

APR 25 2018

CITY OF PORTSMOUTH
Zoning Board of Adjustment Application

BY: _____

Department Use Only		Date
Assessor Plan # _____	Lot # _____	Fee _____
Zone _____	Lot area _____	By _____

Fill in below by printing in ink or typing / Complete all Blanks or indicate "N/A" if not applicable

Applicant DEREK HAYWARD Owner of Record DEREK HAYWARD
 Applicant Street Address 17/19 STARK ST Owner Street Address 17/19 STARK ST
 Applicant City / State / Zip PORTSMOUTH, NH 03801 Owner City / State / Zip PORTSMOUTH, NH 03801
 Applicant phone (603) 817-5374 Owner phone (603) 817-5374
 Applicant e-mail DHAYWARD44@YAHOO.COM

Location (street address) of proposed work: 17/19 STARK STREET
 Existing use: SIDE YARD / PARKING


Undersigned hereby requests:

- | | |
|---|-------------------------------------|
| <input type="checkbox"/> Appeal from an Administrative Decision
See Article 2, Section 10.234.30 | <u>Article and Section</u>
_____ |
| <input checked="" type="checkbox"/> Special Exception
See Article 2, Section 10.232.20
Variance
See Article 2, Section 10.233.20 | <u>10.1114.31</u> |
| <input type="checkbox"/> Other _____
See Article 2, Section 10.233.20 | _____ |

To permit the following:
ALLOW PARKING ENTRANCE ON THE LEFT SIDE OF MY HOUSE
(WHEN FACING THE FRONT OF THE HOUSE)

The undersigned alleges that the required conditions exist for granting of this request according to the terms of the Zoning Ordinance as demonstrated in the attached submittals.

Only complete applications will be accepted by the deadline date. A complete application shall consist of: a completely filled out application with original signatures, the application fee, and 12 packets of required plans and any supporting documents or photos. Incomplete applications will not be accepted. Applications received after the deadline will be scheduled for the following month. The owner or his/her representative is required to attend the Public Hearing for the above appeal.

Signature of Owner  Date 4/25/18
 Please PRINT name here DEREK HAYWARD

Applicant's Responsibilities

1. All applications for Variances and Special Exceptions must be submitted to the Planning Department prior to the published deadline. In the case of Appeals from an Administrative Decision, the appeal shall be filed no later than 30 days from the date of the action which is being appealed.
2. A Building Permit application must also be filed for the project for which zoning relief is being sought. The Building Permit application can be submitted with the Board of Adjustment application or filed prior. The Planning Department may waive this requirement when the application is for a substandard lot for subdivision purposes and no other zoning relief is required.
3. An applicant shall be one of the following: a) the owner of record of the property, or b) the holder of a valid purchase and sales agreement for the purchase of the subject property, or c) the holder of a valid option for the purchase of the subject property.
4. All applications shall include a written statement explaining how the request complies with the requirements of the Zoning Ordinance as provided in Article 2 (see Section 10.234.30 for Administrative Appeals, Section 10.233.20 for Variances, Section 10.232.20 for Special Exceptions).
5. It is the obligation of the applicant to submit adequate plans and exhibits in accordance with the terms of the Zoning Ordinance for all applications for Administrative Appeals, Variances, Special Exceptions, and Equitable Waivers.
6. One (1) original copy of a completed and signed "Board of Adjustment Application Check-List" shall accompany all applications.
7. For applications requesting dimensional relief, the minimum requirements for adequate plans shall include the following:

<input type="checkbox"/> Site Plan(s) showing existing and proposed conditions including: <ul style="list-style-type: none"> - Front, side and rear setback / yard dimensions (this is the distance from a structure to the lot line) - Lot dimensions - Abutting street(s) and street names - Driveways / accessways - Dimensions (size and height) of structures - Dimensions and location of parking spaces 	<input type="checkbox"/> Scale of all drawings and plans (the scale is the ratio of the drawing's size relative to the actual size) <ul style="list-style-type: none"> <input type="checkbox"/> Labeled photo(s) of existing conditions <input type="checkbox"/> Building plans and elevations of any proposed structures or additions <input type="checkbox"/> Interior floor plans for any renovations or expansion to existing structures
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For applications requesting relief from land use requirements, the minimum requirements for adequate plans shall include the following:

<input type="checkbox"/> Site Plan showing dimensions and location of parking spaces including the scale (the scale is the ratio of the drawing's size relative to the actual size) <ul style="list-style-type: none"> <input type="checkbox"/> Interior floor plans and/or exterior site plans showing the location of the proposed use(s) <input type="checkbox"/> Labeled photo(s) of existing conditions
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9. Plans should be 8 1/2" x 11" in size, 11" x 17" plans may be used only if the plan would otherwise be unreadable.
10. The Planning Department is authorized by the Board of Adjustment to refuse applications which do not meet these minimum requirements. The Planning Department may also require additional information and/or exhibits as needed to illustrate the scope of the project. Public Hearings shall not be scheduled, advertised or held until such time as the minimum requirements for adequate plans have been submitted. The Board may postpone any application requiring more information prior to any action being taken.
11. The applicant shall submit one (1) original and eleven (11) copies of the application and any plans, exhibits, and supporting documents.
12. The applicant shall provide electronic files in Portable Document Format (PDF) of all submittals.

I have read the above list of responsibilities, have provided all required information, and such information is current, accurate, and complete to the best of my knowledge.



4/25/18
(Applicant's Signature, date)

The Applicant is encouraged to consider the following when completing the application:

- Provide neat and clear plans
- Use of color or highlights is encouraged in order to identify pertinent areas on plans
- Applicants are encouraged to review the application with a member of the Planning Department staff prior to submittal
- All applicants are encouraged to discuss the project with impacted neighbors

RECEIVED

APR 25 2018

BY: _____

Portsmouth Parking Permit Request

Address: 17/19 Stark Street (the house is a duplex)
Property Owner: Derek Hayward

17/19 Stark Street Parking Permit Request Details:

My name is Derek Hayward and I own/live at 17/19 Stark Street in Portsmouth. The house is a duplex with two separate 2 bedroom apartments. This property has been in my family for about 40 years. While we do have on street parking, we have always utilized parking on our property for various circumstances (primarily parking bans, but also for get-togethers, yard work, house projects, etc.).

I found out late last fall that I didn't formally have a permit for any parking spots on my property. I found this out because there have been discussions of a sidewalk going in on my side of the street. I have spoken with the project manager of that proposed project about my concerns of that impacting the parking on my property.

Regardless as to if and when the sidewalk project takes place, I would like to make sure I have permits to park on both sides of my house. This would ensure that if any sort of sidewalk were to ever go in place, that there would be openings to allow parking on both sides of the house. I think this is a reasonable request based on the fact that this is something my family has been able to utilize without hassle for decades and there are two 2 bedroom units with two separate street numbers (17 + 19). There are other duplexes in my neighborhood that have dual parking access on both sides of their house, and I would like to request a variance to allow for similar parking for my property.

I currently have white chip rocks in the front of my house which functions as a patio/walkway. I chose this option because for many years I did not have success with growing grass due to the kids from New Franklin School walking through my front yard (regardless to any sort of signs or boundaries I tried to use).

17/19 Stark Street Parking Permit Request Details:

Last fall I requested a permit for a spot directly to the right side of my house (when facing the property). The way the spot was implemented was simply by continuing the white chip rocks outlined with bricks. This is exactly what I would like to do to the left side of my house (when facing the property). I have received approval for the first parking spot and the permit has been closed out. I would like a variance to zoning ordinance 10.1114.31 which references the Site Plan Regulations for driveway design (which confirms that there is only one parking spot allowed per lot).

I have no intentions of doing any significant work to impact my property. This request for a variance to allow additional parking on the left side of my house is strictly to ensure that there will always be access to park on both sides of my house if any sort of sidewalk is ever put in place. One side of the house would be utilized by one of the 2 bedroom units, and the other side would be utilized for parking by the other 2 bedroom unit.

