REGULAR MEETING
BOARD OF ADJUSTMENT
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE

7:00 P.M. **November 24, 2026**

AGENDA

Members of the public also have the option to join this meeting over Zoom; a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:

https://us06web.zoom.us/webinar/register/WN_zailhjPKR8qhx85_l-sbdw

I. NEW BUSINESS

A. **POSTPONED TO DECEMBER** The request of **Portsmouth Lumber and Hardware LLC (Owner)**, for property located at **103 Bartlett Street** whereas relief is needed for outdoor storage as a principal use and to install a fence in the principal front yard, which requires the following: 1) Variance from Section 10.440 to permit the outdoor storage of lumber and building supply products where such storage is not allowed as a principal use; and 2) Variance from Section 10.515.13 to permit a fence over four feet in height in the principal front yard. Said property is located on Assessor Map 164 Lot 2 and lies within the Character District 4-W (CD4-W) District. **POSTPONED TO DECEMBER** (LU-26-139)

B. The request of **The Edwin B. Christly Revocable Trust (Owner),** and **Brian Zaneski (Applicant),** for property located at **197 Richards Avenue** whereas relief is needed to renovate, enlarge, and convert the existing principal structure from a three-family to a single-family and to construct a second single-family structure. The request requires the following: 1) Variance from Section 10.521 to allow a) 5,162 sf lot area per dwelling unit where 7,500 sf is required, b) a left side yard of 3.5 feet where 10 feet is required; and 2) Variance from Section 10.513 to allow a second free-standing dwelling on the lot where no more than one is allowed. Said property is located on Assessor Map 129 Lot 42 and lies within the General Residence A (GRA) District. (LU-26-140)

C. **POSTPONED TO DECEMBER** The request of **John Michael Jr.** and **Natalie Murphy (Owners),** for property located at **175 Middle Road** whereas relief is needed to demolish and construct a landing to and infill and reconfigure a portion of the rear deck which requires the following: 1) Variance from Section 10.521 to allow for 37% building coverage where 20% maximum is allowed. Said property is located on Assessor Map 168

Lot 16 and lies within the Single Residence B (SRB) District. **POSTPONED TO DECEMBER** (LU-26-136)

D. The request of **Adam Ryan** and **Katherine Kaplan (Owners),** for property located at **19 Coakley Road** whereas relief is needed to construct walls and conditioned area for the conversion of the carport into living space which requires the following: 1) Variance from Section 10.521 for a rear yard of 12.5 feet where 30 feet is required. Said property is located on Assessor Map 234 Lot 31 and lies within the Single Residence B (SRB) District. (LU-26-134)

E. **POSTPONED TO DECEMBER** The request of **350 Hanover Street Portsmouth LLC (Owner),** for property located at **350 Hanover Street** whereas relief is needed to demolish the rear addition, construct a garage addition and renovate the existing structure, which requires the following: 1) Variance from Section 10.5A41.10A for a building coverage of 65% where 60% is allowed; and 2) Variance from Section 10.321 to allow a nonconforming building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 126 Lot 29 and lies within the Character District 4-L1 (CD4-L1) District. **POSTPONED TO DECEMBER** (LU-26-141)

F. **POSTPONED TO DECEMBER** The request of **Shiembob E & B Family Living Trust (Owner),** for property located at **635 Lincoln Avenue** whereas relief is needed to demolish the existing garage and subdivide the property into two lots which requires the following: 1) Variance from Section 10.521 to allow a) 7,046 square feet of lot area for Lot B where 7,500 are allowed, b) 63 feet of continuous frontage for Lot A and 39 feet of continuous frontage for Lot B where 100 feet are required, and c) a 5 foot left side yard on Lot A for the existing house where 10 feet are required. Said property is located on Assessor Map 148 Lot 38 and lies within the General Residence A (GRA) and Historic Districts. **POSTPONED TO DECEMBER** (LU-26-142)

II. ADJOURNMENT

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I. NEW BUSINESS

A. POSTPONED TO DECEMBER The request of **Portsmouth Lumber and Hardware LLC (Owner)**, for property located at **103 Bartlett Street** whereas relief is needed for outdoor storage as a principal use and to install a fence in the principal front yard, which requires the following: 1) Variance from Section 10.440 to permit the outdoor storage of lumber and building supply products where such storage is not allowed as a principal use; and 2) Variance from Section 10.515.13 to permit a fence over four feet in height in the principal front yard. Said property is located on Assessor Map 164 Lot 2 and lies within the Character District 4-W (CD4-W) District. **POSTPONE TO DECEMBER** (LU-26-139)

Planning Department Comments

The applicant has postponed to December due to the number of voting Board members present.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC
ATTORNEYS AT LAW

127 Parrott Avenue | Portsmouth, NH, 03801
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

November 16, 2026

Beth Margeson, Chair
Zoning Board of Adjustment
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Re: 103 Bartlett Street, Portsmouth, Tax Map 164, Lot 3
LU-26-139

Dear Ms. Margeson:

As a result of anticipated board absences on November 24, 2026, please accept this correspondence as our request to postpone consideration of the above application to the December 15, 2026 Board of Adjustment meeting.

Thank you for your attention.

Sincerely,

Christopher P. Mulligan
Christopher P. Mulligan

CPM/

cc: Portsmouth Lumber & Hardware, LLC

DANIEL C. HOEFLE
R. TIMOTHY PHOENIX
LAWRENCE B. GORMLEY
R. PETER TAYLOR
ALEC L. MCEACHERN
KEVIN M. BAUM
JACOB J.B. MARVELLEY
GREGORY D. ROBBINS
PETER V. DOYLE
MONICA F. KIESER
CHRISTOPHER P. MULLIGAN
STEPHANIE J. JOHNSON
MATTHEW J. COWAN
STEPHEN H. ROBERTS In Memoriam
OF COUNSEL:
SAMUEL REID & JOHN AHLGREN

I. New BUSINESS

B. The request of **The Edwin B. Christly Revocable Trust (Owner),** and **Brian Zaneski (Applicant),** for property located at **197 Richards Avenue** whereas relief is needed to renovate, enlarge, and convert the existing principal structure from a three-family to a single-family and to construct a second single-family structure. The request requires the following: 1) Variance from Section 10.521 to allow a) 5,162 sf lot area per dwelling unit where 7,500 sf is required, b) a left side yard of 3.5 feet where 10 feet is required; and 2) Variance from Section 10.513 to allow a second free-standing dwelling on the lot where no more than one is allowed. Said property is located on Assessor Map 129 Lot 42 and lies within the General Residence A (GRA) District. (LU-26-140)

Existing & Proposed Conditions

	Existing	Proposed	Permitted/ Required	
Land Use:	3-unit Multi-family	*Convert existing structure to single family and construct an additional single-family structure	Primarily residential	
Lot area (sq. ft.):	10,325	10,325	7,500	min.
Lot Area per Dwelling Unit (sq. ft.):	3,441	5,162	7,500	min.
Front Yard (ft.):	3	Existing Structure: 3 New Structure: 119.5	15	min.
Right Yard (ft.):	14.8	Existing Structure: 14.8 New Structure: 10.2	10	min.
Left Yard (ft.):	3.5	Existing Structure:3.5 New Structure: 10.2	10	min.
Rear Yard (ft.):	142.7	Existing Structure: 142.7 New Structure: 35.6	20	min.
Height (ft.):	28.7	Existing Structure: 28.7 New Structure: 31.3	35	max.
Building Coverage (%):	13.6	24.6	25	max.
Open Space Coverage (%):	59	39	30	min.
Estimated Age of Structure:	1900	Variance request(s) shown in red.		

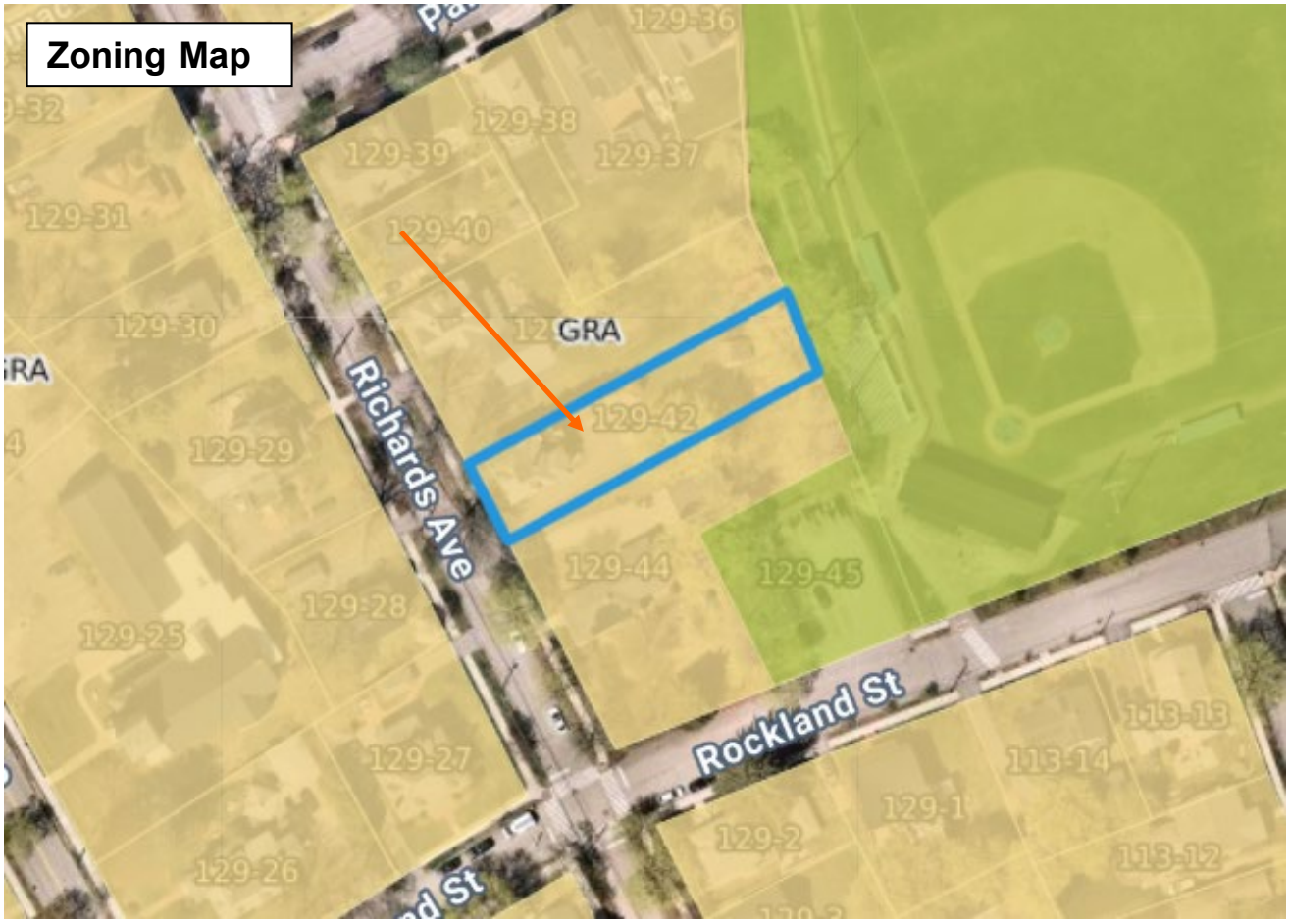
* Relief is needed to construct a second free standing dwelling one the property.

Other Permits/Approvals Required

- Building Permit

Neighborhood Context





Previous Board of Adjustment Actions

No previous history found

Planning Department Comments

The applicant is requesting the listed relief to convert the existing structure from 3 units to 1 unit and will also construct a new 1-unit structure. The front building (existing) renovation will include the addition of dormers located in the left side yard area which triggers the variance under 10.521. The other two variances are required for the construction of the second stand-alone unit.

Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
   (a) The property has special conditions that distinguish it from other properties in the area.
   AND
   (b) Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one.
   OR
   Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

DTC Lawyers
Dedicated to Clients

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NICHOLAS R. AESCHLIMAN

October 21, 2026

Beth Margeson, Chair
Zoning Board of Adjustment
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: **Brian Zaneski (Applicant)**
197 Richards Ave, Tax Map 129, Lot 42

Dear Chair Margeson and Board Members,

Please accept the Applicant's attached BOA submission for the property at 197 Richards Ave. Included for your review and consideration are the following:

Exhibit 1: Narrative
Exhibit 2: Letter of Authorization
Exhibit 3: Civil Plan
Exhibit 4: Architectural Elevations and Floor Plans
Exhibit 5: Exterior Photographs
Exhibit 6: GIS Map

The Applicant respectfully requests that you include this Submission on the agenda for the Board's November 17, 2026, meeting. Thank you, and please contact our office with any questions.

Yours truly,

CPVaughan

Courtney P. Vaughan, Esq.
cvaughan@dtclawyers.com

ATTACHMENT 1

CITY OF PORTSMOUTH BOARD OF ADJUSTMENT
Narrative in Support of Variance Application

Applicant:	Brian Zaneski
Property:	197 Richards Avenue, Portsmouth
Owner of Record:	Paula Davies, Trustee The Edwin B. Christy Revocable Trust
Tax Map	Map 129, Lot 42
Zoning District:	General Residence A (GRA)
Requested Hearing Date:	November 17, 2026

I. Property and Proposed Development

The Applicant, Brian Zaneski (the "Applicant"), submits this narrative in support of his application for variances for the property located at 197 Richards Avenue, Portsmouth, New Hampshire, identified on the City Assessor's maps as Tax Map 129, Lot 42 (the "Property"). The owner of record is Edwin B. Christy, Trustee of The Edwin B. Christy Revocable Trust. The Property is located in the General Residence A (GRA) District. The parcel contains approximately 10,325 square feet and has approximately 50 feet of frontage on Richards Avenue. An existing two-and-one-half-story residence occupies the Richards Avenue portion of the parcel.

Existing Conditions. The existing residence currently contains three (3) dwelling units. At approximately 10,325 square feet, the Property presently provides approximately 3,442 square feet of lot area per dwelling unit, where Section 10.521 requires 7,500 square feet per dwelling unit in the GRA District.

Proposed Development. The Applicant proposes to reduce the number of dwelling units on the Property from three (3) to two (2): one (1) dwelling unit within the existing residence, which will be renovated and enlarged, and one (1) dwelling unit within a new detached residential structure located toward the rear of the Property, as depicted in the concept drawings and plans submitted herewith. The project therefore reduces residential density from approximately 3,442 to approximately 5,163 square feet of lot area per dwelling unit, bringing the Property closer to, though not fully conforming with, the 7,500-square-foot standard, and is reasonably expected to reduce the number of households and associated residential activity, subject to confirmation of the proposed occupancy and parking arrangements.

