

Findings of Fact | Home Occupation 2 Conditional Use Permit

City of Portsmouth Planning Board

Date: July 18, 2024

Property Address: 32 Boss Ave.

Application #: LU-24-117

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.

Home Occupation 2 Conditional Use Permit

10.242.10 The Planning Board may grant a conditional use permit if the application is found to be in compliance with the general criteria in Section 10.243 or, if applicable, the specific standards or criteria set forth in this Ordinance for the particular use or activity.

	Home Occupation 2 Conditional Use Permit 10.243 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
1	10.243.21 The design of proposed structures, their height and scale in relation to the site's surroundings, the nature and intensity of the proposed use or activity, and the layout and design of the site will be compatible with adjacent and nearby properties, buildings and uses, will complement or enhance the character of surrounding development, and will encourage the appropriate and orderly development and use of land and buildings in the surrounding area.	Meets Does Not Meet	The home occupation will be in an existing studio which is contained within the existing dwelling.
2	10.243.22 All necessary public and private utility infrastructure and services will be available and adequate to serve the	Meets Does Not Meet	The art classes will require minimal water and electricity usage from the existing services that serve the dwelling.

	Home Occupation 2 Conditional Use Permit 10.243 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
	proposed use.		
3	10.243.23 The site and surrounding streets will have adequate vehicular and pedestrian infrastructure to serve the proposed use consistent with the City's Master Plan.	Meets Does Not Meet	There are three different routes to access the location in addition to lighted sidewalks. The property has 155 feet of street frontage. The Master Plan supports expanding opportunities for home-based businesses.
4	10.243.24 The proposed structures, uses, or activities will not have significant adverse impacts on abutting and surrounding properties on account of traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.	Meets Does Not Meet	The classes will be a few hours in length and will not have any significant adverse impact on abutting and surrounding properties on account of traffic, noise, odors, vibrations, dust, fumes, hours of operation and exterior lighting glare.
5	10.243.25 The proposed structures and uses will not have significant adverse impacts on natural or scenic resources surrounding the site, including wetlands, floodplains, and significant wildlife habitat.	Meets Does Not Meet	The art studio is fully contained within the home and will not impact the wetlands, floodplains or wildlife habitats.
6	10.243.26 The proposed use will not cause or contribute to a significant decline in property values of adjacent properties.	Meets Does Not Meet	Granting a conditional use permit to allow small art classes will be an asset to the neighborhood and will not cause a decline in property values.
6	<u>Other Board Findings:</u>		
7	<u>Additional Conditions of Approval:</u>		

June 19, 2024

Rick Chellman, Chair
City of Portsmouth Planning Board
1 Junkins Avenue
Portsmouth, NH 03801

RE: Home Occupation 2 Request for 32 Boss Ave

Dear Mr. Chellman and members of the Planning Board:

I am requesting approval for a **Home Occupation 2 Conditional Use Permit** so I may provide small art classes (up to 6 students) in my home studio. Proposed number of classes will not exceed 1-2 classes per day and each class will generally be ~2-3 hours in length. Anticipated hours for art classes will fall between 8am-5pm M-F (as currently allowed by Home Occupation ordinance). To accommodate working adults/parents, I would like to request flexibility in offering classes in the evenings ~6-9pm 1-2 days a week and one day on the weekend.

Based on current parking spot standards, 3 cars can fit at the base of our driveway in front of our garage, and if needed, 1 in the neck of our driveway (see photos marked Exhibit A). As part of this conditional use permit, I am requesting 2 additional parking spots on the street (1 is currently allowed by Home Occupation Ordinance) so I can best accommodate seniors and those with mobility challenges*. I have over 155 linear feet of open space on the street directly in front of our home (see property map) which can easily fit 7-8 cars. In addition, I will strongly encourage carpooling whenever possible and install a bike rack next to my studio entrance.

Sincerely,

Karen Rosania
32 Boss Ave
Portsmouth, NH

*Currently, we don't have a walkway extending from street to studio entrance – however, if granted a Conditional Use Permit, we will take necessary steps to have a porous brick walkway installed.



