

Findings of Fact | Detached Accessory Dwelling Unit

City of Portsmouth Planning Board

Date: August 15, 2024

Property Address: 271 Lafayette Road

Application #: LU-24-138

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:

	Section 10.814.62	Finding (Meets Requirement/ Criteria)	Supporting Information
1	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.	Meets Does Not Meet	The application complies with the standards in Section 10.814 with exception of the three requested modifications.
2	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.	Meets Does Not Meet	The proposed DADU is architecturally consistent with the principal dwelling as shown in the application.
3	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.	Meets Does Not Meet	With the proposed DADU, the lot will provide 74% open space where 40% is the requirement. There parking provided exceeds the requirement in the Ordinance.
4	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.	Meets Does Not Meet	The location of the DADU is set back 60 feet from the principal dwelling and will maintain a compatible relationship with the character of the surrounding properties in terms of design and location of the new DADU.
5	<u>Other Board Findings:</u>		

LAYOUT PAGE TABLE			
LABEL	TITLE	DESCRIPTION	COMMENTS
P-1	PROJECT OVERVIEW		
P-2	PLOT PLAN		
A-1	PLANS AND CROSS SECTION		
A-2	ROOF AND FOUNDATION PLANS		
E-1	EXTERIOR ELEVATIONS		



Project Narrative

A new construction garage with Detached Accessory Dwelling Unit (DADU) is being proposed. The building height will be 20.6 ft and the DADU will have a Gross Living Area (GLA) of 745 sq ft with 1 bedroom and 2 associated tandem parking spaces between the garage and side property line. The DADU will integrate into the community with minimal impact on the surrounding neighborhood by matching the windows, doors, siding, and roof pitches of the principal building. Compliance with 10.814.21 and 10.814.22 will be satisfied with the same owner occupying the principal dwelling unit also owning the DADU.

10.814.436 states "The DADU may include roof dormers provided they are located outside the required setbacks from all property lines and occupy no greater than 33% of any individual roof plane." However, the proposed "dormer" is a continuation of the exterior walls below, so not technically a dormer, but rather the exterior walls of the DADU with a shallower pitched roof than the other side, similar to a saltbox style home. If this interpretation is not accepted, then granting modification will be needed from 10.814.436 rather than harming aesthetics by removing the roof trim that gives the appearance of a dormer.

Modification will also be needed for 10.814.434, since the building footprint of the building containing the DADU is 1,040 sq. ft., which is greater than the allowed 750 sq. ft.

The other modification needed is for 10.814.435, since the gross floor area of the building containing the DADU is 1,785 sq ft, which is greater than 75 percent of the gross floor area of the principal dwelling unit (1,578 sq. ft).

DIMENSIONS WHERE PROVIDED SHALL TAKE PRECEDENT OVER SCALE OF DRAWINGS. CONTRACTOR SHALL MEASURE AND VERIFY ALL DIMENSIONS ON SITE.

INTERPRETATION OF CONTRACT DOCUMENTS: CONTRACTORS SHALL PROMPTLY NOTIFY THE DESIGNER OF ANY AMBIGUITY, INCONSISTENCY, OR ERROR WHICH THEY MAY DISCOVER UPON EXAMINATION OF THE CONTRACT DOCUMENTS OR OF THE SITE AND LOCAL CONDITIONS. IF THE CONTRACTORS KNOWINGLY DO NOT NOTIFY THE ARCHITECT OF SUCH AMBIGUITY, INCONSISTENCY, OR ERROR, THEY THEREFORE ACCEPT SUCH CONDITIONS AND WILL MAKE SUCH ADDITIONS OR CORRECTIONS NECESSARY TO PROPERLY COMPLETE THE WORK AT THEIR EXPENSE.

PERFORM ALL WORK OF THIS CONTRACT ACCORDING TO ALL APPLICABLE LOCAL, STATE, OR FEDERAL CODES AND/OR ORDINANCES. SECURE ALL PERMITS AS REQUIRED.

PROVIDE DUST PROTECTION AS NEEDED, AND AS DIRECTED BY ARCHITECT/OWNER.

