

Introduction

Kent and Jennifer Bonniwell (collectively, the “Applicant”) are the owners of property situated at 332 Hanover Street (Tax Map 126, Lot 43). The property is situated in the CD4-L1 Character District. The lot is situated at the corners of Hanover Street/Parker Street and Parker Street/Tanner Court, and thus is surrounded on three sides by public roads. The existing property is approximately 4,334 square feet and currently maintains a single-family dwelling that fronts along the northerly (Hanover Street) portion of the lot. A shed and parking area with four parking spaces are situated on the southerly (Tanner Court) side of the lot. Lawn and a few landscaping beds occupy the westerly (Park Street) portion of the parcel.

As shown on the enclosed plans, the Applicant proposes to remove the existing single-family dwelling and shed and construct a new two-family dwelling and associated parking area. The proposed building will occupy the bulk of land running along Hanover Street and Parker Street and much of the interior of the lot. The Applicant proposes to maintain most of the existing parking area along Tanner Court, but by removing the shed and reconfiguring the parking area around the proposed building, the Applicant is able to pick up two additional parking spaces (from four existing to six proposed). The easterly portion of the parking area will consist of pervious material and the westerly portion will consist of pervious pavers.

In connection with the proposed redevelopment of the site, the following three variances are required from the terms of the CD4-L1 Character District dimensional requirements contained in Article 5A of the zoning ordinance:

First, the CD4-L1 Character District requires 3,000 square feet of minimum lot area per dwelling unit. The Applicant requests a variance from Article 5A of the zoning ordinance to permit two dwelling units on a lot having 4,334 square feet where 6,000 square feet is required (i.e., providing 2,167 square feet per unit where 3,000 square feet per unit is required).

Second, the CD4-L1 Character District requires a maximum secondary front yard of no less than 12 feet. The Applicant requests a variance from Article 5A of the zoning ordinance to permit the new two-family dwelling to maintain 17.4 feet of non-building area between its southerly edge and southerly lot line along Tanner Court, primarily to maintain sufficient parking to support the proposed two-family dwelling.

Third, the CD4-L1 Character District requires that the finished ground floor surfaces above sidewalk grade shall be no greater than three feet. Due to the natural grade and topography running along Hanover Street (the existing dwelling’s finished ground floor surface above sidewalk grade is 6.2 feet), the Applicant requests a variance from Article 5A of the zoning ordinance to permit the new two-family dwelling to maintain a finished ground floor surface 6.3 feet above sidewalk grade.

For the reasons set forth below, the Applicant submits that the five variance criteria are satisfied and requests that the Board grant the variances.

1 & 2. Granting the variances will not be contrary to the public interest and will be consistent with the spirit of the ordinance.

For a variance to be contrary to the public interest, the proposal has to conflict with the ordinance so much that it violates the ordinance's basic zoning objectives. See Farrar v. City of Keene, 158 N.H. 684 (2009). The relevant tests are (1) whether the proposal will alter the essential character of the neighborhood; and (2) whether it threatens the public health, safety or welfare. Id. Because it is in the public's interest to uphold the spirit of the ordinance, the Supreme Court has held that these two criteria are related. Id. If you meet one test you almost certainly meet the other. Id. As such, the Applicant addresses these two criteria together.

Granting the variance will not alter the essential character of the area. While a variance is required for the secondary front yard from Tanner Street, that area is being reserved for parking in order to support the proposed two-family dwelling and reduce the burden on nearby on-street parking, which has been and continues to be an issue in the neighborhood. While only three parking spaces are required, the Applicant has proposed six spaces in order to support the two-family dwelling and ensure the additional unit does not contribute to existing on-street parking congestion in the area. Further, the Applicant is proposing to build along most of Hanover Street and Parker Street where the lot is currently grass and landscaping, which is consistent with the purpose of the CD4-L1 Character District in order to activate the sidewalks and facilitate a dense character-based urban environment. By expanding the building area in these areas, the Applicant is actually eliminating nonconformities as it relates to front and secondary front setbacks along Hanover Street and Parker Street. Indeed, a front lot line buildout between 60% and 80% is required on the site, and the Applicant's proposal will bring this buildout from 43.5% existing to 77.49% proposed, eliminating the existing front lot line buildout nonconformity on the lot. Additionally, a side setback between 5 feet and 20 feet is required on the site, and the Applicant is proposing to build the two-family dwelling 7.7 feet from the easterly side lot line abutting 324 Hanover Street where a 1.2-foot setback presently exists, thereby eliminating that nonconformity and allowing for more light and air to the neighbor's property.

Due to the natural grade change that slopes downgrade from Tanner Court toward Hanover Street, the new two-family dwelling must maintain a finished ground floor surface more than three feet above sidewalk grade, but the proposed 6.3 feet is consistent with existing conditions on the site and does not detract from the optimal character of the area. As a result of this natural topography, most other lots in this area fronting along the southerly edge of Hanover Street have finished ground floor surfaces in excess of three feet above sidewalk grade. The natural grade change is further demonstrated by the fact that the finished ground floor elevation would be conforming if measured based upon the average grade of the lot, which is the benchmark for calculating maximum building height

because both the existing and proposed finished ground floor elevations are under the three-foot maximum at 1.5 feet and 1.6 feet, respectively.

While a density variance is required to allow two dwellings, granting the variance will not alter the character of the area because two-family dwellings are an allowed and encouraged use on this site and the property is larger than many other properties in the area, so there will not be any undue overcrowding or congestion. In fact, as shown on the Neighborhood Density analysis contained on sheet A2 of the McHenry Architecture plans enclosed herewith, of the 33 nearby properties analyzed, only one is conforming to current density requirements. The Applicant proposes to provide 2,167 square feet per unit, which is more than 20 of these 33 nearby properties provide. Further, of the 33 properties analyzed, six of them are two-family dwellings, but none of those six provide more than 2,000 square feet per unit – the largest provides 1,961 square feet and the smallest provides 872 square feet.

Accordingly, granting the variances will not alter the essential character of the area. Further, there will be no adverse impact or injury to any public rights if the variances are granted. Therefore, granting the variances would not be contrary to the public interest and will be consistent with the spirit of the zoning ordinance.

3. Granting the variances would do substantial justice.

The Supreme Court has held that measuring substantial justice requires balancing public and private rights. “Perhaps the only guiding rule is that any loss to the individual that is not outweighed by a gain to the general public is an injustice.” Harborside Assocs., L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508, 515 (2011). There is no injury to the public if the variances are granted. There is no gain to the public if the variances are denied. There is only loss to the Applicant if the variances are denied. Therefore, when balancing public and private rights, the loss to the Applicant if the variances are denied outweighs any loss or injury to the public if the variances are granted. Further, for the reasons discussed above and below, the proposed two-family dwelling is “appropriate for the area”. Granting variances for requests that are appropriate for the area does substantial justice. See U-Haul Co. of New Hampshire & Vermont v. City of Concord, 122 N.H. 910, 913 (1982). Therefore, granting the variances would do substantial justice.

4. The values of surrounding properties will not be diminished.

If the variances are granted, the lot will remain consistent with the character of the other lots in the neighborhood such that there will be no adverse effect on surrounding property values. Maintaining sufficient parking to support the two-family dwelling will ensure that other lots in the area are not impacted by the addition of a new unit on the site. Two-family dwellings are permitted by right in the underlying district, and it is presumed that permitted uses do not devalue surrounding property values. The new two-family dwelling must maintain a finished ground floor surface above sidewalk grade above three feet, but this is consistent with existing conditions on and around the site along Hanover

Street and does not detract from the optimal character of the area. Therefore, surrounding property values will not be diminished.

5. Unnecessary hardship.

Unnecessary hardship will be found when the subject property has special conditions or circumstances that distinguish it from other properties in the area and (1) there is no fair and substantial relationship between the purpose of the ordinance and the specific application of the ordinance as applied to the property; and (2) the proposed use is reasonable. See RSA 674:33. This property is distinguishable from other properties in the area. As discussed above, this lot is larger than other lots in the area, and thus it is particularly well suited for a two-family dwelling. It also maintains a sizeable parking area in the vicinity of the proposed parking area that is sufficient to support a two-family dwelling. It even maintains these unique features notwithstanding the fact that it is sandwiched between three public streets, unlike the majority of other lots in the area.

Owing to these special conditions, among others, relative to other properties in the area, there is no fair and substantial relationship between the purpose of the zoning ordinance's subject requirements and their application here. As discussed above, while a variance is required for the secondary front yard from Tanner Street, that area is being reserved for parking in order to support the proposed two-family dwelling and reduce the burden on nearby on-street parking. The Applicant is proposing to build along most of Hanover Street and Parker Street where the lot is currently grass and landscaping, which is consistent with the purpose of the CD4-L1 Character District in order to activate the sidewalks and facilitate a dense character-based urban environment, and will eliminate nonconformities as it relates to front and secondary front setbacks along Hanover Street and Parker Street, and the side setback abutting 334 Hanover Street. The proposed dwelling must maintain a finished ground floor surface more than three feet above sidewalk grade, but this is consistent with existing conditions on and around the site along Hanover Street and does not detract from the character of the area. Again, notably, the proposed finished ground floor elevation would be conforming at 1.6 feet if measured based upon the average grade of the lot rather than at the lot line abutting the Hanover Street sidewalk. Two-family dwellings are an allowed and encouraged use on this site and the property is larger than many other properties in the area, so there will not be any overcrowding or congestion – the parcel will provide more square footage per unit than the six other two-family dwelling lots in the area.

In other words, notwithstanding strict application of the restrictions in the zoning ordinance, this property is uniquely well suited for this project vis-à-vis other properties in the area. Accordingly, the purposes that the zoning ordinance seeks to achieve – and the harms that it seeks to prevent – are not in any way threatened if the variances are granted. Therefore, even though the proposed redevelopment requires these variances, the purposes that the zoning ordinance seeks to protect will be preserved.

The proposed use is reasonable.

