

CITY OF PORTSMOUTH Zoning Board of Adjustment Application

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 3S Contemporary Artspace Owner of Record 319 Vaughan St. Center LLC.
 Applicant Street Address 319 Vaughan St. Owner Street Address PO Box 21948
 Applicant City / State / Zip Portsmouth NH / 03801 Owner City / State / Zip Portsmouth, NH 03802
 Applicant phone (603) 766-3330 Owner phone (603) 570-2751
 Applicant e-mail wholbrook@3sart.org
 Location (street address) of proposed work: 319 Vaughan St. Portsmouth NH, 03801
 Existing use: Community Arts Venue

Undersigned hereby requests:

- | | <u>Article and Section</u> |
|---|----------------------------|
| <input type="checkbox"/> Appeal from an Administrative Decision
See Article 2, Section 10.234.30 | |
| <input checked="" type="checkbox"/> Special Exception
See Article 2, Section 10.232.20 | <u>10.440</u> |
| <input checked="" type="checkbox"/> Variance
See Article 2, Section 10.233.20 | <u>10.542.1</u> |
| <input type="checkbox"/> Other _____
See Article 2, Section 10.233.20 | |

To permit the following:

To allow for a summer concert series in a district where such use is allowed by special exceptions, due to the 500' buffer. Also to allow for performance in space not zoned for that use.

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.

Danielle M Kravetz Smith _____ 4.7.2018 _____
 Signature of Owner _____ Date

Please PRINT name here DANIELLE M KRAVETZ-SMIDA _____

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:

<ul style="list-style-type: none"> <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 	<ul style="list-style-type: none"> <input type="checkbox"/> Scale of all drawings and plans (the scale is the ratio of the drawing's size relative to the actual size) <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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8. For applications requesting relief from land use requirements, the minimum requirements for adequate plans shall include the following:

<ul style="list-style-type: none"> <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) <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

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.

Daniel M. Kraus Smith

4.13.2018
(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

April 21, 2018
To: The Zoning Board
RE: 3S Artspace's Land use Special Exception

REQUESTING

3S Artspace is a special exception for a "free to public" outside summer concert series from June 1 to October 1 on an on-going year to year basis, all shows go from 8pm - 9pm with no more than 10 concerts per "season." The performances would be mostly acoustic type music that would be amplified through a portable PA system. 3S Artspace would sell wine and beer.

This request would not impact the special exceptions standards. Specifically:

- The outdoor summer concert series does not involve any hazard to the public or adjacent property. It involves no potential for fire, explosion or release of toxic materials. They will be acoustic music events with a portable PA system there will be no elements of fire, fireworks or other hazards or toxic materials.
- As a temporary land use request, there will be no physical changes to the premise except temporary property boundary to ensure in compliance with liquor laws. No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of building and other structures, parking areas, access ways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials
- The concert series will be contained to the property of 3S. 3S is located next to a public parking lot. The land relief will not create a traffic safety hazard or substantial increase in the level of traffic congestion in the vicinity;
- The concert series will not create any additional use of municipal services with land use relief. It will use existing services in line with normal 3S usage. No excess demand on municipal services, including but not limited to, water, sewer, waste disposal, police and fire protection and schools;
- Because the land use relief request does not require any changes to the property it will not significantly increase of storm water run-off onto adjacent property or streets

Thank you for the consideration of our request for land use relief.



Director of Operations

March 1, 2017
To: The Zoning Board
Re: 3S Artspace's Variance

REQUESTING

3S Artspace is a variance for a "free to public" outside summer concert series from June 1 to October 1 on an on-going year to year basis, all shows go from 6pm - 9pm with no more than 10 concerts per "season." The performances would be mostly acoustic type music that would be amplified through a portable PA system. 3S Artspace would sell wine and beer.

-The proposed use does not alter the character of the neighborhood in any way. There is no hazard to the public or adjacent property on account of potential fire explosion or release of toxic materials. It is an acoustic based music series.

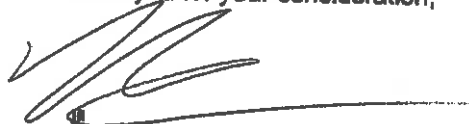
-There is no impingement on public rights as volume will be controlled and shows will conclude at 9pm.

-The goal of the program is to benefit the community as a whole, for one they are free shows, so we feel like the benefit is equal to both the community and 3S. The surrounding neighbors have not voiced opposition.

4. Given the short term and temporary nature of the events there is no detriment to property values in the vicinity.

5. The 500' buffer restriction would not allow for 3S to move forward with the series in the planned location. It has come to our attention that the homes on the Maplewood Ave. are within the 500' buffer. We did not received complaints due to last years concerts and given the nature and end time of each show we do not feel as though they would pose an issue to the homes that fall within that buffer zone. We feel as though the proposed use is a fair and reasonable given the physical makeup of the neighborhood and the intended use of the space.

