

Findings of Fact | Accessory Dwelling Unit

City of Portsmouth Planning Board

Date: November 17, 2022

Property Address: 42 Harvard Street

Application #: **LU-22-176**

Decision: Grant Deny Grant with Stipulations

Findings of Fact: Zoning Ordinance -10.814.60: Before granting a conditional use permit for an attached or detached ADU, the Planning Board shall make the following findings:

10.814.60	Finding Circle One	Supporting Information
10.814.61 Exterior design of the ADU is consistent with the existing principal dwelling on the lot.	<p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p>	<p>The applicant has provided the following details regarding the architecture of the AADU:</p> <ul style="list-style-type: none"> • Vinyl siding will match existing siding in style and color (see attached color renderings) • New window style to match or coordinate with existing windows.
10.814.62 The site plan provides adequate and appropriate open space, landscaping and off-street parking for both the ADU and the primary dwelling.	<p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p>	<ul style="list-style-type: none"> • The applicant has three designated a parking spaces on the site. • Parking configuration, including parking in the front yard, reflects current of use of resident of the AADU who already resides on site. • The home directly across the street provides the parking and driveway directly in front of the front facing garage façade. • The 13,039 SF lot currently provides 79% open space which will not be reduced with the addition of an AADU. • The Single Residence B (SRB) requires a minimum 40% open space.
10.814.63 The ADU will maintain a compatible relationship to adjacent properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.	<p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p>	<p>The proposed addition will be a vertical expansion of garage located on the south side of the existing dwelling. No change to the existing footprint is proposed.</p> <ul style="list-style-type: none"> • The nearest structure to the rear (east) of the principal vertical expansion is 175 feet with significant vegetative buffering located along the property line. • The property to the south has a parking garage located 55 ft. from the proposed vertical expansion. The home is approximately 110 ft. away. • Off street parking in the neighborhood is provided in a mix of configurations (some to the side of the principal entrance, some in front). • The off-street parking locations proposed reflect

		<p>current parking utilized by the residents.</p> <ul style="list-style-type: none"> • A variety of residential forms and site layouts are evidenced in the surrounding properties.
10.814.64 The ADU will not result in excessive noise, traffic or parking congestion.	<p>Yes</p> <p>No</p>	The applicant is proposing one new accessory dwelling unit for a resident currently residing on site.
Other Board Findings	<p>Yes</p> <p>No</p>	
Other Board Support	<p>Yes</p> <p>No</p>	
Conditions of Approval (See Separate Conditions Sheet)	<p>Yes</p> <p>No</p>	

DRAFT



Dear Planning board members,

We are submitting this application for approval to construct an ADU on 42 Havard st. My client property owner Betty Ann Fraser Pettigrew has expressed her concerns in regards to aging in place at her residence, and with unkown future health concerns. She has been a long time resident of this quaint town of Portsmouth and would like to stay here. She has expressed deeply on the matter of not going to an retirement facility/assisted living facility. With the sudden skyrocketing cost of all living expenses, and cost of goods while on a fixed income, That option is not even feasible to begin with. Through some long family discussions on this matter, one of Betty's daughters (Bevin Korth) is willing to step up to the plate to become the future care provider/health proxy. In order to achieve this goal Bevin is going to need her own space to live as well.

On a limited construction budget the most efficient build design is to construct above the garage/mudroom. It also avoids having to relocate the main power supply, oil tank, and adding a small portion of foundation. With countless hours spent trying to find a location for an interior stair case that could even fit within the living space has been unachievable. With the mudroom having 3 doors and an entryway into the kitchen with the rise/run of the required stair case it would land in obstruction of them. There is also no room in the very tight single car garage as well. We also took into consideration plumbing lines in unheated spaces with maybe moving the bathroom around to create a connecting door. With all above considered we are asking the board for a special approval on criteria 10.814.41. We meet and or exceed all other required criteria. Thank you for your time and consideration on this matter.

Thanks,
Seth Monkiewicz

Betty Ann Fraser Pettigrew

Planning board Application for ADU

42 Harvard st

Portsmouth, NH 03801

10-20-22

10.814.30 All accessory dwelling units shall comply with the following standards:

10.814.31 The principal dwelling unit and the accessory dwelling unit shall not be separated in ownership (including by condominium ownership). **Betty Ann Fraser Pettigrew will remain first lien holder of 42 Harvard st.**

10.814.32 Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the dwelling as his or her principal place of residence. The owner shall provide documentation demonstrating to the satisfaction of the City that one of the units is his or her principal place of residence. **Betty Ann Fraser Pettigrew will Continue to remain in the principal dwelling unit.**

10.814.321 When the property is owned by one or more trusts, one of the dwelling units shall be the principal place of residence of the beneficiary(ies) of the trust(s). **42 Harvard St is not under any Trusts.**

