

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

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September 22, 2022

**UPLOADED TO LU-22-139
HAND DELIVERED**

Portsmouth Zoning Board of Adjustment
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Jeffrey and Melissa Foy, Owner/Applicant
67 Ridges Court
Tax Map 207/Lot 59
Single Residence B District
LU-22-139

Dear Chair Parrott and Zoning Board members:

Pending before you for consideration on September 27, 2022, is the above referenced petition. We have requested the following relief from Portsmouth Zoning Ordinance sections 10.321 Expansion of Nonconforming structure, and 10.521 front and side setback.

1. To permit remodeling/expansion of the front entryway at 8.2 feet where a front setback of 30 feet is required
2. To permit a small eyebrow roof over the walk-in door on the left side of the house at 13.6 feet where 10 feet is required.
3. To permit a lower main house moved to be raised approximately 2 feet to match the existing upper roof at 13.6 feet where 30 feet is required.

Since this application was filed, we have learned that the front roof will not be raised within the setback and that the standard 30 foot front setback in the SRB zone does not apply.

Our filing failed to consider PZO§10.516.10, Front Yard Exception for Existing Alignments:

If existing principal buildings on the same side of the same street, in the same zoning district, and within 200 feet of a Lot are located closer to the street than the minimum required front yard specified in this article, the required front yard for the principal building on such lot shall be the average of the existing alignment of all such principal buildings, rounded to the nearest foot. For the purpose of this provision, buildings on the subject lot shall not be included in the average of the existing alignments.

DANIEL C. HOEFLE
R. TIMOTHY PHOENIX
LAWRENCE B. GORMLEY
STEPHEN H. ROBERTS

R. PETER TAYLOR
KEVIN M. BAUM
GREGORY D. ROBBINS
MONICA F. KIESER

JACOB J.B. MARVELLEY
DUNCAN A. EDGAR
STEPHANIE J. JOHNSON

OF COUNSEL:
SAMUEL R. REID
JOHN AHLGREN

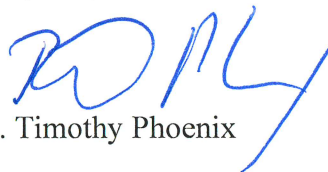
September 22, 2022

Ambit Engineering has inspected the site and located two principal buildings (homes) within 200 feet to the left (north) of the Foy property. No such properties exist to the right (south). Please see **Exhibit A Rev.** attached, the Ambit Engineering plans showing the average of such structures to be 19 feet and the location of the 19 foot setback from the front lot line. Also attached as **Exhibit B Rev.** regarding, the Mangel DeStefano Architectural Plan depicting the 19 foot setback on the building elevation.

As a result of determination that the front roof will not be expanded/raised within 19 feet of the front lot line, which we have confirmed with the planning staff, the request for relief to raise the roof is no longer required as it is being raised in a compliant location. Accordingly, we hereby withdraw zoning request number 3 set forth above.

We look forward to presenting the remainder of our variance request on Tuesday, September 27, 2022.