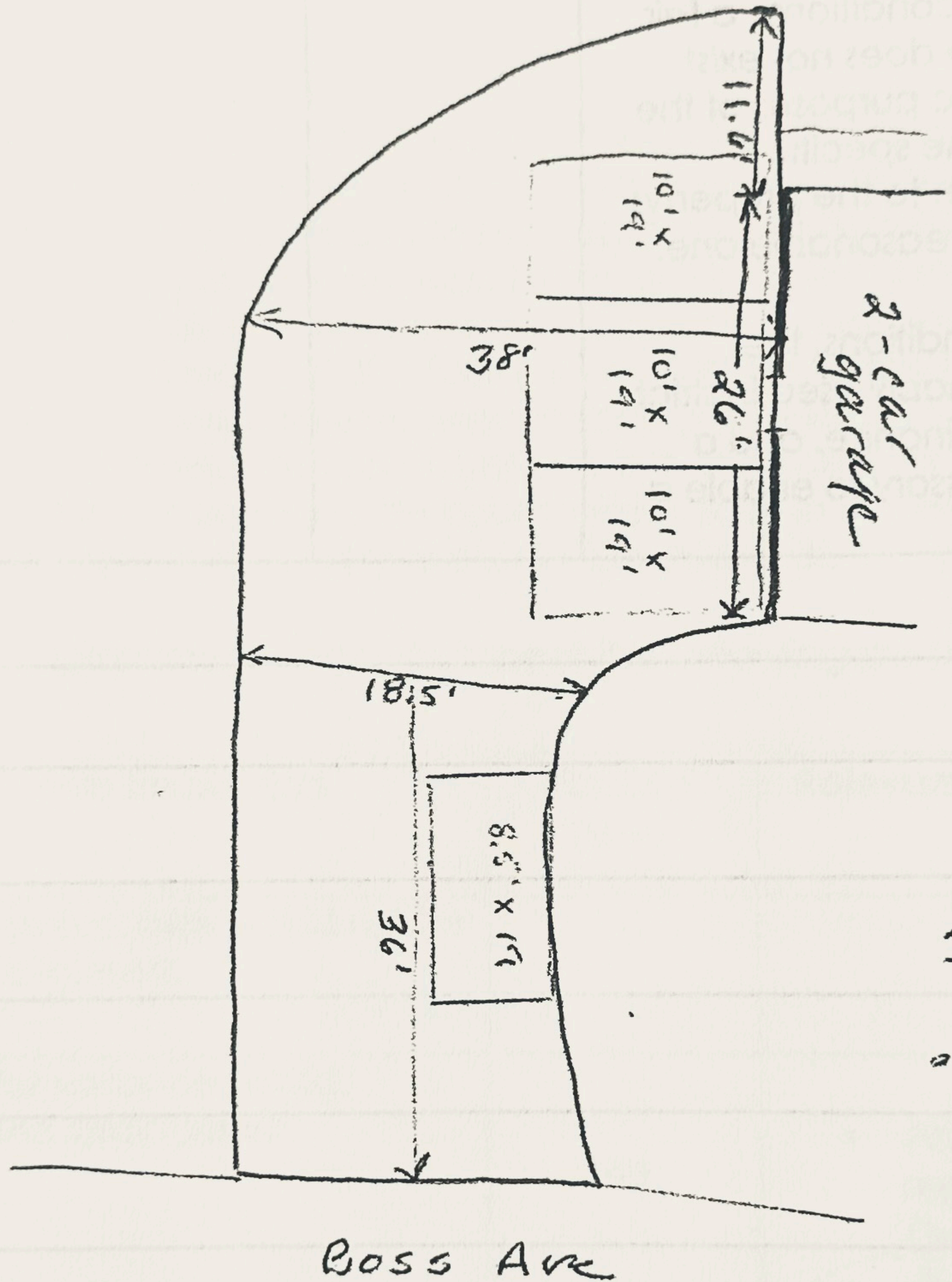
Oliver's Arts

ALL YOU NEED IS LOVE... AND A DOG

ROSS LAMY

Oliver's Arts

Exhibit A