Improvements to Existing Residence. The Applicant proposes increasing the volume of the existing residence by adding new interior square footage where there was previously a single-story space with an exterior deck above used for unit entry/exit. The GFA will increase by 117 square feet, for a total of 2,522 square feet. A new gable roof will cap this new interior space and tie it into the existing hip roof. The ridges will align, and the building height will not change. New dormers will enable usable head height at this level. The existing exterior wood stairs down from level 2 will be removed; however, the building footprint will not change. Following the renovation, the existing structure will contain a single dwelling unit. The renovation includes the enlargement of a portion of the existing structure located within an existing approximately 3.7-foot side yard setback where 10 feet is required in the GRA District.

New Detached Dwelling. The new detached structure will be located toward the rear of the Property, behind the existing residence, and will contain one (1) dwelling unit with residential living accommodations on multiple levels. With both structures, total building coverage will be 24.4% and open space will be 39%, as compared with the GRA maximum building coverage of 25% and minimum open space of 30% under Section 10.521.

Parking and Access. The Property currently provides enough space for four (4) off-street parking spaces. As proposed, the Property will provide four (4) off-street parking spaces. The reduction from three dwelling units to two is reasonably expected to reduce parking demand.

II. Relief Requested

1. Section 10.521 (Table of Dimensional Standards – Residential and Mixed Residential Districts):
    a. Relief from the General Residence A (GRA) minimum lot area per dwelling unit of 7,500 square feet required to permit the proposed new detached dwelling at the rear of the parcel, resulting in two dwelling units on the existing parcel of approximately 10,325 square feet. This request reduces residential density on the parcel relative to the existing three dwelling units, so that the lot area per dwelling unit will move closer to, not further from, the GRA standard.
    b. Relief from the General Residence A (GRA) minimum side yard dimension of 10 feet to permit the enlargement of the existing principal structure that encroaches into the required side yard. The existing structure maintains a side yard setback of approximately 3.7 feet where 10 feet is required, and the proposed project would increase the volume of the structure within that existing nonconforming setback area.
2. Section 10.513 (One Dwelling Per Lot): relief to allow a second free-standing dwelling on the lot, where Section 10.513 provides that no more than one free-standing dwelling shall be built on any lot in a General Residence A district except where specifically exempted by other provisions of the Ordinance.

The variance request concerning minimum lot area per dwelling unit under Section 10.521 and the variance request under Section 10.513 concern the proposed detached dwelling at the rear of the parcel. The variance request concerning the minimum side yard setback under Section 10.521 concerns the enlargement of the existing principal structure.

III. Variance Criteria Under RSA 674:33, I(a)(2) and Portsmouth Zoning Ordinance § 10.233.20 (§§ 10.233.21–10.233.25)

The Applicant requests three variances for 197 Richards Avenue: (1) relief from the minimum lot area per dwelling unit requirement of § 10.521; (2) relief from the minimum side yard setback requirement of § 10.521 to permit the enlargement of the existing principal structure within an existing nonconforming side yard setback; and (3) relief from the one-free-standing-dwelling-per-lot limitation of § 10.513. Because the Board must find

that each variance independently satisfies every criterion of § 10.233.20, each variance is addressed separately under the criteria below.

A. The variances will not be contrary to the public interest

The New Hampshire Supreme Court treats the public-interest and spirit-of-the-ordinance criteria together because a variance is contrary to the public interest only if it unduly and in a marked degree conflicts with the ordinance, violating the ordinance's basic zoning objectives. Chester Rod & Gun Club, Inc. v. Town of Chester, 152 N.H. 577, 580–81 (2005); Malachy Glen Associates, Inc. v. Town of Chichester, 155 N.H. 102, 105–06 (2007). The Board examines whether granting the variance would (a) alter the essential character of the neighborhood or (b) threaten the public health, safety or welfare. Id. Neither occurs here for any of the three variances.

Reduced intensity. The property is presently used for three dwelling units. After the project is complete, the property will contain only two dwelling units. The project therefore reduces, rather than increases, the intensity of residential use on the lot: fewer residents, fewer vehicles, fewer daily trips on Richards Avenue, and a lower off-street parking demand. On the existing lot of approximately 10,325 square feet, the land area per dwelling unit increases from approximately 3,442 square feet to approximately 5,163 square feet, moving the property materially closer to the 7,500-square-foot standard of § 10.521 for the GRA District.

Neighborhood compatibility. Richards Avenue is an established residential street, and many nearby properties already have two-family or multi-unit residential uses. A two-unit residential property is fully consistent with that character; the GRA District itself is intended for single-family, two-family, and multifamily dwellings at moderate to high densities (§ 10.410). The project introduces no new use, no commercial activity, and no new frontage or lot division. This point is offered to show the essential character of the neighborhood for purposes of the public-interest analysis, not to justify the relief on the basis of surrounding nonconformities.

1. Lot area per dwelling unit (§ 10.521). Allowing two dwelling units on this lot, where three exist today, does not alter the neighborhood's essential character or threaten public health, safety, or welfare; it lowers density, traffic, and occupancy below current conditions.

2. Side yard setback (§ 10.521). The proposed enlargement occurs within an existing side-yard encroachment associated with the long-standing principal structure. The project does not create a new encroachment or reduce the existing setback below approximately 3.7 feet. Because the relationship of the structure to adjacent properties remains substantially unchanged, granting relief will not alter the essential character of the neighborhood or threaten the public health, safety, or welfare.

3. Second free-standing dwelling (§ 10.513). Placing the second unit in a detached building at the rear of the deep parcel, behind the existing house, preserves the Richards Avenue streetscape and separates the units for light, air, and privacy. A detached second unit is a form the Ordinance already accepts in this District as a

detached accessory dwelling unit (§ 10.440, Use 1.20), so the building form is not foreign to the neighborhood.

B. The spirit of the ordinance will be observed

The purposes of the Ordinance are stated in § 10.121: to promote health, safety, and general welfare in accordance with the Master Plan by regulating, among other things, the use of land and buildings, and "the intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space," as well as vehicular access and parking and the preservation and enhancement of the visual environment. The project advances the Ordinance's purposes because it reduces the intensity of use on this lot, retains open space and yards, improves the visual environment, and moves the property toward, not away from, the density the Ordinance contemplates.

Comparison to by-right development. New Hampshire law requires every municipality that permits single-family dwellings to allow at least one accessory dwelling unit as of right. RSA 674:71–73; see RSA 674:72, I. As amended in 2025, RSA 674:72 extends that as-of-right treatment to detached accessory dwelling units. Portsmouth implements the statute in § 10.814, and § 10.440 (Use 1.20) permits an attached or detached ADU of up to 750 square feet of gross living area in the GRA District. Critically, § 10.814.131 provides that an ADU "shall be allowed without additional requirements for lot area, lot area per dwelling unit, or frontage." The Applicant could therefore pursue a single-family dwelling with a detached ADU — two dwellings, one detached — without lot-area-per-dwelling relief. The proposed rear residence is a separate principal dwelling, not necessarily a qualifying ADU; the ADU framework is offered as an analogy regarding detached building form, not as an exemption applicable to this proposal. The Legislature and the City have determined that two dwelling units, including a detached unit, are appropriate on a single-family lot, confirming that two units on this lot are consistent with the spirit of the Ordinance.

Efficient use of an existing lot and improved housing quality. The project makes efficient use of an existing, already-developed residential lot within the City's established neighborhoods, consistent with § 10.122's objective of meeting present and future housing needs fairly and efficiently and with the policy of § 10.814.11 to integrate housing options with minimal neighborhood impact. Replacing three older units with two modern, code-compliant dwellings improves housing quality and livability without new infrastructure or land disturbance beyond the existing parcel.

1. Lot area per dwelling unit (§ 10.521). The lot-area-per-unit standard controls residential density. Reducing the property from three units to two lowers density and brings the lot closer to conformity, directly serving that purpose.

2. Side yard setback (§ 10.521). The purpose of side-yard requirements is to preserve light, air, separation between structures, and neighborhood character. The proposed project does not increase the existing encroachment into the side yard or alter the building footprint. Rather, it improves and modernizes an existing residence that has long occupied its present location. Granting relief therefore remains consistent with the underlying objectives of the Ordinance.

3. Second free-standing dwelling (§ 10.513). The one-dwelling-per-lot rule prevents lot overcrowding and preserves light, air, and open space. The detached rear building is located on the deep rear portion of the parcel, separated from the existing house and abutters, and the total number of units on the lot declines. The Ordinance itself allows a detached second dwelling as an ADU on lots of this type (§ 10.814), demonstrating that the form is consistent with the Ordinance's objectives.

C. Substantial justice will be done

Substantial justice is measured by balancing the individual owner's loss from denial against any public gain; any loss not outweighed by a public gain is an injustice. Harborside Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508 (2011).[1] The Board may also consider whether the proposed development is consistent with the area's present use. Here, denial would confer no benefit on the public; the public would simply retain a more intensive three-unit use in its current condition, while the Applicant would lose a reasonable, lower-intensity, two-unit residential use of the lot.

1. Lot area per dwelling unit (§ 10.521). Strict enforcement would gain the public nothing, since the lot already houses three units; granting relief for two units produces a net public benefit in reduced density, traffic, and parking demand.

2. Side yard setback (§ 10.521). Denial of the variance would prevent reasonable improvements to the existing residence despite the fact that the side-yard condition already exists and would remain unchanged. The public receives little or no benefit from preventing the enlargement, while the Applicant would lose the opportunity to improve the functionality and livability of the residence.

3. Second free-standing dwelling (§ 10.513). The public gains nothing from forcing both units into a single, larger structure on the street frontage; locating the second unit in a detached rear building reduces street-facing bulk and preserves privacy and separation, while denial would deprive the Applicant of the efficient use of the deep rear portion of the lot.

D. The values of surrounding properties will not be diminished

The project will not diminish and is expected to increase the values of surrounding properties. It gives the property a substantial facelift: the existing structure will be renovated and improved, a new purpose-designed residential building will be constructed, and the site will be upgraded, improving the property's condition and appearance from its current state. Reducing the property from three units to two also reduces activity, traffic, and parking on the lot. These improvements are supported by the architectural elevations and renderings.

1. Lot area per dwelling unit (§ 10.521). A lower-density, two-unit property generates less traffic and occupancy than the existing three-unit use, which is not reasonably expected to adversely affect neighboring property values.

[1] Malachy Glen, 155 N.H. at 109; N.H. Office of Planning and Development, The Board of Adjustment in New Hampshire: A Handbook for Local Officials.

2. Side yard setback (§ 10.521). The proposed enlargement is integrated into the existing residence and improves the appearance and functionality of the structure. Because the project builds upon an existing nonconforming condition rather than introducing a new setback deficiency, it is not reasonably expected to diminish the value of surrounding properties.

3. Second free-standing dwelling (§ 10.513). The new detached building is designed to be compatible in scale and materials with the neighborhood and is located at the rear of the lot, minimizing any visual effect on abutters.

E. Literal enforcement will result in unnecessary hardship

Under § 10.233.31 and RSA 674:33, I(b)(1), unnecessary hardship exists where, owing to special conditions of the property that distinguish it from other properties in the area, (a) no fair and substantial relationship exists between the general public purposes of the ordinance provision and its specific application to the property, and (b) the proposed use is a reasonable one. This property's special conditions are: (1) its narrow frontage of approximately 50 feet, one-half of the 100 feet required in the GRA District by § 10.521; (2) its substantial depth relative to that frontage, producing an unusually deep rear area; (3) the placement of the existing house toward Richards Avenue, leaving the rear of the lot open; (4) the existing principal structure's location approximately 3.7 feet from the side lot line; and (5) its existing, long-standing use for three dwelling units.

Consistent with § 10.233.60, the Applicant does not rely on similar conditions in the surrounding area as a basis for relief. The hardship arises from the combination of this parcel's narrow frontage, unusual depth, the placement of the existing residence toward the front of the lot leaving a substantial rear area available for residential use, the existing principal structure's long-standing location approximately 3.7 feet from the side lot line, and the property's long-standing configuration with three dwelling units.

1. Lot area per dwelling unit (§ 10.521). The lot-area-per-unit standard limits residential density. On this lot, which already supports three units, literal application of the standard would bar a reduction to two units — the precise outcome the standard is meant to encourage. Applying § 10.521 to forbid a decrease in density bears no fair and substantial relationship to its purpose, and that disconnect stems from the property's special condition: an existing three-unit use on a narrow, deep lot.

2. Side yard setback (§ 10.521). The purpose of the side-yard setback requirement is to maintain separation between structures and preserve access to light and air. The existing residence has long been located approximately 3.7 feet from the side property line, and the proposed project does not further reduce that setback. Literal enforcement would prevent a reasonable enlargement of the existing residence despite the absence of any meaningful change to the structure's relationship to neighboring properties. Given the long-standing placement of the building, there is no fair and substantial relationship between strict application of the 10-foot requirement and the proposed enlargement, and the proposed residential improvement is a reasonable use of the property.

3. Second free-standing dwelling (§ 10.513). The purpose of § 10.513 is to prevent the crowding of multiple principal buildings on a lot. Because of this lot's unusual depth and the existing house's front position, the rear of the parcel can accommodate a detached building with separation and open space without the crowding the rule targets. Requiring both units to be combined in one larger front structure would increase bulk at the street without serving any purpose of § 10.513.

For all three requested variances, both elements of § 10.233.31 are satisfied because of the property's special conditions, and literal enforcement would result in unnecessary hardship.

IV. Conclusion

For the foregoing reasons, the Applicant respectfully submits that each of the three requested variances satisfies all five criteria of Portsmouth Zoning Ordinance Section 10.233.20 and RSA 674:33, I(a)(2) and I(b). The project reduces the property's intensity of use from three dwelling units to two, resulting in less traffic, fewer cars, and fewer people on the lot. It also gives the property a facelift that improves its condition and appearance. It delivers higher-quality housing through the efficient use of an existing residential lot, in a manner compatible with the surrounding residential neighborhood. Accordingly, the Applicant respectfully requests that the Board grant (1) relief from the minimum lot area per dwelling unit requirement of Section 10.521, (2) relief from the minimum side yard setback requirement of Section 10.521, and (3) relief from Section 10.513 to permit more than one free-standing dwelling on the lot, all as necessary to permit the proposed development at 197 Richards Avenue, Portsmouth, New Hampshire.

Respectfully submitted,
On behalf of Applicant Brian Zaneski

/s/ John K. Bosen

November 4, 2026

ATTACHMENT 2

Docusign Envelope ID: 0A4DEF9C-57F7-8EEE-83D4-682F01C21B31

LETTER OF AUTHORIZATION

I, Paula Davies, Trustee of The Edwin B. Christy Revocable Trust and duly authorized owner of the property depicted on Tax Map 129, Lot 42, located at 197 Richards Avenue, Portsmouth, New Hampshire 03801, hereby authorize Donahue, Tucker & Ciandella, PLLC, to execute any land use applications to the City of Portsmouth and take any action necessary for the application and permitting process for said property, including, but not limited to, attending and presenting at public hearings.