10.814.33 Neither the principal dwelling unit nor the accessory dwelling unit shall be used for any business, except that the property owner may have a home occupation use in the unit that he or she occupies as allowed or permitted elsewhere in this Ordinance. **There will be no business conducted at 42 Harvard ST.**

10.814.34 Where municipal sewer service is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises. **Property is on municipal sewer, and water.**

10.814.40 An attached accessory dwelling unit (AADU) shall comply with the following additional standards:

10.814.41 An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit. **We are asking for an exception to this criteria. We have spent countless hours with our designer to find an optimal placement for an interior staircase. Due to The rise and run of the required staircase it would interfere with the current doorway into The kitchen area which can not be relocated. Placement can only come down into The Small Mudroom which houses the Main front entry door, rear patio door and garage entry door on opposite side of kitchen doorway as well. Due to current plumbing configurations of existing main dwelling, while taking into consideration that half of The Proposed ADU is over an unconditioned garage space and the second room floor is exposed to**

the elements as it creates an overhang the front entry. Therefore the kitchen and bathroom locations are also very limited as to their placement

10.814.42 The accessory dwelling unit shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area. For the purpose of this provision, gross floor area shall not include existing storage space, shared entries, or other spaces not exclusive to the accessory dwelling unit. **The proposed ADU gross floor area is 726 '.**

10.814.43 Any exterior changes to the single-family dwelling shall maintain the appearance of a single-family dwelling. If there are two or more doors in the front of the dwelling, one door shall be designed as the principal entrance and the other doors shall be designed to appear to be secondary. **The above the garage \ mudroom addition for The Proposed ADU will appear to the publics and neighbors eyes to be added living space to the property.**

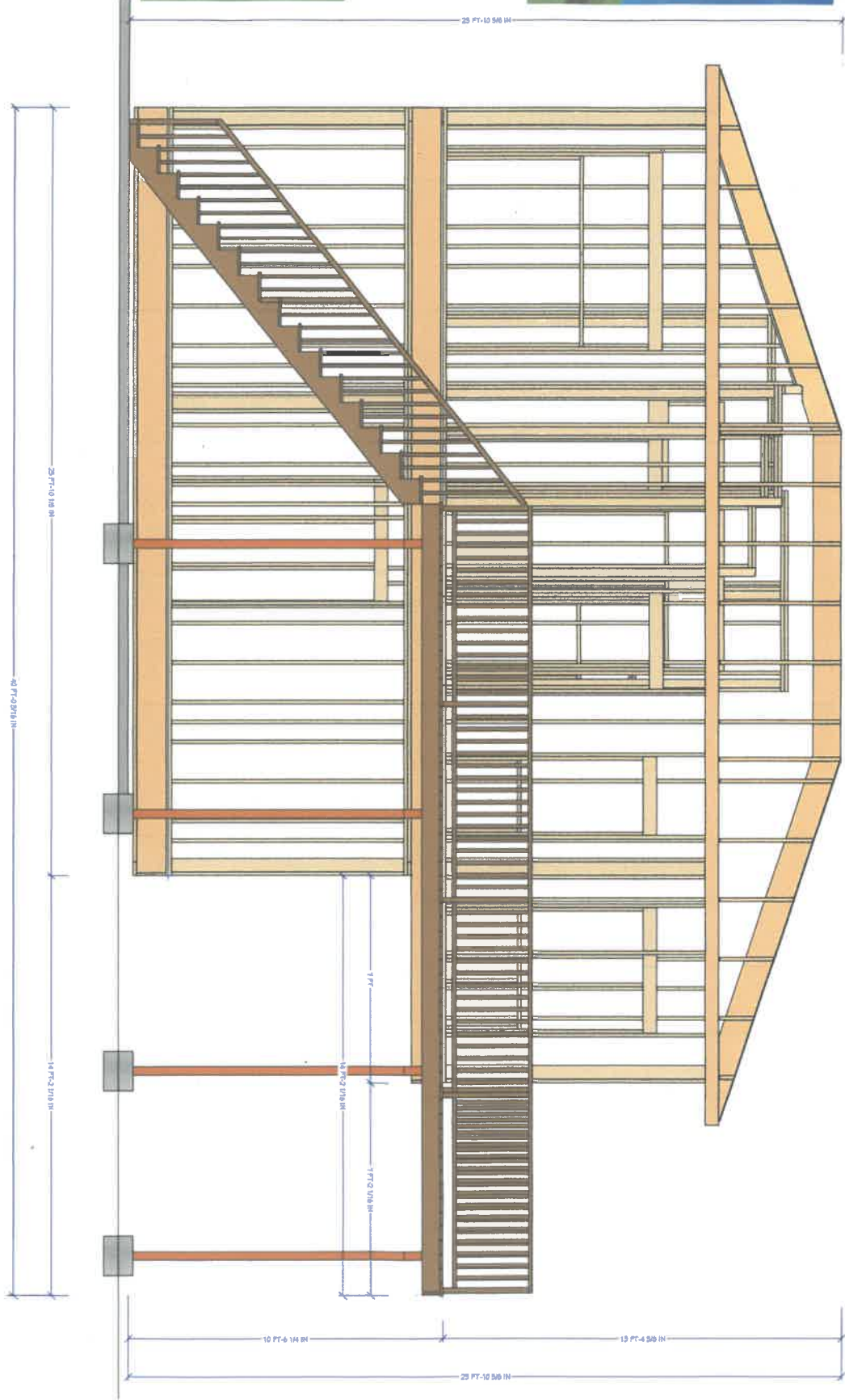
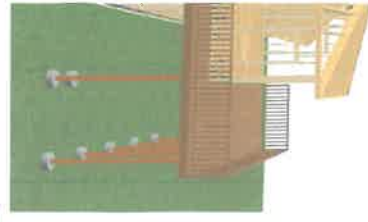
10.814.44 No portion of the AADU shall be closer to the front lot line than the existing front wall of the principal dwelling unit. **Current construction plans are to build a second floor level on top of existing footprint.**