Thank you for your consideration,



Martin Holbrook
Director of Operations





PROJECT NAME	3S ARTSPACE
PROJECT NO.	201300174
DATE	08/15/13
SCALE	1/8"=1'-0"
DATE	08/15/13
PROJECT NO.	201300174
DATE	08/15/13

PROPOSED FIRST FLOOR PLAN

DATE: 08/15/13

A1.1

GENERAL NOTES:

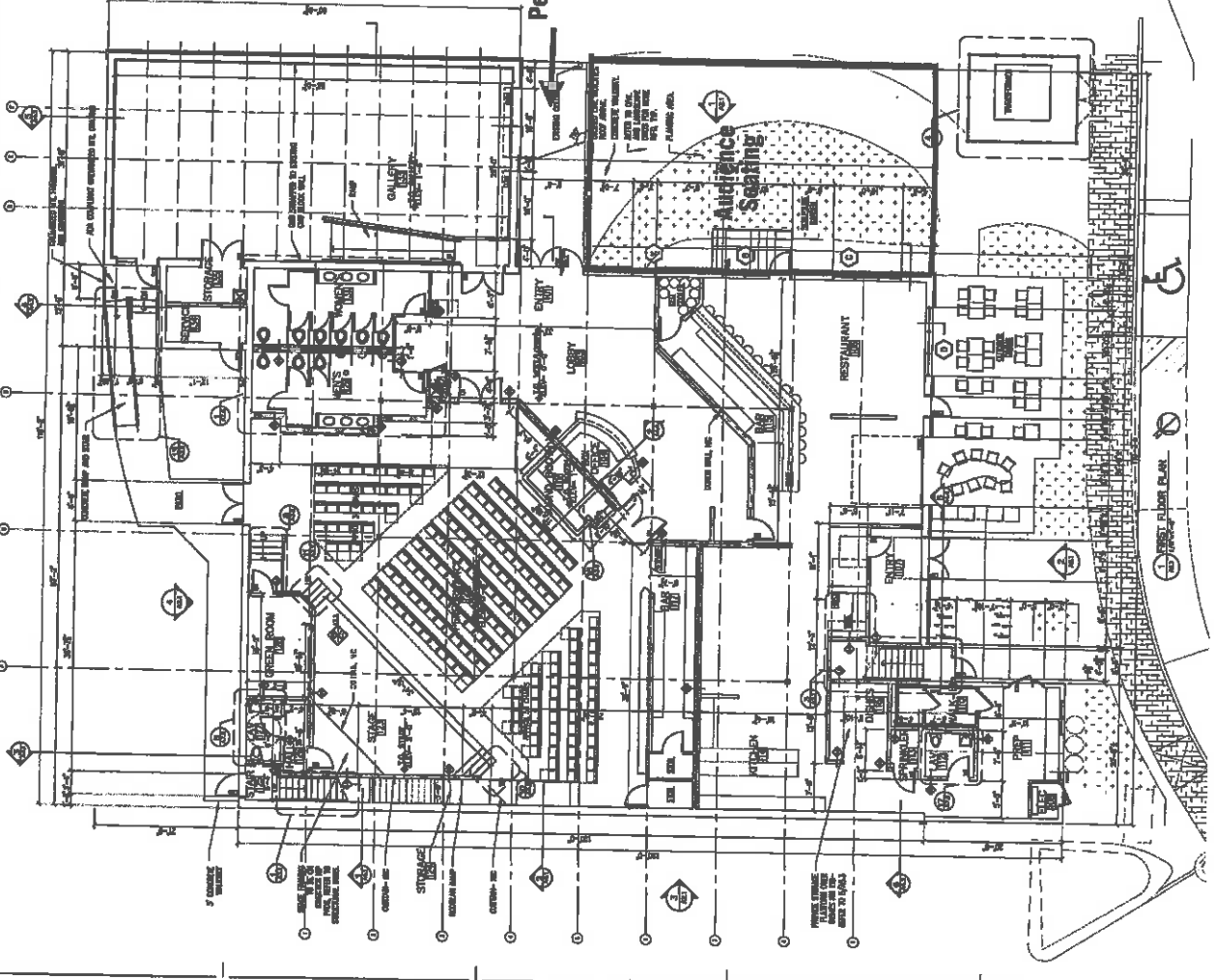
1. DRAWINGS ARE BASED ON RECORDS OF THE EXISTING BUILDING AND MAY VARY FROM ACTUAL EXISTING CONDITIONS. CHECK ALL DIMENSIONS AGAINST RECORDS PRIOR TO CONSTRUCTION.
2. ALL WALLS TO EXCEED 10 FEET HEIGHT SHALL BE REINFORCED WITH 1/2" REINFORCING BARS- FLOOR TO MATCH BAY BAY AT ALL CORNERS. ALL FEET CONCRETE POUR OTHER EXISTING AREAS SHALL BE REINFORCED WITH 1/2" REINFORCING BARS.
3. THE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, TRANSPORTATION, TOOLS, EQUIPMENT, SHOP SERVICES, AND RELATED SERVICES FOR THE COMPLETE AND PROPER PERFORMANCE OF THE PROJECT WORK. ALL WORK SHALL BE PERFORMED IN A WORKMANLIKE MANNER, TO THE BEST OF SKILL AND CARE AND TO THE SATISFACTION OF THE ARCHITECT AND ANY AUTHORITY HAVING JURISDICTION.
4. ALL WORK SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL CODES AND ORDINANCES, INCLUDING THE INTERNATIONAL BUILDING CODE, AS AMENDED BY CITY, STATE ENERGY CODE, AND ALL OTHER APPLICABLE REGULATIONS AND ORDINANCES.
5. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS AND SHALL OBTAIN ALL REQUIRED APPROVALS FROM PUBLIC AGENCIES.
6. THE CONTRACTOR SHALL CAREFULLY EXAMINE ALL CONTRACT DOCUMENTS AND SHALL NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES BETWEEN OTHER THE DRAWINGS, SPECIFICATIONS, AND ANY CITY, STATE, OR FEDERAL REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS WITHOUT DELAY AND SHALL BE RESPONSIBLE FOR THE COST OF ANY UNAUTHORIZED CHANGES TO THE PROJECT DESIGN.
7. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR SUPERVISING ALL WORK AND SHALL MAINTAIN THE WORK AREA AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE WORK AND FOR THE STORAGE AND HANDLING OF THE MATERIALS. THE SUPERINTENDENT SHALL ALSO BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM PUBLIC AGENCIES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM PUBLIC AGENCIES.
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15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM PUBLIC AGENCIES.
16. THESE GENERAL REQUIREMENTS APPLY TO ALL DIMENSIONS OF THE STRUCTURE.
17. ALL DIMENSIONS IN INCHES.