There are no trees on my property or directly near any of the parking spots. There is a small fence that is within about 5 feet to the parking spot that is located to the right of my property when facing the house. There is also a fence that is located a few feet from the proposed parking spot located to the left of my property when facing the house. These are outlined in the following pictures. We have been parking in these locations for decades and there have never been any issues with the fences or the neighbors. We all get along well. I do think if there was ever a sidewalk to go into place and access to some of this parking was lost, that there would be a significant impact to the parking on the street. The parking on the street is already very limited, and during the winter periods there is no room for parking on both sides of the street.



Proposed Additional Parking Spot Variance for 17/19 Stark Street

Written by Derek Hayward (owner of the house/property)

Requirements

- **The variance is not contrary to the public interest/The spirit of the ordinance is observed**

The request to have the ability to be able to park on both the left side of my house, as well as the right side of my house, would in no way alter the character of the neighborhood. In fact, the ability to utilize parking on both sides of my house to ensure off-street parking for all residents living in the 17/19 Stark Street building would allow for more parking in the neighborhood, as well as additional street room on a street that is already quite narrow (especially in the winter). During the winter season, a street that typically has street parking available on both sides of the street, as well as room for both lanes of traffic, quickly becomes overwhelmed with snow and often results with a significant decrease in the width of the street. With the decrease in width of the street, the availability for parking is typically limited to one side (which has been respectfully utilized by my neighbors across the street for years) as well as only having room for one lane of traffic. By allowing the ability for everyone living in 17/19 Stark Street to park on the property, it would alleviate the need for additional cars to park on a street that easily reaches capacity (especially in the winter).

In regards to public health, safety, welfare, and public rights, allowing additional parking on the left side of the house of 17/19 Stark Street would improve all of these factors. The less cars parked on the street, especially during the winter, the more room for both traffic and walking paths. I would argue that the inability to utilize both sides of 17/19 Stark Street for parking could in fact increase danger towards both traffic and neighborhood citizens walking down Stark Street.

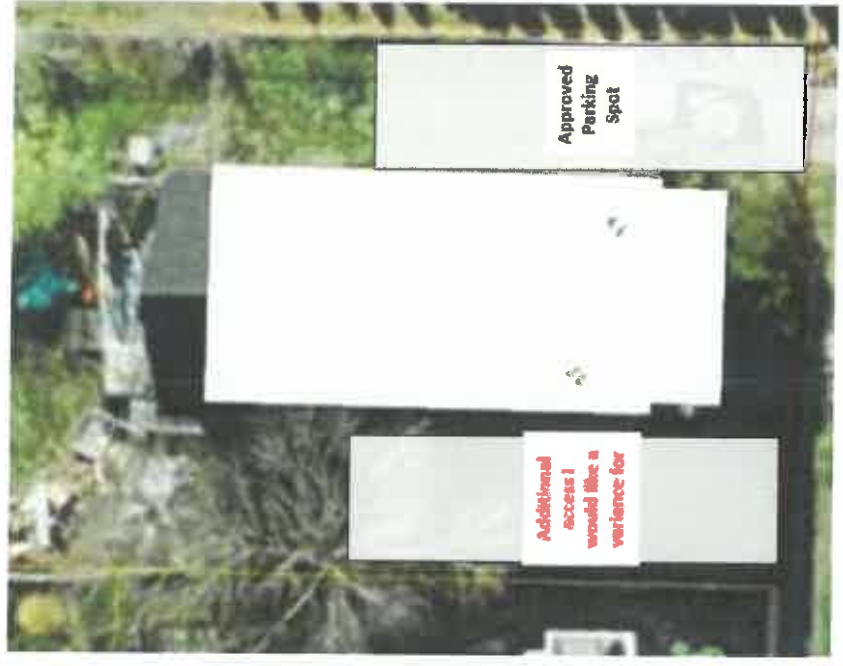
Stark Street leads directly to an elementary school and the street at times can be filled with cars parked along both sides of the street when school is dismissed (parents picking up their kids, crossing guard, etc.). Any additional space on the street would benefit both the parents picking up their kids as well as the safety of the kids. The proposed entrance to the left side of 17/19 Stark Street would be about the size of one car parking along the street, however it would allow room for two cars to park alongside the house (leaving full time room for an additional vehicle or safety space for people walking).

