

Land Use Application

**LU-19-231**

**Your Submission**

Attachments

Preliminary Application Review

Land Use Permit -- Planning Department Review and Fee Calculation

Application Permit Fee

Land Use Code Review

Zoning Board of Adjustment Approval

Building Permit Issued

**Your submission**

Submitted Oct 26, 2019 at 12:01pm

**Contact Information**

**Christine Culver**

Email address

cculver57@gmail.com

Phone Number

6033656331

Mailing Address

57 Porpoise Way , Portsmouth, NH 03801

**RECEIVED**

OCT 28 2019

BY: \_\_\_\_\_

**Location**

**57 PORPOISE WAY**

Portsmouth, NH 03801



## Applicant Information

Please indicate your relationship to this project \* 

A. Property Owner

## Project Type

**Addition or Renovation:** any project (commercial or residential) that includes an **ADDITION** to an existing structure or a **NEW** structure on a property that already has structure(s) on it



**New Construction:** any project (commercial or residential) that involves adding a **NEW** structure on a parcel that is currently **VACANT**. If there are any existing structures on the property (even if you are planning to remove them), you should select Addition and Renovation above

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**Minor Renovation:** for projects in the Historic District only that involve a minor exterior renovation or alteration that does not include a building addition or construction of a new structure

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**Home Occupation:** residential home occupation established in an existing residential dwelling unit and regulated by the Zoning Ordinance. Home Occupations are not allowed in the following Zoning Districts: Waterfront Business, Office Research, Industrial, or Waterfront Industrial

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**New Use/Change in Use:** for a change of land use or an expansion to an existing use (e.g. addition of dwelling units) that includes no exterior work or site modifications

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**Temporary Structure / Use:** only for temporary uses (e.g. tents, exhibits, events)

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**Demolition Only:** only applicable for demolition projects that do not involve any other construction, renovation, or site work

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Subdivision of Lot Line Revision, for projects which involved a subdivision of land or an adjustment to an existing lot line

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Other Site Alteration requiring Site Plan Review Approval and/or Wetland Conditional Use Permit Approval

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Sign: Only applies to signs requiring approval from a land use board (e.g. Historic Commission, Zoning Board of Adjustment)

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## Zoning Information

Base Zoning District

General Residence B (GRB)

Base Zoning District 2 

General Residence B (GRB)

Historic District

--

Flood Plain District

--

Downtown Overlay District

--

Osprey Landing Overlay District

--

Airport Approach Overlay District

--

Waterfront Use Overlay District

--

North End Incentive Overlay District

--

West End Incentive Overlay District

--

Highway Noise Overlay District

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**Application Type**

Land Use Approval



Lot Line Revision (Planning Board)

--

Subdivision (Planning Board)

--

Amended Subdivision or Lot Line Revision Approval

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Wetland Conditional Use Permit (Planning Board)

--

Amended Wetland Conditional Use Permit (Planning Board)

--

Accessory Dwelling Unit / Garden Cottage Conditional Use Permit (Planning Board)

--

Site Plan Review (Planning Board)

--

Amended Site Plan Review

--

Other Conditional Use Permit (Planning Board)

--

Variance (Zoning Board of Adjustment)



Special Exception (Zoning Board of Adjustment)



Historic District Certificate of Approval (Historic District Commission)

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**Project Description**

Lot Area (s.f.)

2613.6

Lot Area Source ?

MapGeo, converted 0.06 sq. acre to sq. ft.

**Detailed Description of Proposed Work \***

I have a current addition that is a room off the back of my home, built approximately 1979. It is in a somewhat dilapidated condition. I plan to have this addition demolished and rebuilt to code in the exact same, existing footprint that I was told by the city about three years ago was grandfathered. I will also add a second floor. The ground floor room will have a 3/4 bath added and the second floor will have laundry hook-ups added. The purpose of this rebuild is so that I can age in place, in my current home. I have considered moving to a one level condominium, but cannot afford one in my beloved city, so I am making my current home livable on the lower level as well as moving my laundry so I drastically reduce the need to use my more difficult cellar stairs.

**Brief Description of Existing Land Use \* ?**

The current addition is used as a multi-purpose room; rebuilt addition will allow me to age in place.

**Land Use Application Fee Calculation**

Valuation of New Construction (\$) ?

75000

Total Number of Dwelling Units

1

**Existing Buildings/Structures**

Building / Structure Description	Total Gross Floor Area (s.f.)	Area of Footprint (s.f.)	...
addition	114	114	...

