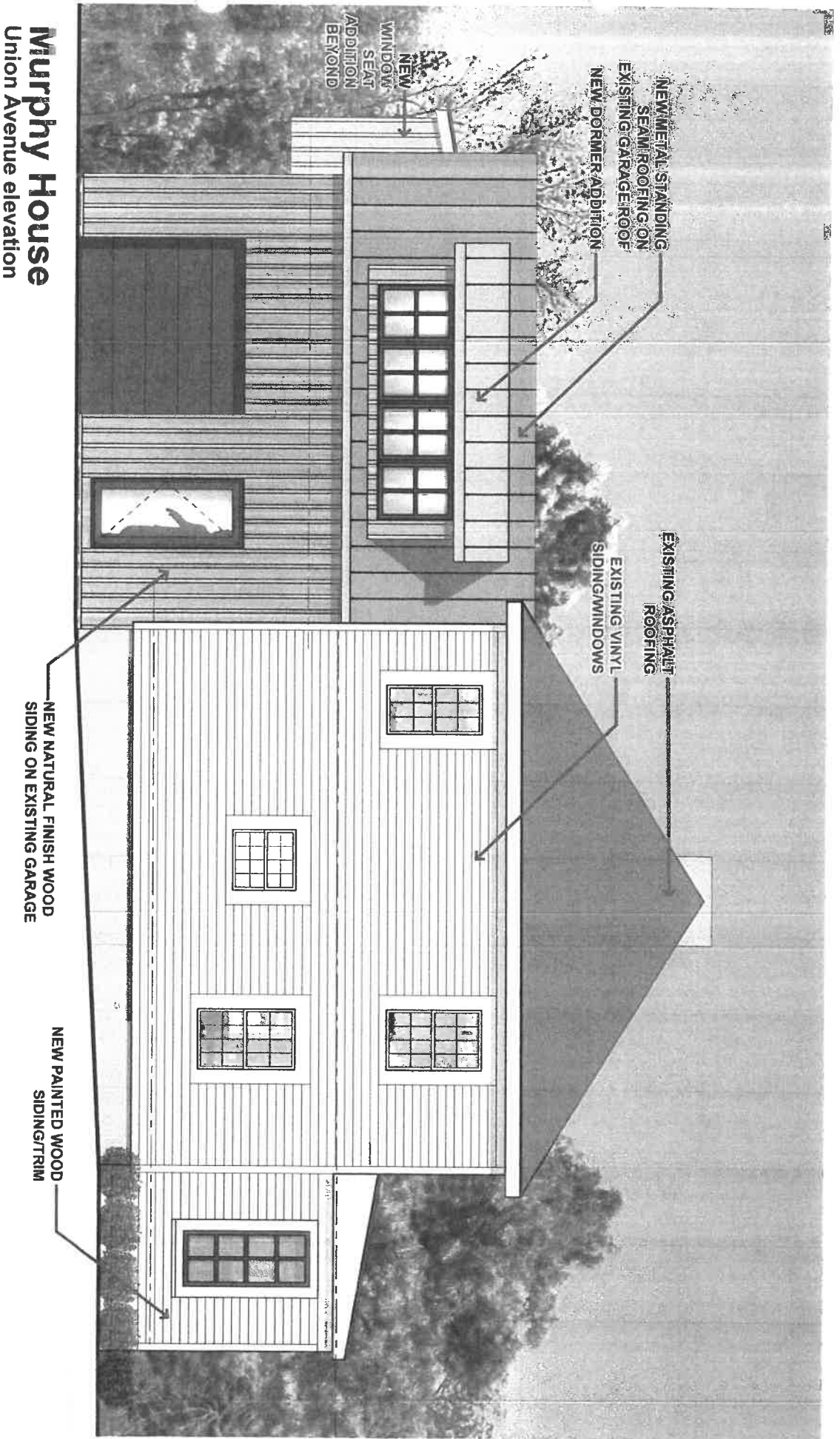




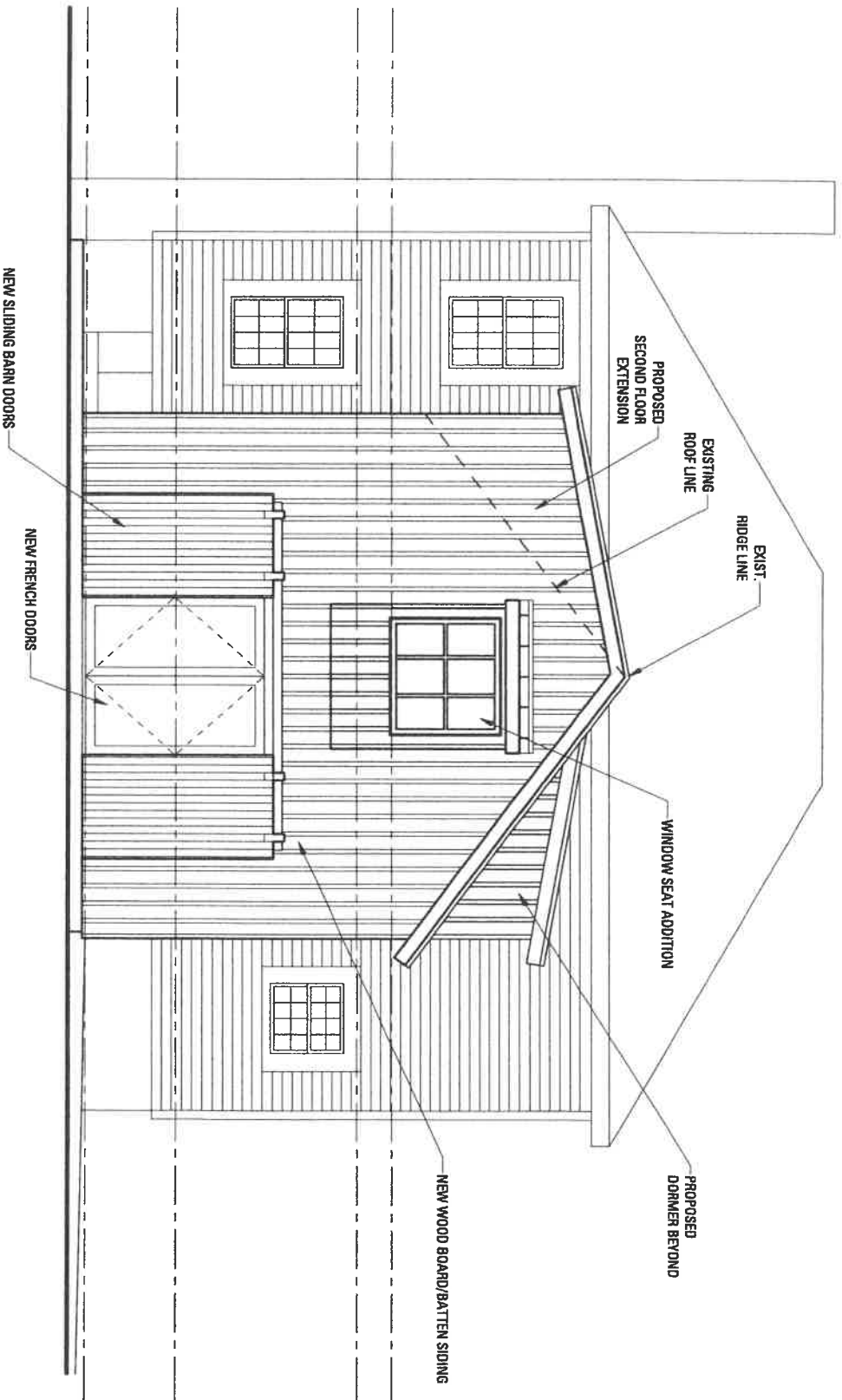


# Murphy House

Lincoln Avenue elevation



**Murphy House**  
Union Avenue elevation

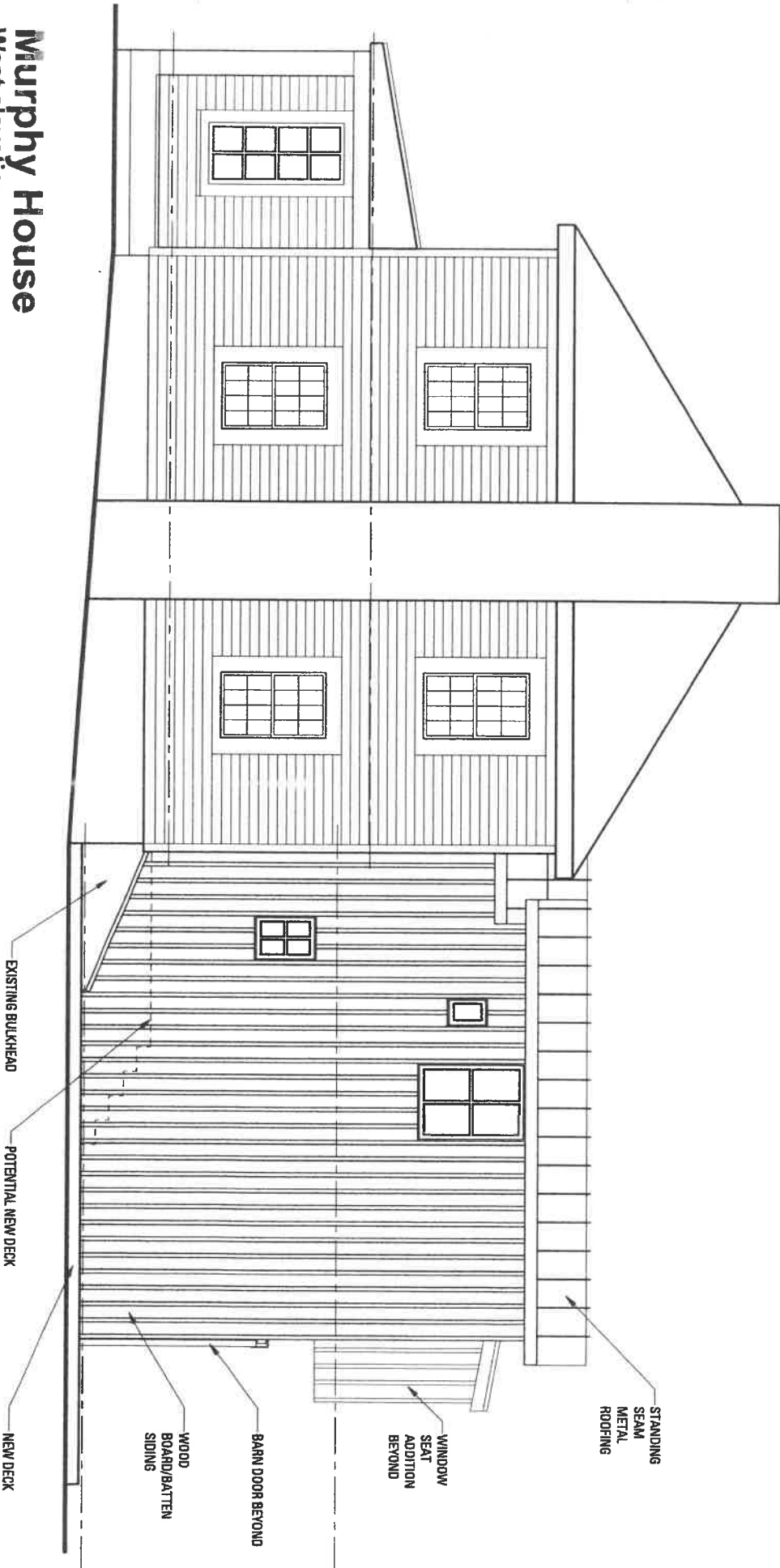


# Murphy House

South elevation

# Murphy House

West elevation



6.3.2020



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 4/1/2019  
Data updated 7/17/2019



**Property Information**  
**Property ID** 0133-0045-0000  
**Location** 470 LINCOLN AVE  
**Owner** MURPHY SEAN 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 4/1/2019  
 Data updated 7/17/2019

May 22, 2020

To Whom It May Concern,

We live at 478 Lincoln Ave. in Portsmouth, the lot that abuts 470 Lincoln Ave. The Murphys who live next door have shown their building plans to us and have explained the extent of the project they plan on doing this summer. We are comfortable with their plans and do not oppose their remodel.

Sincerely,

Jim and Gerry Morrissey  
478 Lincoln Ave.  
Portsmouth, NH 03801