For all of the foregoing reasons, which are incorporated herein by reference, the proposed use is reasonable. Moreover, two-family dwellings are permitted by right in the underlying district, and uses permitted by right are *per se* reasonable. See Malachy Glen Assocs., Inc. v. Town of Chichester, 155 N.H. 102, 107 (2007) (permitted uses are *per se* reasonable).

PROPOSED DUPLEX

ZONING BOARD OF ADJUSTMENT - OCTOBER 2024 PORTSMOUTH, NEW HAMPSHIRE

PROPOSED WORK:

- THE COMPLETE DEMOLITION OF THE EXISTING SINGLE FAMILY HOME AND OUTBUILDINGS, DEMO PERMIT FILED SEPARATELY UNDER DEMO 24-27
- PROPOSED TWO FAMILY HOME IS REQUESTING RELIEF FOR:
 - 2,167 SF PER DWELLING UNIT WERE 3,000 SF IS REQUIRED TO CONSTRUCT A TWO FAMILY HOME WHERE A SINGLE UNIT IS ALLOWED.
 - UNIT A: 2,359 LIVEABLE SQUARE FEET
 - UNIT B: 2,047 LIVEABLE SQUARE FEET
 - 17.4' SECONDARY FRONT YARD WHERE 12' - 0" MAX. IS ALLOWED AT TANNER COURT.
 - 6.3' FINISH FLOOR ABOVE THE SIDEWALK ELEVATION WHERE 3' - 0" MAX. IS ALLOWED

332 HANOVER STREET PORTSMOUTH, NH 03801			
CHARACTER DISTRICT ZONING REQUIREMENTS: CD4-L1			
	REQUIRED	EXISTING	PROPOSED
MAX. PRINCIPAL FRONT YARD	15' - 0"	8.8'	5.5'
MAX. SECONDARY FRONT YARD (PARKER ST.)	12' - 0"	32.8'	2.0'
MAX. SECONDARY FRONT YARD (TANNER COURT)	12' - 0"	20.7'	17.4'
SIDE YARD SETBACK	5' - 0" MIN TO 20' - 0" MAX.	1.2'	7.7'
FRONT LOT LINE BUILDOUT	60% MIN. TO 80% MAX.	43.50%	77.49%
MAX BUILDING BLOCK LENGTH	80' - 0"	63.23'	63.23'
MAX. FAÇADE MODULATION	50' - 0"	27' - 0" +/-	25' - 6"
MAX. BUILDING COVERAGE	60%	26.70%	50.00%
MAX. BUILDING FOOTPRINT	2,500 SF	1,158 SF	2,164 SF
MIN. LOT AREA	3,000 SF	4,334 SF	4,334 SF
MIN. LOT AREA PER DWELLING UNIT	3,000 SF	4,334 SF	2,167 SF
MIN. OPEN SPACE	25%	32.60%	29.10%
MAX. BUILDING HEIGHT	2-3 STORIES	2 STORIES	3 STORIES
	40' - 0"	25' +/-	29' - 4" +/-
MAX. FINISH FLOOR ABOVE GRADE	3' - 0"	6.2'	6.3'
FAÇADE GLAZING	20% MIN. TO 40% MAX.	UNKNOWN	26.89%
ROOF TYPE	FLAT, GABLE 6:12 - 12:12, HIP 3:12 MIN., GAMBREL 6:12 - 30:12, MANSARD 6:12 - 30:12	GABLE / HIP	MANSARD - 30:12
OUTBUILDING FRONT YARD	20'-0" BEHIND PRICIPAL FRONT ELEVATION	59' - 0" +/-	N/A
OUTBUILDING SIDE AND REAR YARD	3' - 0"	0.5'	N/A
FAÇADE TYPES	PORCH	PORCH	PORCH
	STOOP		STOOP
	STEP		
	FORECOURT		
	RECESSED-ENTRY		
	DOORYARD		
PARKING	1.3 SPACES PER UNIT	4 SPOTS	6 SPOTS

1. RED INDICATED VARIANCE REQUEST
2. BLUE INDICATES EXISTING NONCONFORMITY



332 HANOVER STREET PORTSMOUTH, NH 03801



SHEET LIST	
Sheet Number	Sheet Name

GENERAL INFORMATION

C	COVER
S	EXISTING CONDITION SURVEY

CIVIL DRAWINGS

1 OF 2	EXISTING SITE PLAN
2 OF 2	SITE PLAN

ARCHITECTURAL DRAWINGS

A1	EXISTING CONDITION IMAGES
A2	NEIGHBORHOOD DENSITY
A3	FIRST FLOOR PLAN
A4	SECOND AND THIRD FLOOR
A5	ELEVATIONS
A6	ELEVATIONS
A7	3D PERSPECTIVE
A8	3D PERSPECTIVE

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PROPOSED DUPLEX

332 HANOVER STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

COVER

ZONING BOARD OF ADJUSTMENT - OCTOBER 2024

4 Market Street
Portsmouth, New Hampshire
603.430.0274

brought to you by
McHENRY ARCHITECTURE



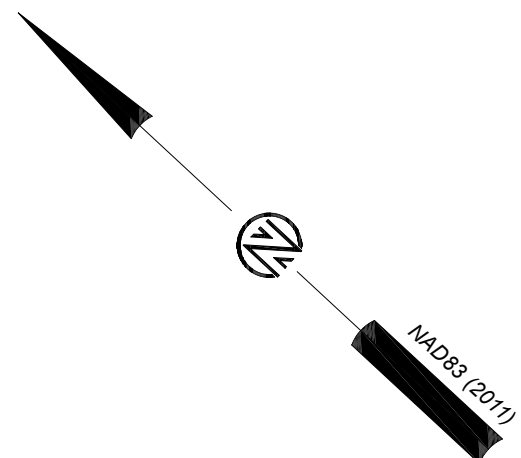
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09/13/2024

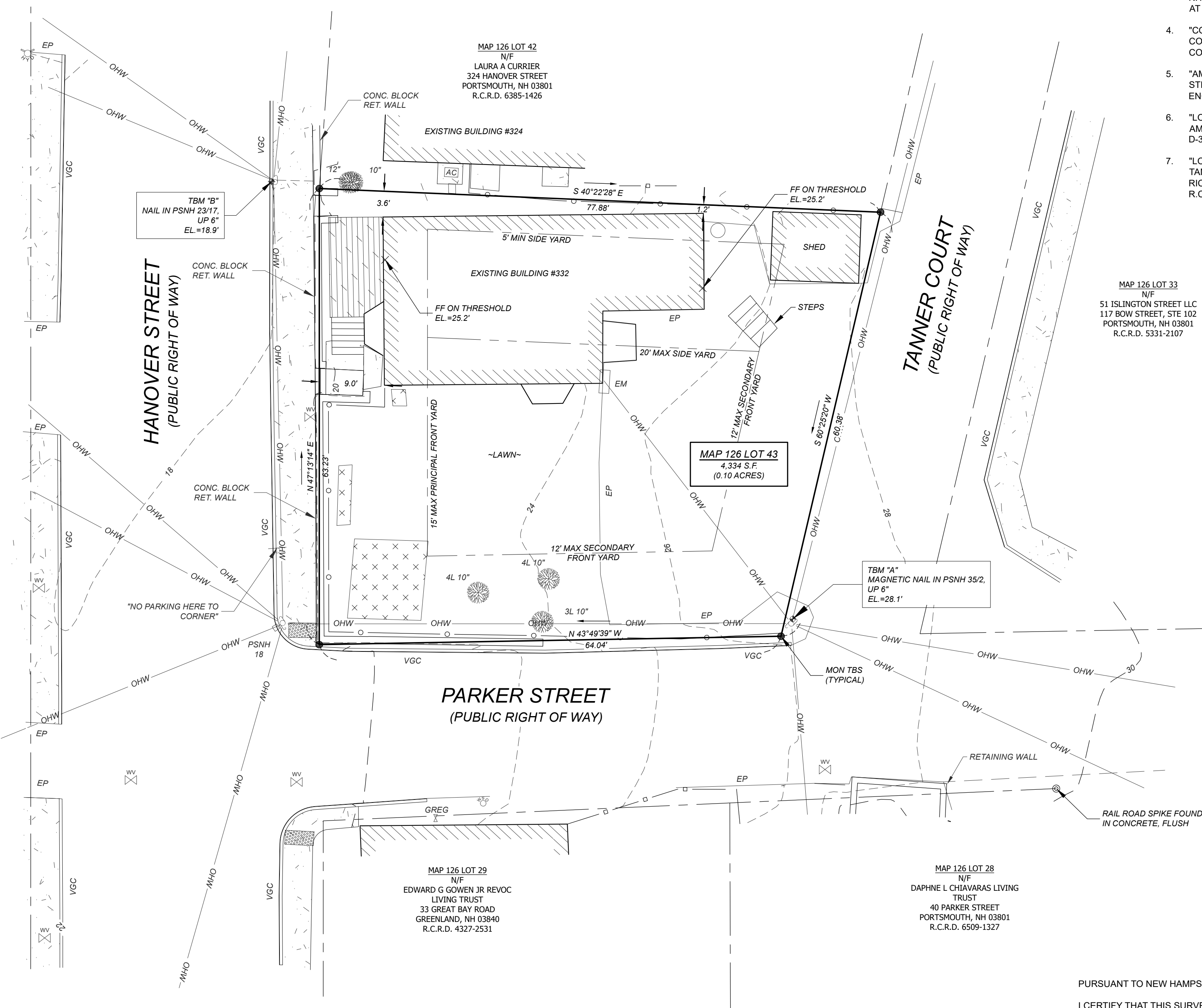
McHA: RD / MG

Project Number: 24071

NOT TO SCALE



MADS (2011)

