

**RE: APPLICATION OF MICHAEL PETRIN**

239 NORTHWEST STREET

Applicant's Narrative

**I. The Property:**

Michael Petrin is a co-owner of the property located at 239 Northwest Street. The property consists of a single family residence, constructed circa 1830, which is located on a lot containing 3,722 sq. ft. The lot is non-conforming in size. The existing structure is non-conforming as to front, rear and left side yards, lot coverage, and open space.

The lot itself abuts the US Route 1 Bypass and was the subject of takings by the Maine- NH Interstate Bridge Authority for the Sarah Mildred Long Bridge in 1939, when 6,400 square feet of the lot were taken, leaving only 3,722 square feet of lot area.. The single family residence is located within 50 feet of the bridge on ramp and -0- feet from the Route 1 Bypass right-of-way.

The existing structure is approximately one foot from Northwest Street which dead ends at the adjacent property to the east.

The entire structure is located within 100' of the North Mill Pond. The applicant also is the co-owner of a waterfront vacant lot across Northwest Street which is approximately 2615 sq. ft. in size and is the location of a dock upon the Mill Pond.

**II. The Proposal:**

The applicant proposes to demolish a shed addition to the rear of the home and to construct a two-story addition to the rear of the home. The net increase in the square footage of the footprint would be 99 square feet. In addition, an existing deck of 30 square feet would be removed, and a new deck of approximately the same size constructed.

**III. Variances Required:**

Because the structure and lot are non-conforming, variances from Article 3, Sections 10.311 and 10.321 to alter a non-conforming structure upon a non-conforming lot, variances from Article 5, Sec. 10.521 for a 1.9 foot rear yard setback, lot coverage of 48% and open space of 28% are also required.

#### **IV.    ARGUMENT**

The Applicant believes that the 5 criteria necessary for the Board to grant the requested Variances are met by the within application.

- A. First and foremost granting the Variances requested, will not substantially alter the characteristics of the neighborhood, nor will public health, safety or welfare be threatened. In essence the proposal is to demolish the nonconforming shed at the rear of the home and to replace it with a 2 story addition adjacent to where the shed was. There will be a 99 Square foot increase in the lot coverage.

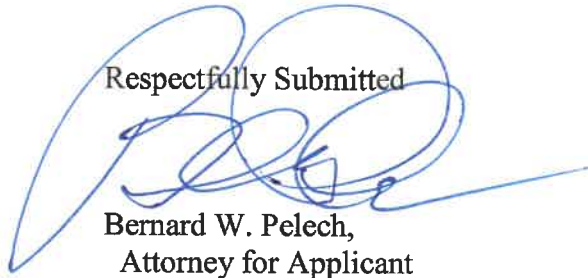
Applying the tests set forth in the Malachy Glen Case, granting the Variances would not be contrary to the public interest, nor would the spirit and intent of the ordinance be violated.

- B. Granting the requested Variances will not result in any diminution in value of surrounding properties. The Applicant has spoken to abutters who are supportive of the proposal to renovate the existing structure. As can be seen from the submitted photos and renderings the proposed addition would be in keeping with the characteristics of the existing structure and will require approval by the HDC. A work session has been held with the HDC and feedback from the Commission was positive.
- C. Granting the requested Variances would result in substantial justice being done as the hardship upon the owner, were the Variances to be denied, would not be outweighed by some benefit to the general public in denying the Variances. When Board members apply the balancing test, it should be clear that substantial justice will be done by granting the Variances. The general public would in no way be benefited by a denial, while the applicant would suffer a hardship.
- D. Finally, it is abundantly clear that there is a hardship inherent in the land which requires that variances be granted. The property was reduced in size by two thirds in 1939 when 6400 square feet of land were taken by eminent domain. The home was constructed in 1830 before any zoning existed. Due to the takings, and the application of the zoning ordinance to the existing lot and structure, both lot size and coverage became nonconforming. Setbacks, front, and rear and open space became nonconforming when the zoning ordinance went into effect. Secondly there is no fair and substantial relationship between the purpose of the ordinance as it relates to the particular property. There is adequate light and air and access for emergency vehicles in and around the structure. The fact that there is an unbuildable 2600 square foot, waterfront lot owned by the applicant across Northwest Street certainly mitigates the open space requirements and lot coverage requirements, as does the fact that Northwest Street dead ends at the applicants property line, with a turn around abutting the property. Lastly the Use is a permitted use in the district.

