

APPLICATION OF ETHOS VETERINARY HEALTH

231 Corporate Drive, Tax Map 314, Lot 2

APPLICANT'S NARRATIVE

I. THE PROPERTY.

The Applicant Ethos Veterinary Health is renovating an existing building for a Veterinary Hospital at 231 Corporate Drive in the located in the PDA Business and Commercial Zone. As part of the buildout, the Applicant needs two (2) fenced in dog walking areas as shown on the plans prepared by Tighe & Bond. These fences are approximately 4' in front of the existing building and will be 6' in height. The fences will be located a minimum of 67.1 feet from the front lot line, where 70 feet is required.

The proposed dog fenced in areas are off the Intensive Care Unit and will be used primarily for ICU patients, 1 dog at a time. The fenced in areas will not be for play areas or other activities that promote barking. These patients are sick, maybe bleeding, wearing a cone, etc. The area will allow the animals to get outside after a medical procedure to relieve themselves.

II. RELIEF REQUESTED.

The Applicant is seeking variances from the provisions of Article 305.02 (c) and 304.04 (c) of the Pease Development Authority Zoning Ordinance to allow the fences to be located between the building and the front lot line, for the use associated with dog walking, and for being located with 70 feet of the front lot line. The fences must be located near the ICU ward which is in the front of the building.

III. ARGUMENT.

It is the Applicant's position that the five criteria necessary for the granting of the requested variances as set forth in Article 317.01(c) of the PDA Zoning Ordinance are met by the within Application.

1. No adverse effect or diminution in values of surrounding properties would be suffered.

Granting the requested variance would not in any way diminish the value of surrounding properties. All surrounding properties are Commercial in nature and will not be negatively impacted by the location of the fence areas.

2. Granting the variance would be of benefit to the public interest.

Granting the requested variance would not substantially alter the characteristics of the neighborhood nor would granting the variance threaten public health, safety, or welfare. The Property sits in the Commercial Zone where animal hospitals are permitted. A Fenced area for animals is a medically necessary amenity to the hospital. Thus, granting the variance would not be contrary to the spirit and intent of the ordinance and it would be a benefit to the public interest.

3. Denial of the variance will result in unnecessary hardship to the person seeking it.

Owing to special conditions of this property that distinguish it from other properties in the area, no fair and substantial relationship exists between the general public purposes of the ordinance and the specific application of that provision to this property.

The Special conditions of the property are driven by the fact that the building is surrounded on three (3) sides by a wetlands buffer. The applicant is trying to reduce impervious surfaces by pulling the building away from the wetland buffer and locating the dog walk area outside of the wetland buffer. Also, the building is designed in such a fashion that the existing elevator is driving the interior layout with the emergency department on the first floor and the ICU area positioned next to the elevator. These are the spaces needing easy access to the outdoor area for injured or sick patients. The location will also utilize the existing concrete walkways so that no new impervious surfaces are added to the site for the dog walk areas.

4. Granting the variance would be substantial justice.

Granting the requested variance will result in substantial justice being done. The hardship upon the Applicant were the variance to be denied is not outweighed by some benefit to the general public in denying the requested variance.

5. The proposed use would not be contrary to the spirit of this zoning rule.

The Property sits in the Commercial Zone where hospitals are permitted. Thus, granting the variance would not be contrary to the spirit and intent of the ordinance.

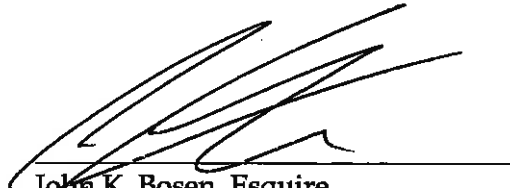
IV. CONCLUSION.

For the foregoing reasons, the applicant respectfully requests the Board recommend the variance be approved as requested and advertised.