Very truly yours,

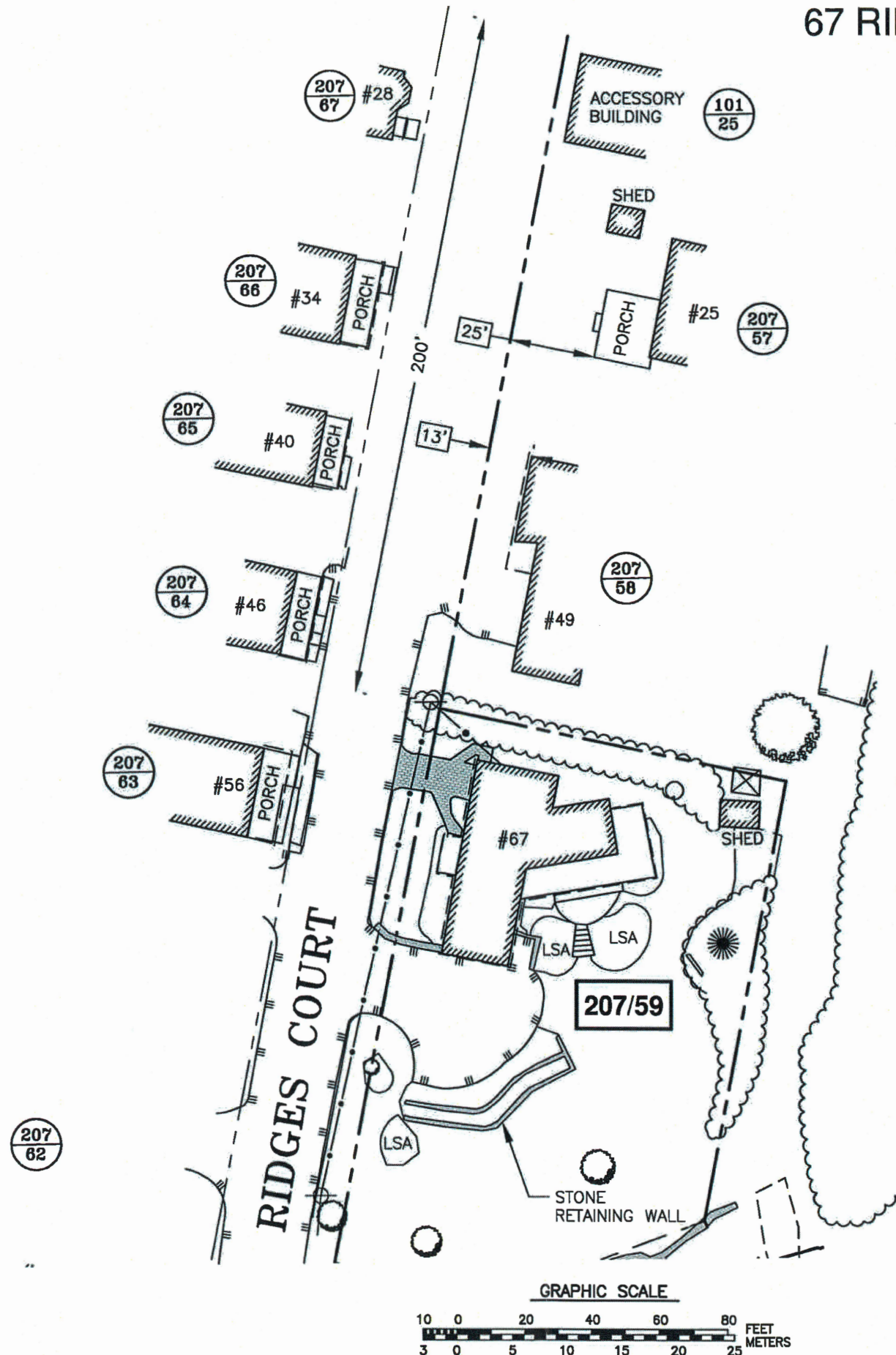
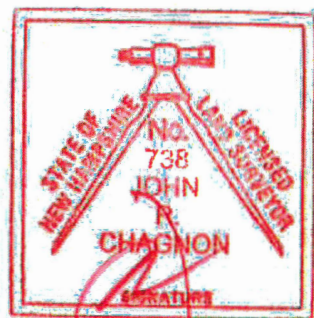


R. Timothy Phoenix

RTP/msw
Encl.

cc: Jeffrey and Melissa Foy
Ambit Engineering, Inc.
Mangel DeStefano Architects

J:\JOBS\1\UN11005\UN11505\UN1153\2022 Building Addition-Variance\Plans & Specs\Site\1153.02 VIEW SHED.dwg, 9/22/2022 10:21:22 AM, SHARP MX-3071 (0300380X00)



67 RIDGES COURT FRONT SETBACK EXHIBIT

OWNER: JEFFREY M. & MELISSA FOY
PROPERTY LOCATION: 67 RIDGES COURT
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE

EXHIBIT A REV.

NOTES:

IN ACCORDANCE WITH THE PORTSMOUTH ZONING ORDINANCE, ARTICLE 5, SECTION 10.516.10 FRONT YARD EXCEPTION FOR EXISTING ALIGNMENTS: THE AVERAGE FRONT SETBACK FOR LOT 207/59 IS 19'.