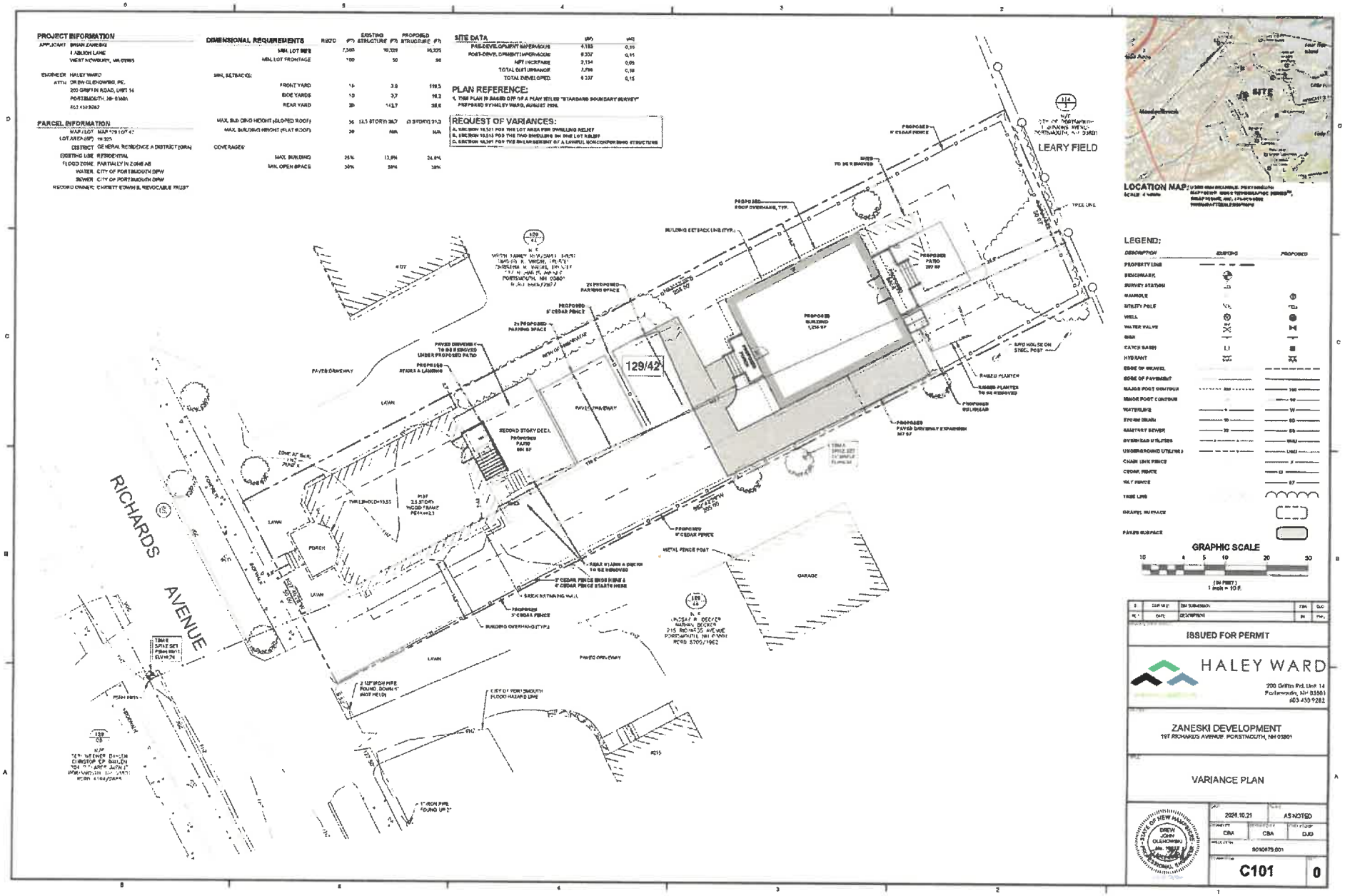
Dated: October 21, 2026

Signed by:

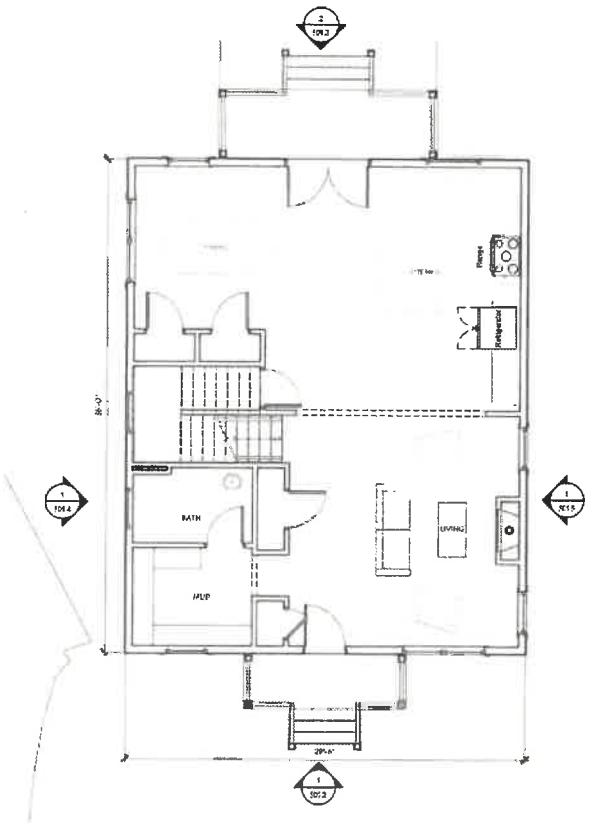
Paula Davies, Trustee

The Edwin B. Christy Revocable Trust

ATTACHMENT 3

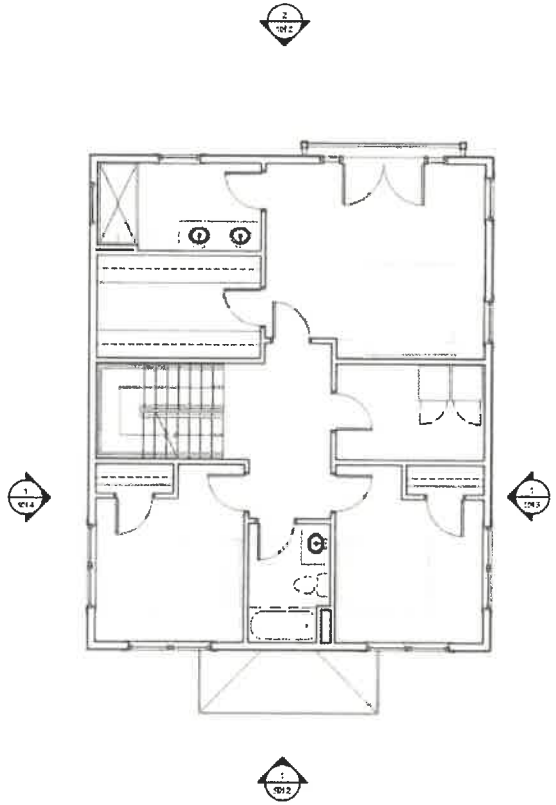

PROJECT INFORMATION
APPLICANT: BRIAN ZANESKI
1 ABICON LANE
WEST NEWBURY, MA 01985
ENGINEER: HALEY WARD
ATTN: DREW GLOWACKI, PE
200 GRIFFIN ROAD, UNIT 14
PORTSMOUTH, NH 03801
603.430.9282
PARCEL INFORMATION
MAP / LOT: MAP 129 LOT 42
LOT AREA (SF): 10,325
DISTRICT: GENERAL RESIDENCE A DISTRICT (GRA)
EXISTING USE: RESIDENTIAL
FLOOD ZONE: PARTIALLY IN ZONE AE
WATER: CITY OF PORTSMOUTH DPW
SEWER: CITY OF PORTSMOUTH DPW
RECORD OWNER: CHRISTY EDWIN E. REVOCABLE TRUST
DIMENSIONAL REQUIREMENTS
EXISTING / PROPOSED
REQ'D (SF) | STRUCTURE (SF) | STRUCTURE (SF)
MIN. LOT SIZE: 7,500 | 10,325 | 10,325
MIN. LOT FRONTAGE: 100 | 50 | 50
MIN. SETBACKS:
FRONT YARD: 15 | 3.0 | 19.5
SIDE YARDS: 10 | 3.7 | 10.2
REAR YARD: 20 | 143.7 | 38.6
MAX. BUILDING HEIGHT (SLOPED ROOF): 35 | 2.5 STORY / 30.7 | 2.5 STORY / 31.2
MAX. BUILDING HEIGHT (FLAT ROOF): 30 | N/A | N/A
COVERAGE:
MAX. BUILDING: 25% | 13.8% | 24.8%
MIN. OPEN SPACE: 30% | 39% | 39%
SITE DATA
SF | %
PRE-DEVELOPMENT IMPERVIOUS: 4,183 | 0.19
POST-DEVELOPMENT IMPERVIOUS: 6,357 | 0.41
NET INCREASE: 2,194 | 0.05
TOTAL DISTURBANCE: 7,796 | 0.18
TOTAL DEVELOPED: 6,337 | 0.15
PLAN REFERENCE:
1. THIS PLAN IS BASED OFF OF A PLAN TITLED "STANDARD BOUNDARY SURVEY" PREPARED BY HALEY WARD, AUGUST 2025.
REQUEST OF VARIANCES:
A. SECTION 10.521 FOR THE LOT AREA PER DWELLING RELIEF
B. SECTION 10.513 FOR THE TWO DWELLING ON ONE LOT RELIEF
C. SECTION 10.321 FOR THE ENLARGEMENT OF A LAWFUL NONCONFORMING STRUCTURE
LOCATION MAP
SCALE: 1" = 1000'
SITE
LEGEND:
DESCRIPTION | EXISTING | PROPOSED
PROPERTY LINE
BENCHMARK
SURVEY STATION
MANHOLE
UTILITY POLE
WELL
WATER VALVE
SIGN
CATCH BASIN
HYDRANT
EDGE OF GRAVEL
EDGE OF PAVEMENT
MAJOR POST CONTOUR
MINOR POST CONTOUR
WATERLINE
STORM DRAIN
SANITARY SEWER
OVERHEAD UTILITIES
UNDERGROUND UTILITIES
CHAIN LINK FENCE
STONE FENCE
WIRE FENCE
TREE LINE
GRAVEL SURFACE
PAVED SURFACE
GRAPHIC SCALE
10 0 5 10 20 30
(IN FEET)
1 inch = 10 ft.
ISSUED FOR PERMIT
HALEY WARD
200 Griffin Rd. Unit 14
Portsmouth, NH 03801
603.430.9282
ZANESKI DEVELOPMENT
197 RICHARDS AVENUE PORTSMOUTH, NH 03801
VARIANCE PLAN
2026.10.21
AS NOTED
CBA
CBA
DJG
9010679.001
C101
0
RICHARDS AVENUE
LEARY FIELD
129/42
PROPOSED BUILDING 1,206 SF
PROPOSED PATIO 227 SF
PROPOSED PAVED DRIVEWAY EXPANSION 347 SF
2x PROPOSED PARKING SPACE
PROPOSED 6' CEDAR FENCE
PAVED DRIVEWAY
PROPOSED STAIRS & LANDING
SECOND STORY DECK PROPOSED PATIO 684 SF
LAWN
PORCH
GARAGE
BUILDING OVERHANG (TYP.)
BUILDING SETBACK LINE (TYP.)
TREE LINE
PROPOSED ROOF OVERHANG, TYP.
SHED TO BE REMOVED
RAISED PLANTER
RAISED PLANTER TO BE REMOVED
PROPOSED 6' CEDAR FENCE
REAR WALKWAY TO BE REMOVED
3' CEDAR FENCE BRIDGE HOME & 4' CEDAR FENCE STARTS HERE
BRICK RETAINING WALL
METAL FENCE POST
PROPOSED 5' CEDAR FENCE
2 1/2" IRON PIPE FOUND, BOWED 4" SHOT HELD
1" IRON PIPE FOUND UP 2"
CITY OF PORTSMOUTH FLOOD HAZARD LINE
THRESHOLD=13.53
FFE=14.23
2.5 STORY WOOD FRAME
BSMT=7.23
ZONE AE (EL. 15) ZONE X
N/F CITY OF PORTSMOUTH 1 JUNKINS AVENUE PORTSMOUTH, NH 03801
N/F CHRISTY E. BAILEY, TRUSTEE OF THE CHRISTY E. BAILEY REVOCABLE TRUST OF 2015 PORTSMOUTH, NH 03801 RCRD 6164/2844
N/F MARIAN C. DECKER 215 RICHARDS AVENUE PORTSMOUTH, NH 03801 RCRD 5705/1962
N/F [illegible] PORTSMOUTH, NH 03801 RCRD 6164/2844
N/F [illegible] PORTSMOUTH, NH 03801

ATTACHMENT 4



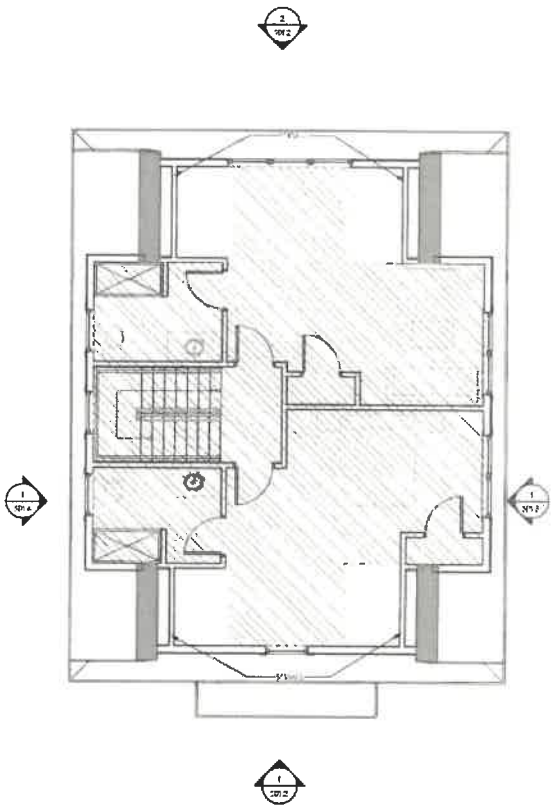
FIRST FLOOR SQUARE FOOTAGE: 992 SF

1 DETACHED LEVEL 1
SCALE: 1/4" = 1'-0"



SECOND FLOOR SQUARE FOOTAGE: 992 SF

2 DETACHED LEVEL 2
SCALE: 1/4" = 1'-0"



FIRST FLOOR SQUARE FOOTAGE: 825 SF

3 DETACHED LEVEL 3
SCALE: 1/4" = 1'-0"

PROJECT NO. 28054

197 Richards Ave

CONCEPT FLOOR PLANS

10/19/28

TOTAL GROSS FLOOR AREA: 2,809 SF

RED FOX ARCHITECTS



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2 REAR ELEVATION
SCALE: 1/4" = 1'-0"