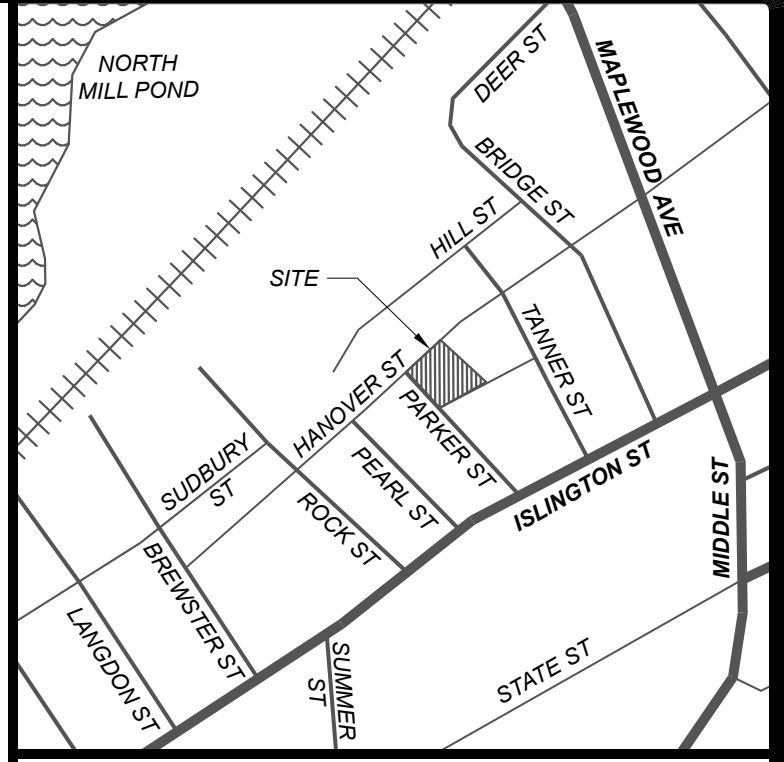


PLAN REFERENCES:

- 1. "PLAN OF SEVEN HOUSE LOTS SITUATE IN PORTSMOUTH, BELONGING TO A. W. + G. W. HAVEN". DATED 1848. RECORDED AT THE R.C.R.D. AS PLAN 00558 REFERENCES BOOK 337 PAGE 59.
2. "PLAN OF LOT NO.314 HANOVER STREET PORTSMOUTH, N.H." PREPARED BY JOHN W. DURGIN CIVIL ENGINEERS. DATED NOVEMBER 21, 1956. RECORDED AT THE R.C.R.D AS PLAN 02501.
3. "LOT CONSOLIDATION PLAN FOR GERTRUDE K. BORDEN LIVING TRUST PARKER, ISLINGTON, TANNER STREETS & TANNER ALLEY COUNTY OF ROCKINGHAM PORTSMOUTH, NH." PREPARED BY MILLETTE, SPRAGUE & COLWELL, INC. DATED MAY 1, 1998. RECORDED AT THE R.C.R.D. AS PLAN D-28280.
4. "CONDOMINIUM SITE PLAN FOR HANOVER PLACE CONDOMINIUM 349 HANOVER STREET COUNTY OF ROCKINGHAM PORTSMOUTH, NH." PREPARED BY MILLETTE, SPRAGUE & COLWELL, INC. DATED SEPTEMBER 28, 2004. RECORDED AT THE R.C.R.D. AS PLAN D-33379.
5. "AMENDED CONDOMINIUM SITE PLAN TAX MAP 126 - LOT 33 PHASE I, II 51 ISLINGTON STREET CONDOMINIUM FOR 51 ISLINGTON STREET, LLC." PREPARED BY AMBIT ENGINEERING, INC. DATED AUGUST 15, 2013. RECORDED AT THE R.C.R.D. AS PLAN D-37882.
6. "LOT LINE RELOCATION PLAN TAX MAP 125, LOT 14 & TAX MAP 138, LOT 62". PREPARED BY AMBIT ENGINEERING, INC. DATED NOVEMBER 2013. RECORDED AT THE R.C.R.D. AS PLAN D-38162.
7. "LOT LINE RELOCATION PLAN FOR HAROLD B. & SUZANNE M. WATT AND DIXIE L. PAPPAS TANNER CT / HANOVER ST. COUNTY OF ROCKINGHAM PORTSMOUTH, N.H." PREPARED BY RICHARD P. MILLETTE AND ASSOCIATES. DATED FEBRUARY 5, 1962. RECORDED AT THE R.C.R.D. AS PLAN C-10673.

NOTES:

- 1. SUBJECT PARCEL: TAX MAP 126 LOT 43 332 HANOVER STREET PORTSMOUTH, NEW HAMPSHIRE NS PROJECT #1289
2. OWNER OF RECORD: KENT & JENNIFER BONNIWELL 108 FOREST STREET WELLESLEY, MA 02481 R.C.R.D. BOOK 6557, PAGE 1561
3. PARCEL AREA: 4,334 S.F. OR 0.1 AC
4. THE PURPOSE OF THIS PLAN IS TO SHOW EXISTING CONDITIONS OF THE SUBJECT PARCEL.
5. DIMENSIONAL REQUIREMENTS: ZONE: OD-L1 3,000 S.F.
MIN LOT AREA (PER DWELLING UNIT): 15'
MAX PRINCIPAL FRONT YARD: 12'
MAX SECONDARY FRONT YARD: 60%/80%
FRONT LOT BUILDOUT MIN/MAX: 5/20'
MIN/MAX SIDE SETBACK: 5' OR 10' FROM ALLEY
MIN REAR SETBACK: 40'
MAX BUILDING HEIGHT: 25%
MIN OPEN SPACE: 60%
MAX BUILDING COVERAGE:
ZONING INFORMATION SHOWN HEREON IS PER THE CITY OF PORTSMOUTH ZONING ORDINANCE DATED JANUARY 1, 2010. LAST REVISED JUNE 17, 2024. ADDITIONAL REGULATIONS APPLY, THE LAND OWNER IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CITY STATE, AND FEDERAL REGULATIONS.
6. FLOOD HAZARD ZONE: "X" AREA OF MINIMAL FLOOD RISK, PER FIRM MAP #33015C0259F, DATED 01/29/2021.
7. THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH THE CURRENT LEGAL DESCRIPTIONS. IT IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
8. FIELD SURVEY COMPLETED BY NORTHAM SURVEY IN JULY, 2024 USING A TRIMBLE S5 TOTAL STATION WITH A TRIMBLE TSC3 DATA COLLECTOR, A TRIMBLE R121 GPS RECEIVER AND A SOKKIA B31 AUTO LEVEL.
9. HORIZONTAL DATUM IS NAD83(2011) NEW HAMPSHIRE STATE PLANE COORDINATES PER STATIC GPS OBSERVATIONS.
10. THE VERTICAL DATUM IS NAVD88 PER STATIC GPS OBSERVATIONS. THE CONTOUR INTERVAL IS 2 FEET.
11. EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IDENTIFIED ARE THOSE WHICH WERE FOUND DURING RESEARCH PERFORMED AT THE ROCKINGHAM COUNTY REGISTRY OF DEEDS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCEL(S) WOULD DETERMINE.
12. THE LOCATION OF UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. NORTHAM SURVEY LLC MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UNDERGROUND UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE.



LOCUS

- LEGEND:
ASSASSORS MAP AND LOT NUMBER
BK. PG. BOOK / PAGE
CONC. CONCRETE
MON TBS MONUMENT TO BE SET
BH BUILDING HEIGHT
RET RETAINING
EM ELECTRIC METER
EP EDGE OF PAVEMENT
FF FINISHED FLOOR
GREG GAS REGULATOR
N/F NOW OR FORMERLY
RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
S.F. SQUARE FEET
TBM TEMPORARY BENCHMARK
VGC VERTICAL GRANITE CURB
DRILL HOLE FOUND/SET
IRON PIPE/ROD FOUND
SPIKE/NAIL FOUND
AC AIR CONDITIONER
GUY WIRE
UTILITY POLE
UTILITY POLE W/LIGHT
DECIDUOUS TREE
GAS VALVE
HYDRANT
WATER SHUT OFF
WATER GATE VALVE
IRRIGATION CONTROL VALVE
SIGN
OHW OVERHEAD WIRE
CHAINLINK FENCE
STOCKADE FENCE
BOUNDARY LINE
SETBACK LINE
EXISTING CONTOUR
CONCRETE
WOODEN DECK
LANDSCAPING
NON SLIP MAT

PARKER STREET (PUBLIC RIGHT OF WAY)

TANNER COURT (PUBLIC RIGHT OF WAY)

HANOVER STREET (PUBLIC RIGHT OF WAY)

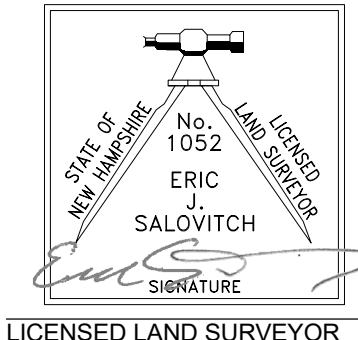
EXISTING CONDITIONS PLAN FOR KENT & JENNIFER BONNIWELL OF TAX MAP 126 LOT 43 332 HANOVER STREET PORTSMOUTH, NEW HAMPSHIRE COUNTY OF ROCKINGHAM

SCALE: 1"=10' (22x34) 1"=20' (11x17)

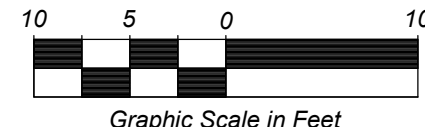
Table with 2 columns: JOB NO. / DRAWN BY / CHECKED BY and DATE / DRAWING / SHEET. Values include 1289, PJN ZMH, EJS, 2024-07-26, 1289 SURVEY.DWG, 1 OF 1.

Table with 4 columns: NO., DATE, DESCRIPTION, BY.