**V. CONCLUSION**

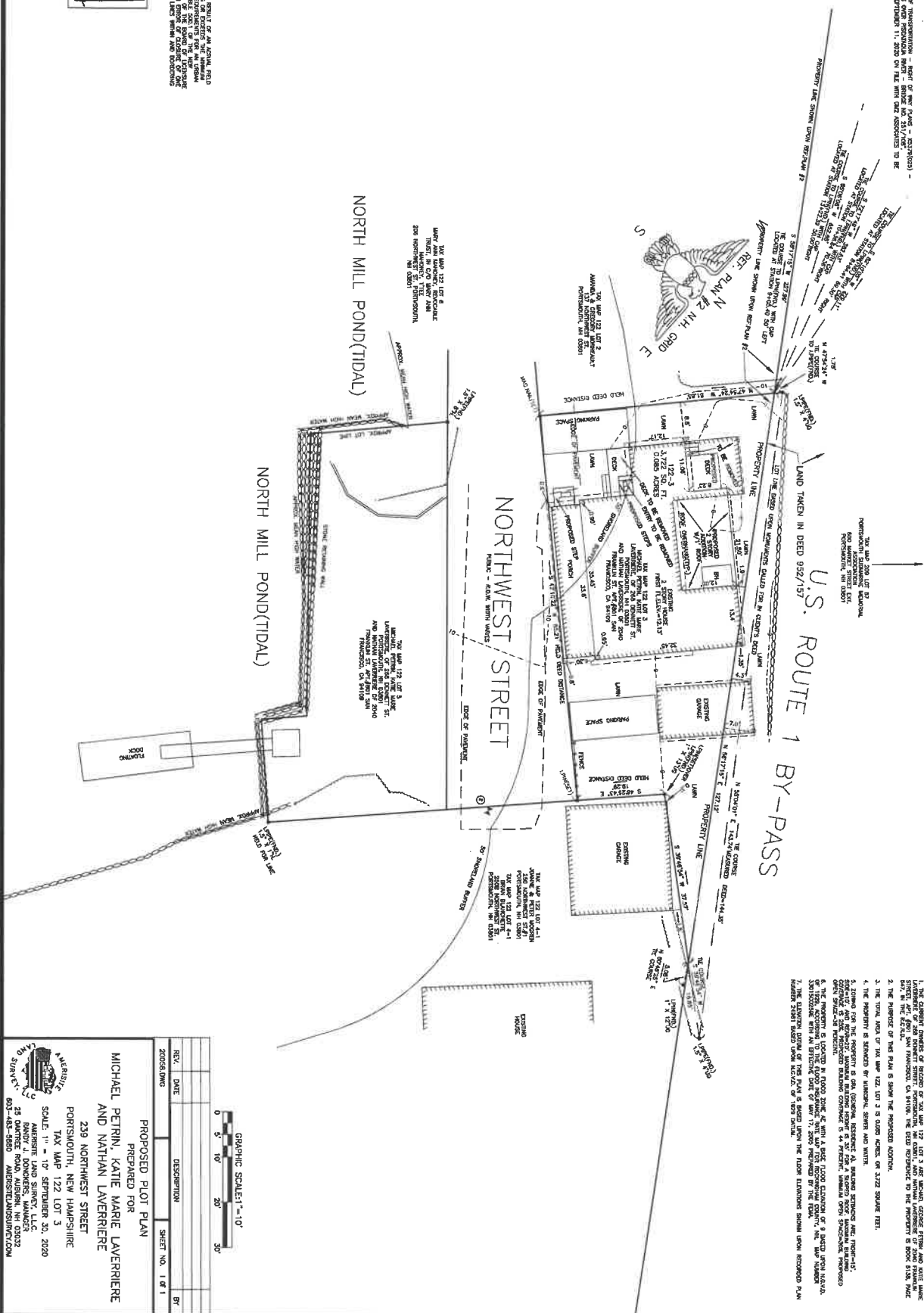
In conclusion, the applicant believes the criteria necessary for the Board to grant the requested Variances have been met, and thus, the Variances should be granted.

Respectfully Submitted

A handwritten signature in blue ink, appearing to be 'Bernard W. Pelech', is written over the text 'Respectfully Submitted'.

Bernard W. Pelech,  
Attorney for Applicant

- [illegible]

[illegible]

**PROPOSED LOT PLAN**  
PREPARED FOR  
**MICHAEL PETRINI, KATIE MARIE LAYERIERE**  
**AND NATHAN LAYERIERE**

**239 NORTHWEST STREET**  
**PORTSMOUTH, NEW HAMPSHIRE**  
**TAX MAP 122 LOT 3**  
**SCALE: 1" = 10' SEPTEMBER 30, 2020**

**ARGENTURE LAND SURVEY, L.L.C.**  
25 OAKRIDGE COURT, AUBURN, NH 03032  
603-463-5620 [ARGENTURESURVEYING@COM](mailto:ARGENTURESURVEYING@COM)