**Existing Yards, Coverage, Parking, and Wetlands**

Principal Front Yard / Building Setback (ft) ?

20

Secondary Front Yard / Building Setback (ft) ?

--

Front Yard / Building Setback (ft) ?

19

Right Side Yard / Building Setback (ft) ?

16

Left Side Yard / Building Setback (ft) ?

16

Total # of Residential Units

1

Number of Parking Spaces

2

Number of Loading Spaces

0

Area of Surface Parking & Driveways (sq ft) ?

300

Other Impervious Surface Area (sq ft) ?

0

Is all or a portion of the property located in the wetland area and/or within 100' of the wetland boundary? ?

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### Proposed Building/Structures (REQUIRED)

Building / Structure Description	Total Gross Floor Area (sq ft)	Area of Footprint (s.f.)	...
addition rebuild	224	114	...

### Additional Proposed Building Information

Number of new hotel rooms

--

Total New Restaurant Use Gross Floor Area

--

**Proposed Yards, Coverage, Parking and Wetlands (REQUIRED)**

Principal Front Yard / Building Setback (ft) ?

20

Secondary Front Yard / Building Setback (ft) ?

--

Rear Yard / Building Setback (ft) ?

19

Right Side Yard / Building Setback (ft) ?

16

Left Side Yard / Building Setback (ft) ?

16

Total # of Residential Units ?

1

Number of Parking Spaces ?

2

Number of Loading Spaces ?

0

Area of Surface Parking & Driveways (sq ft) ?

300

Other Impervious Surface Area (sq ft) ?

0

Are you proposing to do any work in the wetland area or within 100' of the wetland boundary? ?

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**Zoning Board of Adjustment Application Check List**

Application Type \*

Variance or Special Exception from Dimensional Requirements

I understand that I will need to submit a site plan with this application showing existing and proposed conditions including: front, side, and rear setback/yard dimensions; lot dimensions; abutting streets and street names; driveways / accessways; dimensions (size and height) of structures; dimensions and location of parking spaces; scale of all drawings and plans (scale is the ratio of the drawing's size relative to the actual size) \*



I understand that I will need to submit labeled photos of existing conditions with this application \*



I understand that I will need to submit building plans and elevations of any proposed structures or additions with this application \*



I understand that I will need to submit interior floor plans for any renovations to or expansion of existing structures with this application \*



I understand that I will need to submit a written statement with this application explaining how the request complies with the requirements of the Zoning Ordinance as provided in Article 2 (Section 10.233.20 for Variances, Section 10.232.20 for Special Exceptions) \*



I understand that all plans / exhibits submitted with this application shall be 8.5" X 11" or 11" X 17" in size \*



### Project Representatives

Relationship to Project	If you selected "Other", please state relationship to project.	Full Name (First and Last)	...
Other	Contractor	James Streck	...

### Plan Submission

I understand that this application will not be considered complete until I have provided the required plans and any additional submission requirements. (You will be prompted at the next screen to upload your plans.) \*



I have reviewed the application requirements provided on the Planning Department's web page -- [www.cityofportsmouth.com/planportsmouth/land-use-applications-forms-and-fees](http://www.cityofportsmouth.com/planportsmouth/land-use-applications-forms-and-fees). \*



### Acknowledgement

I certify that the information given is true and correct to the best of my knowledge. \*





By checking this box, I agree that this is equivalent to a handwritten signature and is binding for all purposes related to this transaction \*



I hereby certify that as the applicant for permit, I am \* ?

Owner of this property

If you selected "Other" above, please explain your relationship to this project. Owner authorization is required.

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I understand that it is the obligation of the applicant to submit adequate documents, plans, and exhibits to demonstrate compliance with the Zoning Ordinance. \*



### **INTERNAL USE -- Land Use Approvals**

Historic District Commission

--

HDC Approval Granted

--

Zoning Board of Adjustment

--

BOA Approval Granted

--

Zoning Relief Required

--

Conservation Commission Review

--

Conservation Commission Review Completed

--

Conditional Use Permit (Wetlands)

--

Wetland CUP Granted

--

Conditional Use Permit (Other)