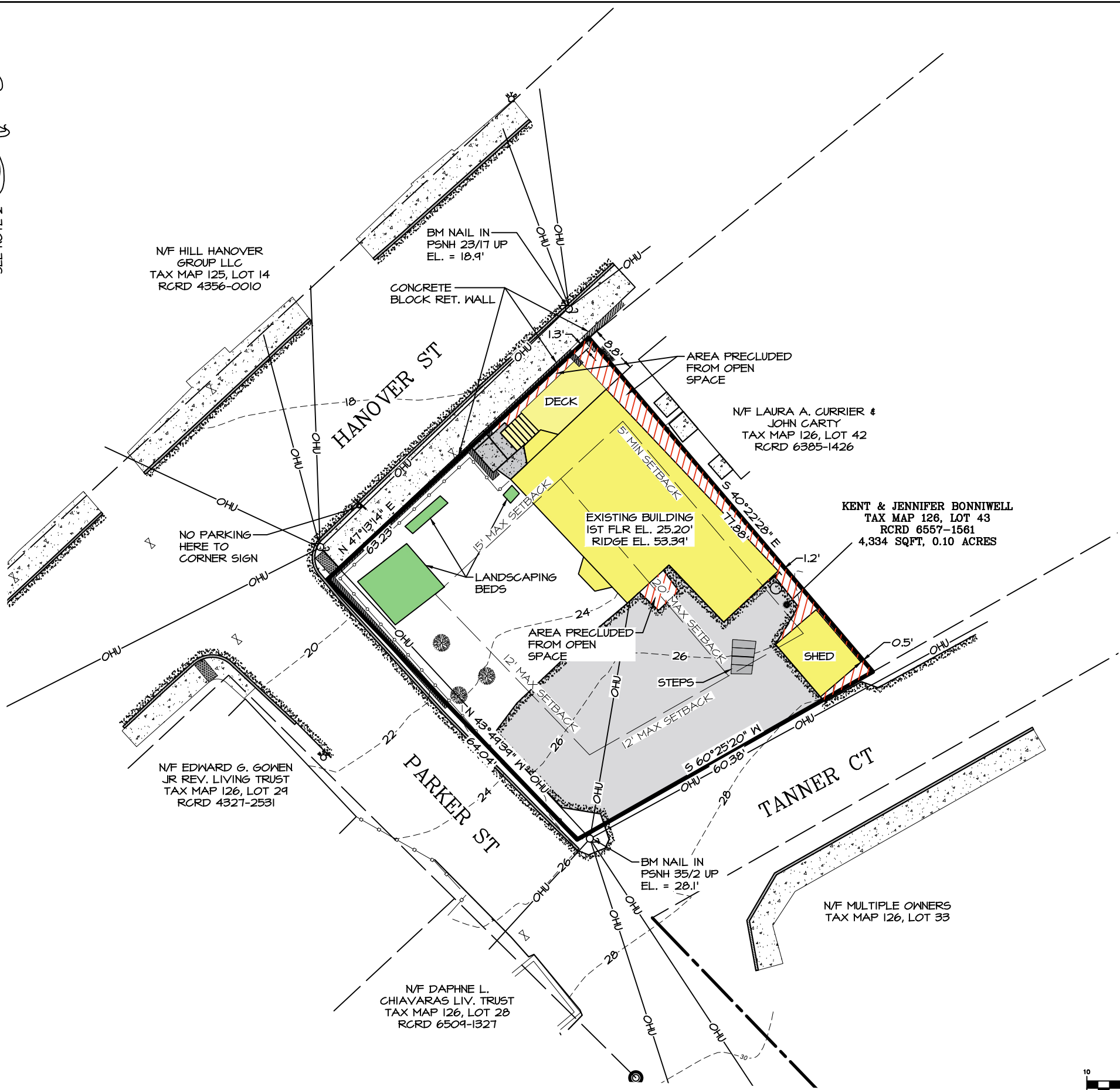
PURSUANT TO NEW HAMPSHIRE RSA 676:18 III
I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.
I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION. THIS SURVEY CONFORMS TO THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS.
I FURTHER CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE. RANDOM TRAVERSE SURVEY BY TOTAL STATION WITH A PRECISION GREATER THAN 1:15,000.



AUGUST 28, 2024 DATE



SEE NOTE 2



N/F HILL HANOVER GROUP LLC
TAX MAP 125, LOT 14
RCRD 4356-0010

BM NAIL IN PSNH 23/17 UP
EL. = 18.9'

CONCRETE BLOCK RET. WALL

N/F LAURA A. CURRIER & JOHN CARTY
TAX MAP 126, LOT 42
RCRD 6385-1426

KENT & JENNIFER BONNIWELL
TAX MAP 126, LOT 43
RCRD 6557-1561
4,334 SQFT, 0.10 ACRES

EXISTING BUILDING
1ST FLR EL. 25.20'
RIDGE EL. 53.39'

NO PARKING HERE TO CORNER SIGN

LANDSCAPING BEDS

AREA PRECLUDED FROM OPEN SPACE

STEPS

SHED

N/F EDWARD G. GOWEN JR REV. LIVING TRUST
TAX MAP 126, LOT 29
RCRD 4327-2531

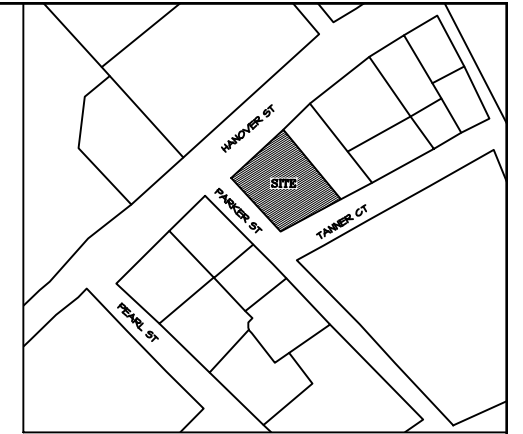
N/F DAPHNE L. CHIAVARAS LIV. TRUST
TAX MAP 126, LOT 28
RCRD 6504-1327

N/F MULTIPLE OWNERS
TAX MAP 126, LOT 33

BM NAIL IN PSNH 35/2 UP
EL. = 28.1'

LEGEND

- 100— EXISTING CONTOUR
- ⊙ MONUMENT FOUND
- ⊕ UTILITY POLE
- OHU— OVERHEAD UTILITIES
- ⊗ WATER VALVE
- CHAIN LINK FENCE
- WOODEN FENCE
- ▬ VERTICAL GRANITE CURB
- ⊕ WATER SHUT-OFF
- ⊕ FIRE HYDRANT



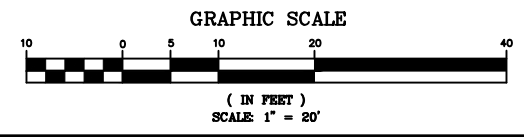
**LOCUS PLAN
N.T.S.**

NOTES

- 1) OWNER OF RECORD:
KENT & JENNIFER BONNIWELL
TAX MAP 126, LOT 43
108 FOREST ST
WELLESLEY, MA 02481
RCRD: 6557-1561
AREA: 4,334 SF, 0.10 ACRES
- 2) BASIS OF BEARING HELD FROM PLAN REFERENCE #1.
- 3) PARCEL IS IN CHARACTER DISTRICT 4-L1 (CD4-L1):
MINIMUM LOT AREA.....3,000 SF
MIN. LOT AREA PER DWELLING UNIT.....3,000 SF
MAX BUILDING FOOTPRINT.....2,500 SF
MAX PRINCIPAL FRONT YARD.....15 FT
MAX SECONDARY FRONT YARD.....12 FT
MIN/MAX SIDE SETBACK.....5 FT/20 FT
MIN REAR YARD FROM LOT LINE.....5 FT
MAX BUILDING HEIGHT.....40 FT
MIN OPEN SPACE.....25%
MAX BUILDING COVERAGE.....60%
MAX FINISHED FLOOR ABOVE SIDEWALK...3 FT
- 4) THE PARCEL IS NOT WITHIN A FEMA FLOOD ZONE, AS PER FLOOD INSURANCE RATE MAP #33015C0254F, PANEL 254 OF 681, DATED JANUARY 29, 2021. VERTICAL DATUM IS NAVD 1988.
- 5) THIS PLAN DOES NOT REPRESENT A BOUNDARY SURVEY. ALL PROPERTY LINE, SETBACKS, COVERAGES, AND ELEVATIONS WERE OBTAINED FROM PLAN REFERENCE #1.

REFERENCE PLANS

- 1) "EXISTING CONDITIONS PLAN FOR KENT & JENNIFER BONNIWELL" BY NORTHAM SURVEY LLC, DATED JULY 26, 2024. NOT RECORDED.



1	9/13/2024	ZBA SUBMITTAL
ISS. DATE		DESCRIPTION OF ISSUE
SCALE	1" = 20'	
CHECKED	A.ROSS	
DRAWN	D.D.D.	
ROSS ENGINEERING, LLC Civil/Structural Engineering & Surveying 909 Kingston St. Portsmouth, NH 03801 (603) 433-7560		
CLIENT MCHENRY ARCHITECTURE 4 MARKET ST PORTSMOUTH, NH 03801		
TITLE EXISTING CONDITIONS PLAN 332 HANOVER ST PORTSMOUTH, NH 03801 TAX MAP 126, LOT 43		
JOB NUMBER	DWG. NO.	ISSUE
24-049	1 OF 2	1

N/F HILL HANOVER GROUP LLC
TAX MAP 125, LOT 14
RCRD 4356-0010

EXISTING CONCRETE BLOCK RET. WALL
CONCRETE SIDEWALK

BM NAIL IN PSNH 23/17 UP
EL. = 18.9'

N/F LAURA A. CURRIER & JOHN CARTY
TAX MAP 126, LOT 42
RCRD 6385-1426

NOTES

1) OWNER OF RECORD:
KENT & JENNIFER BONNIWELL
TAX MAP 126, LOT 43
108 FOREST ST
WELLESLEY, MA 02481
RCRD: 6557-1561
AREA: 4,334 SF, 0.10 ACRES