A handwritten signature in cursive script that reads "Jim E. Gerry Morrissey". The signature is written in black ink and is positioned to the right of the typed name and address.

*Great Improvement.*

133 - 46 on Tax Map

June 1,  
May 20, 2020

To Whom It May Concern,

We have lived next door to the Murphys for ten years. They have taken the time to review their architectural plans for a renovation with us, and we are supportive of their project. Our property at 484 Union Street is adjacent to the Murphys, and we share a fence along their backyard. We have no objections to their proposed remodel.

Sincerely,

Mr. and Mrs. Anthony Blenkinsop



Anthony Blenkinsop  
Jesucalitz

133-44 on tax Map



June 1, 2020

To The Portsmouth Planning Board,

Our neighbors, Liz and Sean Murphy, brought to our attention their renovation plans for their house. We had the opportunity to review their architectural renderings and get a sense of the changes that will be made and how they'll affect our street. We approve of their additions and can clearly see that they will add charm and value to the neighborhood.

Regards,

Handwritten signatures of Katherine Clark and Jeff Suttie. The signature for Katherine Clark is written in a cursive style, and the signature for Jeff Suttie is also cursive and positioned below the first signature.

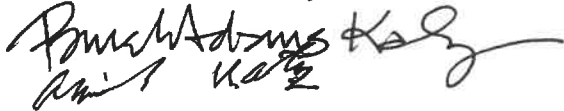
<sup>c</sup>  
Katherine Clark and Jeff Suttie  
485 Lincoln Avenue  
Portsmouth, NH 03801

134-49 on Tax Map

June 1, 2020

To Whom This May Concern,

My husband and I were presented with plans of our neighbor's, Liz & Sean Murphy, renovation to their home at 470 Lincoln Ave. We live across Union and will look onto the East side of their house, which includes their driveway and garage. We approve of the changes they will make and see the value they will add to our community.

Handwritten signature of Pam and Ari Katz in black ink.

Pam and Ari Katz  
462 Lincoln Avenue  
Portsmouth, NH 03801

133 - 20 on Tax Map