## 239 NORTHWEST ST

**Location** 239 NORTHWEST ST

**Mblu** 0122/ 0003/ 0000/ /

**Acct#** 33612

**Owner** PETRIN MICHAEL GEORGE  
(12.3% INT)

**PBN**

**Assessment** \$403,300

**Appraisal** \$403,300

**PID** 33612

**Building Count** 1

### Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$146,000	\$257,300	\$403,300
Assessment			
Valuation Year	Improvements	Land	Total
2019	\$146,000	\$257,300	\$403,300

### Owner of Record

**Owner** PETRIN MICHAEL GEORGE (12.3% INT)  
**Co-Owner** LAVERRIERE KATIE MARIE  
**Address** 268 DENNETT ST  
PORTSMOUTH, NH 03801

**Sale Price** \$400,000  
**Certificate**  
**Book & Page** 6138/647  
**Sale Date** 07/13/2020  
**Instrument** 81

### Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
PETRIN MICHAEL GEORGE (12.3% INT)	\$400,000		6138/647	81	07/13/2020
KENNETT WILLIAM C	\$0		2304/1890		02/21/1978
KENNETT WILLIAM C	\$0		2304/1890		02/21/1978

### Building Information

#### Building 1 : Section 1

**Year Built:** 1830

**Building Photo**

Living Area: 1,545  
Replacement Cost: \$275,153  
Building Percent Good: 53  
Replacement Cost  
Less Depreciation: \$145,800

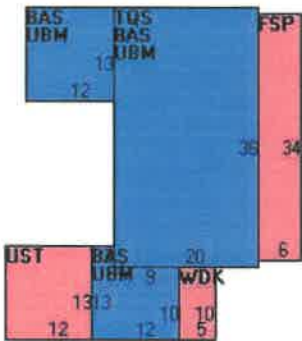
Building Attributes	
Field	Description
Style	Conventional
Model	Residential
Grade:	C+
Stories:	1.75
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Hardwood
Heat Fuel	Gas
Heat Type:	Warm Air
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	1
Total Rooms:	7
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	0
Extra Openings	0
Metal Fireplaces	0
Extra Openings	0
Bsmt Garage	

Building Photo



(<http://images.vgsi.com/photos2/PortsmouthNHPhotos/\00\01\79\38.jpg>)

Building Layout



([http://images.vgsi.com/photos2/PortsmouthNHPhotos/Sketches/33612\\_3](http://images.vgsi.com/photos2/PortsmouthNHPhotos/Sketches/33612_3))

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,005	1,005
TQS	Three Quarter Story	720	540
FSP	Porch, Screened	204	0
UBM	Basement, Unfinished	1,005	0
UST	Utility, Storage, Unfinished	156	0
WDK	Deck, Wood	50	0
		3,140	1,545

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1012  
Description SFR WATERINFL  
Zone GRA  
Neighborhood 131  
Alt Land Appr No  
Category

Land Line Valuation

Size (Acres) 0.11  
Frontage  
Depth  
Assessed Value \$257,300  
Appraised Value \$257,300

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			220 S.F.	\$200	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2018	\$129,700	\$233,900	\$363,600
2017	\$129,700	\$233,900	\$363,600
2016	\$118,100	\$160,100	\$278,200