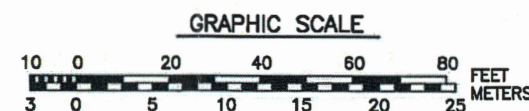
MAP/LOT	SETBACK (FT)	AVG
207/58	13	
207/57	25	
2	38	19

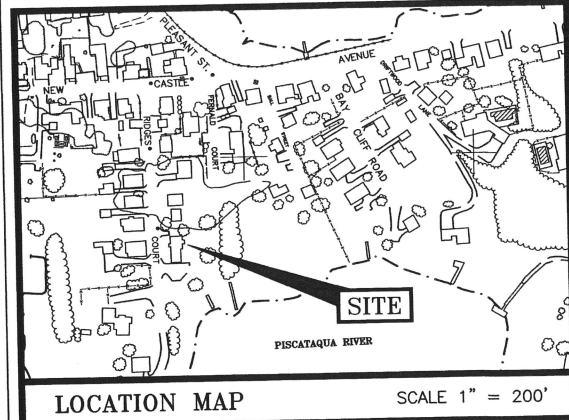
REV: 9-22-22
SCALE: 1"=40' 8 SEPTEMBER, 2022



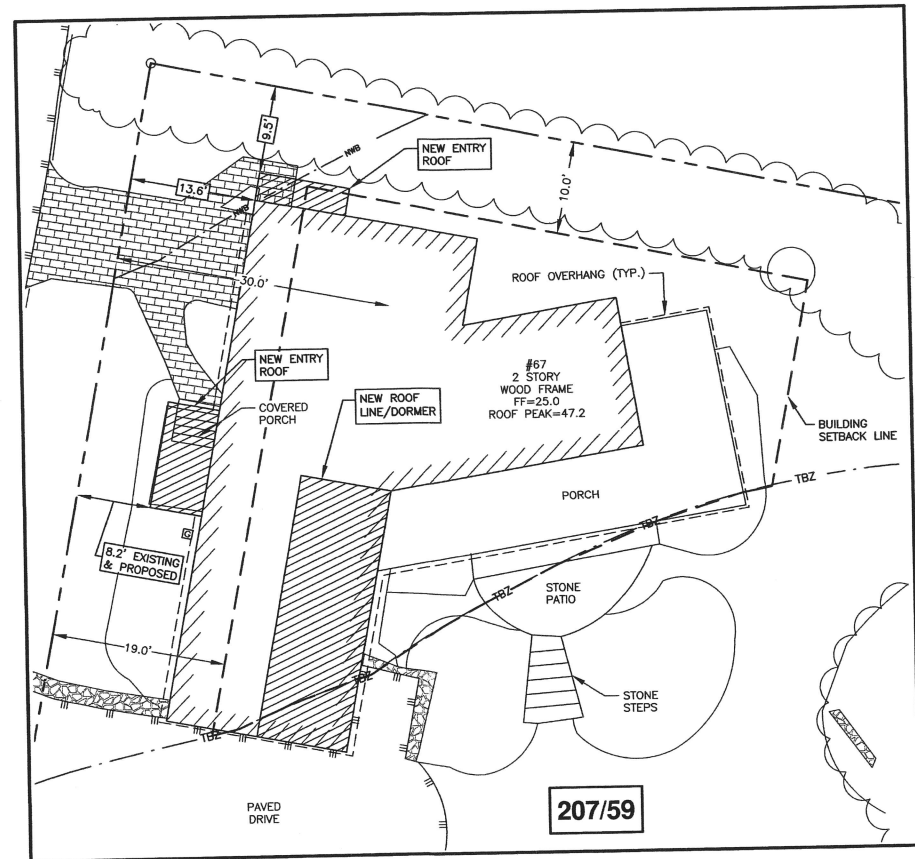
AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors

200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

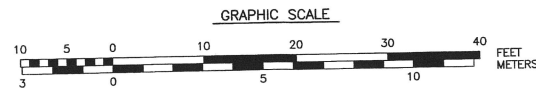




IMPERVIOUS SURFACE AREAS (TO PROPERTY LINE)		
STRUCTURE	PRE-CONSTRUCTION IMPERVIOUS (S.F.)	POST-CONSTRUCTION IMPERVIOUS (S.F.)
MAIN STRUCTURE	1,591	1,591
SHED	91	91
PORCHES	513	513
STAIRS	123	123
WALKWAYS	231	231
PAVEMENT	1,452	1,452
RETAINING WALL	212	212
PATIO	109	109
CONCRETE	17	17
EXTERIOR STORAGE	50	50
TOTAL	4,389	4,389
LOT SIZE	16,500	16,500
% LOT COVERAGE	26.6%	26.6%



BUILDING DETAIL 1"=10'



REQUESTED VARIANCES:

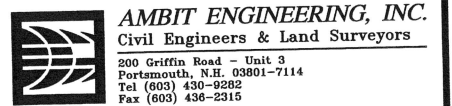
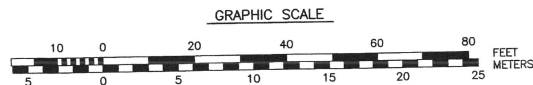
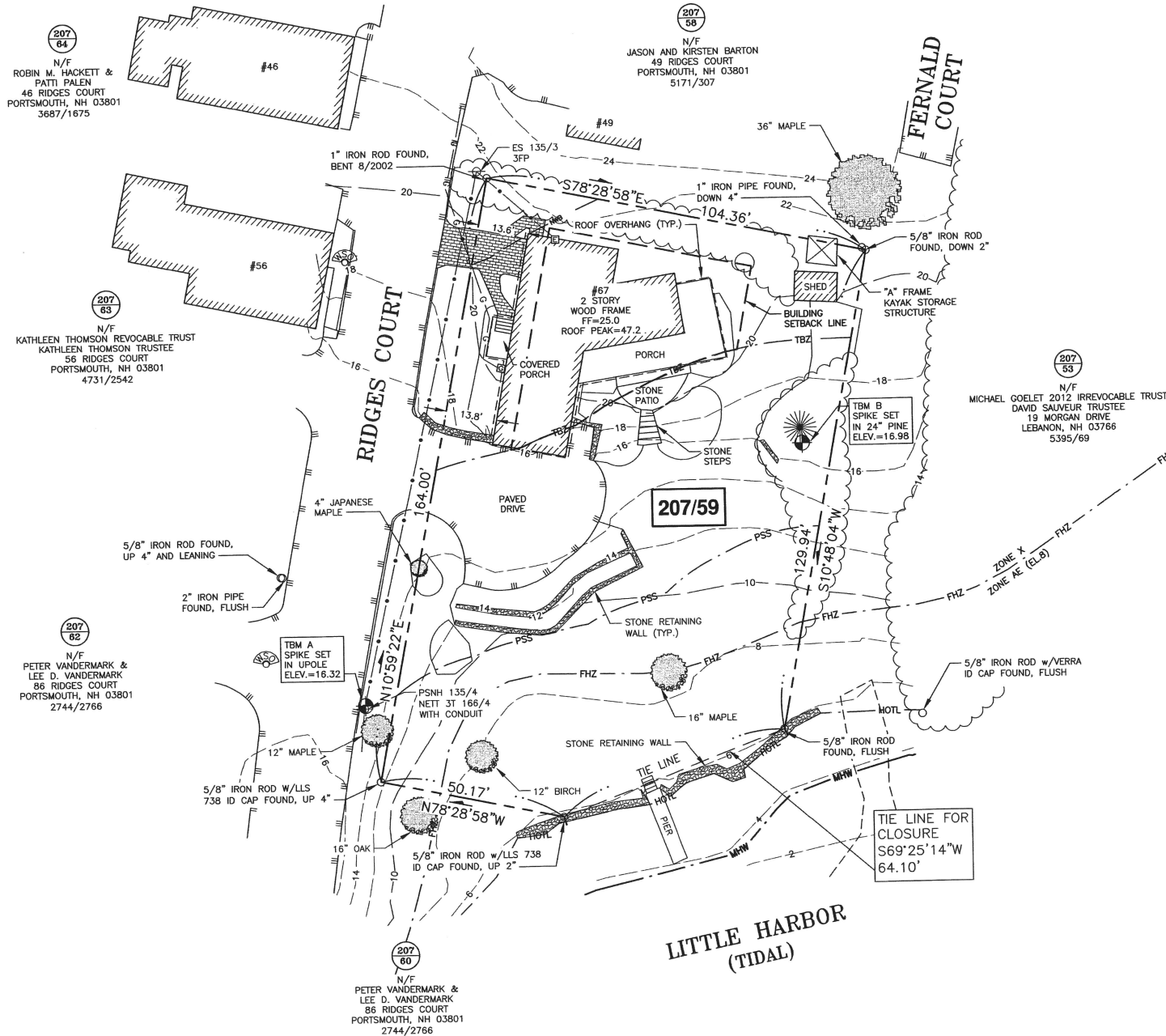
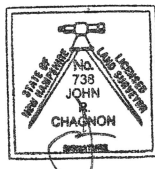
ARTICLE 5 SECTION 10.520 TABLE 10.521 FRONT YARD SETBACK OF 8.2 FEET (& 13.6 FEET) WHERE 8.2 FEET EXISTS AND 19 FEET (SECTION 10.516.10 REDUCTION) IS REQUIRED.