DESIGN AND INSTALLATION OF ALL MECHANICAL & ELECTRICAL SYSTEMS IS THE RESPONSIBILITY OF THE SUBCONTRACTORS FOR THE SPECIFIC TRADES AND MUST COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AND AUTHORITIES HAVING JURISDICTION.

NOTHING IN THESE DRAWINGS OR SPECIFICATIONS SHALL IMPOSE LIABILITY ON THE DESIGNER OR HIS CONSULTANTS FOR CLAIMS, LAWSUITS, EXPENSES OR DAMAGES ARISING FROM, OR IN ANY MANNER RELATED TO THE EXPOSURE TO, OR THE HANDLING, OR THE DISPOSAL OF, ASBESTOS, ASBESTOS PRODUCTS, LEAD PAINT, OR HAZARDOUS WASTE IN ANY OF ITS VARIOUS FORMS, AS DEFINED BY THE EPA.

JEFF MATTSON DESIGN INC. ASSUMES NO LIABILITY FOR THE BUILDINGS DEPICTED IN THESE DRAWINGS ENCROACHING ON ANY PROPERTY SETBACKS, ZONING AND/OR HEIGHT RESTRICTIONS, OR ANY OTHER SITE CONSTRAINTS. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROPERLY GRADING AROUND THE NEW STRUCTURE.

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Holman Garage/DADU
271 Lafayette Rd Portsmouth, NH 03801

Project Overview

DATE:

7/23/2024

SCALE:

@ 24" x 36"

SHEET:

P-1

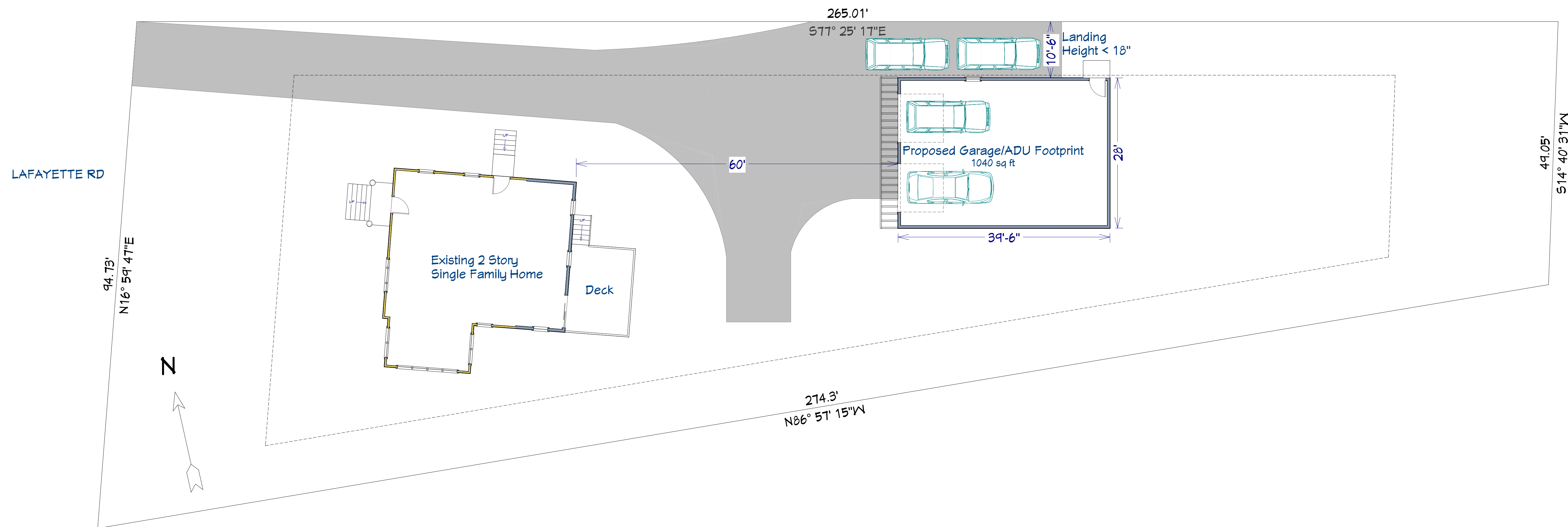
Proposed 1 Bedroom 738 sq ft DADU over Garage

Modification Needed for ADU Conditional Use Permit

	Standard	Proposed
10.814.434 The building footprint of the building containing the DADU shall be no greater than 750 sq. ft.	750 sq. ft.	1,040 sq. ft.
10.814.435 The gross floor area of the building containing the DADU shall be no greater than 1,600 sq. ft. gross floor area or 75 percent of the gross floor area of the principal dwelling unit (1544+560=2104), whichever is less.	2,104*0.75=1,578 sq. ft.	1,040+745=1,785 sq. ft.