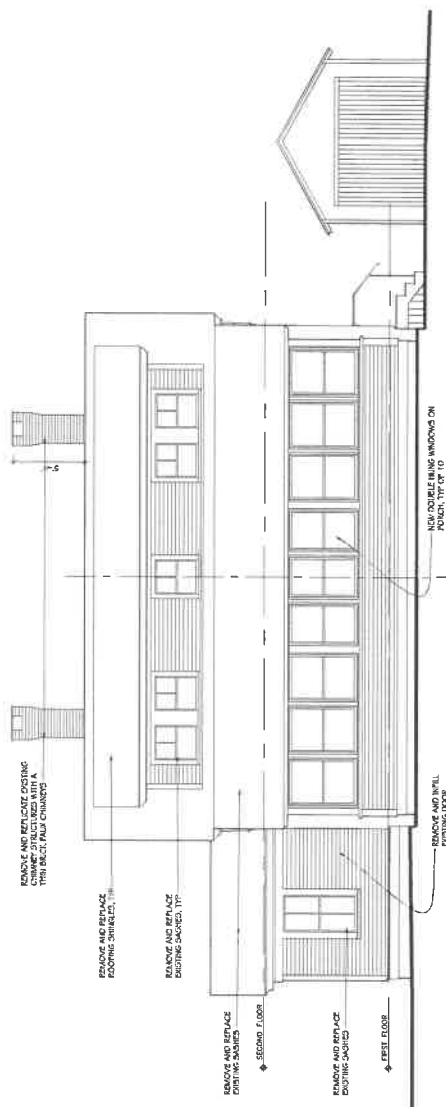
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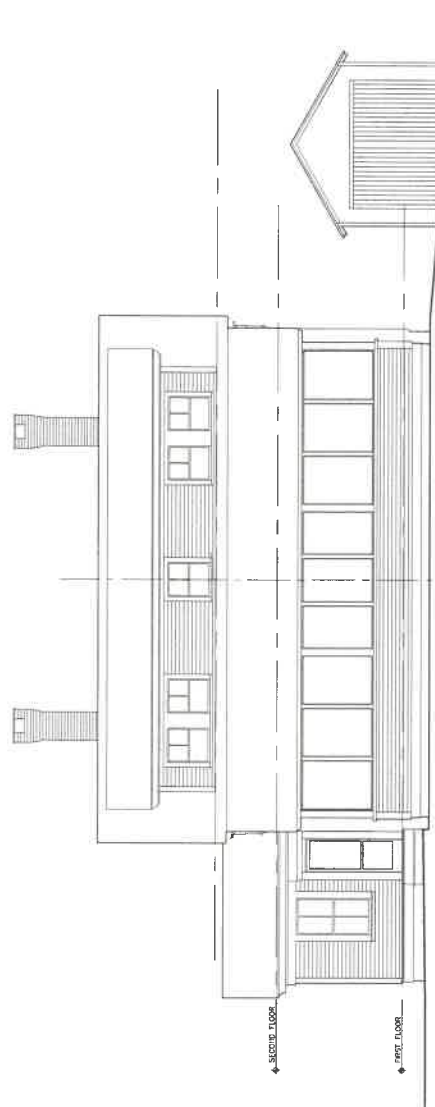
NOTE: ALL DIMENSIONS AND CONDITIONS ARE TAKEN FROM DATA SUPPLIED BY THE CITY OF PORTSMOUTH, MANITOBA AND FIELD MEASUREMENTS.



PHOTO-EAST ELEVATION



PROPOSED ELEVATION-EAST



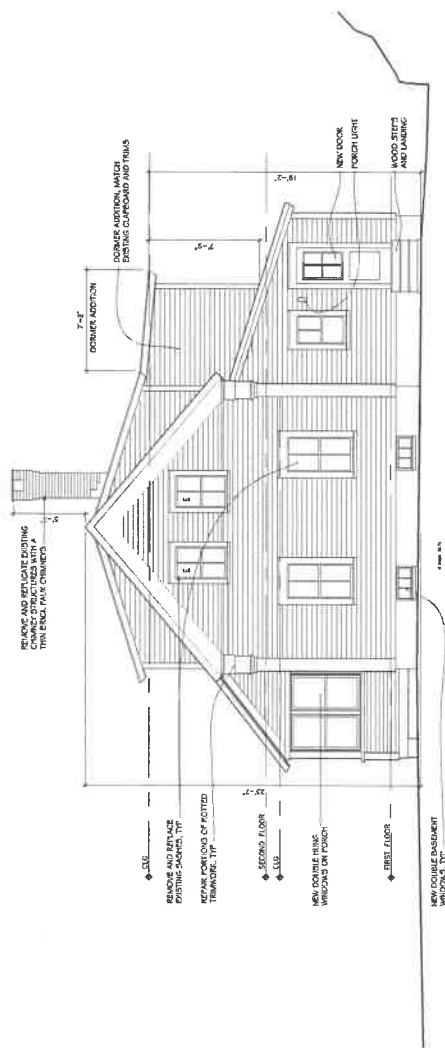
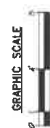
EXISTING ELEVATION- EAST



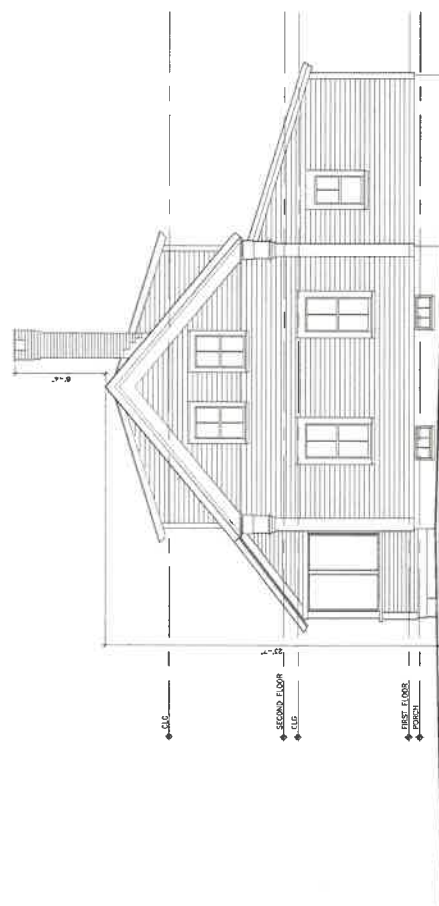
NOTE: ALL DIMENSIONS AND CONDITIONS ARE TAKEN FROM DATA SUPPLIED BY THE CITY OF PORTSMOUTH, MAPOBO AND FIELD MEASUREMENTS.