ARTICLE 5 SECTION 10.520 TABLE 10.521 SIDE YARD SETBACK OF 9.5 FEET WHERE 10 FEET IS REQUIRED.

"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

JOHN R. CHAGNON, LLS

9.14.22
DATE



NOTES:

- 1) PARCEL IS SHOWN ON THE PORTSMOUTH ASSESSOR'S MAP 207 AS LOT 59.
- 2) OWNERS OF RECORD:
JEFFREY M. & MELISSA FOY
4 FOX HOLLOW COURT
EAST KINGSTON, N.H. 03827
6325/1066
- 3) PORTIONS OF THE PARCEL ARE IN A SPECIAL FLOOD HAZARD AREA ZONE AE (EL. 8) AS SHOWN ON FIRM PANEL 33015C0278F. EFFECTIVE JANUARY 29, 2021.
- 4) EXISTING LOT AREA:
16,500± S.F. (PLAN REF. 1)
0.3788± ACRES (PLAN REF. 1)
- 5) PARCEL IS LOCATED IN THE SINGLE RESIDENCE B (SRB) ZONING DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 15,000 S.F.
FRONTAGE: 100 FEET
SETBACKS: FRONT 30 FEET
SIDE 10 FEET
REAR 30 FEET
MAXIMUM STRUCTURE HEIGHT: 35 FEET
MAXIMUM STRUCTURE COVERAGE: 20%
MINIMUM OPEN SPACE: 40%
- 7) THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED ADDITION ON ASSESSOR'S MAP 207 LOT 59 IN THE CITY OF PORTSMOUTH.
- 8) VERTICAL DATUM IS NAVD88. BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS (±0.2').
- 9) PROPOSED GARAGE FROM PLAN BY DESTEFANO MAGUEL ARCHITECTS DATED JUNE 14, 2022.
- 10) OFF SITE STRUCTURE LOCATIONS BASED ON CITY DATABASE LOCATIONS.

PROPOSED ADDITIONS
FOY RESIDENCE
67 RIDGES COURT
PORTSMOUTH, N.H.

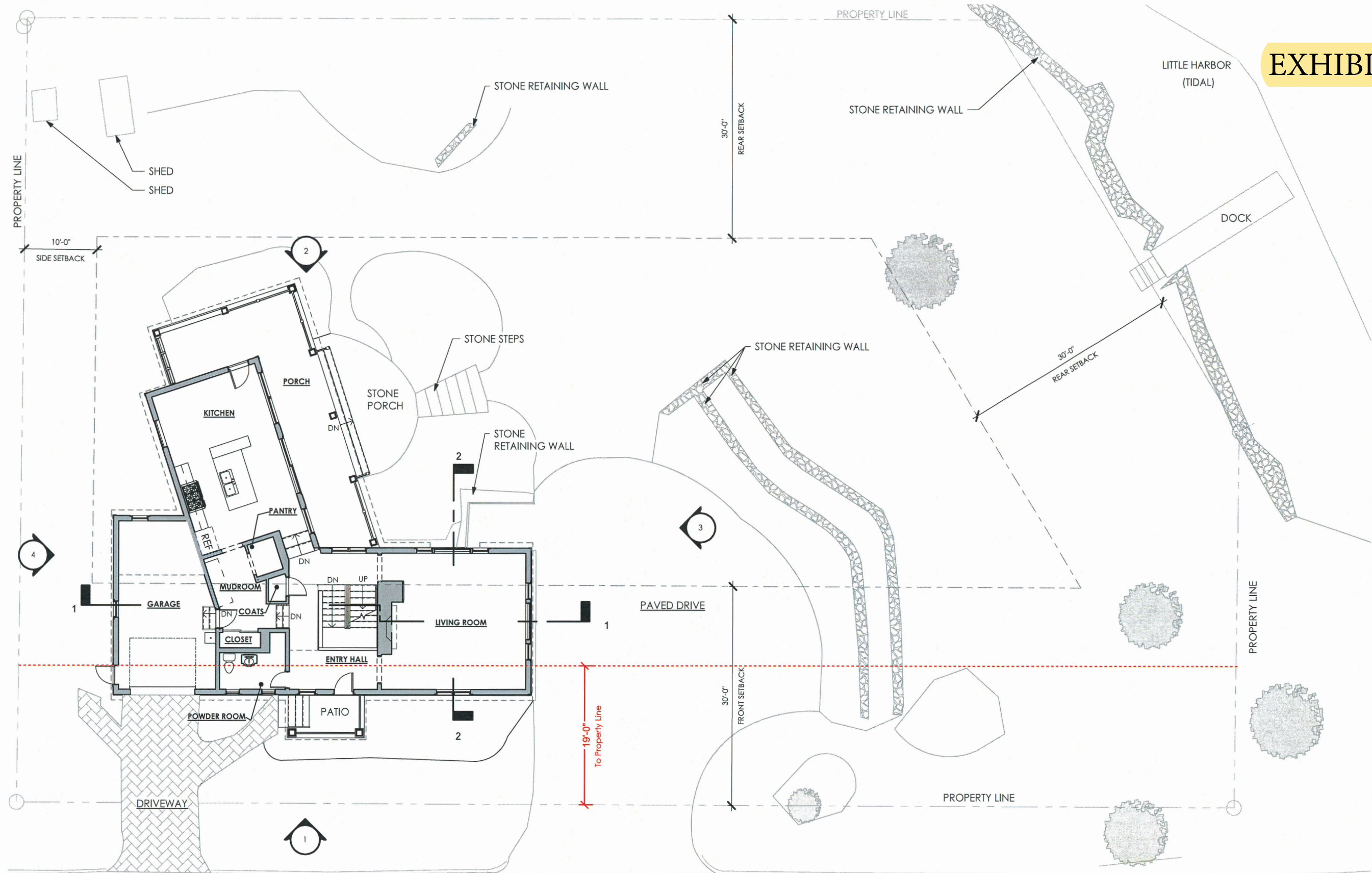
NO.	DESCRIPTION	DATE
4	FRONT SETBACK	9/14/22
3	FRONT SETBACK	9/8/22
2	ADD SETBACKS, ADJUST	8/31/22
1	ADD ABUTTING HOMES	8/16/22
0	ISSUED FOR COMMENT	6/27/22