Respectfully submitted,

Dated: June 17, 2024

By:



John K. Bosen, Esquire

SITE DATA:
 LOCATION: TAX MAP 314, LOT 2
 231 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE
 ZONING DISTRICT: BUSINESS & COMMERCIAL
 ALLOWED USE: PROFESSIONAL / BUSINESS OFFICE

DIMENSIONAL REQUIREMENTS:

REQUIRED/ALLOWED	PROPOSED/PROVIDED
MINIMUM LOT AREA 5 ACRES	±7.7 ACRES
MINIMUM LOT FRONTAGE 200 FEET	±504 FEET
MINIMUM FRONT YARD 70 FEET	±73 FEET (EXISTING)
MINIMUM SIDE YARD 30 FEET	±156 FEET (EXISTING)
MINIMUM REAR YARD 50 FEET	±507 FEET (EXISTING)
MAXIMUM BUILDING HEIGHT F&A CRITERIA	30 FEET
MINIMUM OPEN SPACE 25% OF LOT AREA	±65%

PARKING SPACES REQUIREMENTS:

PARKING STALL LAYOUT:
 • STANDARD 90°

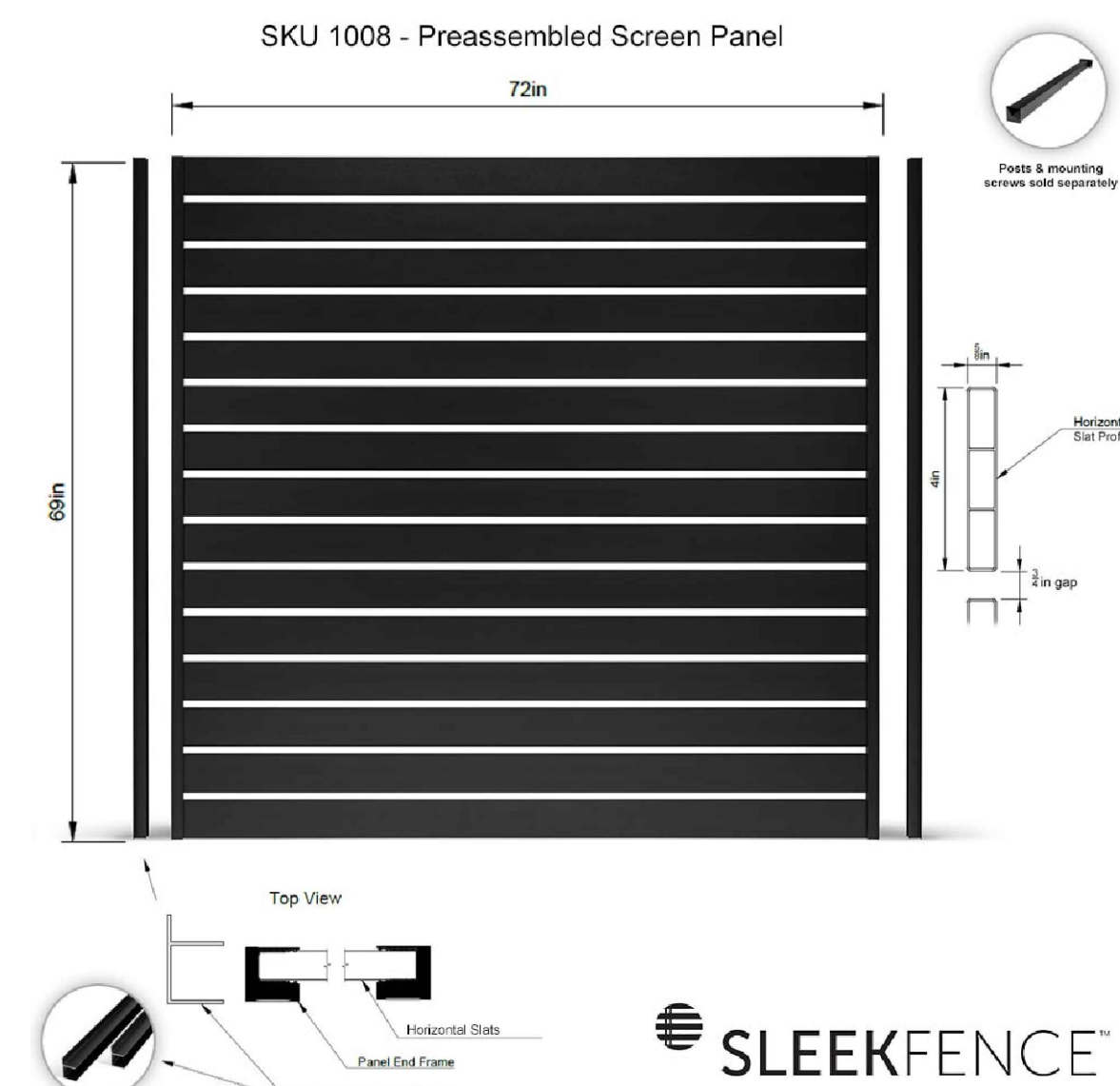
WIDTH: 8.5' MIN	AREA: 160 SF MIN	49' X ±18' (162 SF)
DRIVE AISLE WIDTH: • 90° (2-WAY TRAFFIC)	24 FT	24 FT