PHOTO-LOOKING AT NORTHWEST CORNER



PROPOSED ELEVATION-NORTH

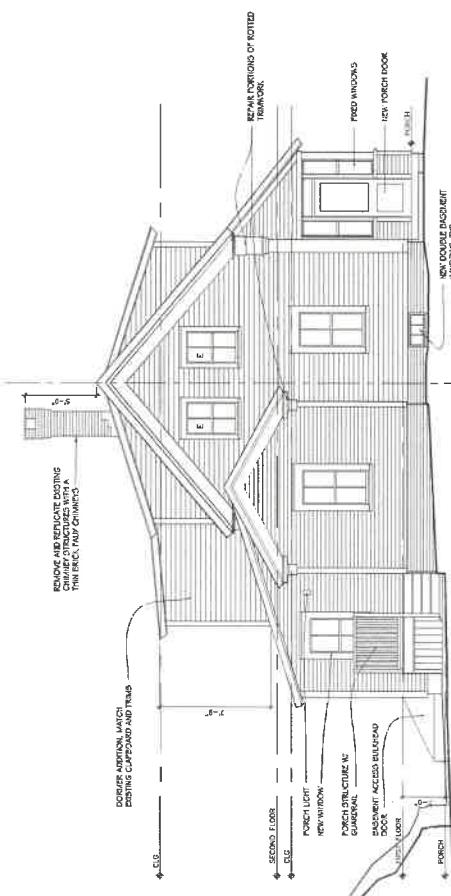


EXISTING ELEVATION- NORTH

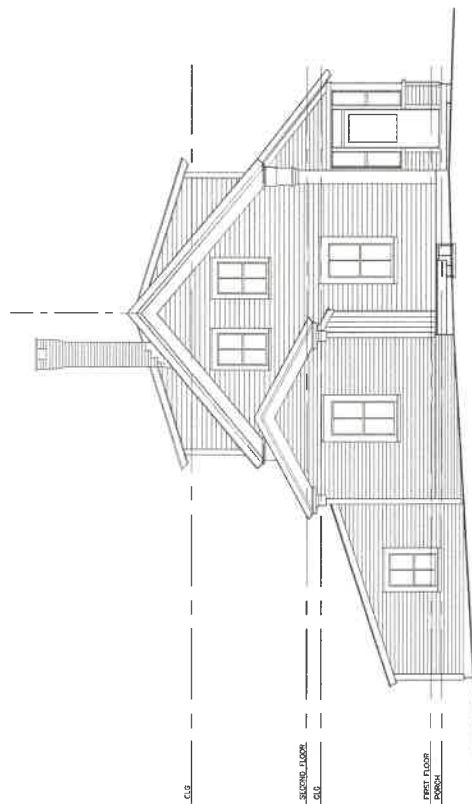
NOTE: ALL DIMENSIONS AND CONDITIONS ARE TAKEN FROM DATA SUPPLIED BY THE CITY OF PORTSMOUTH, MANAGED AND FIELD MEASUREMENTS.



