

**Property Information**

Property ID 0224-0017-0000  
Location 1163 SAGAMORE AVE  
Owner CHINBURG DEVELOPMENT LLC



**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 26, 2020

Anthony Vivinetto  
President, Sea Star Cove Association  
11163 Sagamore Ave., #65  
Portsmouth, NH 03801

To Whom It May Concern:

May 26, 2020

As President of the Sea Star Cove Home Owners Association, I authorize Timothy Whitaker, property owner of 1163 Sagamore Ave Unit #20, to proceed with his variance application to the City of Portsmouth Planning, Zoning and/or Land Use Boards.

Regards,

A handwritten signature in blue ink, appearing to read "Anthony J. Vivinetto", with a stylized flourish at the end.

Anthony J. Vivinetto

This letter is provided in support of the variance application submitted by Tim Whitaker, 1163 Sagamore Ave. Unit 20.  
May 26, 2020

Overview: We purchased this home, our primary residence, in early December 2019. This home was the last of ten to sell in the Sea Star Cove community and as such was sold in an “as is condition.” Unlike our neighbors, we had no opportunity to customize this property to include a deck. We are seeking a variance approval to build a deck in the back of our house that will measure approximately 24 feet wide by 10 feet deep. The back of this house 17.5 feet from the property line, which is owned by the City of Portsmouth and designated “woodlands.” The deck proposed would extend to within approximately 7.5 feet of the property line, requiring a variance approval in order to proceed. If this request were to be approved, it will enable reasonable use of the land, will remedy an unintended hardship and will not affect density or safety.

#### REQUIREMENT 1

The variance is not contrary to the public interest

#### EXPLANATION 1

The proposed deck will not conflict with any known ordinance and doesn't affect the character, public health, safety or welfare of the community or City property.

#### REQUIREMENT 2

The spirit of the ordinance is observed

#### EXPLANATION 2

Again, the proposed deck will not conflict with any known ordinance and doesn't affect the character, public health, safety or welfare of the community or City property.

#### REQUIREMENT 3

Substantial justice is done

#### EXPLANATION 3

To the best of my knowledge, construction of this deck would not cause any harm to the public or other individuals.

#### REQUIREMENT 4

Values of surrounding properties are not diminished.

#### EXPLANATION 4

The effect of this deck construction will NOT diminish the value of surrounding properties. To the contrary, HOA leadership and adjacent neighbors have stated that approved home improvement projects can have a desirable effect on property values.

#### REQUIREMENT 5

Literal enforcement of the ordinance would result in unnecessary hardship

#### EXPLANATION 5

This deck construction project would enable the property owners to reasonable use of land, while still maintaining a setback from the City-owned woodlands property line of approximately 7.5 feet. Given all of the uncertainty that goes with today's pandemic, it is especially important to know that this deck project will improve quality of life while adhering to the government's self-distancing guidelines. If the variance approval were not granted by the city, it is literally an unfair hardship, preventing the homeowners from using the area for improved, simple and customary outdoor use, while minimizing the owner's opportunity to improve the home's property value.