2) PARCEL IS IN CHARACTER DISTRICT 4-LI (CD4-LI):
MINIMUM LOT AREA.....3,000 SF
MIN. LOT AREA PER DWELLING UNIT.....3,000 SF
MAX BUILDING FOOTPRINT.....2,500 SF
MAX PRINCIPAL FRONT YARD.....15 FT
MAX SECONDARY FRONT YARD.....12 FT
MIN/MAX SIDE SETBACK.....5 FT/20 FT
MIN REAR YARD FROM LOT LINE.....5 FT
MAX BUILDING HEIGHT.....40 FT
MIN OPEN SPACE.....25%
MAX BUILDING COVERAGE.....60%
MAX FINISHED FLOOR ABOVE SIDEWALK.....3 FT

3) COVERAGES:
BUILDING COVERAGE
EXISTING BUILDING COVERAGE
BUILDING.....928 SF
DECK.....99 SF
STAIRS > 18".....15 SF
SHED.....116 SF
EXISTING STRUCTURE 1,158 SF
BUILDING COVERAGE 1,158 / 4,334 = 26.7%

PROPOSED BUILDING COVERAGE
BUILDING.....1,900 SF
DECK.....217 SF
STAIRS > 18".....47 SF
PROPOSED STRUCTURE 2,164 SF
BUILDING COVERAGE 2,164 / 4,334 = 50.0%

OPEN SPACE
EXISTING OPEN SPACE
BUILDING COVERAGE.....1,158 SF
STAIRS < 18".....8 SF
ASPHALT DRIVEWAY.....1,405 SF
CONCRETE STEPS.....49 SF
RETAINING WALL.....59 SF
PRECLUDED FROM OPEN SPACE 241 SF
TOTAL LOT COVERAGE 2,920 SF
EXISTING OPEN SPACE = 4334 - 2920 = 1414 SF
EXISTING OPEN SPACE = 1414 / 4334 = 32.6%

PROPOSED OPEN SPACE
BUILDING COVERAGE.....2,164 SF
STAIRS < 18".....16 SF
ASPHALT DRIVEWAY.....584 SF
HARDSCAPE.....63 SF
RETAINING WALL.....51 SF
PRECLUDED FROM OPEN SPACE 193 SF
TOTAL LOT COVERAGE 3,071 SF
PROPOSED OPEN SPACE = 4334-3071 = 1263 SF
PROPOSED OPEN SPACE = 1263 / 4334 = 29.1%

4) GRADE PLANE:
AS PER PORTSMOUTH ZONING ORDINANCE GRADE PLANE IS DEFINED AS FOLLOWS; A REFERENCE PLANE REPRESENTING THE AVERAGE OF FINISHED GROUND LEVELS ADJOINING THE BUILDING AT ALL EXTERIOR WALLS. WHEN THE FINISHED GROUND LEVEL SLOPES AWAY FROM EXTERIOR WALLS, THE REFERENCE PLANE SHALL BE ESTABLISHED BY THE LOWEST POINTS WITHIN THE AREA BETWEEN THE BUILDING AND THE LOT LINE OR, WHEN THE LOT LINE IS MORE THAN 6 FEET FROM THE BUILDING, BETWEEN THE BUILDING AND A POINT 6 FEET FROM THE BUILDING.

THE GRADE PLANE WAS DETERMINED BY THE AVERAGE ELEVATION OF POINTS BETWEEN THE PERIMETER OF THE BUILDING AND 6' AWAY FROM THE BUILDING. THE GRADE PLANE WAS CALCULATED AS 23.66'.

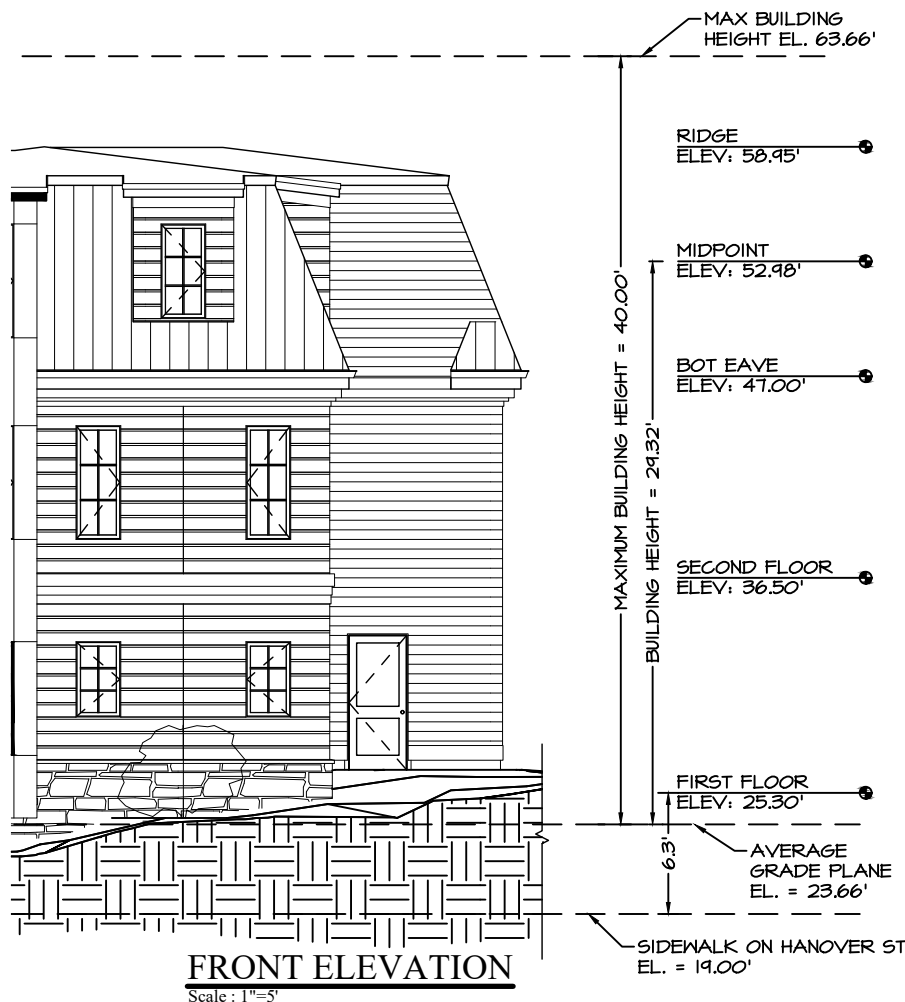
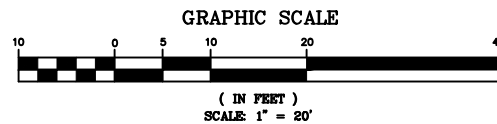
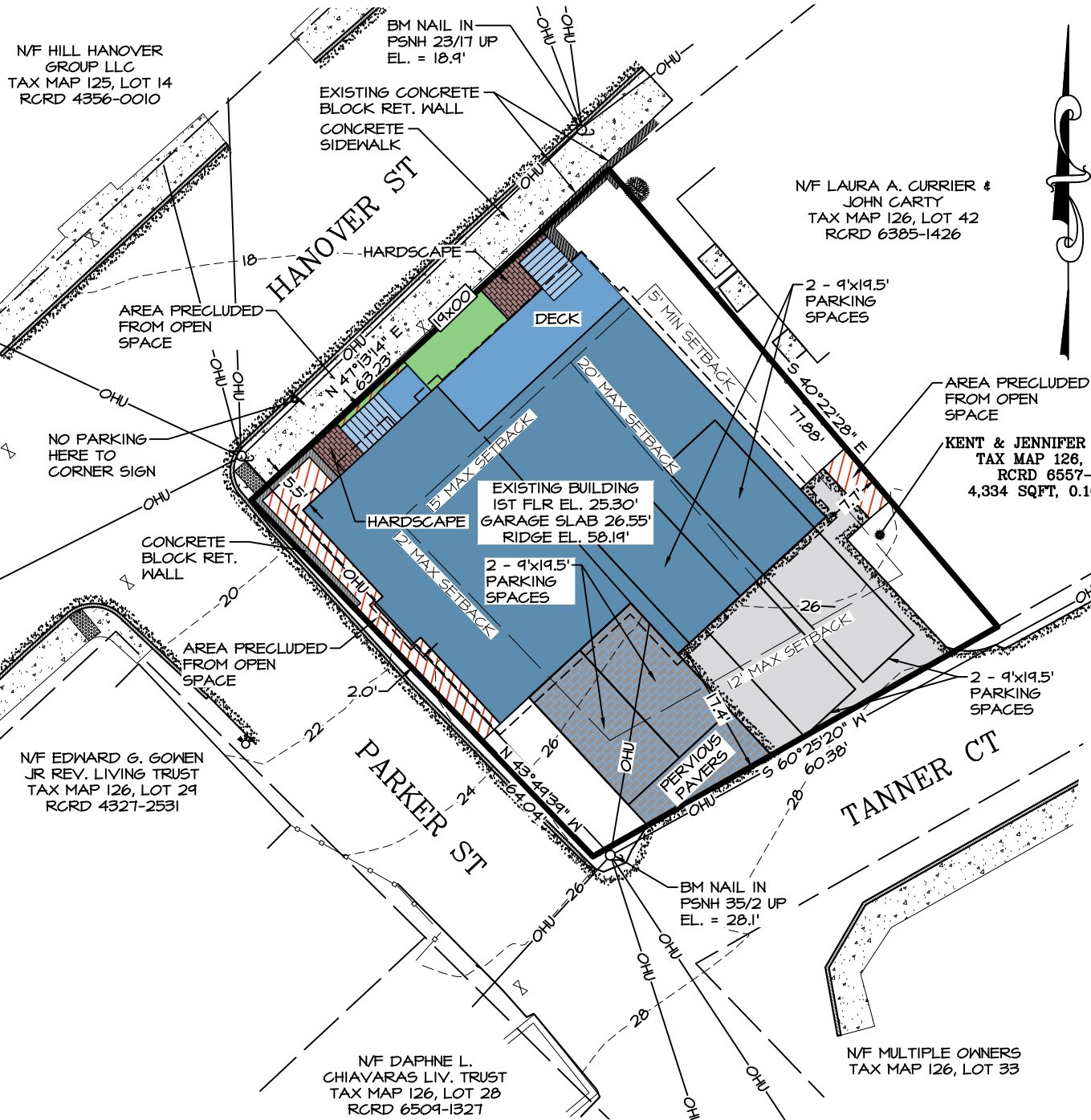
5) BUILDING HEIGHT:
BUILDING HEIGHT FOR A HIP-TOPPED MANSARD ROOF IS CALCULATED AS THE VERTICAL MEASUREMENT FROM THE GRADE PLANE TO THE ELEVATION MIDWAY BETWEEN THE LEVEL OF THE EAVES AND THE HIGHEST POINT OF THE ROOF AS PER PORTSMOUTH ZONING ORDINANCE. THE GRADE PLANE USED IS THE EXISTING GRADE PLANE OR THE FINISHED GRADE PLANE, WHICHEVER IS LOWER. THE HIGHEST RIDGE IS 58.95' AND THE LEVEL OF THE EAVES IS 47.00'. THE MIDPOINT ELEVATION IS 52.98'.