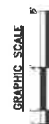
**PHOTO-LOOKING NORTH**



PROPOSED ELEVATION- SOUTH



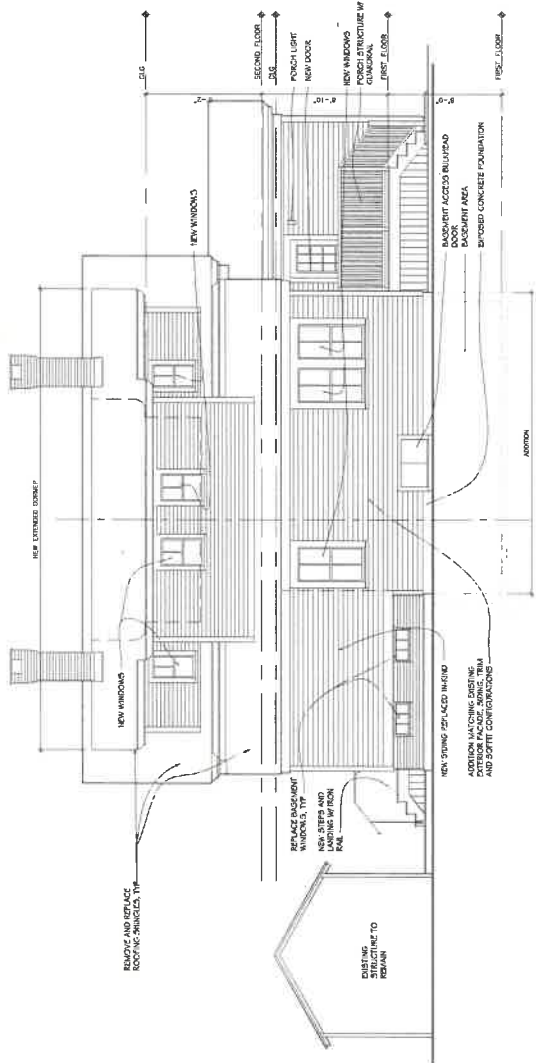
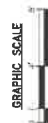
**EXISTING ELEVATION- SOUTH**



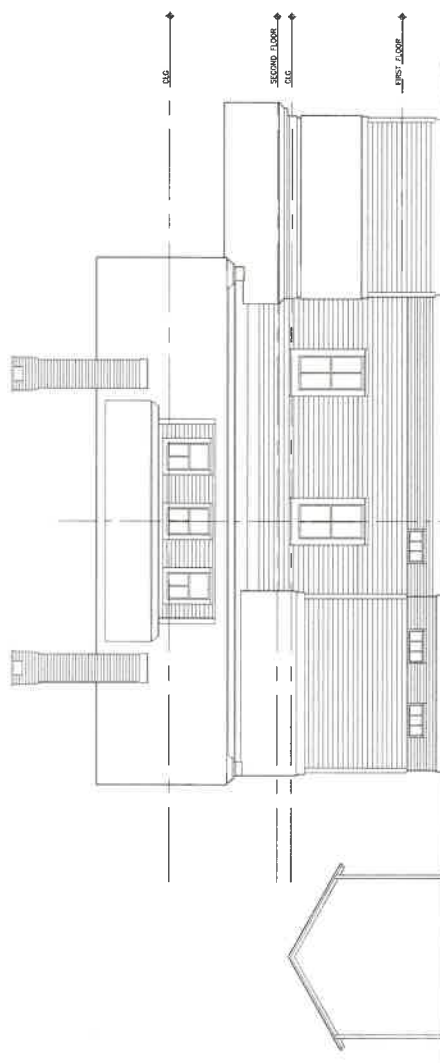
NOTE: ALL DIMENSIONS AND CONDITIONS ARE TAKEN FROM DATA SUPPLIED BY THE CITY OF PORTSMOUTH, MAPRO AND FIELD MEASUREMENTS.



**PHOTO-FROM ROUTE 1**



PROPOSED ELEVATION- WEST



EXISTING ELEVATION- WEST



NOTE: ALL DIMENSIONS AND CONDITIONS ARE TAKEN FROM DATA SUPPLIED BY THE CITY OF PORTSMOUTH, MAPCO AND FIELD MEASUREMENTS.

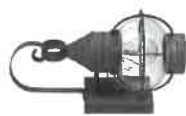
NOTE: THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION PURPOSES.



**WINDOWS REPLACED-**  
Marvin Ultimate Tilt Pac Double  
Hung Sash replacement System  
Window-Aluminum Clad

**WINDOWS NEWLY INSTALLED.**  
Features of the ULTIMATE Double Hung  
G2 Window- High Density Fiberglass  
over 2 SDL.

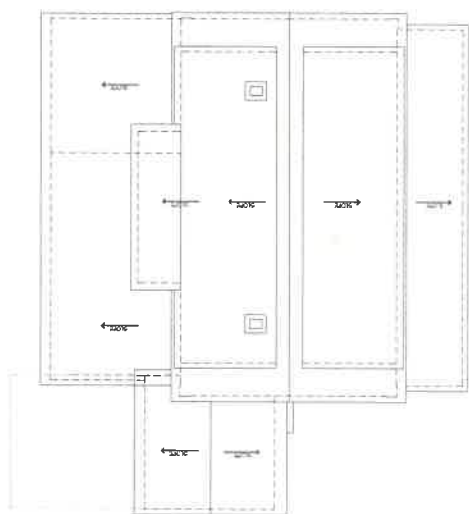
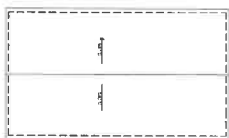
EGRESS WINDOW- Casement as  
faux 2 over 2, double hung with  
meeting rail.