I, Betty Ann Brown,
 am going to remain
 residing at the property
 located at 42 Harrison St.
 in the main building.

Apr. 24, 2022

Betty Ann Brown

Owner Occupied Proof



SOUTH WALL ELEVATION

CONTRACTOR TO VERIFY

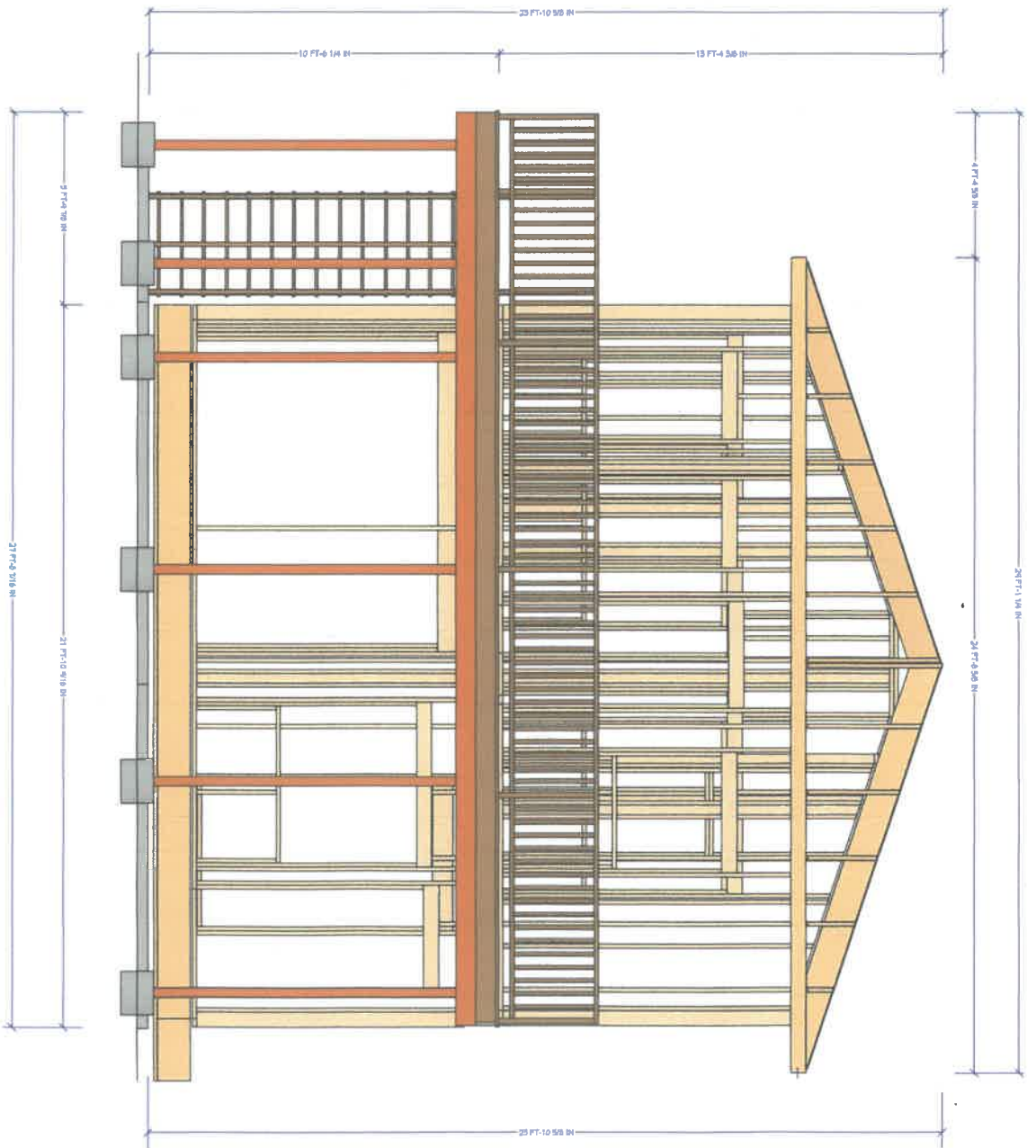
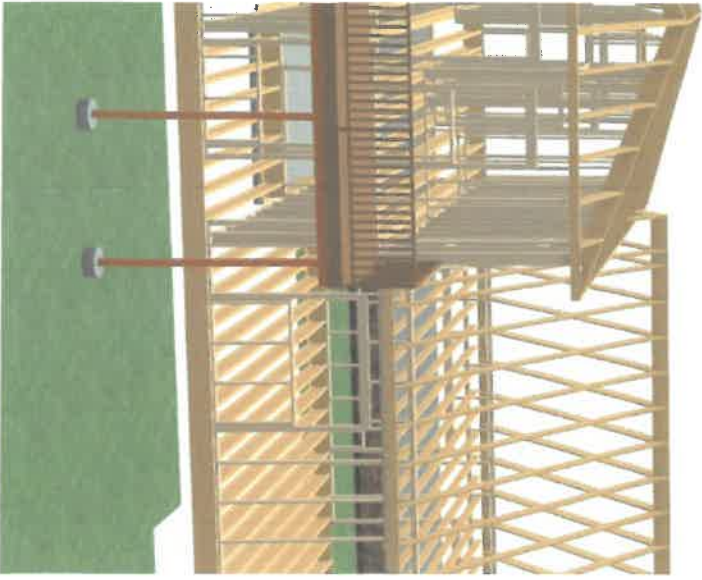
DESIGNED FOR
BEVIN KORTH
BY
DRS