6) THE BUILDING HEIGHT OF THE BUILDING WAS CALCULATED TO BE 29.32', USING A GRADE PLANE OF 23.66' AND A MIDPOINT HEIGHT OF 52.98'.

7) PARKING REQUIRED AS PER 10.1112.30 DWELLING UNIT FLOOR AREA > 750 SF = 1.3 SPACES PER UNIT

1.3 SPACES PER UNIT x 2 UNITS = 2.6 = 3 PARKING SPACES REQUIRED

6 PARKING SPACES ARE PROVIDED. FOUR IN THE DRIVEWAY AND TWO INSIDE THE PROPOSED GARAGE.



FRONT ELEVATION
Scale: 1"=5'

VARIANCES REQUIRED

THE FOLLOWING VARIANCES FROM THE PORTSMOUTH ZONING ORDINANCE ARE REQUESTED

- SECTION 10.5A41.10A - TO CONSTRUCT A BUILDING WITH A 17.4 FT SECONDARY FRONT YARD ON TANNER CT WHERE A MAXIMUM OF 12 FT IS ALLOWED.
- SECTION 10.5A41.10A - TO CONSTRUCT A BUILDING WITH A FIRST FLOOR 6.3' ABOVE THE SIDEWALK GRADE WHERE 3.0' IS ALLOWED.
- SECTION 10.5A41.10A - TO ALLOW 2,167 SF PER DWELLING UNIT WHERE 3,000 SF IS REQUIRED.

LEGEND

- 100- EXISTING CONTOUR
- 100- PROPOSED CONTOUR
- 100x00 SPOT ELEVATION
- ⊙ MONUMENT FOUND
- ⊕ UTILITY POLE
- OHU- OVERHEAD UTILITIES
- ⊗ WATER STOP
- CHAIN LINK FENCE
- WOODEN FENCE
- VERTICAL GRANITE CURB
- ⊕ WATER SHUT-OFF
- ⊕ FIRE HYDRANT

DIMENSIONAL REGULATIONS TABLE

REGULATION	REQUIRED	EXISTING	PROPOSED	VARIANCE REQUESTED
MAX FRONT YARD (HANOVER)	15 FT	8.8 FT	5.5 FT	NO
MAX FRONT LINE (PARKER)	12 FT	32.8 FT	2.0 FT	NO
MAX FRONT YARD (TANNER)	12 FT	20.7 FT	17.4 FT	YES
SIDE LINE TO BUILDING	5' MIN TO 20' MAX	1.2 FT	7.7 FT	NO
SIDE LINE TO SHED	5' MIN TO 20' MAX	0.5 FT	N/A	NO
BUILDING COVERAGE	60% MAX	26.7%	50%	NO
MAX BUILDING FOOTPRINT	2,500 SF	1,158 SF	2,164 SF	NO
OPEN SPACE	25% MIN	32.6%	29.1%	NO
BUILDING HEIGHT	40 FT	24.73 FT	29.32 FT	NO
FIRST FLOOR ABOVE SIDEWALK GRADE	3 FT MAX	6.2 FT	6.3 FT	YES
NUMBER OF DWELLING UNITS		1 UNITS	2 UNITS	
LOT AREA PER DWELLING UNIT	3,000 SF MIN	4,334 SF	2,167 SF	YES

1	9/13/2024	ZBA SUBMITTAL	
ISS. DATE		DESCRIPTION OF ISSUE	
SCALE	1" = 20'		
CHECKED	A.ROSS		
TRAVN	D.D.D.		
ROSS ENGINEERING, LLC			
Civil/Structural Engineering & Surveying 909 Kingston St. Portsmouth, NH 03801 (603) 433-7560			
CLIENT MCHENRY ARCHITECTURE 4 MARKET ST PORTSMOUTH, NH 03801			
TITLE SITE PLAN			
332 HANOVER ST PORTSMOUTH, NH 03801 TAX MAP 126, LOT 43			
JOB NUMBER	DWG. NO.	ISSUE	
24-049	2 OF 2	1	



EXISTING PERSPECTIVE FROM HANOVER STREET LOOKING SOUTH



EXISTING PERSPECTIVE FROM HANOVER/PARKER STREET LOOKING EAST



EXISTING PERSPECTIVE FROM HANOVER STREET LOOKING SOUTHEAST



EXISTING PERSPECTIVE FROM TANNER COURT LOOKING NORTH



EXISTING PERSPECTIVE FROM PARKER STREET/TANNER COURT
LOOKING NORTH



EXISTING PERSPECTIVE FROM TANNER COURT LOOKING NORTHWEST

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PROPOSED DUPLEX

332 HANOVER STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

EXISTING CONDITION IMAGES

ZONING BOARD OF ADJUSTMENT - OCTOBER 2024

4 Market Street
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NOT TO SCALE



- Character Districts**
- CD5 Character District 5
 - CD4 Character District 4
 - CD4W Character District 4-W
 - CD4-L1 Character District 4-L1
 - CD4-L2 Character District 4-L2
- Residential Districts**
- R Rural
 - SRA Single Residence A
 - SRB Single Residence B
 - GRA General Residence A
 - GRB General Residence B
 - GRC General Residence C

PROPERTY DENSITY DATA					
KEYNOTE	ADDRESS	NUMBER OF UNITS	REQUIRED SQUARE FEET PER UNIT	SQUARE FEET PER UNIT	ZONE
1	332 HANOVER STREET	2	3,000 SF	2,178 SF	CD4-L1
2	324 HANOVER STREET	1	3,000 SF	2,614 SF	
3	314 HANOVER STREET	4	3,000 SF	872 SF	
4	306 HANOVER STREET	4	3,000 SF	545 SF	
5	296 HANOVER STEET	2	3,000 SF	872 SF	
6	52 TANNER STREET	1	3,000 SF	1,307 SF	
7	9 TANNER COURT	1	3,000 SF	1,307 SF	
8	13 TANNER COURT	1	3,000 SF	2,178 SF	
9	350 HANOVER STREET	2	3,000 SF	1,307 SF	
10	45 PEARL STREET	2	3,000 SF	1,500 SF	
11	349 HANOVER STREET	6	3,000 SF	872 SF	
12	181 HILL STREET	12	3,000 SF	1,343 SF	
13	299 HANOVER STREET	COMMERCIAL ONLY			
14	136 HILL STREET	3	3,000 SF	1,017 SF	
15	285 HANOVER STREET	4	3,000 SF	436 SF	
16	288 HANOVER STREET	1	3,000 SF	1,743 SF	
17	282 HANOVER STREET	1	3,000 SF	1307 SF	
18	53 TANNER STREET	1	3,000 SF	2,178 SF	
19	45 TANNER STREET	1	3,000 SF	2,178 SF	
20	37 TANNER STREET	1	3,000 SF	2,178 SF	
21	29 TANNER STREET	1	3,000 SF	3,050 SF	
22	19 ISLINGTON STREET	4	3,000 SF	1,525 SF	

23	51 ISLINGTON STREET	30	3,000 SF	1,043 SF	CD4-L2
24	63 ISLINGTON STREET	COMMERCIAL ONLY			
25	93 ISLINGTON STREET	COMMERCIAL ONLY			

26	30 PARKER STREET	1	3,500 SF	2,614 SF	GRC
27	40 PARKER STREET	1	3,500 SF	1,743 SF	
28	31 PEARL STREET	6	3,500 SF	509 SF	
29	19 PEARL STREET	2	3,500 SF	1,743 SF	
30	36 PEARL STREET	1	3,500 SF	3,050 SF	
31	48 PEARL STREET	2	3,500 SF	1,961 SF	
32	394 HANOVER STREET	1	3,500 SF	1,743 SF	
33	27 ROCK STREET	2	3,500 SF	1,307 SF	