PROFESSIONAL OFFICE:
 3 / EACH PROFESSIONAL EMPLOYEE
 +1 / EACH STANDARD EMPLOYEE
 = 15 PROFESSIONAL EMPLOYEES x 3
 +30 STANDARD EMPLOYEES x 1
 = 75 SPACES

169 SPACES*

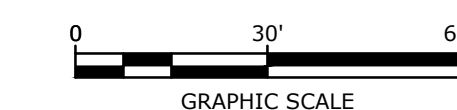
* - INCLUDES SIX (6) ADA PARKING SPACES
 ALL EXCESS SOIL RESULTING FROM THE CONSTRUCTION SHALL REMAIN ON SITE.

TAX MAP 303, LOT 6
 PEASE DEVELOPMENT AUTHORITY
 WASTEWATER TREATMENT PLANT
 135 CORPORATE DR
 PORTSMOUTH, NH 03801



- NOTES:**
- DOG WALK ENCLOSURE FENCE SHALL BE SLEEKFENCE ALUMINUM SCREEN FENCE PANELS - 72" WIDE x 69" HIGH OR EQUAL.
 - FENCE TO BE INSTALLED PER MANUFACTURES RECOMMENDATIONS.

DOG WALK ENCLOSURE FENCE
 NO SCALE



Proposed Veterinary Office

Ethos Veterinary Health

231 Corporate Drive
 Portsmouth, New Hampshire