SRB Zone

	Standard	Proposed
Minimum Lot Dimensions		
Lot area	15,000 sq. ft.	19,143 sq. ft.
Lot area per dwelling unit	15,000 sq. ft.	19,143 sq. ft.
Continuous street frontage	100'	94.73'
Depth	100'	265.01'
Minimum Yard Dimensions		
Front	30'	>30'
Side	10'	10.5'
Rear	30'	>30'
Maximum Structure Dimensions		
Structure height	22'	20.6'
Sloped roof	20%	12%
Building coverage	40%	74%
Minimum open space		



1 in = 10 ft

DATE:

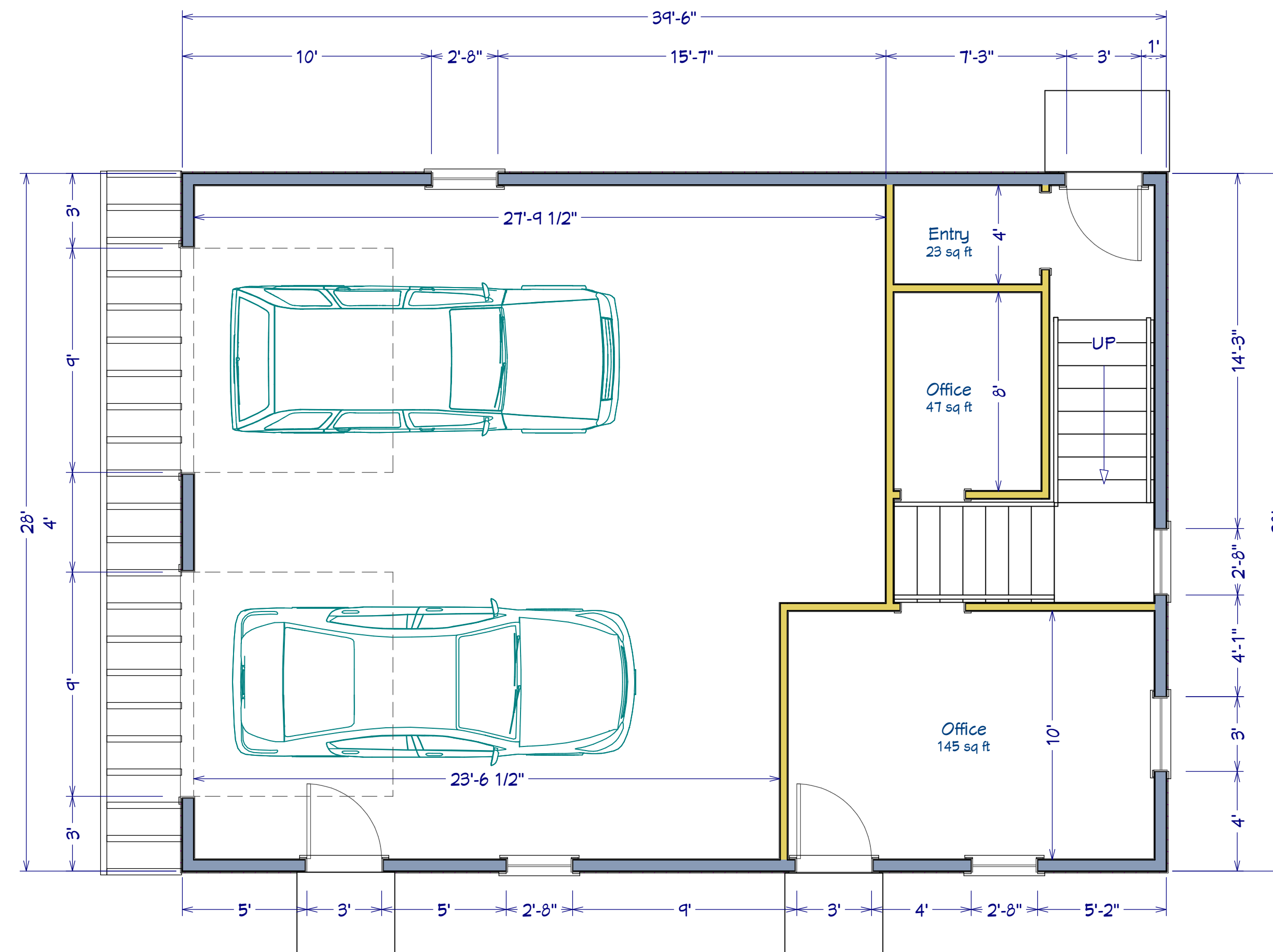