**1 BEDROOM APARTMENT
OVER GARAGE**
42 Howard St

EXTERIOR
ELEVATIONS

DATE	BY
DWN	
REV	

SCALE SEE VIEW
1/4" = 1'-0"
DATE
SHEET #
4



EAST WALL ELEVATION
CONTRACTOR TO VERIFY

DESIGNED FOR
BEVIN KORTH
BY
DRS

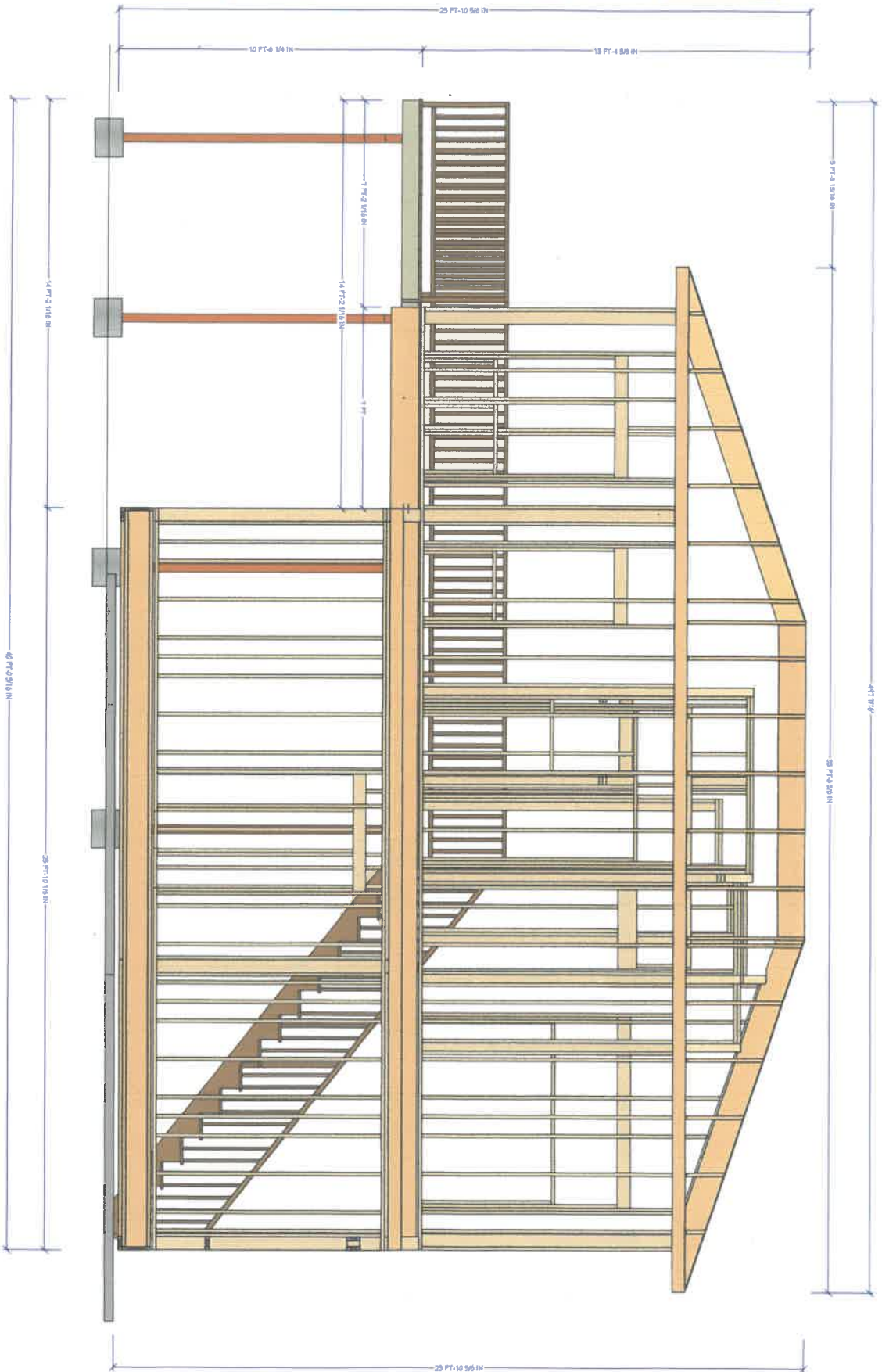
1 BEDROOM APARTMENT
OVER GARAGE
42 Howard St