RED = NON CONFORMING LOT AREA PER DWELLING UNIT

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PROPOSED DUPLEX
332 HANOVER STREET
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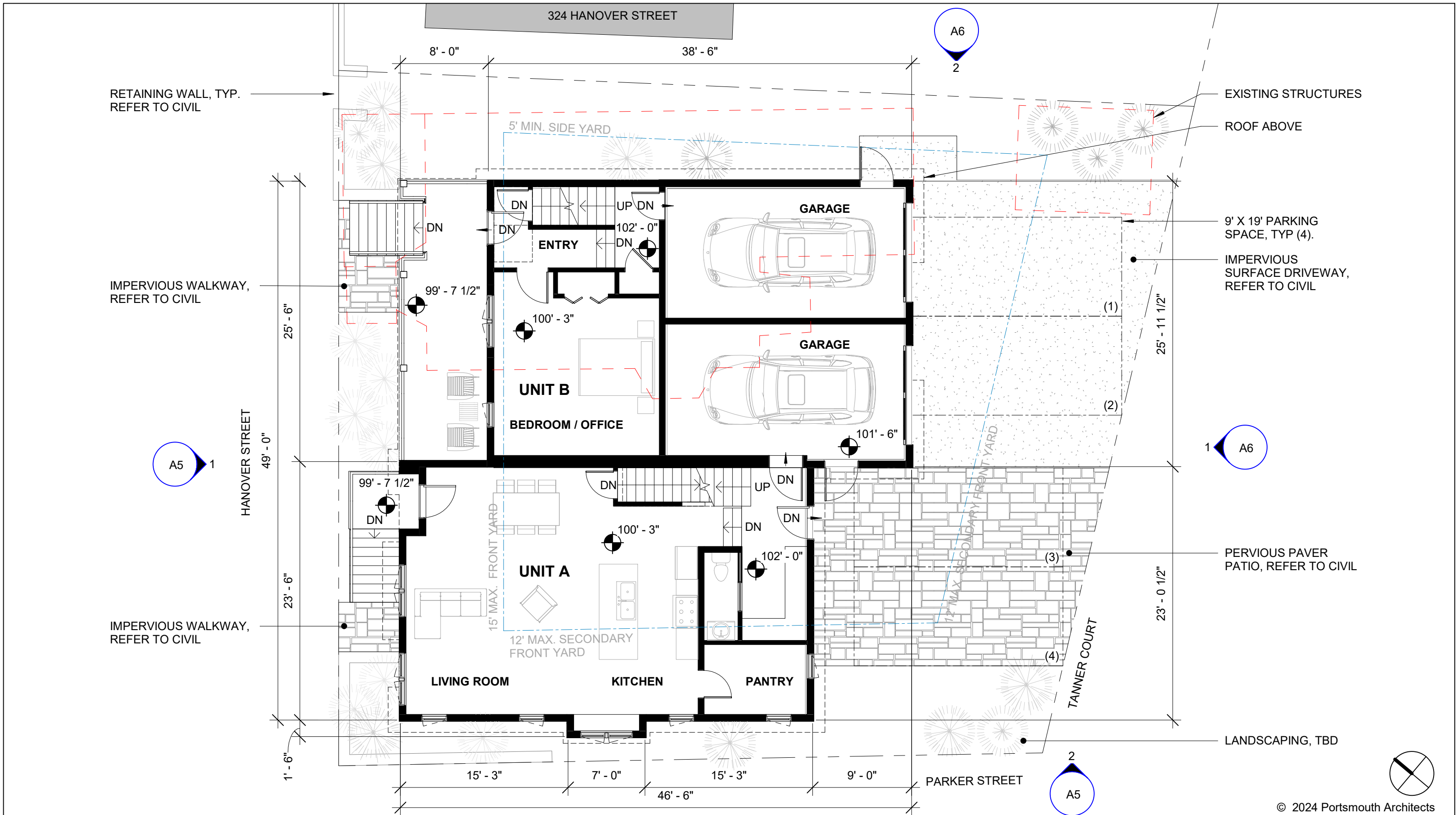
NEIGHBORHOOD DENSITY
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FIRST FLOOR PLAN
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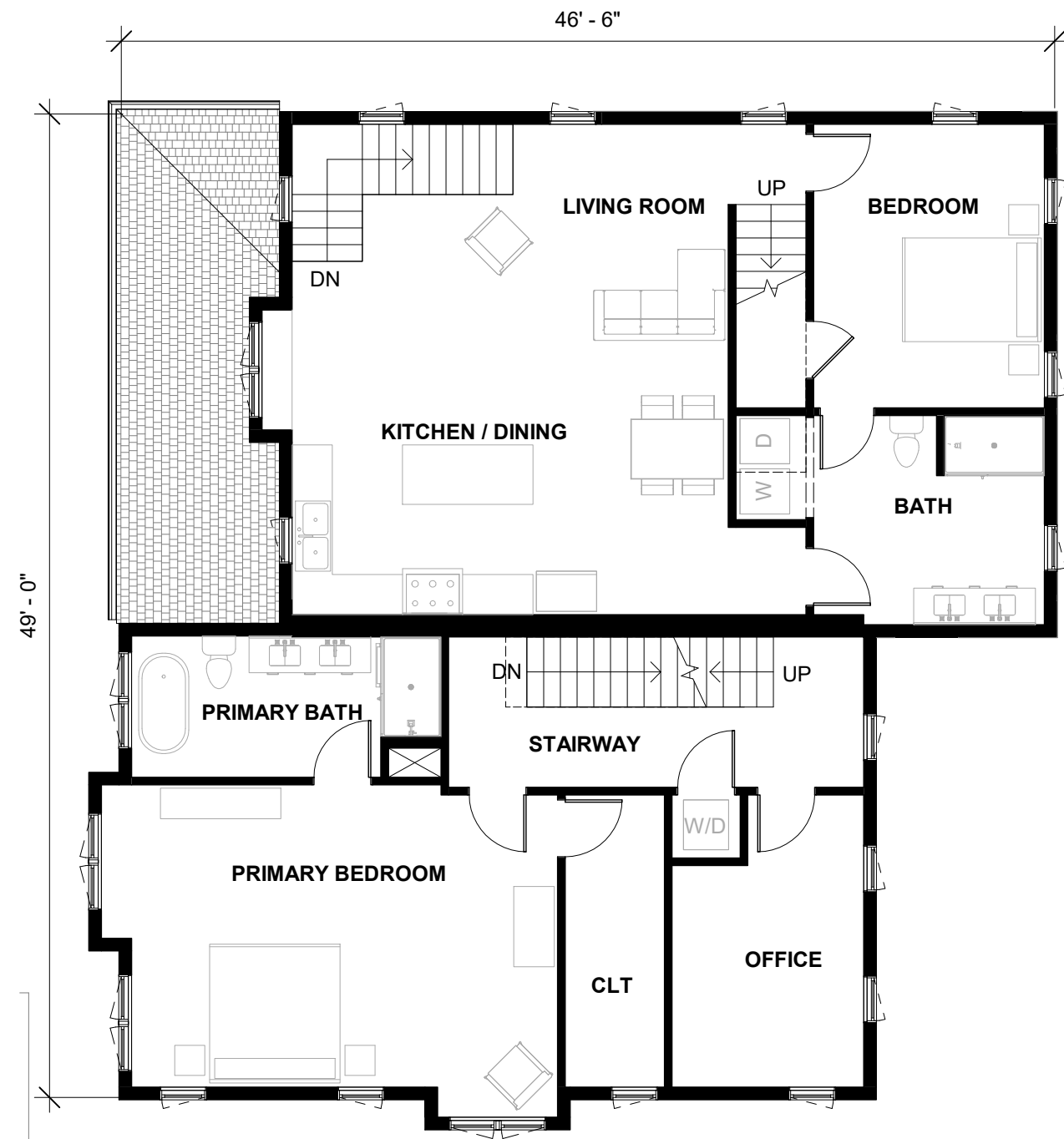
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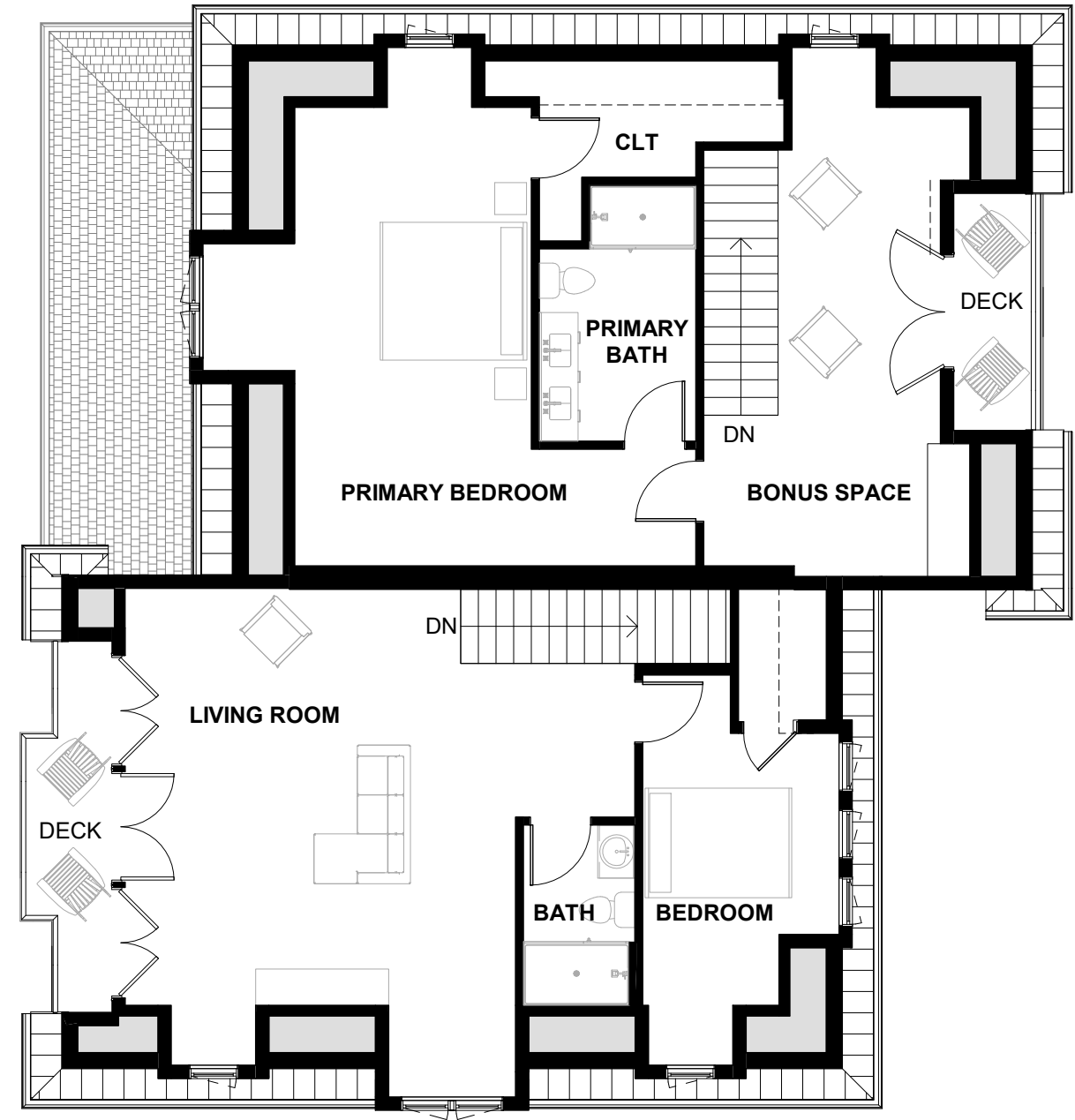