REVISIONS

SCALE 1"=20' JUNE 2022

VARIANCE
PLAN

C2



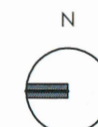
EXISTING CONDITIONS FOR:

FOY RESIDENCE

67 RIDGES CT
PORTSMOUTH, NH

FIRST FLOOR PLAN

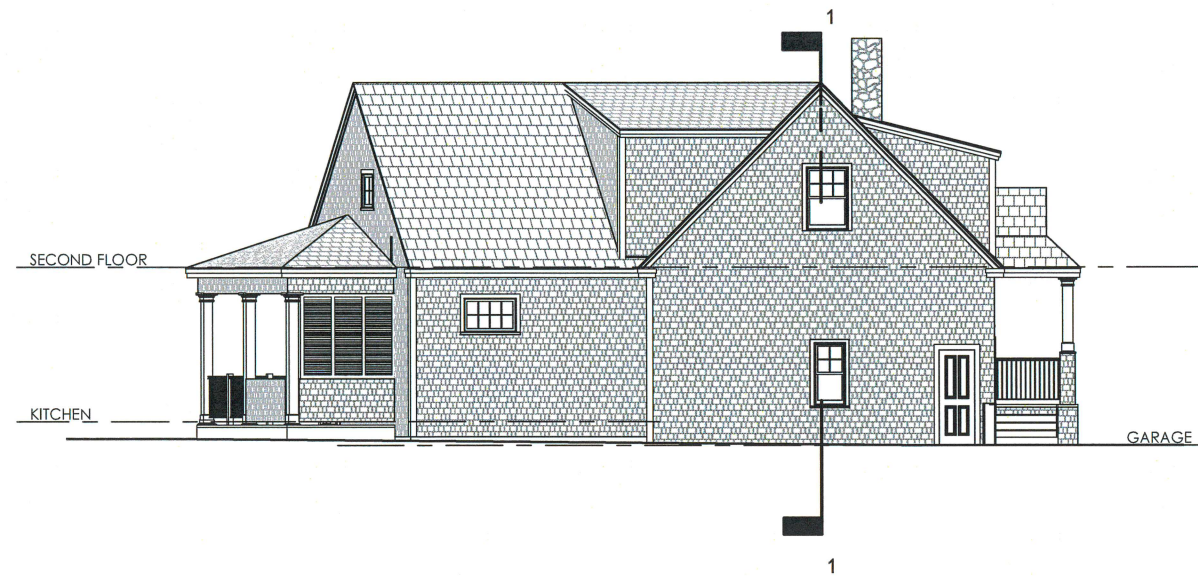
1/8" = 1'-0"