--

Other CUP Granted

--

Prelim. Concept. Consultation

--

Prelim. Concept. Consultation Completed

--

Design Review Phase

--

Design Review Phase Completed

--

Subdivision / Lot Line Revision

--

Subdivision / Lot Line Revision Granted

--

Site Plan Review

--

Site Plan Review Granted

--

Technical Advisory Committee Review

--

TAC Review Completed

--

Internal consistency review required 

--

Certificate of Use Required

--

Stipulations

--

Additional Planning Department Comments

1

--

Variance Request, 57 Porpoise Way  
**Written Statement Addressing Zoning Ordinance,  
Article 2, Section 10.233.20**  
October 26, 2019

**10.233 Variances**

**10.233.10** The Board may authorize upon appeal in specific cases a variance from the terms of this Ordinance.

**10.233.20** In order to authorize a variance, the Board must find that the variance meets all of the following criteria:

**10.233.21** The variance will not be contrary to the public interest;

Allowing me to upgrade my addition, within the existing footprint, will be in the public interest. The upgraded addition will better match my historic home and no longer be the eyesore it is today.

**10.233.22** The spirit of the Ordinance will be observed;

I have taken great care to plan a structure that is not significantly different than the current one other than that it will be much more aesthetically pleasing. It will not alter the character the neighborhood as it is in the back of my home and is not dissimilar from other, larger additions in Atlantic Heights.

**10.233.23** Substantial justice will be done;

No harm will be done to the general public in that this addition/footprint has been a part of my home and it's valuation since the late 70's. I do not wish to increase the footprint or make the addition excessively large or intrusive.

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

After speaking to abutters and many other neighbors we agree that it is more likely that the value of surrounding homes will be increased. The new construction will be significantly more aesthetically pleasing and of higher quality materials than the current addition. There are numerous other additions in Atlantic Heights closer to the lot lines than my footprint and larger in scale, yet our property values have continued to increase.

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

My lot size is 2600 square feet and close to the rear property line preventing me to adhere to the current rear setback distances. The use of the addition is a reasonable one as my property is permitted as residential use and will not alter the character of the neighborhood.

### Site Plan\_Setback Measurements



**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





**Existing addition:**

- Left side**
- Rear**
- Right side**

October 26, 2019

Dear Portsmouth Zoning Board,

I first visited Portsmouth as a college student from Texas in 1980 and it became my dream to live in this beautiful city. I made it to NH in 1984 and to Portsmouth in 1994 when I purchased 57 Porpoise Way in Atlantic for \$69,500. Now, 25 years later, I am beginning to plan for my retirement and subsequently where I will spend my later years. I have considered moving to a one level condominium in Portsmouth but cannot afford one that begins to match the quality or location my current home. I would have to leave my beloved Portsmouth to find a condominium I can afford, which I am determined not to do.

I have deeply established relationships with my neighbors in Atlantic Heights and wish to continue living among them. I have worked over the past 25 years with many of these friends to improve our neighborhood; participating in projects such as applying for block grants, being a charter member of our first neighborhood association, serving as Association President, improving relations with the Portsmouth Police Department, and organizing National Night Out as well as other neighborhood parties. I do not have children to help care for me in the future and these close neighborhood relationships are invaluable to me. I have worked very hard to make my fixer upper at 57 Porpoise Way a beautiful house in the last 25 years. However, it is the neighborhood that makes it my home and I wish to live here for as long as I possibly can. Therefore, I am choosing to take advantage of upgrading my current addition to add a walk-in shower on the lower level and washer dryer on the upper level. This will allow me to live on the first floor of my home should it become necessary, have little need to navigate the cellar stairs, and to age in my home among my friends and neighbors.

I plan to retire in the next five years and hope to get this construction completed as soon as possible so that I can pay off my construction loan before retirement. Finally, should my variance be approved, I respectfully request that I receive my building permit as soon as possible so as to begin construction right away and not have to put it off until spring.

Thank you for considering my request.

Sincerely,

A handwritten signature in cursive script that reads "Chris Culver".

Chris Culver



## Abutter Statements of Support

### Details

Property		Ownership		Valuation	
Location	67 PORPOISE WAY	Owner	MAYER ROBERT T REVOCABLE TRUST	Total	\$440,100
Map-Lot	0212-0063-0000		OF 2017 MAYER ROBERT T TRUSTEE	Last Sale	\$0 on 2018-08-27
Vision Account Number	28894	Address	3 SWAN TERRACE, GREENLAND, NH 03840	Deed Date	2018-08-27
				Book/Page	5941/2356
Land		Zoning			
State Code	1090	Zoning			
Land Use Description	MULTI HSES MDL-01				
Market Delineation	130	GRB			
Local District	R				
Parcel Area (AC)	0.09	ROW			



Chris Culver <cculver57@gmail.com>

### 57 Porpoise Way Addition

3 messages

Chris Culver <cculver57@gmail.com>  
To: romay@comcast.net

Sun, Oct 13, 2019 at 1:01 PM

Hi Bob,

Thank you in advance for supporting the upgrade of my addition. it will go from a one story eyesore to a two story, aesthetically pleasing addition allowing me to age in place. I am attaching the plans, current pics, and my statement of purpose for the rebuild. The footprint will remain the same.