GRAPHIC SCALE



CHECK GRAPHIC SCALES BEFORE USING

Performance area



NOTES:

- THE CONTRACTOR SHALL NOTIFY THE DATE AT 1-800-999-5496 TO COMMENCE ANY EXCAVATION OR PILING OR PILE DRIVING.
- UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATIONS AND DEPTHS OF UTILITY CONDUITS ARE THE RESPONSIBILITY OF THE CONTRACTOR AND NOT THE DESIGN ENGINEER.
- CONTRACTOR SHALL VERIFY ALL EXISTING ELEVATIONS AND LOCATIONS IN ACCORDANCE WITH THE NEW HAMPSHIRE STANDARD MANUAL, VOLUME 3, EDITION AND EXISTENT CONTRACTS DURING CONSTRUCTION. UNLESS OTHERWISE NOTED.
- PAVING CALCULATIONS:
 FIRST FLOOR PERFORMANCE GALLERY, LOBBY: 8178 S.F.
 SECOND FLOOR GALLERY: 2691 S.F.
 SECOND FLOOR GALLERY: 2587 S.F.
 SECOND FLOOR GALLERY: 1258 S.F.
 (SEE 10.1116.03) - 28 SPACES
 UNDER DECK, 10.1116.03 OF THE PORTSMOUTH ORDINANCE NO PARKING SPACES ARE REQUIRED.
- SEE AS APPEAR 319 VAUGHAN STREET ARCHITECTURAL PLANS BY HENSHY ARCHITECTS, DATED 5/7/13 FOR BUILDING DIMENSIONS.
- OPEN SPACE CALCULATIONS:
 LANDSCAPED AREA:
 AREA A: 267 S.F.
 AREA B: 207 S.F.
 AREA C: 328 S.F.
 AREA D: 220 S.F.
 TOTAL: 822 S.F. (8.22)
- CONTRACTOR SHALL PROVIDE A SHOROTY TRAVELATION FROM THE PUBLIC STREET TO THE PROJECT SITE. THE TRAVELATION LIMITS SHOWN HEREON TO INSURE THAT THERE ARE NO TRIP HAZARDS AS A RESULT OF THE CONSTRUCTION. WORK SHALL BE TO THE SATISFACTION OF THE CITY.
- AS ALLOWED UNDER PORTSMOUTH ORDINANCE, THE PROJECT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTSMOUTH ORDINANCE, CHAPTER 10.1116.03. THE PROJECT SHALL BE CONSIDERED FOR WEEK DAY USE ONLY. FOR CONTINUED, RECYCLING IS MANDATORY.