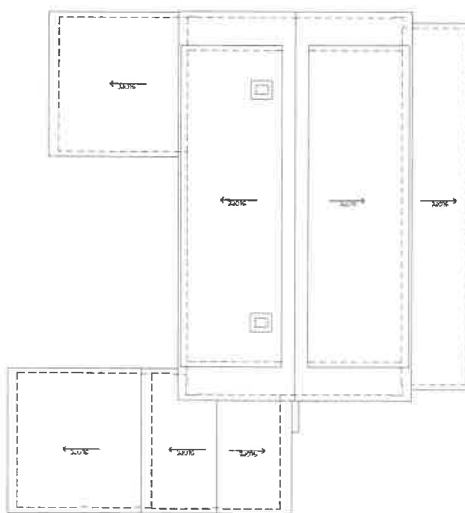
Hinkley Lighting - 2206 - Cape Cod -  
One Light Mini Wall Outdoor

**EXTERIOR DOORS- Thruma Tru-  
Classic-Craft® Oak Collection™  
36"x84" Fiberglass**

**ROOFING-**  
Architectural Grade Asphalt Shingle-  
CERTAINTED LANDMARK® PRO  
Architect 80 • Dual-layer, high  
performance • Max Def color palette •  
Industry-best lifetime limited warranty •  
15-year StreakFighter® algae-resistance  
warranty