PROJECT NO. 26034

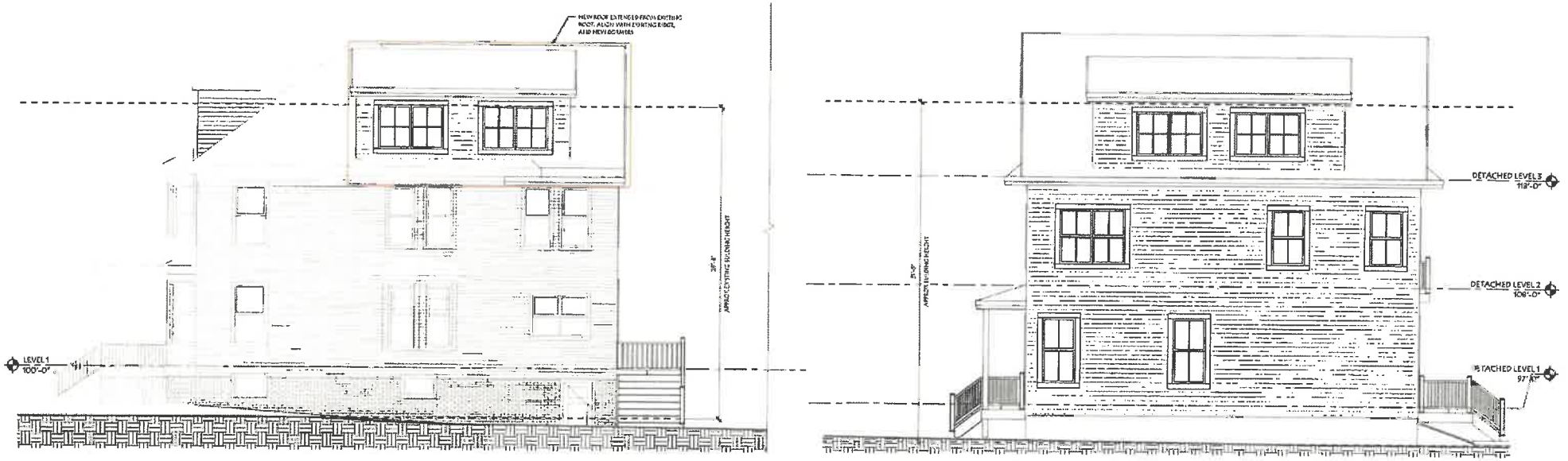
197 Richards Ave

CONCEPT ELEVATIONS

10/19/26

RED FOX ARCHITECTS

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PH: 403.440.2494



SIDE ELEVATION RELATED TO EXISTING HOUSE

1

SCALE: 1/4" = 1'-0"

PROJECT NO. 26034

197 Richards Ave

CONCEPT ELEVATIONS

10/19/26

RED FOX ARCHITECTS

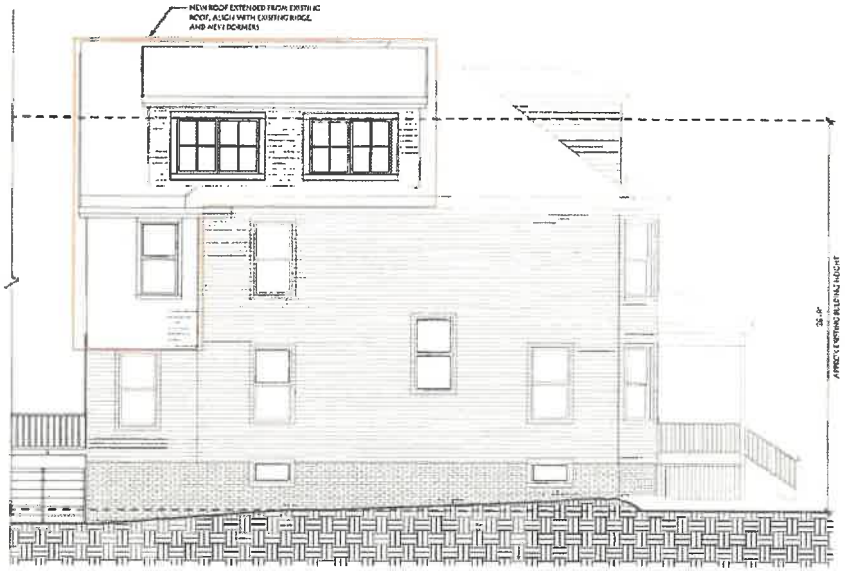
2025 Red Fox Architects
PH: 403.441.2499



SIDE ELEVATION RELATED TO EXISTING HOUSE

1

SCALE: 1/4" = 1'-0"



PROJECT NO. 20034

197 Richards Ave

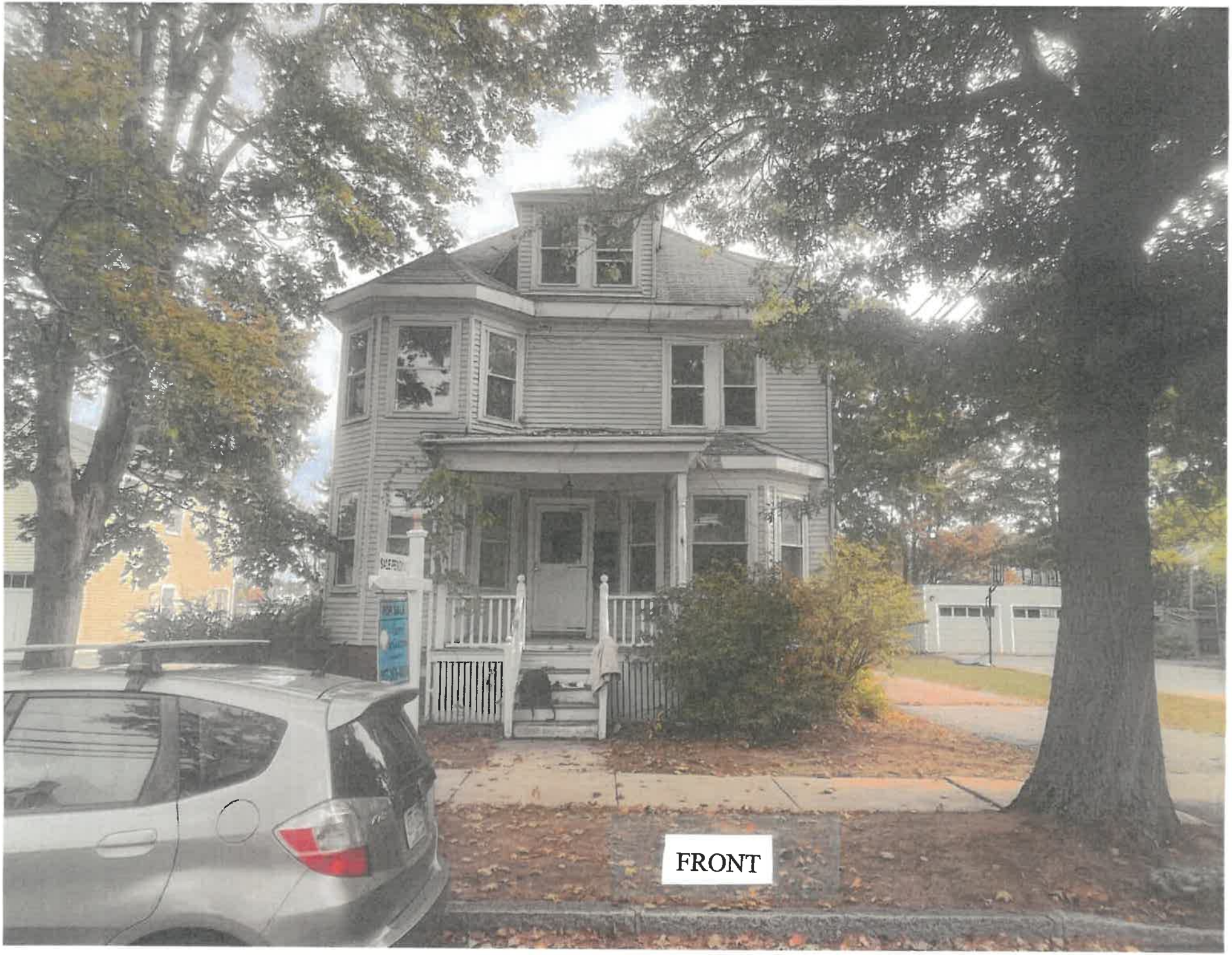
CONCEPT ELEVATIONS

10/19/26

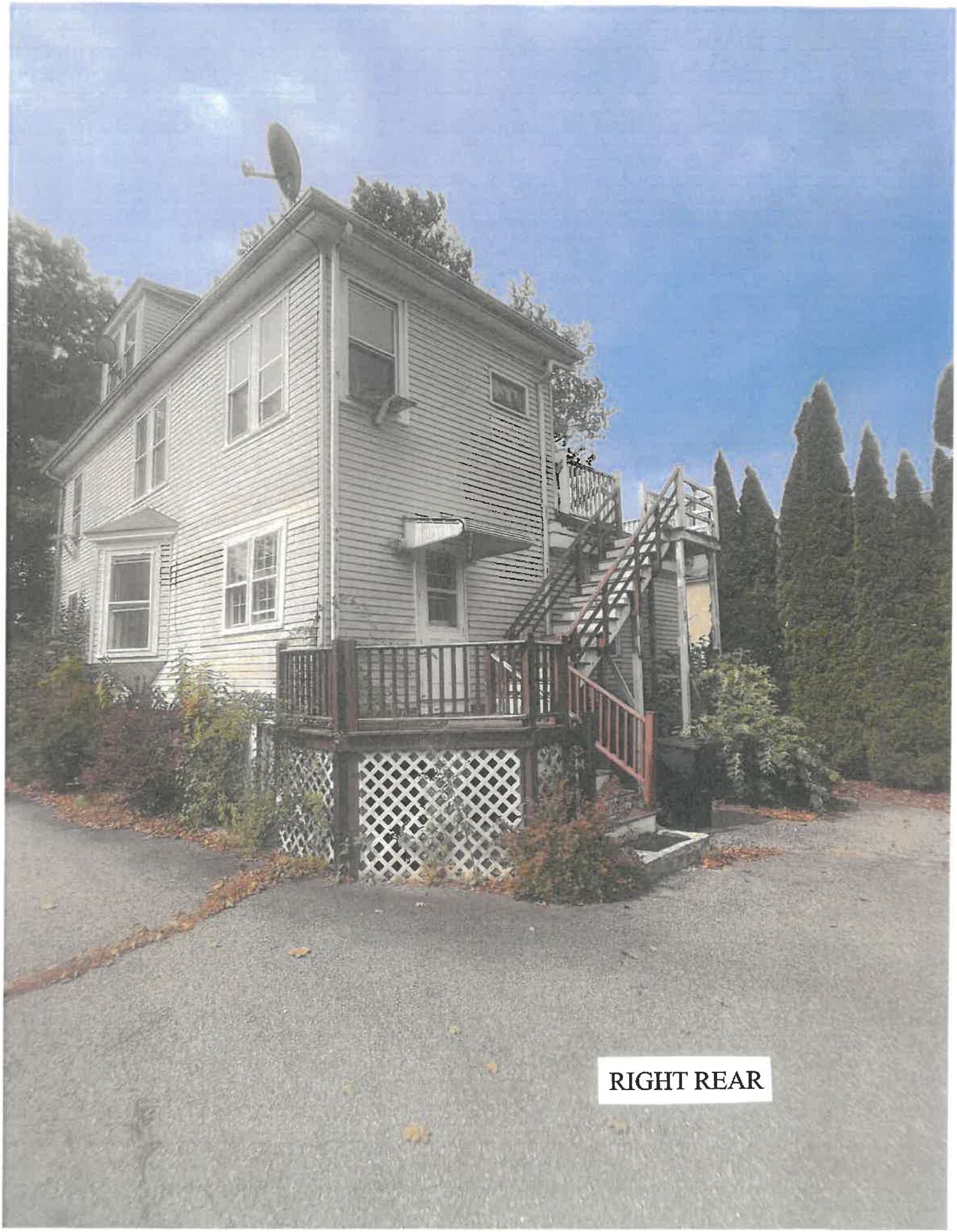
RED FOX ARCHITECTS

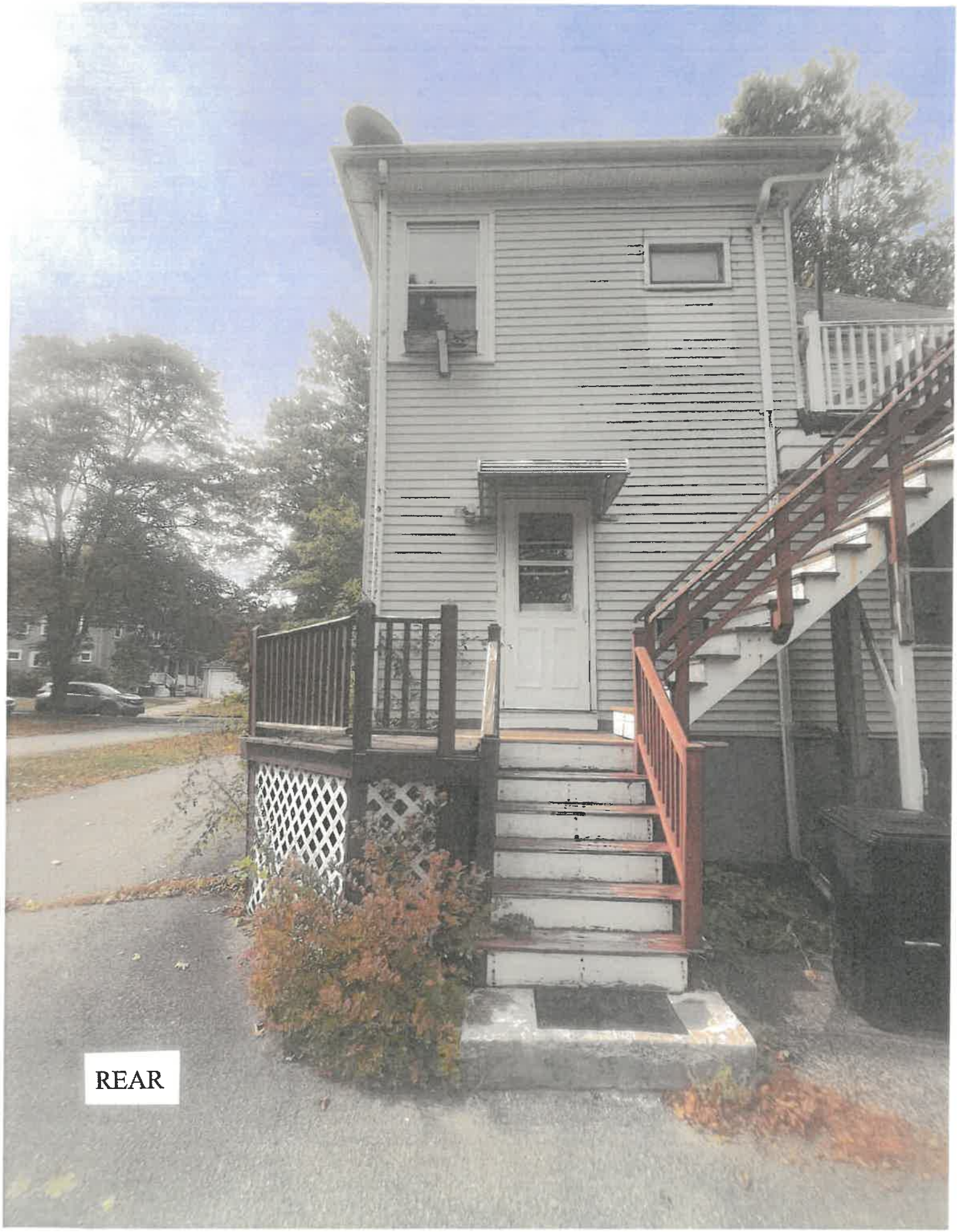
© 2025 Red Fox Architects
416 467 2495

ATTACHMENT 5


FRONT


RIGHT SIDE


RIGHT REAR


REAR

ATTACHMENT 6

City of Portsmouth, NH

October 21, 2026



Property Information

Property ID	0129-0042-0000
Location	197 RICHARDS AVE
Owner	CHRISTY EDWIN B REVOCABLE TRUST