- **Substantial justice is done**

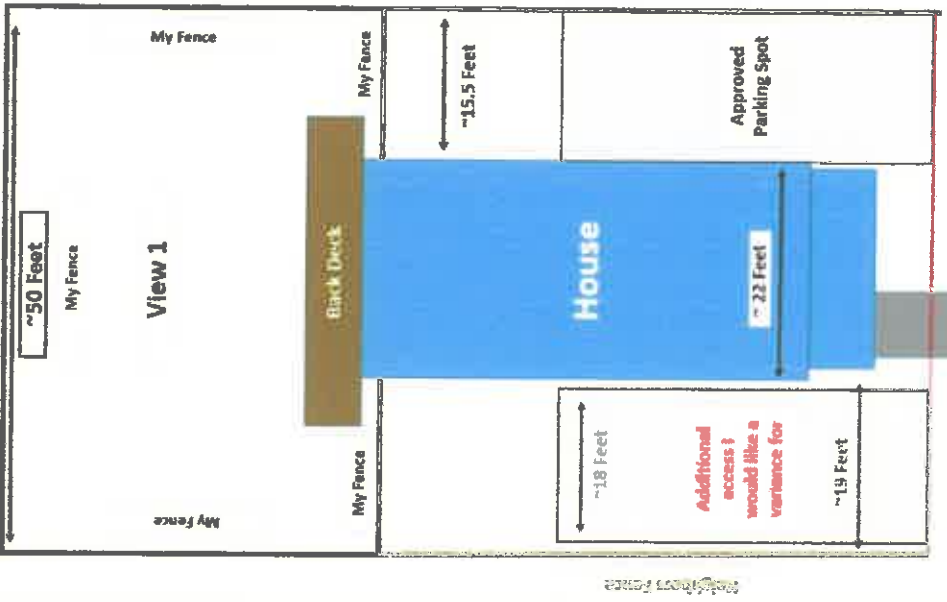
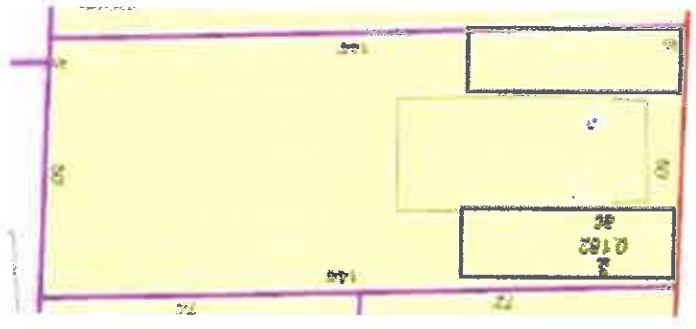
The balance scale of the proposed variance and additional parking entrance to the left side of 17/19 Stark Street would consist of pros on both sides (residents of 17/19 Stark Street and residents of the neighborhood). There would be only cons to both sides if the variance was not approved.

The proposed parking spot on the left side of the house would be 18 feet wide and 40 feet long.

View 2



View 3



Telephone



Approved spot where white chip rocks have been extended.

There is a fence to the left of my property. The driveway spot does not/would not extend all the way to the fence.

Proposed Parking Spot Entrance ~18 feet

Additional Views



Views of parking from 2 different storms this past winter

As you can see, there is no room in the winter for parking on both sides of the street and there are no additional spots available on the side of the street across from me. Not captured here is the house across the street also has 4 tenants with 4 cars. I can imagine the roads here would be even more narrow if a sidewalk was to be added.