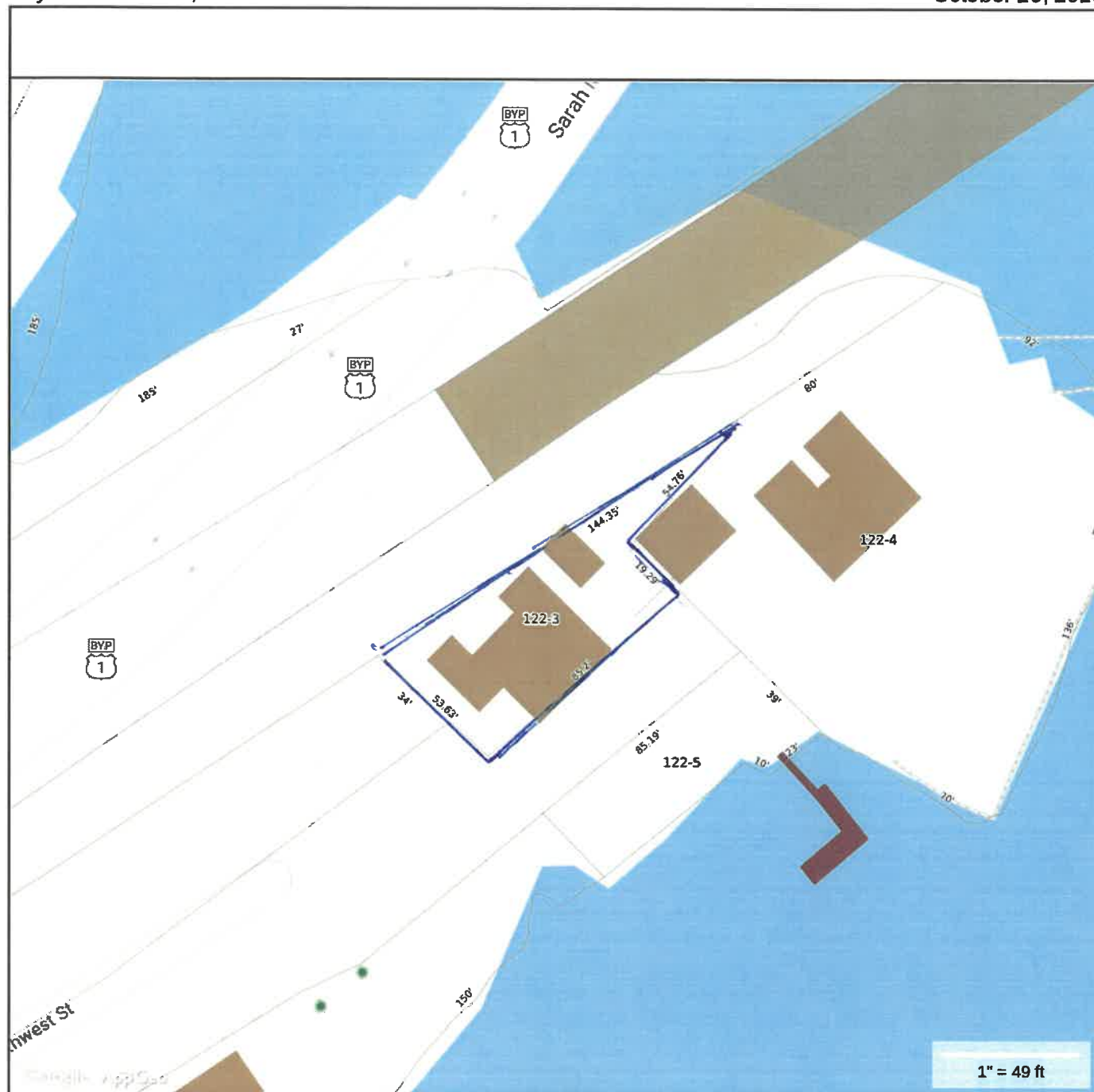


PROPOSED ROOF PLAN 24 AUG



EXISTING ROOF PLAN

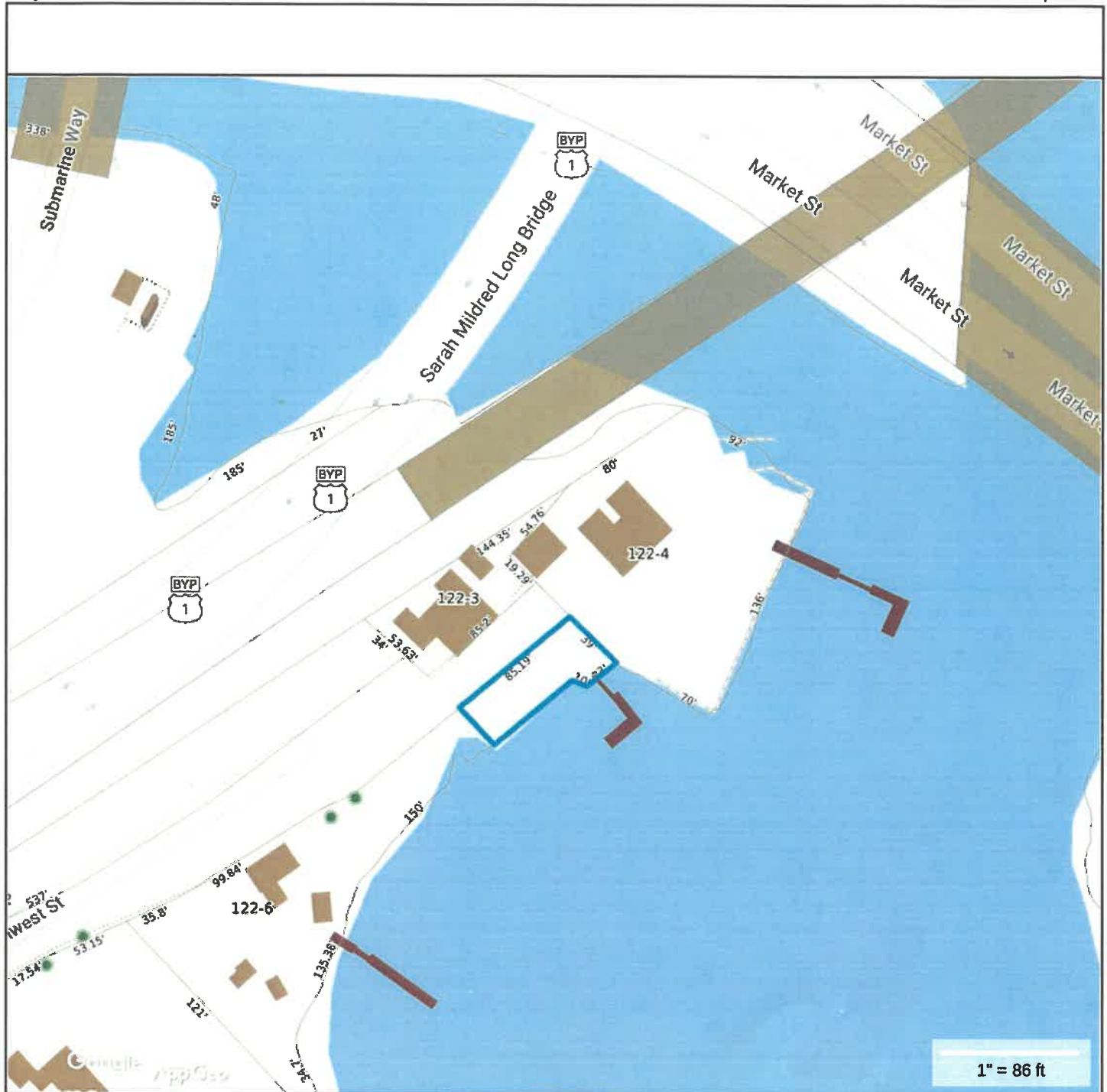




**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

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** 0122-0005-0000  
**Location** NORTHWEST ST  
**Owner** PETRIN MICHAEL GEORGE (12.3% INT)



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