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 09/15/2026

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

PROJECT INFORMATION

APPLICANT: BRIAN ZANESKI
4 ABLION LANE
WEST NEWBURY, MA 01985

ENGINEER: HALEY WARD
ATTN: DREW OLEHOWSKI, PE.
200 GRIFFIN ROAD, UNIT 14
PORTSMOUTH, NH 03801
603.430.9282

PARCEL INFORMATION

MAP / LOT: MAP 129 LOT 42
LOT AREA (SF): 10,325
DISTRICT: GENERAL RESIDENCE A DISTRICT (GRA)
EXISTING USE: RESIDENTIAL
FLOOD ZONE: PARTIALLY IN ZONE AE
WATER: CITY OF PORTSMOUTH DPW
SEWER: CITY OF PORTSMOUTH DPW
RECORD OWNER: CHRISTY EDWIN B. REVOCABLE TRUST

DIMENSIONAL REQUIREMENTS

	REQ'D	EXISTING STRUCTURE (FT)	PROPOSED STRUCTURE (FT)
MIN. LOT SIZE	7,500	10,325	10,325
MIN. LOT FRONTAGE	100	50	50
MIN. SETBACKS:			
FRONT YARD	15	3.0	119.5
SIDE YARDS	10	3.7	10.2
REAR YARD	20	142.7	35.6
MAX. BUILDING HEIGHT (SLOPED ROOF)	35	(2.5 STORY) 28.7	(3 STORY) 31.3
MAX. BUILDING HEIGHT (FLAT ROOF)	30	N/A	N/A
COVERAGES:			
MAX. BUILDING	25%	13.6%	24.6%
MIN. OPEN SPACE	30%	59%	39%

SITE DATA

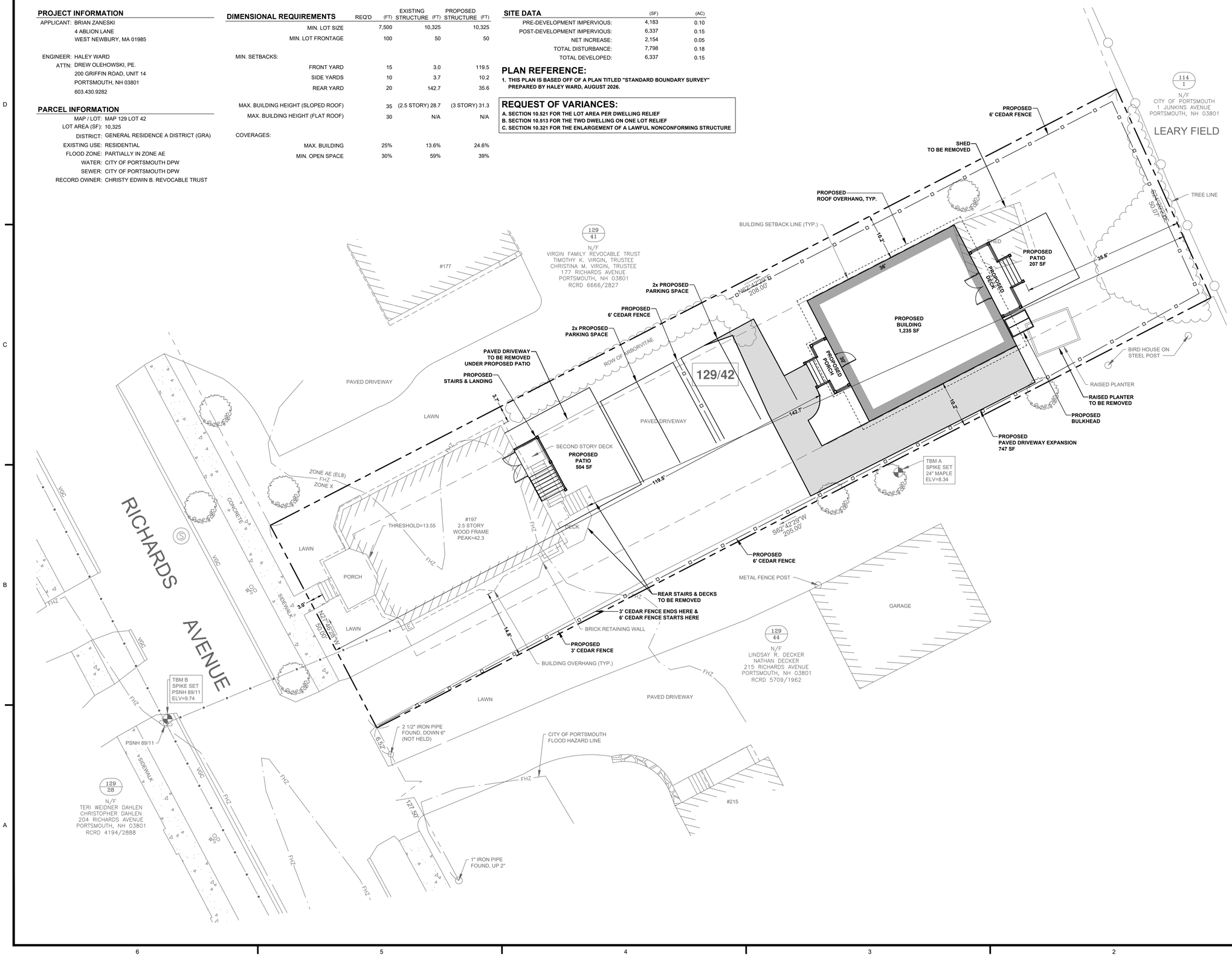
	(SF)	(AC)
PRE-DEVELOPMENT IMPERVIOUS:	4,183	0.10
POST-DEVELOPMENT IMPERVIOUS:	6,337	0.15
NET INCREASE:	2,154	0.05
TOTAL DISTURBANCE:	7,798	0.18
TOTAL DEVELOPED:	6,337	0.15

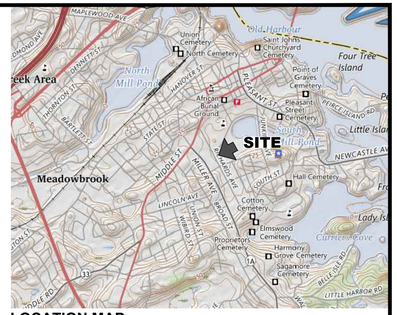
PLAN REFERENCE:

1. THIS PLAN IS BASED OFF OF A PLAN TITLED "STANDARD BOUNDARY SURVEY" PREPARED BY HALEY WARD, AUGUST 2026.

REQUEST OF VARIANCES:

A. SECTION 10.521 FOR THE LOT AREA PER DWELLING RELIEF
B. SECTION 10.513 FOR THE TWO DWELLING ON ONE LOT RELIEF
C. SECTION 10.321 FOR THE ENLARGEMENT OF A LAWFUL NONCONFORMING STRUCTURE





LOCATION MAP: USGS QUADRANGLE: PORTSMOUTH
MAPTECH® USGS TOPOGRAPHIC SERIES™,
©MAPTECH®, INC. 978-933-3000
WWW.MAPTECH.COM/TOPO
SCALE: 1"=2000'

LEGEND:

DESCRIPTION	EXISTING	PROPOSED
PROPERTY LINE		
BENCHMARK		
SURVEY STATION		
MANHOLE		
UTILITY POLE		
WELL		
WATER VALVE		
SIGN		
CATCH BASIN		
HYDRANT		
EDGE OF GRAVEL		
EDGE OF PAVEMENT		
MAJOR FOOT CONTOUR	100	100
MINOR FOOT CONTOUR	98	98
WATERLINE	W	W
STORM DRAIN	SD	SD
SANITARY SEWER	SS	SS
OVERHEAD UTILITIES		OHU
UNDERGROUND UTILITIES		UGU
CHAIN LINK FENCE	X	X
CEDAR FENCE		
SILT FENCE		SF
TREE LINE		
GRAVEL SURFACE		
PAVED SURFACE		

GRAPHIC SCALE

10 0 5 10 20 30
(IN FEET)
1 inch = 10 ft.

REV.	DATE	DESCRIPTION	BY	CHK.
0	2026.10.21	ZBA SUBMISSION	CBA	DJO

DRAWING ISSUE STATUS
ISSUED FOR PERMIT

HALEY WARD
WWW.HALEYWARD.COM
200 Griffin Rd. Unit 14
Portsmouth, NH 03801
603.430.9282

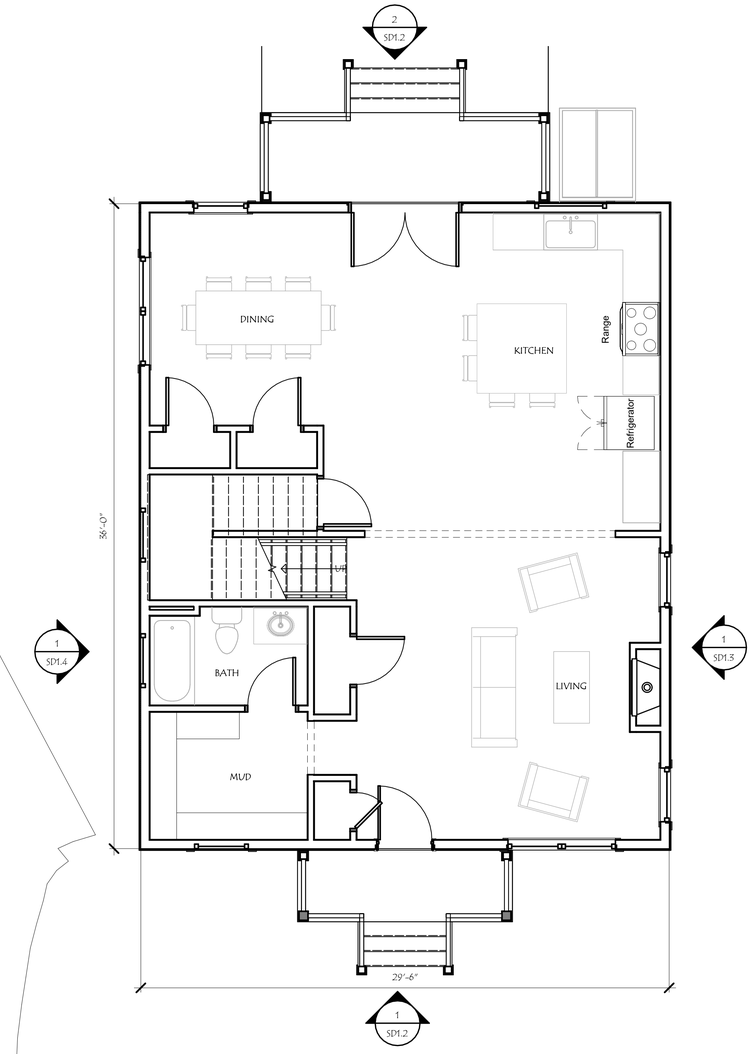
PROJECT
ZANESKI DEVELOPMENT
197 RICHARDS AVENUE, PORSTMOUTH, NH 03801

TITLE
VARIANCE PLAN

STATE OF NEW HAMPSHIRE
DREW JOHN OLEHOWSKI
No. 18515
LICENSED
PROFESSIONAL ENGINEER
10/21/2026

DATE	SCALE
2026.10.21	AS NOTED
DRAWN BY: CBA	DESIGNED BY: CBA
CHECKED BY: DJO	
PROJECT No.: 5010679.001	
DRAWING No.: C101	REV.: 0

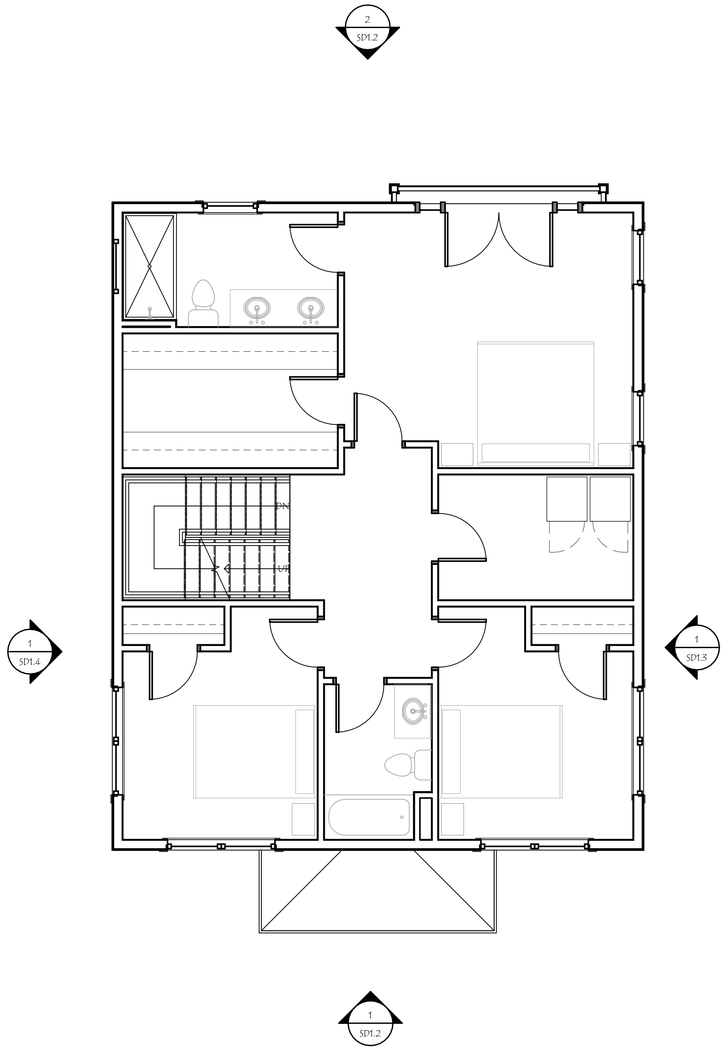
FILE LOCATION: P:\NH\5010679.BRIAN_ZANESKI\001-197 RICHARDS AVE., PORTSMOUTH\02-CAD_FILES\CIVIL\5010679.001-C-SP.DWG, 2026, 10:21, 11:34 AM