EXTERIOR
ELEVATIONS

DWN	DATE	BY
REV		

SCALE SEE VIEW
1/4" = 1' - 0"
DATE

SHEET #
5



DESIGNED FOR

BEVIN KORTH

BY

DRS

1 BEDROOM APARTMENT
OVER GARAGE

42 Howard St

EXTERIOR
ELEVATIONS

NORTH WALL ELEVATION



CONTRACTOR TO VERIFY

DATE

BY

DWN
REV

SCALE SEE VIEW

1/4" = 1' - 0"

DATE

SHEET #

6

AFTER



NEST WALL VIEW
Current front



EAST WALL VIEW
Current Rear



CONTRACTOR TO VERIFY

DESIGNED FOR
BEVIN KORTH
BY
DRS

1 BEDROOM APARTMENT
OVER GARAGE
472 Howard ST

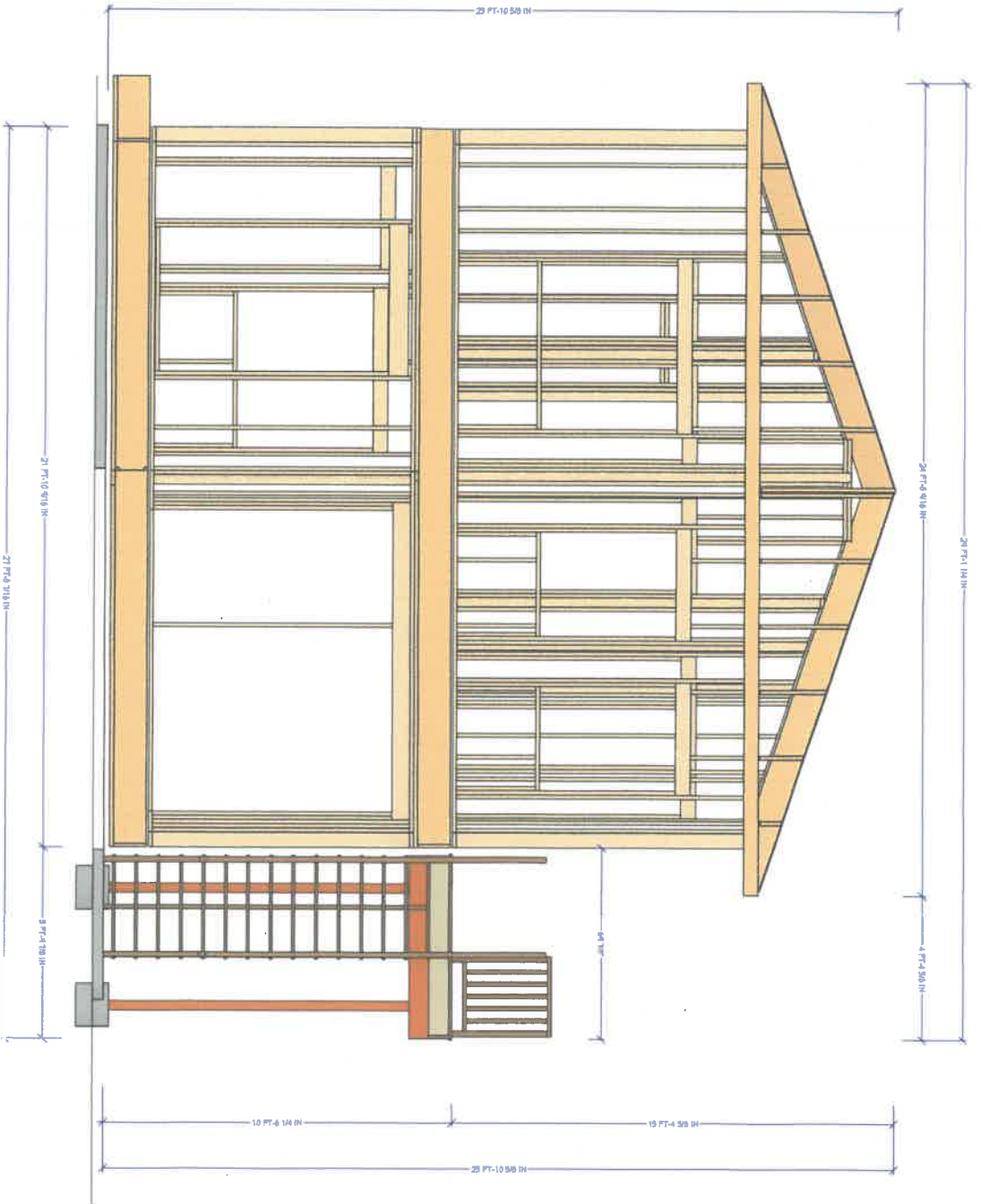
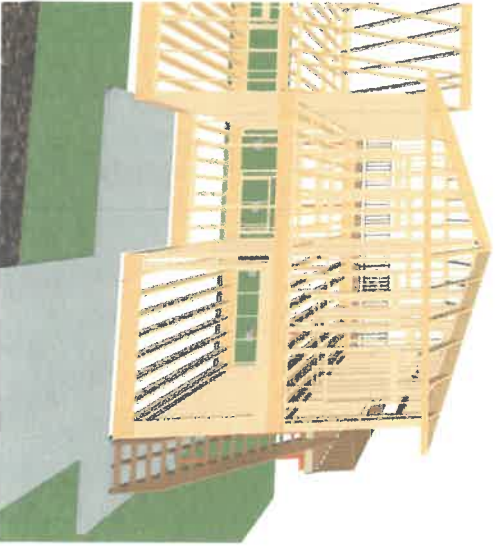
CONCEPT
DRAWINGS