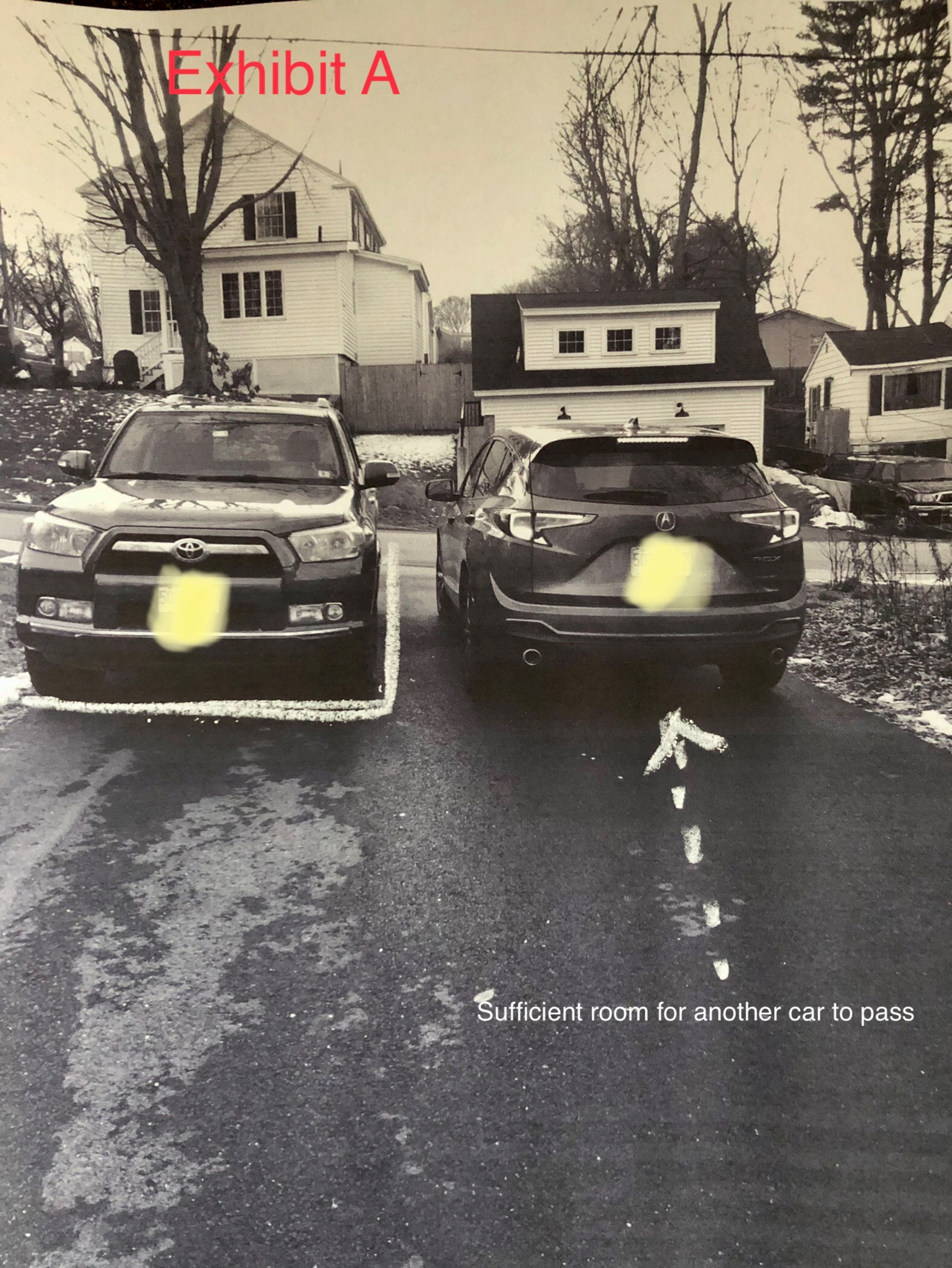
32 Boss Ave

o = proposed parking
3-4 spots in
driveway

Exhibit A



Exhibit A



Sufficient room for another car to pass