FIRST FLOOR SQUARE FOOTAGE: 992 SF

1 DETACHED LEVEL 1

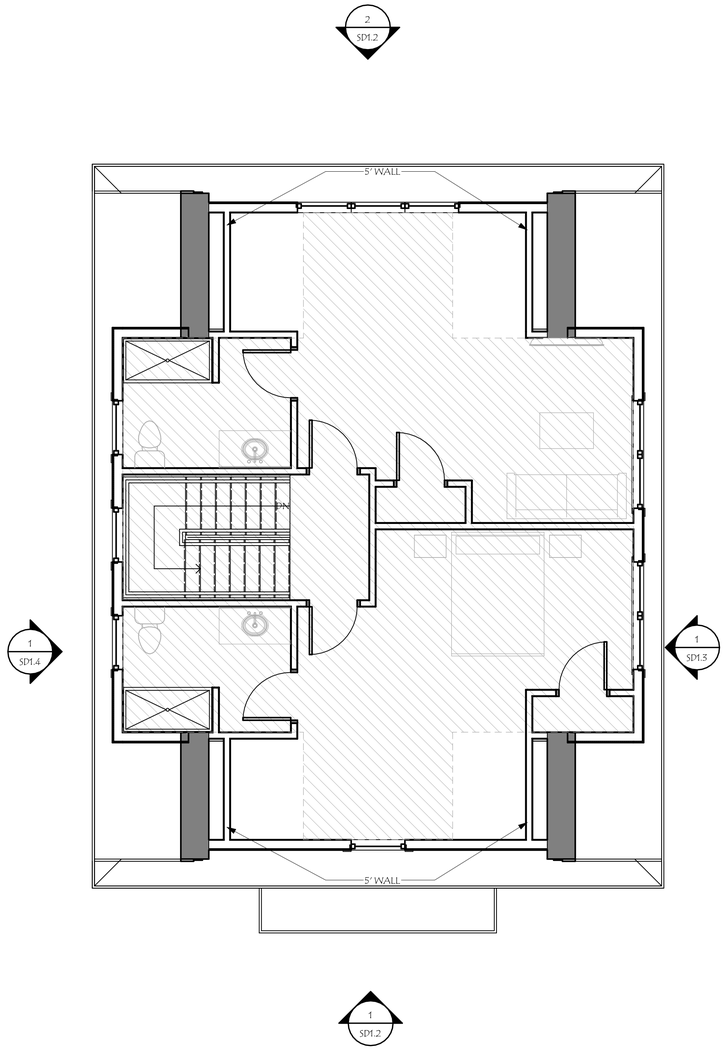
SCALE: 1/4" = 1'-0"



SECOND FLOOR SQUARE FOOTAGE: 992 SF

2 DETACHED LEVEL 2

SCALE: 1/4" = 1'-0"



FIRST FLOOR SQUARE FOOTAGE: 825 SF

3 DETACHED LEVEL 3

SCALE: 1/4" = 1'-0"

PROJECT NO. 26034

197 Richards Ave

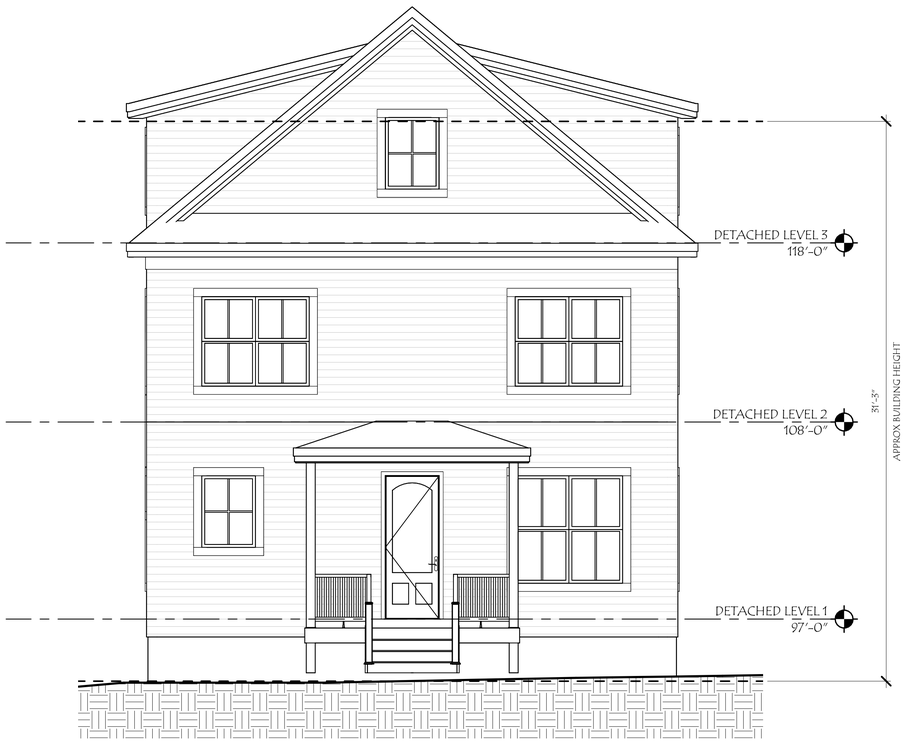
CONCEPT FLOOR PLANS

10/19/26

TOTAL GROSS FLOOR AREA: 2,809 SF

RED FOX ARCHITECTS

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PH: 603.441.2485



1 FRONT ELEVATION

SCALE: 1/4" = 1'-0"



2 REAR ELEVATION

SCALE: 1/4" = 1'-0"

PROJECT NO. 26034

197 Richards Ave

CONCEPT ELEVATIONS

10/19/26

RED FOX ARCHITECTS

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PH: 603.441.2485





SIDE ELEVATION RELATED TO EXISTING HOUSE

1

SCALE: 1/4" = 1'-0"

PROJECT NO. 26034

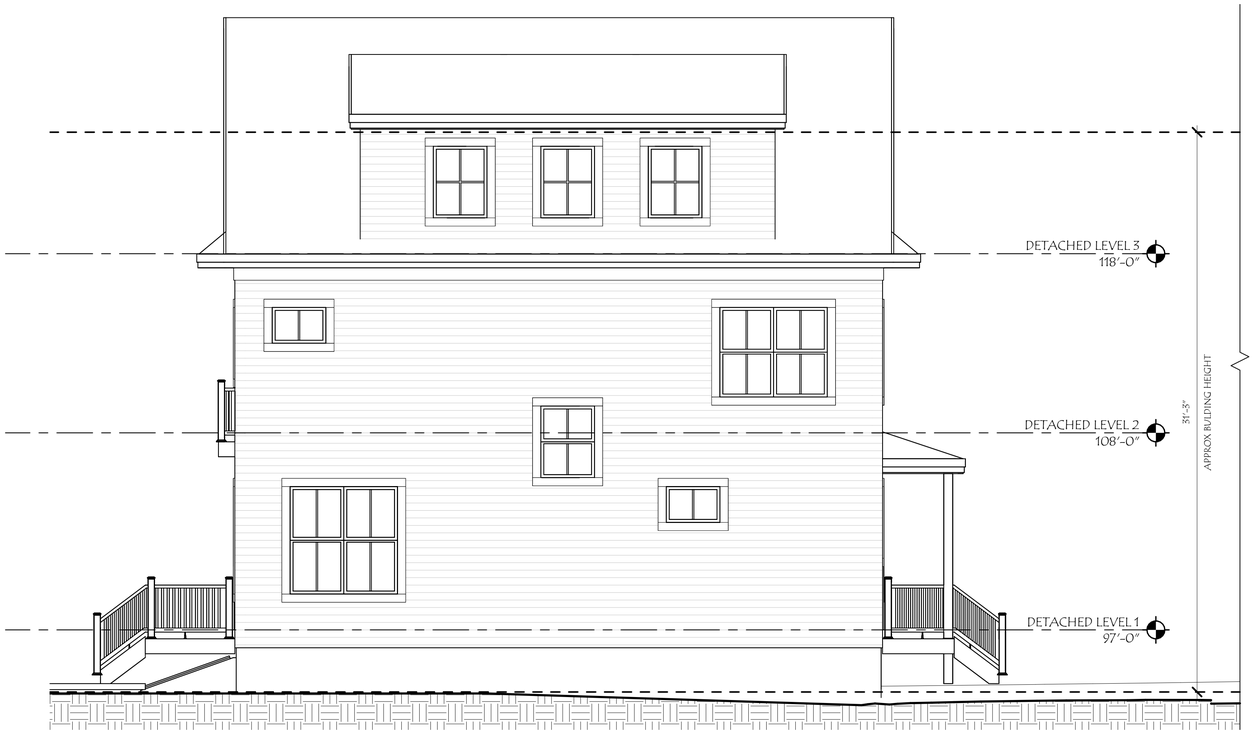
197 Richards Ave

CONCEPT ELEVATIONS

10/19/26

RED FOX ARCHITECTS

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PH: 603.441.2485



SIDE ELEVATION RELATED TO EXISTING HOUSE

1

SCALE: 1/4" = 1'-0"



PROJECT NO. 26034

197 Richards Ave

CONCEPT ELEVATIONS

10/19/26

RED FOX ARCHITECTS

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PH: 603.441.2485

I. NEW BUSINESS

C. The request of J**ohn Michael Jr. and Natalie Murphy (Owners),** for property located at **175 Middle Road** whereas relief is needed to demolish and construct a landing to and infill and reconfigure a portion of the rear deck which requires the following: 1) Variance from Section 10.521 to allow for 37% building coverage where 20% maximum is allowed. Said property is located on Assessor Map 168 Lot 16 and lies within the Single Residence B (SRB) District. (LU-26-136)

Planning Department Comments

The applicant has postponed to December due to the number of voting Board members present.

Letter to Zoning Board of Adjustment

To whom it may concern,

It has come to our attention that the supplementary zoning board meeting scheduled for 11/24/26 will not be staffed with the quantity of members as is typical. As a result we are electing to postpone our presentation until the following meeting scheduled for 12/15/26.

Thank you,

Austin Hall
Cedar & Salt Homes, LLC

I. NEW BUSINESS

D. The request of **Adam Ryan** and **Katherine Kaplan (Owners),** for property located at **19 Coakley Road** whereas relief is needed to construct walls and conditioned area for the conversion of the carport into living space which requires the following: 1) Variance from Section 10.521 for a rear yard of 12.5 feet where 30 feet is required. Said property is located on Assessor Map 234 Lot 31 and lies within the Single Residence B (SRB) District. (LU-26-134)

Existing & Proposed Conditions

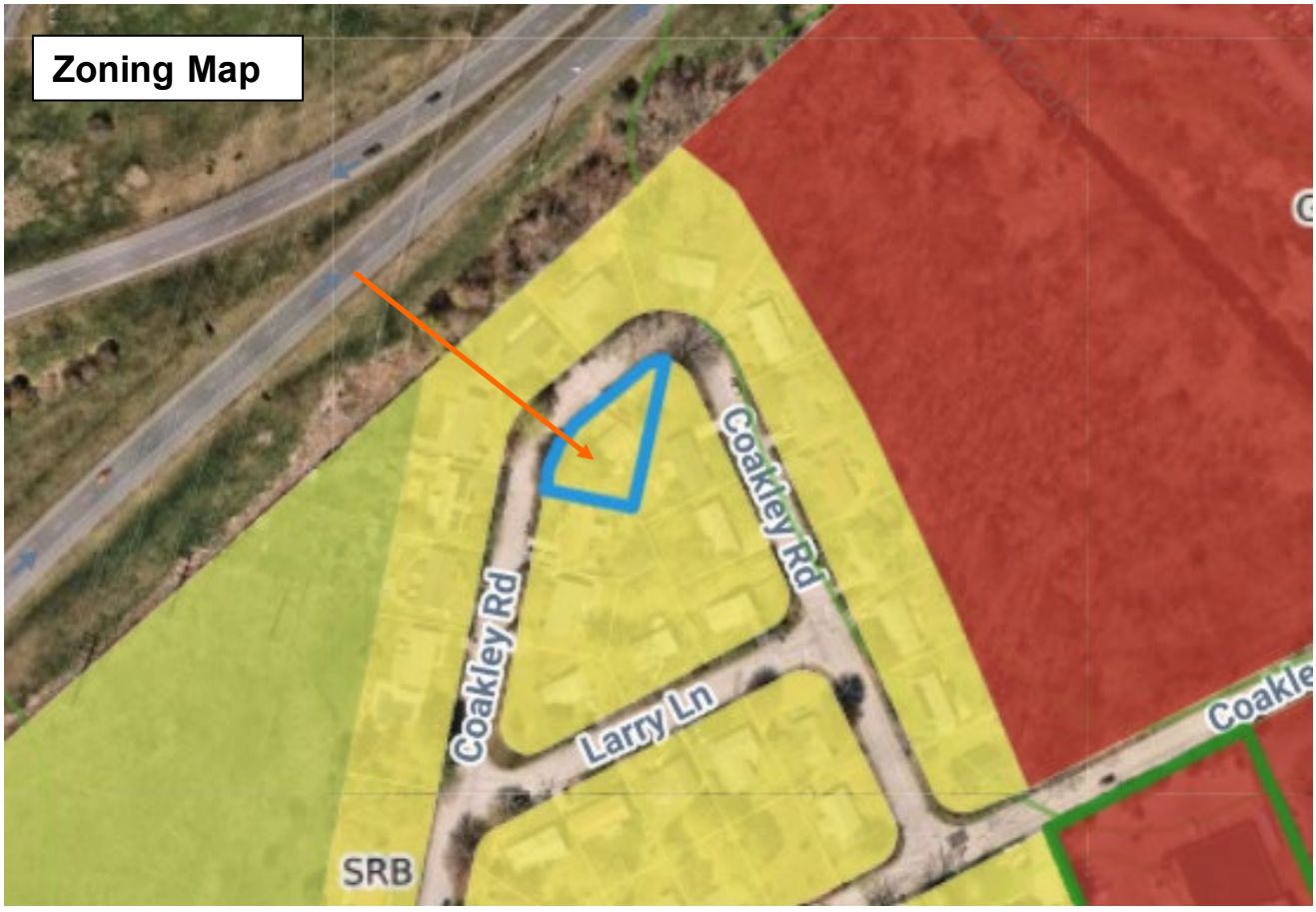
	Existing	Proposed	Permitted/ Required	
Land Use:	Single-family Residential	Convert the existing carport to living area	Primarily residential	
Lot area (sq. ft.):	9,149	9,179	15,000	min.
Lot Area per Dwelling Unit (sq. ft.):	9,149	9,179	15,000	min.
Front Yard (ft.):	35	35	30	min.
Right Yard (ft.):	>10	>10	10	min.
Left Yard (ft.):	>10	>10	10	min.
Rear Yard (ft.):	12.5	12.5	30	min.
Height (ft.):	12.65	12.65	35	max.
Building Coverage (%):	16	16	20	max.
Open Space Coverage (%):	74	74	40	min.
Estimated Age of Structure:	1956	Variance request(s) shown in red.		