DWN
REV

DATE	BY

SCALE SEE VIEW
As noted on plan & elev.

SHEET #
1



NORTH WALL ELEVATION

CONTRACTOR TO VERIFY

DESIGNED FOR
BEVIN KORTH
BY
DRS

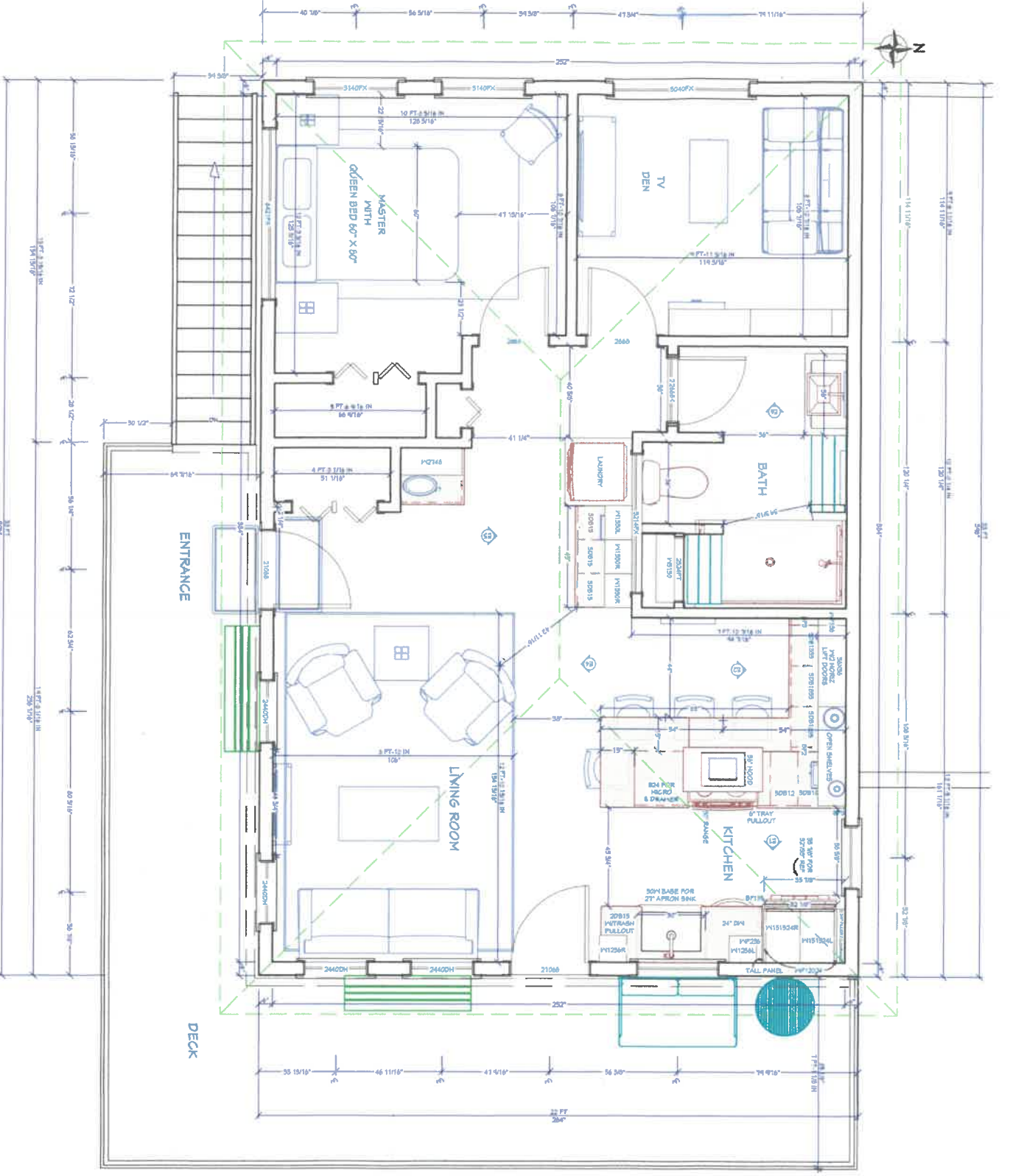
1 BEDROOM APARTMENT
OVER GARAGE
42 Harvard St

