I. PROPERTY

The Applicant is seeking a Conditional Use Permit for an accessory dwelling unit in the basement of her property at 221 McKinley Road. The Application is for an attached accessory dwelling unit pursuant to Article 8, Section 10.814.40.

It is the Applicant's position that the Application meets all of the standards set forth in Article 10, Section 814.30:

A. The principal dwelling unit where Ms. Griffin resides is not in separate ownership from the proposed accessory dwelling unit.

B. The principal dwelling unit is and will continue to be occupied by the owner, Ms. Griffin.

C. Neither the principal dwelling unit nor the accessory dwelling unit will be used for any business. Presently, 221 McKinley Road is a single family residence utilized by Ms. Griffin and will continue to be that.

D. The required 4 parking spaces on-site are located as follows: 1 parking space for the principal dwelling unit in the garage with a second parking space for the principal dwelling unit located in the driveway behind the garage. The 2 parking spaces for the proposed accessory dwelling unit are located in the driveway to the left of the spaces proposed for the principal dwelling unit.

Pursuant to Section 814.40, the attached accessory dwelling unit meets the following standards:

A. There is an interior door between the principal dwelling unit and the accessory dwelling unit which is located at the top of the steps of the entryway.

B. The accessory dwelling unit has approximately 480 square feet which is less than the maximum 750 square feet of gross floor area.

C. There will be no exterior changes to the single family dwelling unit as the attached accessory dwelling unit currently exists at 221 McKinley Road, but is not occupied.
II. ARGUMENT

The property at 221 McKinley Road was acquired by Ms. Griffin in December, 2016. When the property was acquired by Ms. Griffin an accessory dwelling unit (unoccupied) existed in the basement of 221 McKinley Road.

The history of the second dwelling unit at 221 McKinley Road is well documented in the files of the Inspection Department. In approximately 2009, the basement dwelling unit was constructed without benefit of permits and was advertised for occupation by the then property owner, Ms. Plisko. An enforcement action was commenced by the City to terminate the illegal use of the second dwelling unit and subsequently, as a result, the unit was vacated. Furthermore, because work had been performed without benefit of plumbing, electrical, or building permits, inspections were required and permits for the electrical and plumbing work were mandated by the City.

The Inspection Department file reveals that permits were in fact pulled subsequent to the enforcement action and inspections were performed on the plumbing and wiring, which found that the work which was done was in accordance with the applicable building codes.

The attached accessory dwelling unit which existed, but has not been occupied remains.

Because of the changes to the zoning ordinance with regard to accessory dwelling units, the owner of the property, Ms. Griffin is now seeking to have the existing attached accessory dwelling unit approved per the provisions of the Conditional Use Permit as set forth in the ordinance.

III. CONCLUSION

In conclusion, it is the Applicant’s position that the attached accessory dwelling unit which exists in the basement now qualifies for a Conditional Use Permit pursuant to the provisions of Article 8, Section 10.814.40. As such, it is respectfully requested that the Planning Board grant the Conditional Use Permit Application.

Respectfully submitted,

Dated: March 15, 2019

By:

[Signature]

Bernard W. Pelech
City of Portsmouth, NH

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.

Parcels updated 4/1/2016
Properties updated 03/20/2017

Property Information
Property ID 0251-0026-0000
Location 221 MCKINLEY RD
Owner GRIFFIN LAURIE Y

1" = 39 ft
**221 MCKINLEY RD**

**Location** 221 MCKINLEY RD

**Acct#** 31072

**Owner** FINNERAL GARY M

**PBN**

**Assessment** $398,500

**Appraisal** $398,500

**PID** 31072

**Building Count** 1

**Current Value**

<table>
<thead>
<tr>
<th>Valuation Year</th>
<th>Improvements</th>
<th>Land</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$242,000</td>
<td>$156,500</td>
<td>$398,500</td>
</tr>
</tbody>
</table>

<table>
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<tr>
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<tbody>
<tr>
<td>2016</td>
<td>$242,000</td>
<td>$156,500</td>
<td>$398,500</td>
</tr>
</tbody>
</table>