Other Permits/Approvals Required

- Building Permit

Neighborhood Context





Previous Board of Adjustment Actions

No previous history found.

Planning Department Comments

The applicant is proposing to enclose the existing carport to create additional living space. The project includes construction of conditioned space in the rear yard which triggers the need for a variance. Staff have used the Board's most recent interpretation of rear yard on a corner lot (in relation to 58 Humphrey's Ct) to determine which yard is the rear.

Variance Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
   (a) The property has special conditions that distinguish it from other properties in the area.
   AND
   (b) Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one.
   OR
   Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

19 Coakley Road carport enclosure

Variance application supporting statement 20 October 2026

Adam Kaplan | 19 Coakley Road, Portsmouth, New Hampshire
Project BLDG-26-668 | Single Residence B district
The following statement addresses the five variance criteria in Section 10.233.

Project and requested relief

I request setback relief under Section 10.521 to enclose the attached carport at 19 Coakley Road as a mudroom, pantry and usable interior space connected to the house. The enclosure measures 12 ft by 24 ft outside wall to outside wall, or 288 sq. ft. Existing posts define a 12 ft by 22 ft rectangle. The front wall extends 2 ft forward of the front post beneath the retained roof, reducing that overhang from 30 inches to 6 inches. The request concerns the carport location at the rear/right corner of the house and the wall positions shown in the accompanying exhibits.

Planning staff has advised that Section 10.320 applies even with the existing roof retained. I am therefore requesting relief for the enclosure rather than treating the roof as eliminating the variance requirement.

Public interest

The project replaces the open carport with a finished residential exterior beneath the existing roof. In my view, closing the open face will improve the appearance of the house and screen the kind of vehicles, yard equipment and household storage that an open carport exposes. The roof is retained, and the building-coverage increase is 24 sq. ft., from 15.56% to 15.83% of the lot. I believe this limited conversion supports the public interest by improving an existing home without extending its roof farther into the yard.

Spirit of the ordinance

I believe the proposal respects the yard provisions' purposes concerning light, air, privacy and access. The roof remains without extension or an increase in its modeled height, and the new walls stay beneath it. This retains the roof profile affecting light and air. Solid walls replace open bays, with the proposed window and door positions shown in the views. The site information documents 35 ft to the proposed front wall, an 18-ft driveway width and 12 ft 6 in from the rear/right corner to the angled boundary. These separations and the proposed openings are the basis for considering privacy and access on this particular site.

Substantial justice

The conversion would provide useful mudroom, pantry and interior space directly connected to our home. Our family has outgrown the original two-bedroom, one-bath layout, and this project would help us remain in the neighborhood while making the home more useful to future families. Denial would prevent this full enclosure in the proposed location while leaving the existing house and carport arrangement in place. I believe the benefit of adapting the already-covered space, weighed against the actual effects shown in the plans and photographs, supports substantial justice.

Variance criteria continued

Surrounding property values

The proposal retains the existing roof and adds a finished exterior with vinyl siding, residential windows and doors. I have observed many carport conversions in the neighborhood, including the adjoining neighbor's, so this type of finished exterior is familiar in the surrounding residential setting. I also plan to improve insulation, including above the ceiling, where I understand insulation is currently absent. Based on the finished appearance and planned improvements, I believe the project will make the home more desirable and will not diminish surrounding property values.

Unnecessary hardship

The property’s irregular shape and angled boundary, together with the existing placement of the house and attached carport, constrain the area available for this enclosure. The proposal adapts the existing roofed space directly adjoining the house for a mudroom and pantry, retaining the roof rather than extending it farther into the yard.

Requiring the enclosure to meet the full yard requirement would reduce or reconfigure this existing covered space. A separate addition elsewhere would involve a different location and roof arrangement; we have not established whether such an alternative would conform. Given the retained roof, limited 24-square-foot increase in building coverage and documented separations, I believe strict application of the yard requirement to this enclosure bears no fair and substantial relationship to its purposes concerning light, air, privacy and access. The proposed residential use is a reasonable adaptation of these particular property conditions.

Current Portsmouth Zoning Ordinance, amended through 28 September 2026: Sections 10.121, 10.233, 10.320, 10.521 and 10.1530. https://files.portsmouthnh.gov/files/planning/ZoningOrd.pdf

Building coverage and area schedule

The existing carport area is 12 by 22 ft, or 264 sq. ft. The proposed outside-wall enclosure is 12 by 24 ft, or 288 sq. ft. The front 2-by-12-ft strip was excluded from the original carport area calculation and is included in the proposed enclosure.

Component	Existing	Proposed
House footprint	968 sq. ft.	968 sq. ft.
Carport or enclosure	264 sq. ft.	288 sq. ft.
Shed	192 sq. ft.	192 sq. ft.
Total building coverage	1,424 sq. ft.	1,448 sq. ft.
Coverage on 9,149 sq. ft.	15.56%	15.83%

Lot area is 9,149 sq. ft. The house footprint remains 968 sq. ft., and the existing 12-by-16-ft shed remains 192 sq. ft.

Building coverage increases by 24 sq. ft. Existing coverage is 968 + 264 + 192 = 1,424 sq. ft. (15.56%). Proposed coverage is 968 + 288 + 192 = 1,448 sq. ft. (15.83%).

Proposed lot areas

Buildings 1,448 sq. ft.; deck 176 sq. ft.; driveway 733 sq. ft.; open space 6,792 sq. ft. Total 9,149 sq. ft.

Assessor area record

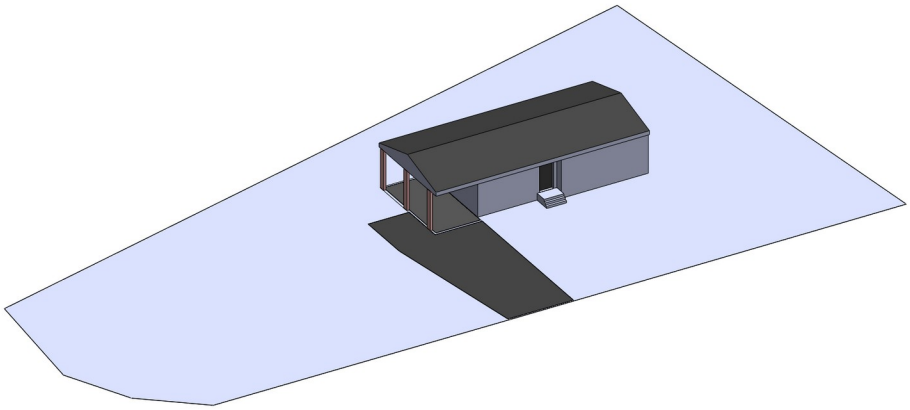
The assessor-reported existing total is 2,376 sq. ft.: 968 main floor + 264 carport + 968 unfinished basement + 176 wood deck. The house is unchanged. The carport component increases from 264 to 288 sq. ft. This record is assessor area, distinct from zoning gross floor area.

Existing and proposed model comparison

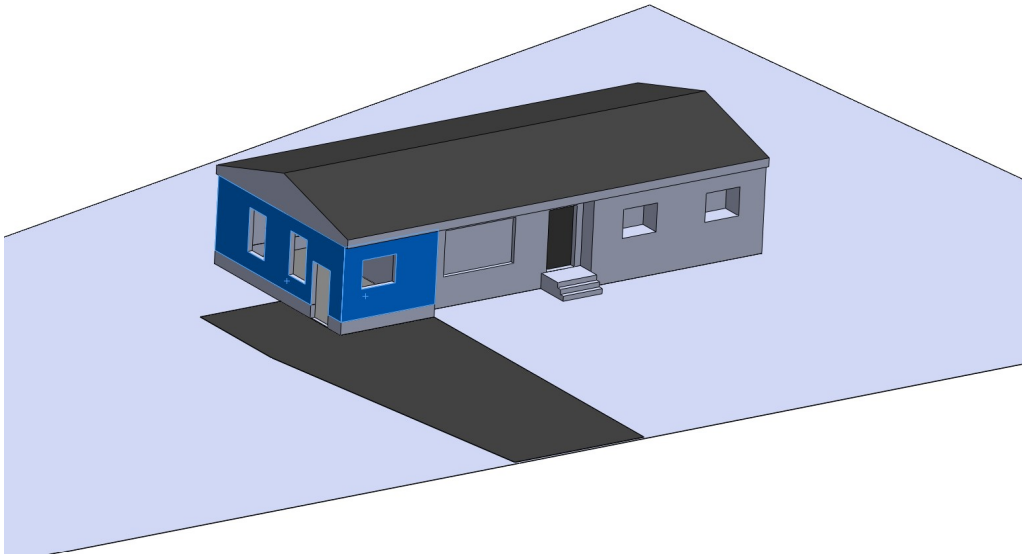
Existing and proposed models 20 October 2026

The proposed enclosure and openings remain below the retained roof. Perspective views are not to scale.

Existing open carport



Proposed enclosure



Dimensions: eaves 11 ft; peak 14.33 ft; existing posts 9 ft tall; maximum eave width 25 ft. Proposed enclosure outside walls: 12 by 24 ft.

The existing roof is retained without extension or increase in height.

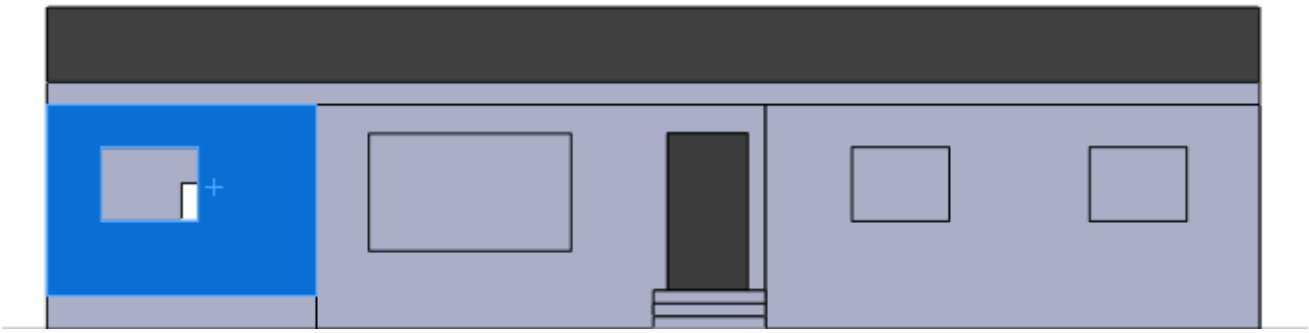
Site dimensions: 12 ft 6 in to the angled lot line; 37 ft to the existing front post and 35 ft to the proposed wall. Two cars are parked side by side in the existing 18-ft-wide driveway.

Proposed exterior views

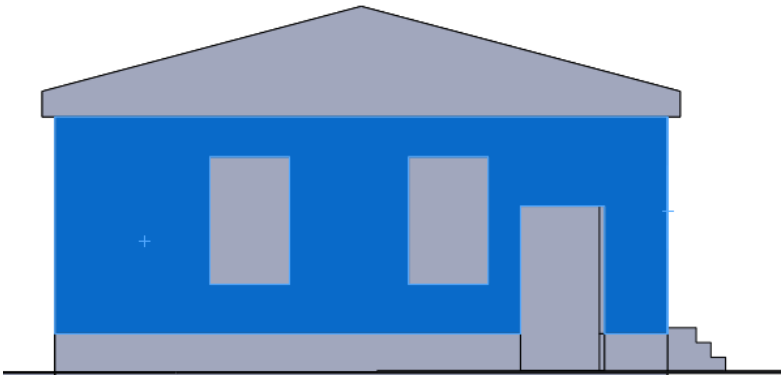
Front side and rear 20 October 2026

Model views are not to scale. Stated dimensions govern.