EXTERIOR
ELEVATIONS

DATE	BY
DWN	REV

SCALE SEE VIEW
1/4" = 1' - 0"
DATE

SHEET #
3



EAST WALL ELEVATION

CONTRACTOR TO VERIFY

DESIGNED FOR
BEVIN KORTH
BY
DRS

1 BEDROOM APARTMENT
OVER GARAGE
42 Howard St

2nd FLOOR
FLOORPLAN

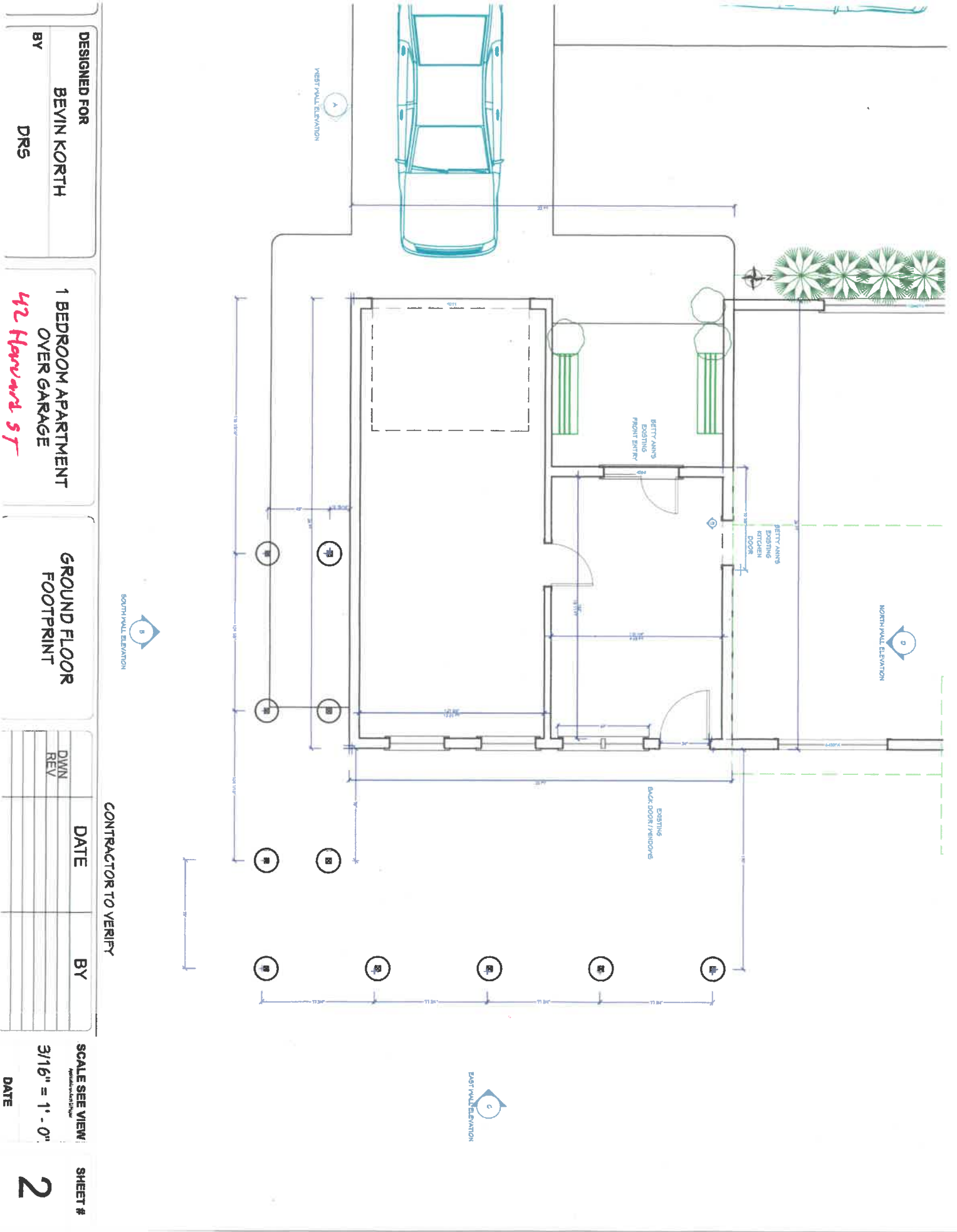
DWN
REV

DATE

BY

SCALE SEE VIEW
1/4" = 1'-0"
DATE

SHEET #
7



DESIGNED FOR
BEVIN KORTH
 BY
DRS

1 BEDROOM APARTMENT
 OVER GARAGE
42 Howard St

GROUND FLOOR
 FOOTPRINT

DWN
 REV

CONTRACTOR TO VERIFY

DATE	BY

SCALE SEE VIEW
As Shown on All Drawings