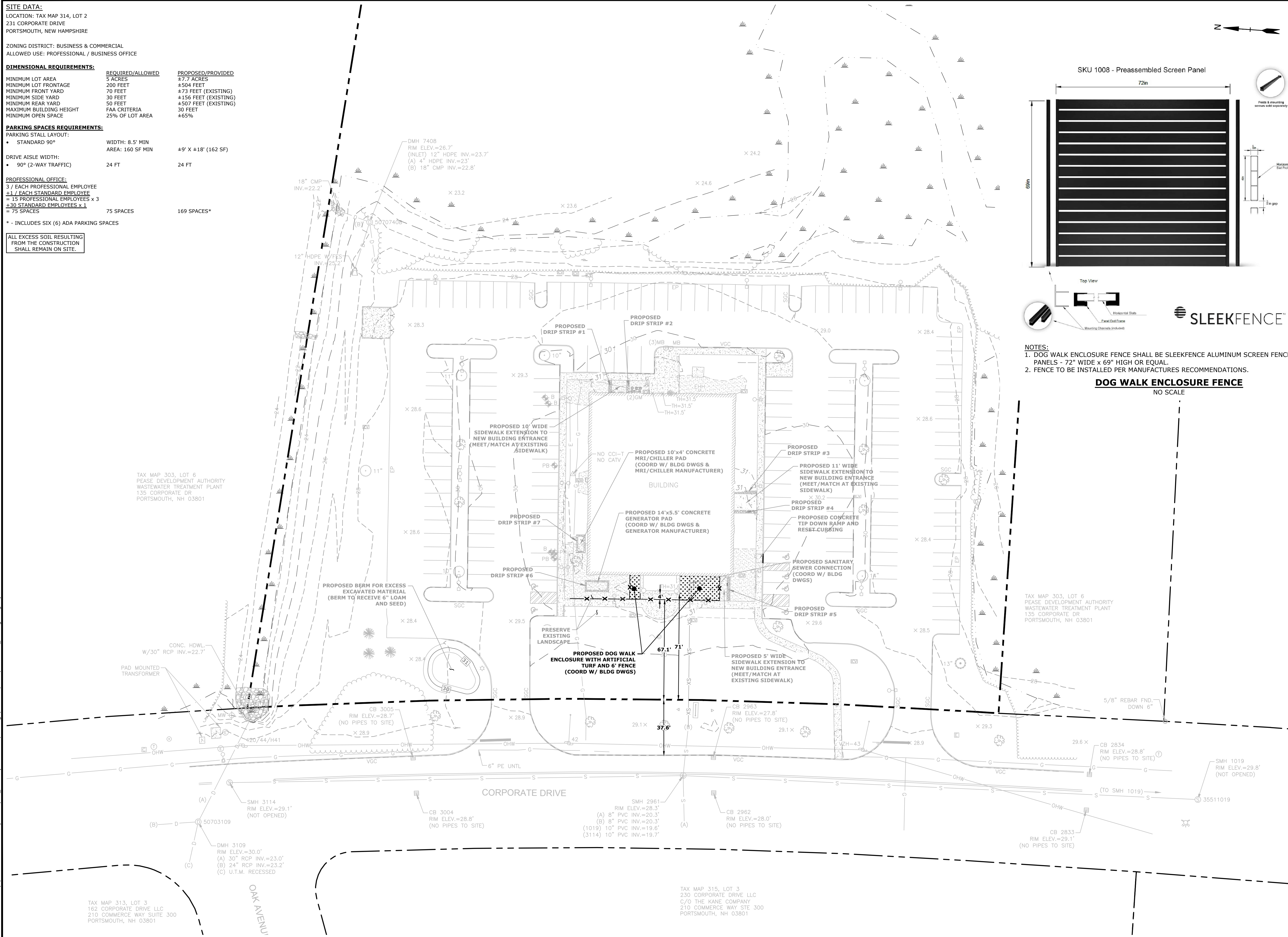
MARK	DATE	DESCRIPTION
B	4/18/24	Fence Variance Submission
A	12/4/23	Rev per PDA Comments

PROJECT NO: E5065-001
 DATE: 11/21/2023
 FILE: E5065-001_C-DESIGN.DWG
 DRAWN BY: CML
 CHECKED: NAH
 APPROVED: PMC

SITE, GRADING, UTILITIES, & LANDSCAPE PLAN

SCALE: AS SHOWN

Last Save Date: March 18, 2024 1:59 PM BY: MATANSEN
 Plot Date: Thursday, April 18, 2024 Plotted By: Neil A. Hansen
 P&E File Location: J:\E5065 Ethos Veterinary Health\001_231 Corporate Drive\Drawings\AutoCAD\Sheet\E5065-001_C-Design.dwg Layout Tab: Site - ZBA



TAX MAP 313, LOT 3
 162 CORPORATE DRIVE LLC
 210 COMMERCE WAY SUITE 300
 PORTSMOUTH, NH 03801

TAX MAP 315, LOT 3
 230 CORPORATE DRIVE LLC
 C/O THE KANE COMPANY
 210 COMMERCE WAY STE 300
 PORTSMOUTH, NH 03801

