

# Findings of Fact | Detached Accessory Dwelling Unit

## City of Portsmouth Planning Board

Date: September 19, 2024

Property Address: 1004 Greenland Road

Application #: LU-24-29

Decision:  Approve  Deny  Approve with Conditions

### Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

Zoning Ordinance -10.814.60: Before granting a conditional use permit for a detached ADU, the Planning Board shall make the following findings:

	<b>Section 10.814.62</b>	<b>Finding (Meets Requirement/ Criteria)</b>	<b>Supporting Information</b>
<b>1</b>	10.814.621 The ADU complies with all applicable standards of this Section 10.814 or as may be modified by the conditional use permit.	<b>Meets</b>  <b>Does Not Meet</b>	The DADU complies with the applicable standards in Section 10.814.
<b>2</b>	10.814.622 The exterior design of the ADU is architecturally consistent with or similar in appearance to the existing principal dwelling on a lot.	<b>Meets</b>  <b>Does Not Meet</b>	The design of the DADU is consistent with the principal dwelling on the property.
<b>3</b>	10.814.623 The site plan provides adequate and appropriate open space and landscaping for both the ADU and the principal dwelling unit and complies with the off-street parking requirements of 10.814.26.	<b>Meets</b>  <b>Does Not Meet</b>	The lot provides ample open space and the location of the DADU is near the principal dwelling, preserving the remainder of the lot as open space. The parking provided exceeds the Ordinance requirement.
<b>4</b>	10.814.624 The ADU will maintain a compatible relationship with the character of adjacent and neighborhood properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.	<b>Meets</b>  <b>Does Not Meet</b>	The DADU maintains a compatible relationship with the neighborhood and is setback from the road and will be subordinate to the principal dwelling on the lot.
<b>5</b>	<b>Other Board Findings:</b>		