A3

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Scale: 1/8" = 1'-0"



1 SECOND FLOOR PLAN
1/8" = 1'-0"



2 THIRD FLOOR PLAN
1/8" = 1'-0"

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SECOND AND THIRD FLOOR

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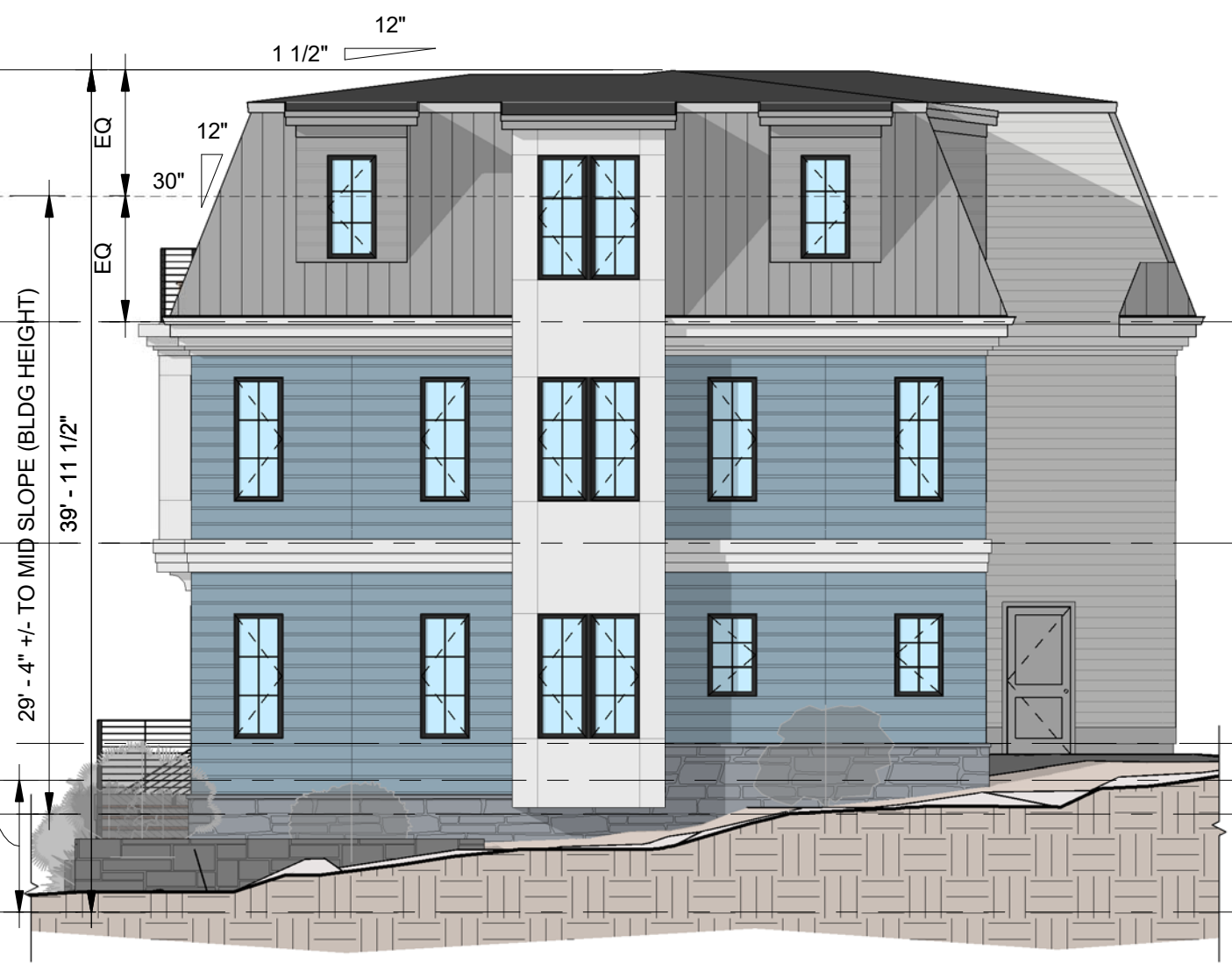
09/13/2024

McHA: RD / MG

Project Number: 24071

Scale: 1/8" = 1'-0"

MAX BLDG. HEIGHT
138' - 7 3/4"
SURVEY: 63.6'



THIRD FLOOR
122' - 0"
SURVEY: 47.0'

SECOND FLOOR
111' - 6"
SURVEY: 36.5'

REAR ENTRY
102' - 0"
SURVEY: 27.0'

FIRST FLOOR
100' - 3"
SURVEY: 25.3'

AVERAGE GRADE
98' - 7 3/4"
SURVEY: 23.6'

SIDEWALK GRADE
94' - 0"
SURVEY: 19.0'

1 NORTH-WEST ELEVATION - HANOVER STREET
1/8" = 1'-0"

2 SOUTH WEST ELEVATION - PARKER STREET
1/8" = 1'-0"

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PROPOSED DUPLEX
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ELEVATIONS

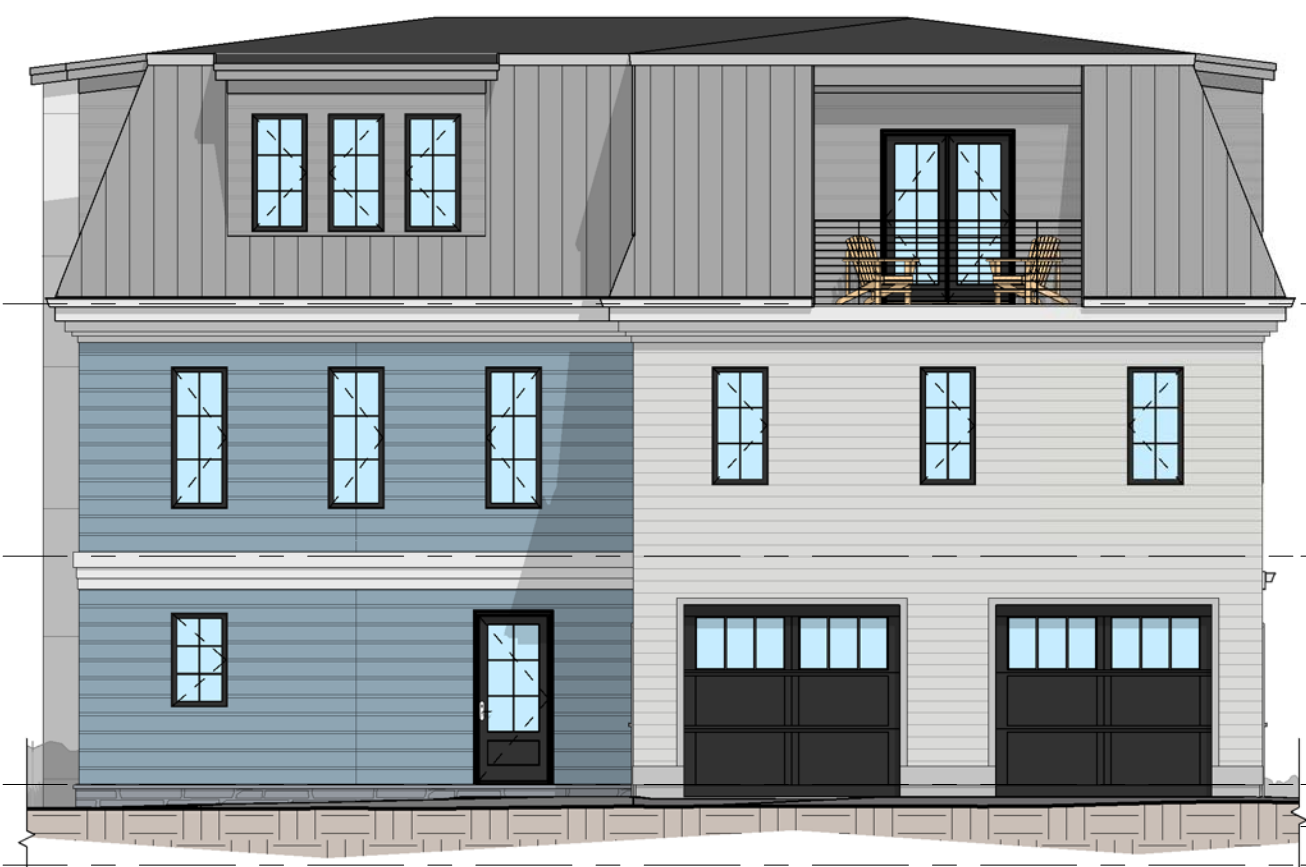
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Project Number: 24071
Scale: 1/8" = 1'-0"



MAX BLDG.
HEIGHT
138' - 7 3/4"
SURVEY: 63.6'

THIRD FLOOR
122' - 0"
SURVEY: 47.0'

SECOND FLOOR
111' - 6"
SURVEY: 36.5'

REAR ENTRY
102' - 0"
SURVEY: 27.0'

FIRST FLOOR
100' - 3"
SURVEY: 25.3'

AVERAGE GRADE
98' - 7 3/4"
SURVEY: 23.6'

SIDEWALK GRADE
94' - 0"
SURVEY: 19.0'

1 SOUTH EAST ELEVATION - TANNER COURT
1/8" = 1'-0"

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

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PROPOSED DUPLEX
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ELEVATIONS

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Scale: 1/8" = 1'-0"



PERSPECTIVE FROM HANOVER STREET LOOKING SOUTH

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PROPOSED DUPLEX

332 HANOVER STREET
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3D PERSPECTIVE

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NOT TO SCALE



PERSPECTIVE FROM HANOVER STREET AND TANNER COURT
LOOKING NORTH

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PROPOSED DUPLEX
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3D PERSPECTIVE
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