**Owner of Record**

**Owner** FINNERAL GARY M

**Co-Owner** FINNERAL LISA E

**Address** 221 MCKINLEY RD

PORTSMOUTH, NH 03801

**Sale Price** $395,000

**Certificate**

**Book & Page** 5434/0671

**Sale Date** 05/01/2013

**Instrument** 00

**Ownership History**

<table>
<thead>
<tr>
<th>Owner</th>
<th>Sale Price</th>
<th>Certificate</th>
<th>Book &amp; Page</th>
<th>Instrument</th>
<th>Sale Date</th>
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<tbody>
<tr>
<td>FINNERAL GARY M</td>
<td>$395,000</td>
<td>5434/0671</td>
<td>00</td>
<td>05/01/2013</td>
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<tr>
<td>PLITZKO RENATE</td>
<td>$175,000</td>
<td>3718/1886</td>
<td>13</td>
<td>01/31/2002</td>
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</table>

**Building Information**

**Building 1 : Section 1**

- **Year Built:** 1966
- **Living Area:** 1,932
- **Replacement Cost:** $269,532
- **Building Percent Good:** 86
- **Replacement Cost Less Depreciation:** $231,800

**Building Attributes**

http://gis.vgssi.com/PortsmouthNH/Parcel.aspx?Pid=31072

3/20/2017
**Field** | **Description**
--- | ---
Style | Garrison
Model | Residential
Grade: | B-
Stories: | 2
Occupancy | 1
Exterior Wall 1 | Clapboard
Exterior Wall 2 | 
Roof Structure: | Gable/Hip
Roof Cover | Asph/F Gl/Cmp
Interior Wall 1 | Drywall/Sheet
Interior Wall 2 | 
Interior Fir 1 | Hardwood
Interior Fir 2 | Ceram Clay Til
Heat Fuel | Gas
Heat Type: | Warm Air
AC Type: | Central
Total Bedrooms: | 4 Bedrooms
Total Bthrms: | 3
Total Half Baths: | 0
Total Xtra Fixtrs: | 3
Total Rooms: | 8
Bath Style: | Avg Quality
Kitchen Style: | Avg Quality
Kitchen Gr | 
WB Fireplaces | 1
Extra Openings | 1
Metal Fireplaces | 0
Extra Openings | 0

**Building Sub-Areas (sq ft)**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Gross Area</th>
<th>Living Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAS</td>
<td>First Floor</td>
<td>996</td>
<td>996</td>
</tr>
<tr>
<td>FUS</td>
<td>Upper Story, Finished</td>
<td>936</td>
<td>936</td>
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<tr>
<td>FEP</td>
<td>Porch, Enclosed</td>
<td>120</td>
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<tr>
<td>FGR</td>
<td>Garage, Attached</td>
<td>372</td>
<td>0</td>
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<tr>
<td>UBM</td>
<td>Basement, Unfinished</td>
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<td>0</td>
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<tr>
<td>WDK</td>
<td>Deck, Wood</td>
<td>340</td>
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<td></td>
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<td>3,760</td>
<td>1,932</td>
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</tbody>
</table>

**Extra Features**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Size</th>
<th>Value</th>
<th>Bldg #</th>
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</thead>
<tbody>
<tr>
<td>FBLA</td>
<td>FINISHED BSMNT</td>
<td>480 S.F.</td>
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**Land**

**Land Use**

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<thead>
<tr>
<th>Use Code</th>
<th>Description</th>
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<tr>
<td>1010</td>
<td>SINGLE FAM MDL-01</td>
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**Land Line Valuation**

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<thead>
<tr>
<th>Size (Sqr Feet)</th>
<th>Frontage</th>
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<td>12996</td>
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### Outbuildings

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<tr>
<th>Code</th>
<th>Description</th>
<th>Sub Code</th>
<th>Sub Description</th>
<th>Size</th>
<th>Value</th>
<th>Bldg #</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHD1</td>
<td>SHED FRAME</td>
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<td></td>
<td>80 S.F.</td>
<td>$800</td>
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</tbody>
</table>

### Valuation History

#### Appraisal

<table>
<thead>
<tr>
<th>Valuation Year</th>
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<tbody>
<tr>
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</tr>
<tr>
<td>2014</td>
<td>$224,700</td>
<td>$159,200</td>
<td>$383,900</td>
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<td>$159,200</td>
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#### Assessment

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