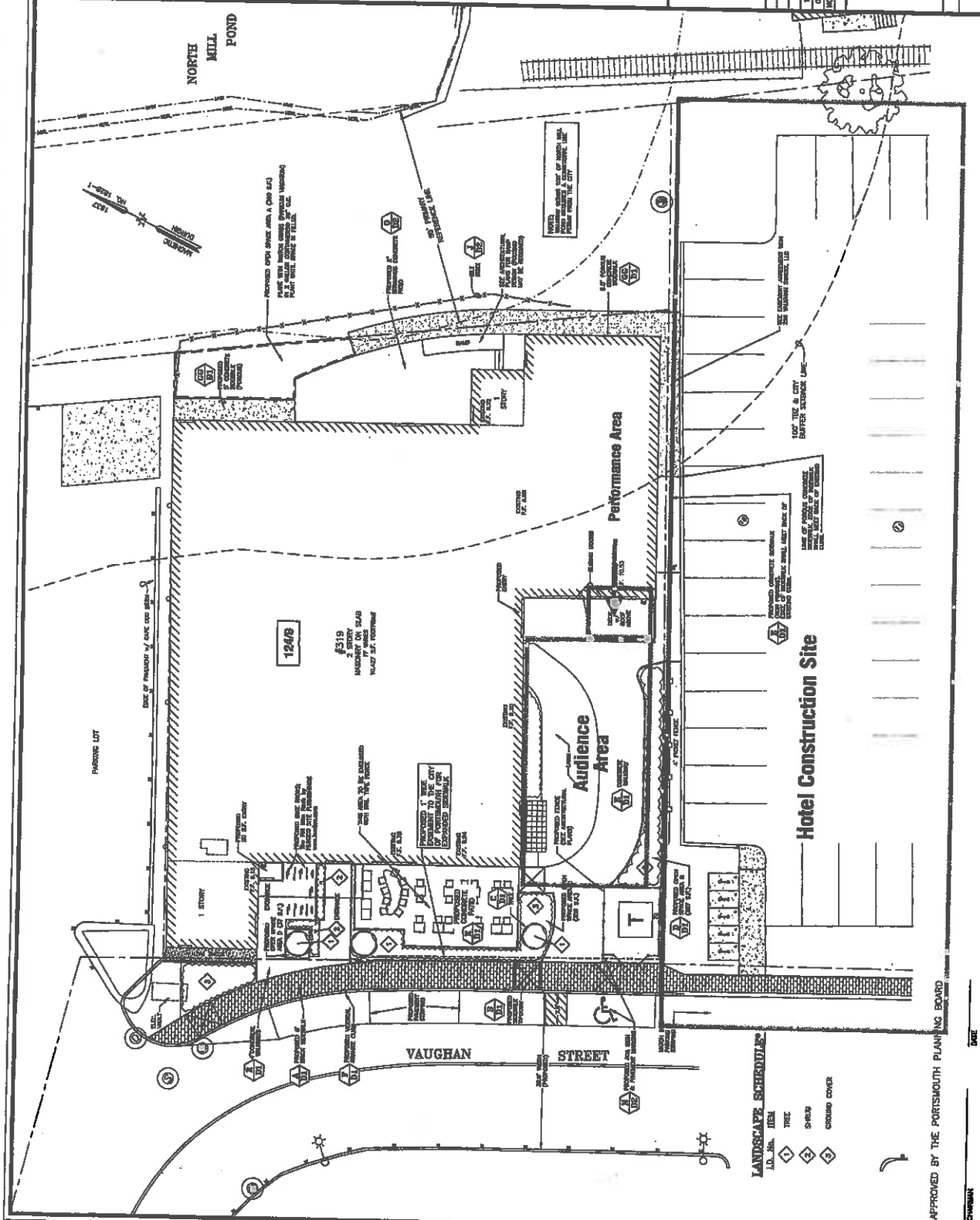
**SITE REDEVELOPMENT
 TAX MAP 124 LOT 9
 319 VAUGHAN STREET
 PORTSMOUTH, N.H.**

NO.	DESCRIPTION	REVISIONS	DATE
1	INDICATE EXCESS SPERMAL, READING		3/14/14
2	ISSUED FOR COMMENT		2/20/14



SCALE: 1" = 10'
 FEBRUARY 2014
**LAYOUT &
 LANDSCAPING PLAN**

C2



APPROVED BY THE PORTSMOUTH PLANNING BOARD

DATE