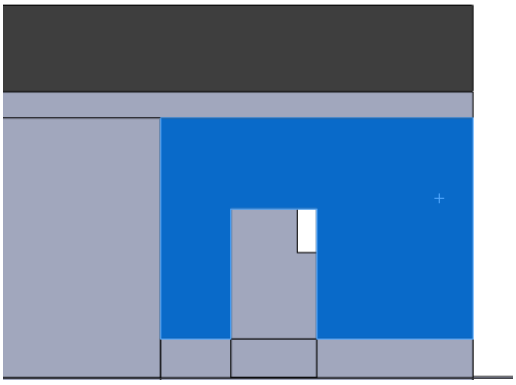
Front view Window rough opening 52 by 40 inches



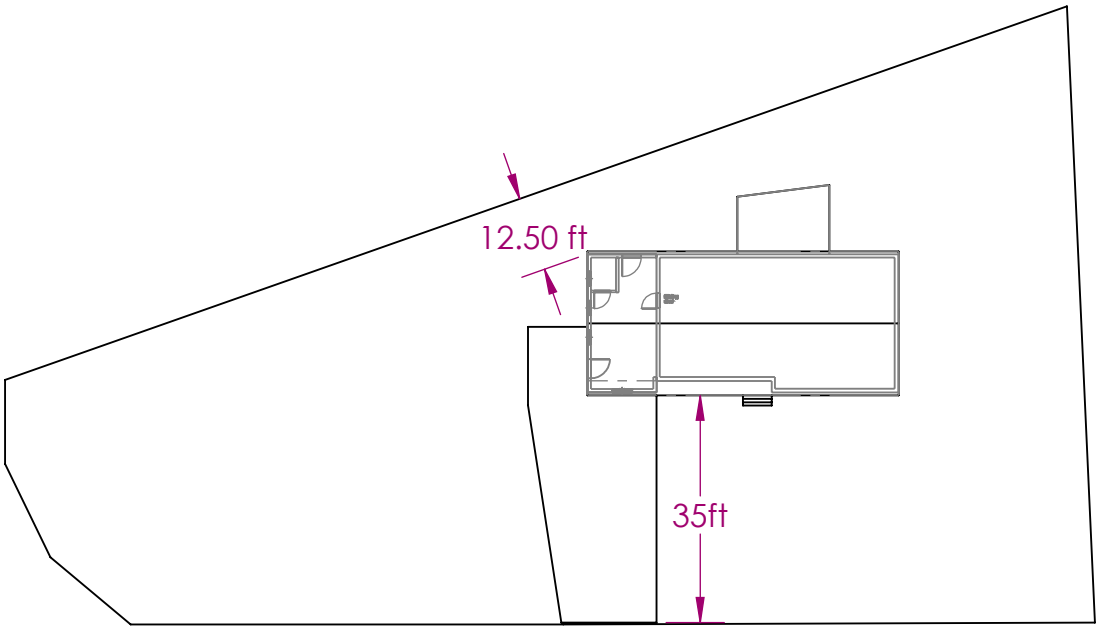
Side gable end Two windows each 37.5 inches wide by 60 inches high



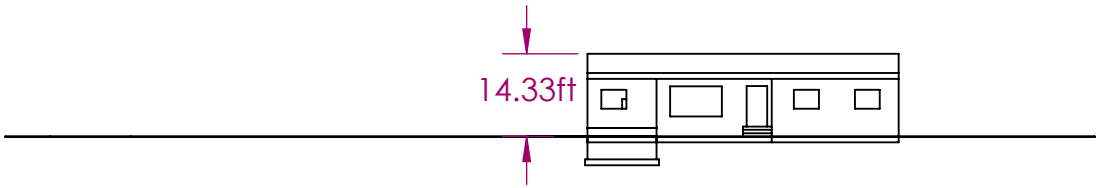
Rear enclosure detail

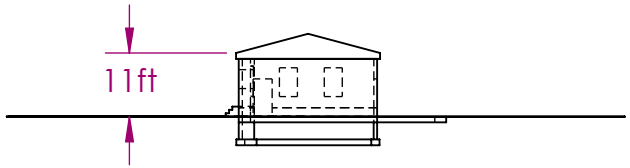


Window dimensions are rough openings. The dimensioned site plan and front and end elevations are included on the accompanying Letter landscape drawing.









		UNLESS OTHERWISE SPECIFIED:		NAME	DATE
		DIMENSIONS ARE IN INCHES TOLERANCES: FRACTIONAL ± ANGULAR: MACH ± BEND ± TWO PLACE DECIMAL ± THREE PLACE DECIMAL ±	DRAWN	AK 10/20/26	
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			ENG APPR.		
			MFG APPR.		
		INTERPRET GEOMETRIC TOLERANCING PER:	Q.A.		
		MATERIAL	COMMENTS:		
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APPLICATION		DO NOT SCALE DRAWING			

TITLE:

Proposed_Enclosure_Foundation

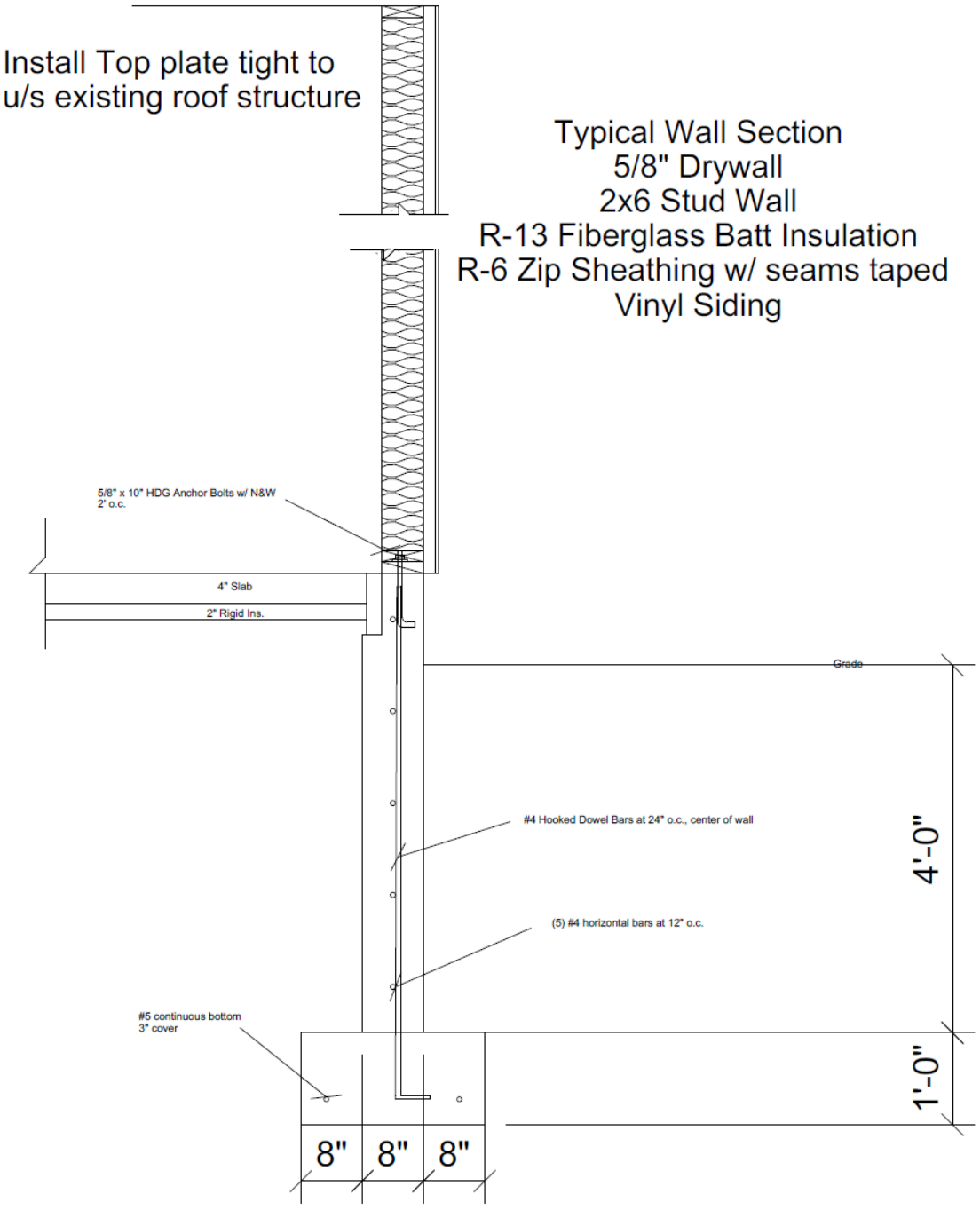
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PROPRIETARY AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF <INSERT COMPANY NAME HERE>. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF <INSERT COMPANY NAME HERE> IS PROHIBITED.

BLDG-26-668 | 19 Coakley Rd, Portsmouth NH 03801 – Adam & Kate Kaplan

Construction detail drawing

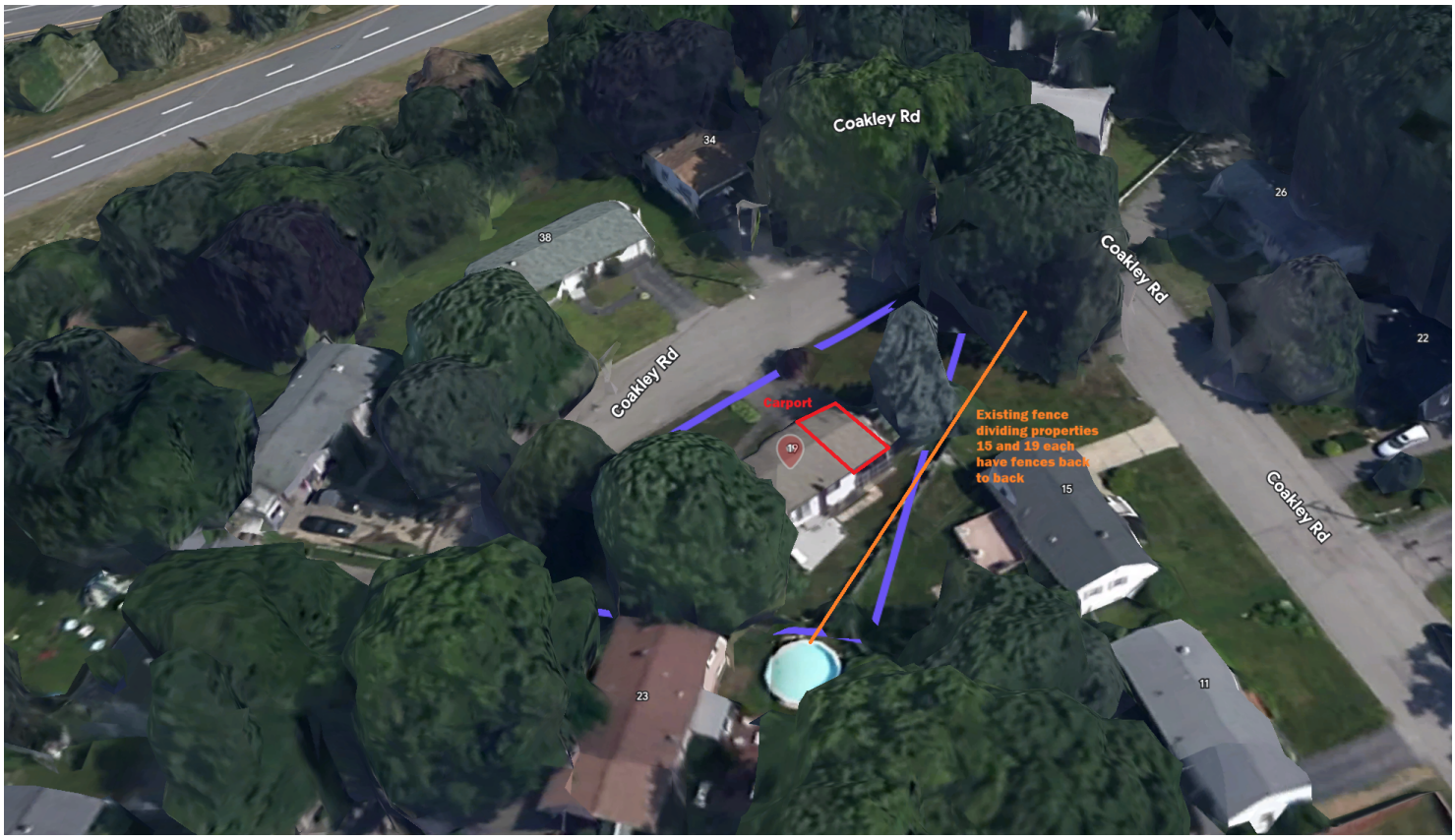


Typical New Exterior Wall Section

19 Coakley Road site photographs

BLDG-26-668 | 19 Coakley Road, Portsmouth, NH

A. Google Maps 3D context



Contextual imagery, not a survey. Existing image labels are part of the supplied source.

B. Site photograph 1



Carport and adjacent house exterior.

19Coakley_Carport.webp

C. Site photograph 2



House, deck and carport-side exterior.

19Coakley_Carport2.webp

I. NEW BUSINESS

E. POSTPONED TO DECEMBER The request of **350 Hanover Street Portsmouth LLC (Owner),** for property located at **350 Hanover Street** whereas relief is needed to demolish the rear addition, construct a garage addition and renovate the existing structure, which requires the following: 1) Variance from Section 10.5A41.10A for a building coverage of 65% where 60% is allowed; and 2) Variance from Section 10.321 to allow a nonconforming building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 126 Lot 29 and lies within the Character District 4-L1 (CD4-L1) District. **POSTPONED TO DECEMBER** (LU-26-141)

Planning Department Comments

The applicant has postponed to the December meeting.

DURBIN LAW

Derek R. Durbin, Esq.
603.287.4764
derek@durbinlawoffices.com

November 17, 2026

Via Viewpoint & Hand Delivery
City of Portsmouth
Attn: Stefanie Casella, Planner
Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

RE: Variance Application of 350 Hanover Street LLC
350 Hanover Street, Tax Map 126, Lot 29

Dear Stefanie,

Please accept this letter as the Applicant's formal request for a one-month postponement of the above-referenced variance application currently pending before the Zoning Board of Adjustment scheduled for November 24, 2026.

The Applicant is requesting this postponement to allow sufficient time to revise its plan set per the Planning Department's request. This may result in modifications to the variance relief being sought.

A copy of this letter will also be delivered to the Planning Department today.

Thank you for your consideration of this request. Please do not hesitate to contact me should you have any questions or require additional information.

Sincerely,

Derek R. Durbin

Derek R. Durbin, Esq.

III. NEW BUSINESS

F. POSTPONED TO DECEMBER The request of **Shiembob E & B Family Living Trust (Owner),** for property located at **635 Lincoln Avenue** whereas relief is needed to demolish the existing garage and subdivide the property into two lots which requires the following: 1) Variance from Section 10.521 to allow a) 7,046 square feet of lot area for Lot B where 7,500 are allowed, b) 63 feet of continuous frontage for Lot A and 39 feet of continuous frontage for Lot B where 100 feet are required, and c) a 5 foot left side yard on Lot A for the existing house where 10 feet are required. Said property is located on Assessor Map 148 Lot 38 and lies within the General Residence A (GRA) and Historic Districts. **POSTPONED TO DECEMBER** (LU-26-142)

Planning Department Comments

The applicant has postponed to December due to the number of voting Board members present.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC
ATTORNEYS AT LAW
127 Parrott Avenue | Portsmouth, NH, 03801
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

November 16, 2026

HAND DELIVERED

Stefanie Casella, Planner II
City of Portsmouth
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: E& B Shiembob Family Living Trust
Edward H. & Barbara K. Shiembob/Owner/Applicant
635 Lincoln Avenue
Tax Map 148/Lot 38
General Residence A District/Historic Overlay District

Dear Ms. Casella:

This matter is scheduled to be heard before the City of Portsmouth Zoning Board of Adjustment ("ZBA") on November 24, 2026. We understand that only four members of the ZBA are available for the scheduled meeting.

Accordingly, we respectfully request the Application for Variance Relief be continued to the December 15, 2026 meeting.

Very truly yours,

R. Timothy Phoenix
Monica F. Kieser

cc: Edward & Barbara Shiembob (email)
TF Moran (email)

DANIEL C. HOEFLE | ALEC L. MCEACHERN | PETER V. DOYLE | MATTHEW J. COWAN
R. TIMOTHY PHOENIX | KEVIN M. BAUM | MONICA F. KIESER | STEPHEN H. ROBERTS In Memoriam
LAWRENCE B. GORMLEY | JACOB J.B. MARVELLEY | CHRISTOPHER P. MULLIGAN | OF COUNSEL:
R. PETER TAYLOR | GREGORY D. ROBBINS | STEPHANIE J. JOHNSON | SAMUEL REID & JOHN AHLGREN