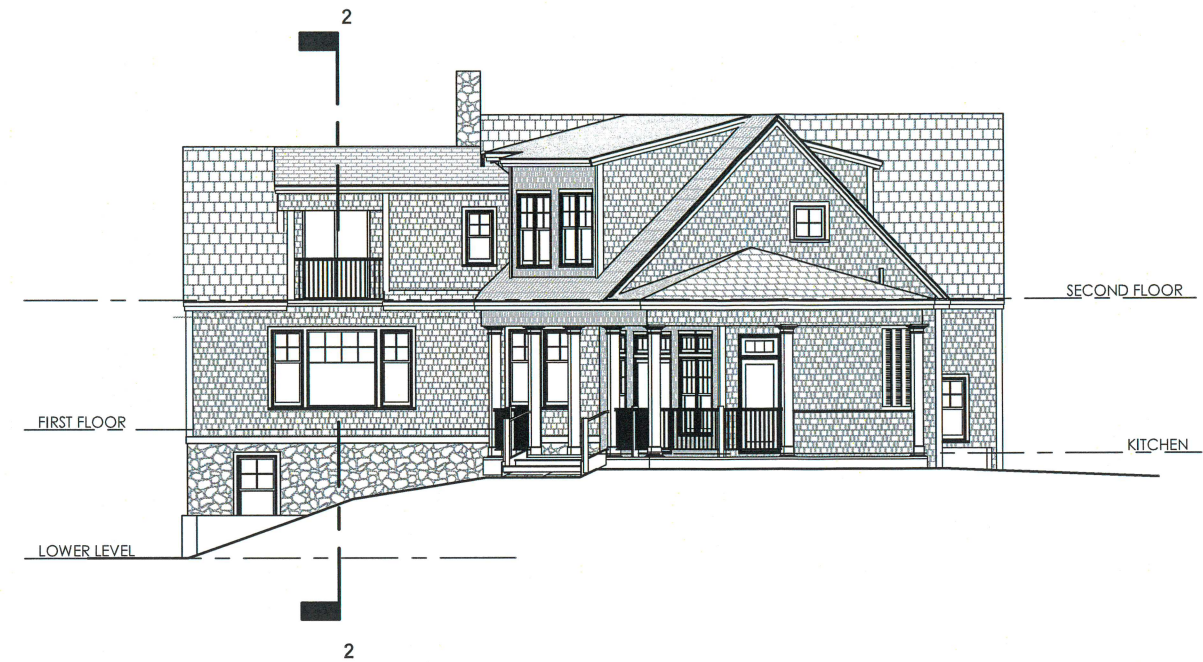
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D|M|A
DESTEFANO
MAUGEL
ARCHITECTS