Best,  
Chris

#### 3 attachments

- 57 Porpoise Way Existing Addition.pdf  
569K
- 57 PORPOISE WAY W\_SHED ROOF\_Permit.pdf  
2787K
- 57 Porpoise Way\_Ordinance Statement.pdf  
32K

Robert <romay@comcast.net>  
To: Chris Culver <cculver57@gmail.com>  
Cc: Ann Mayer <romay@comcast.net>

Sun, Oct 13, 2019 at 5:09 PM

Chris, thank you for including me as an abutter to your 57 Porpoise Way property and you proposed update addition to it. I certainly agree with you as a property owner and a direct abutter (67 /69 Porpoise Way ) after reviewing your email docs, the current pictures, build plans, etc. and taking into account your need to renovate the rear and maintain the current footprint that this is not only necessary but, I believe, will enable you to achieve your objective.

I agree the City of Portsmouth should approve this request and I support it. Should the a City need to contact me in this regard please give them my cell (603) 969 9983 and my mailing address:  
P O box 302, Portsmouth, NH 03802 so they can contact me if deemed necessary.

I hope this email affirmation is helpful to you.

Bob Mayer

Sent from my iPad

> On Oct 13, 2019, at 1:01 PM, Chris Culver <cculver57@gmail.com> wrote:

>

>

[Quoted text hidden]

## Details

### Property

Location 40 SARATOGA WAY  
Map-Lot 0212-0061-0000  
Vision Account Number 28892

### Ownership

Owner NYE ALICE S  
Address 99 CLINTON ST B-2, CONCORD, NH  
03301

### Valuation

Total \$306,300  
Last Sale \$150,000 on 2001-08-31  
Deed Date 2001-08-31  
Book/Page 3639/0037

### Land

State Code 1010  
Land Use Description SINGLE FAM MDL-01  
Market Delineation 130  
Local District R  
Parcel Area (AC) 0.11

### Zoning

Zoning  
GRB  
ROW



Chris Culver <cculver57@gmail.com>

## Renovation Project

message

Alice Nye <nyeah@yahoo.com>  
to: Chris Culver <cculver57@gmail.com>

Mon, Oct 14, 2019 at 10:33 PM

October 13, 2019

I am the owner of the property at 40 Saratoga Way, Portsmouth that abuts Chris Culver's property. I have been apprised of her building/renovation plans and have no problem with it.

Alice Nye  
99 Clinton Street, B-2  
Concord, NH 03301

telephone: 603-224-0580

## Details

### Property

Location 50 SARATOGA WAY  
Map-Lot 0212-0082-0000  
Vision Account Number 28913

### Ownership

Owner WATSON FAMILY TRUST OF 2018  
LAJOIE DONNA & WATSON JACKIE  
TRUSTEES  
Address 14 SANDERSON RD, GREENLAND, NH  
03840

### Valuation

Total \$472,700  
Last Sale \$0 on 2018-06-06  
Deed Date 2018-06-06  
Book/Page 5919/2025

### Land

State Code 1090  
Land Use Description MULTI HSES MDL-01  
Market Delineation 130  
Local District R  
Parcel Area (AC) 0.09

### Zoning

Zoning  
GRB



Chris Culver <cculver57@gmail.com>

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## 57 Porpoise Way Addition

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Jackie Watson <jackie@animatorsworkshop.com>  
To: Chris Culver <cculver57@gmail.com>

Sun, Oct 20, 9:18 AM

Hello Chris,

Thank you for being so forthcoming with your plans for renovation and allowing your neighbors to be aware of the changes that you wish to make. I appreciate your time and care in doing this. Your plans look great to me and I wish you continued happiness in your newly renovated home.

Take care,  
Jackie Watson, Owner of 50-52 Saratoga Way in Portsmouth, NH.  
617-470-3891  
[Quoted text hidden]