 3/16" = 1' - 0"
 DATE

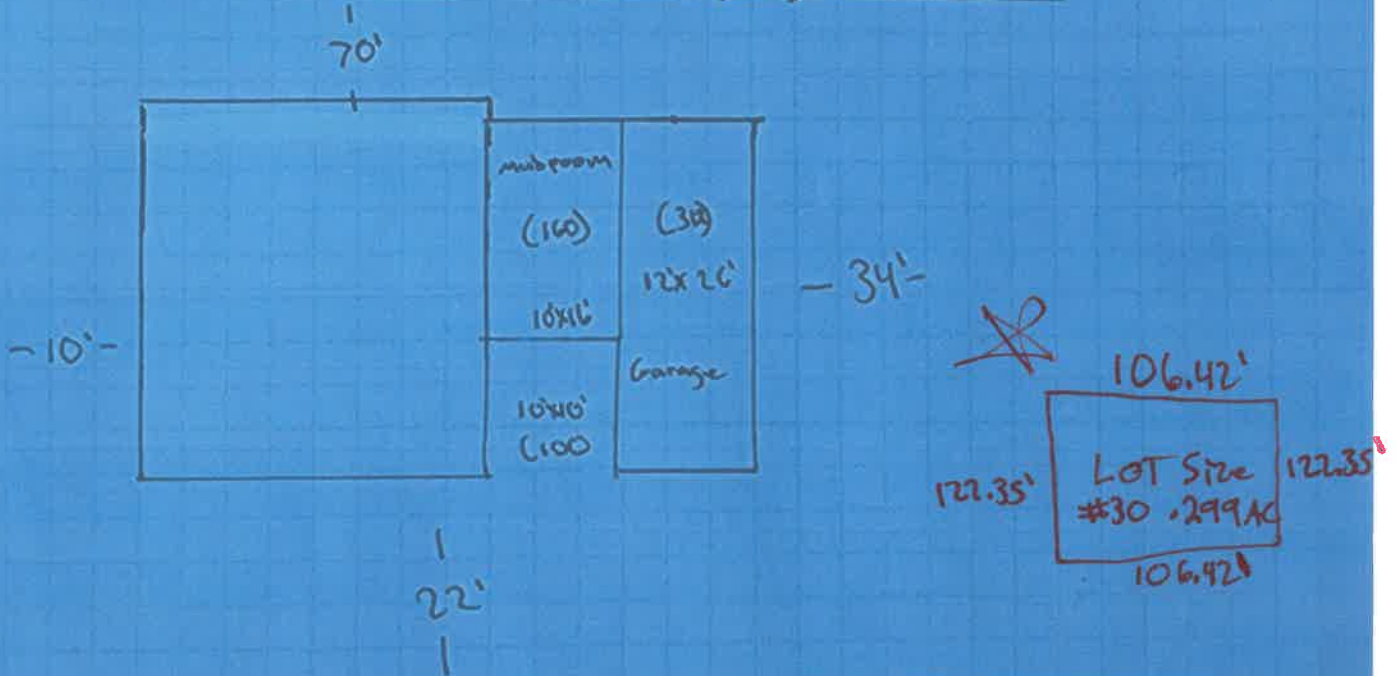
SHEET #
2

42 Harvard ST

42 Harvard ST

Current Plan is to Remove Garage; Mudroom Roof systems. Square off front structurally creating an overhang over front Main entry into mudroom. Extend ADU floor 7' from Rear simultaneously creating overhang over existing patio. Build structure as it Pertains to The Plans. Build Proposed wrap around Deck 8' off Rear ADU And 4' off right side ADU

Current Set Backs & Sq. FT



NEW Set Backs & Sq. FT of ADU