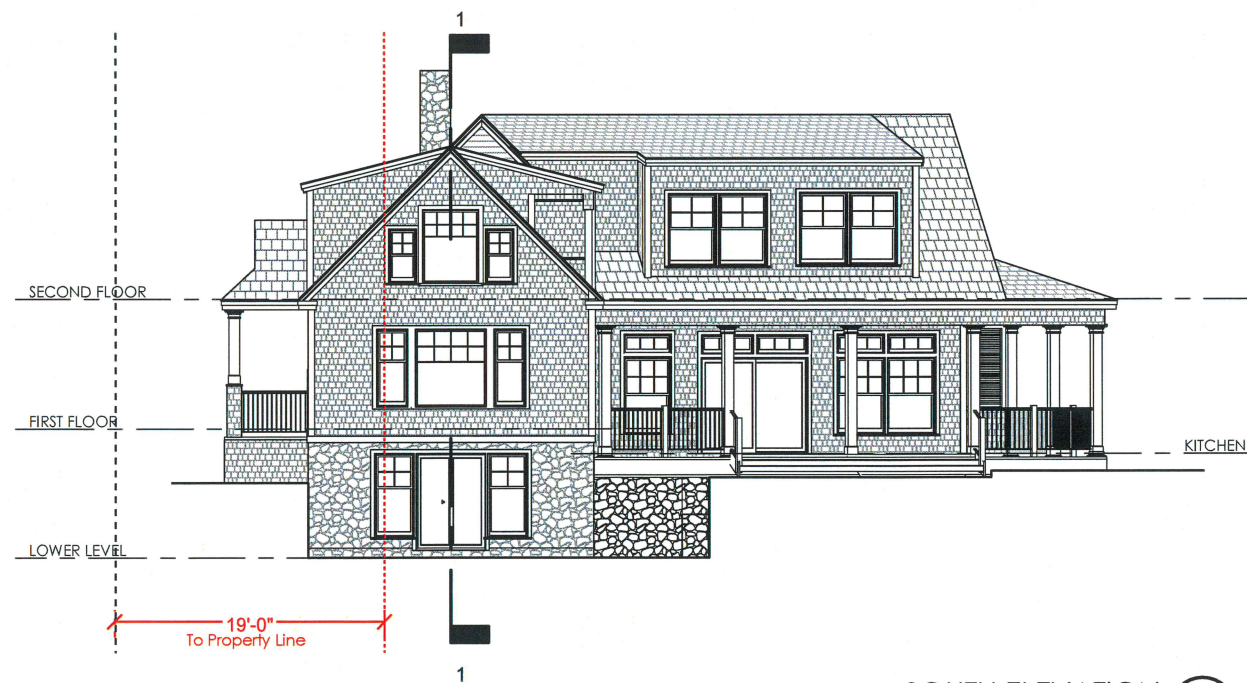
13 DECEMBER 2021



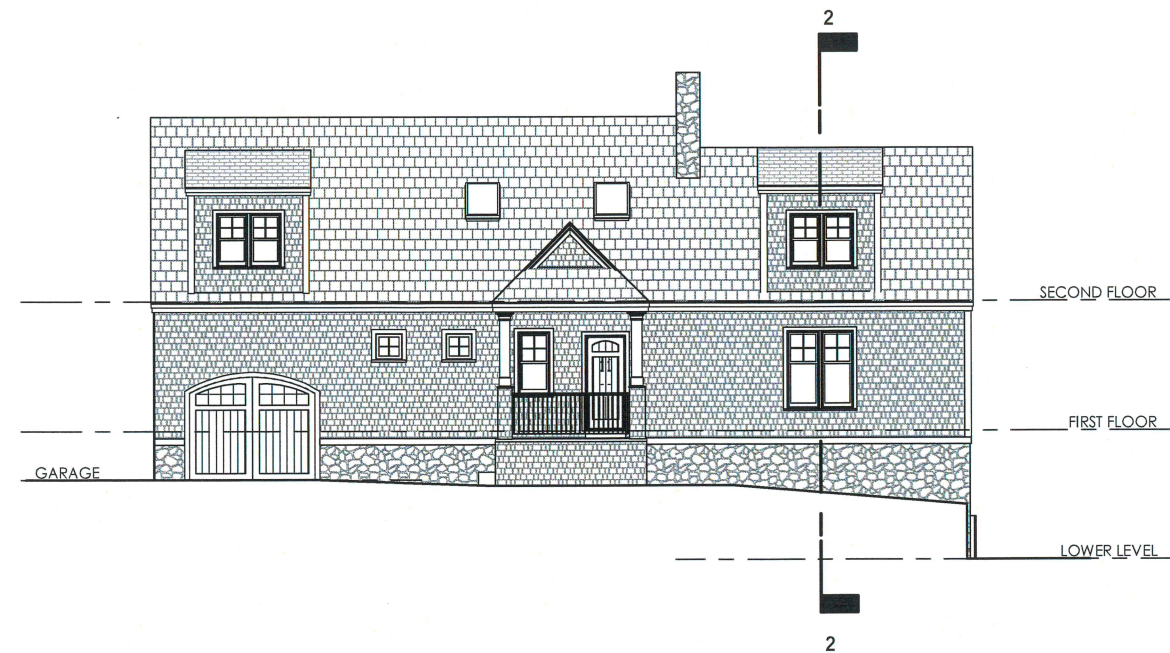
NORTH ELEVATION 4
1/8" = 1'-0"



EAST ELEVATION 2
1/8" = 1'-0"



SOUTH ELEVATION 3
1/8" = 1'-0"



WEST ELEVATION 1
1/8" = 1'-0"

EXISTING CONDITIONS FOR:

FOY RESIDENCE

67 RIDGES CT
PORTSMOUTH, NH

BUILDING ELEVATIONS

1/8" = 1'-0"

13 DECEMBER 2021

21177

D|M|A
DESTEFANO
MAUGEL
ARCHITECTS

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