7/23/2024

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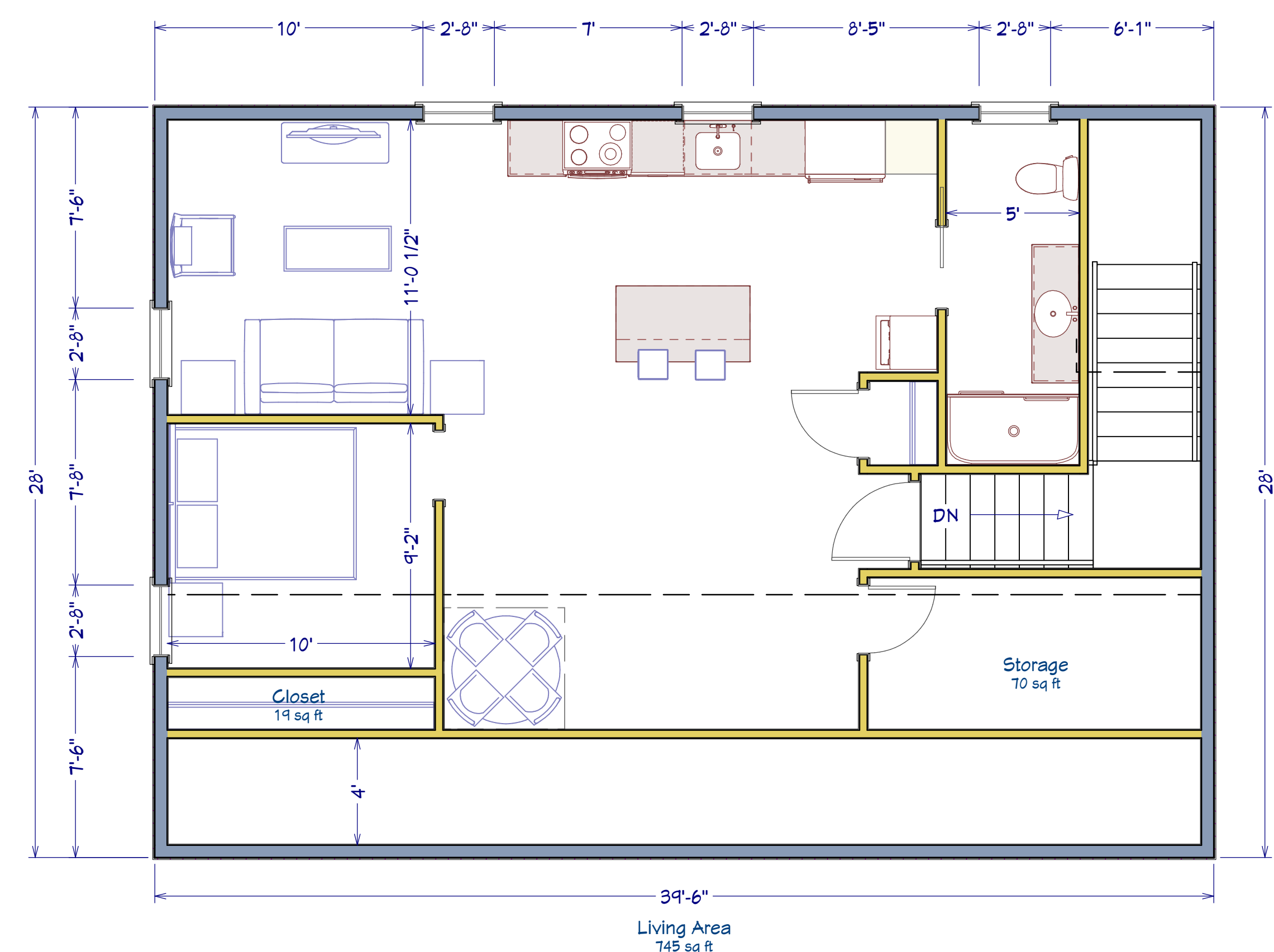
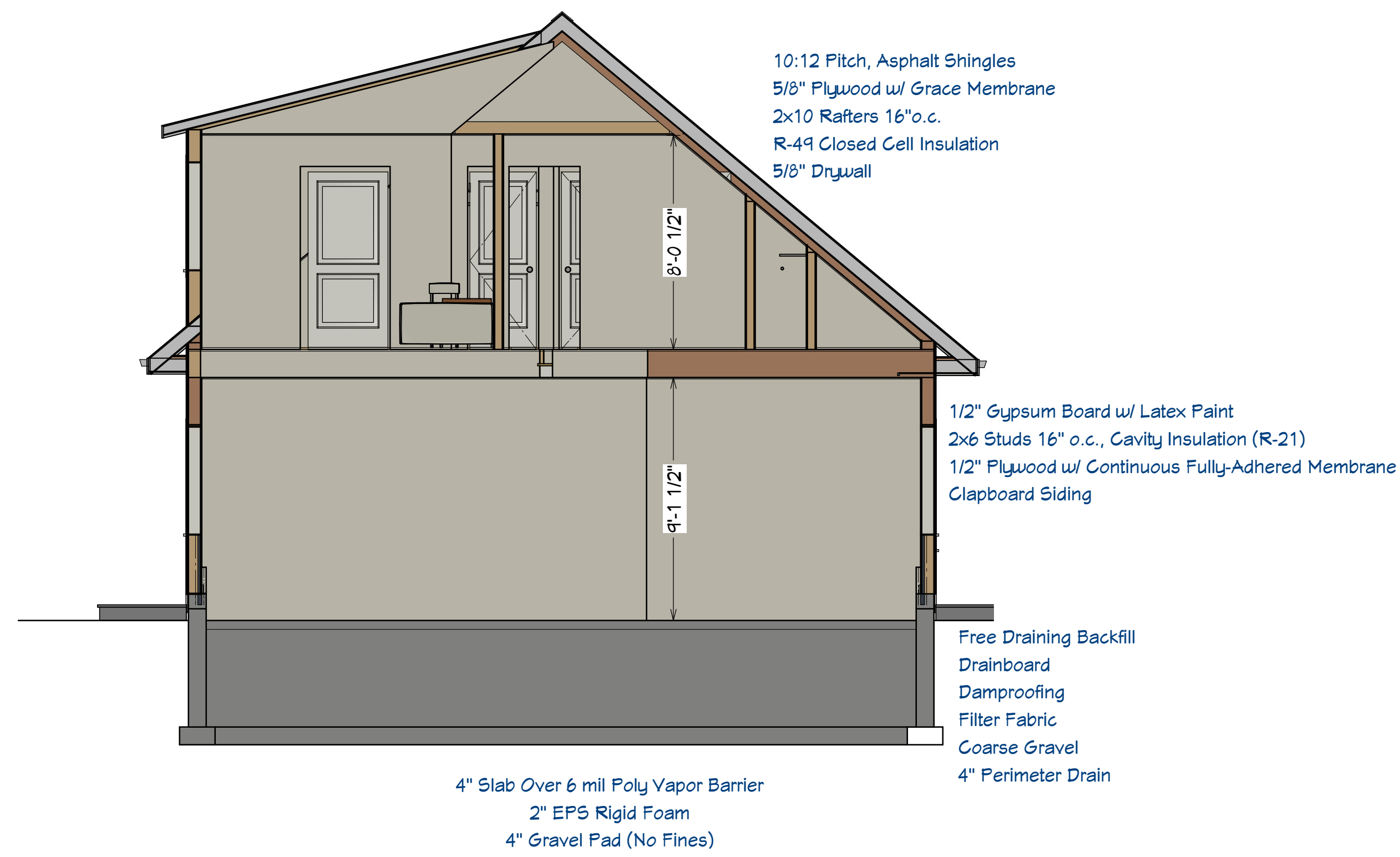
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SHEET:

P-2

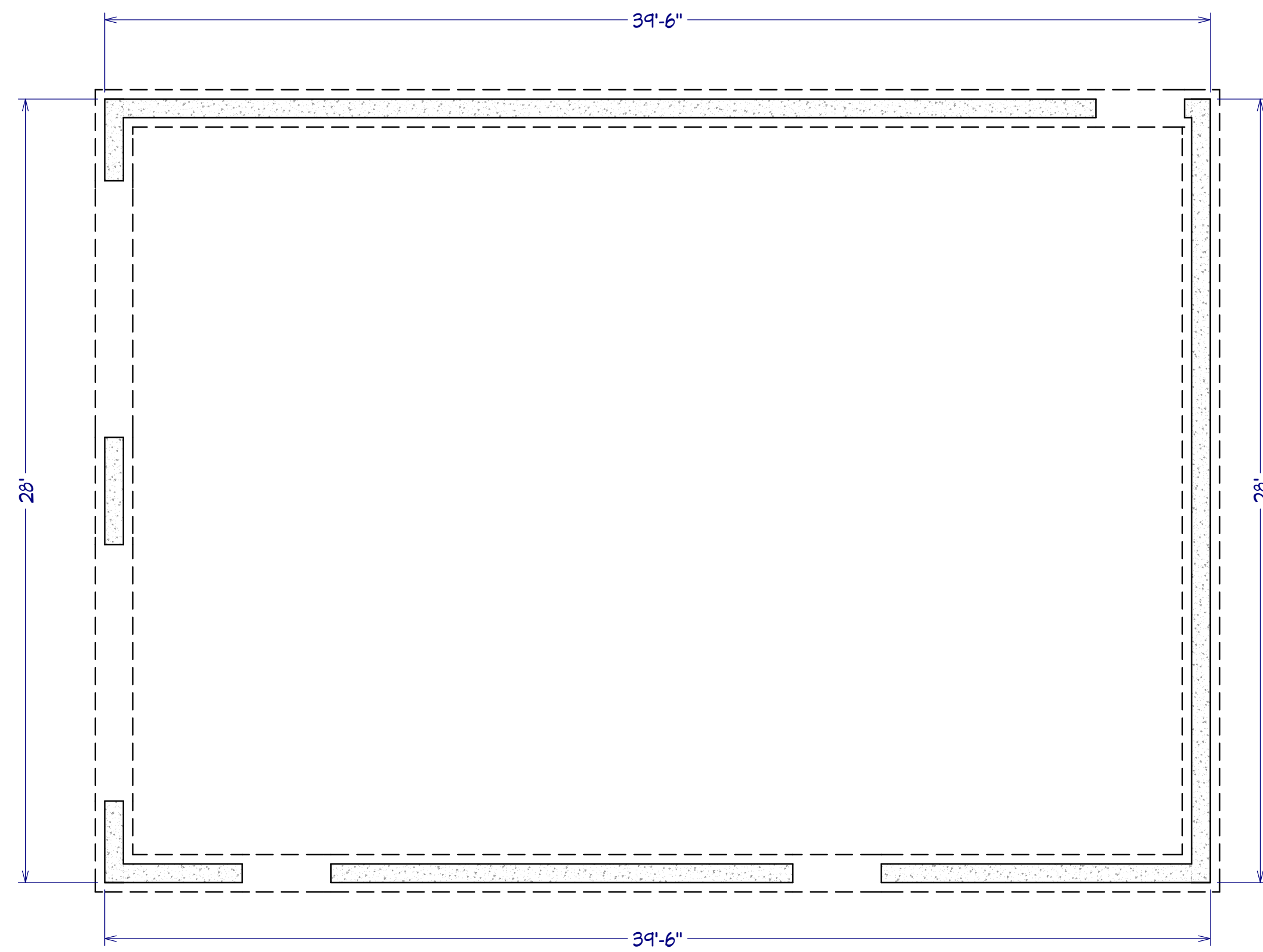


1st Floor

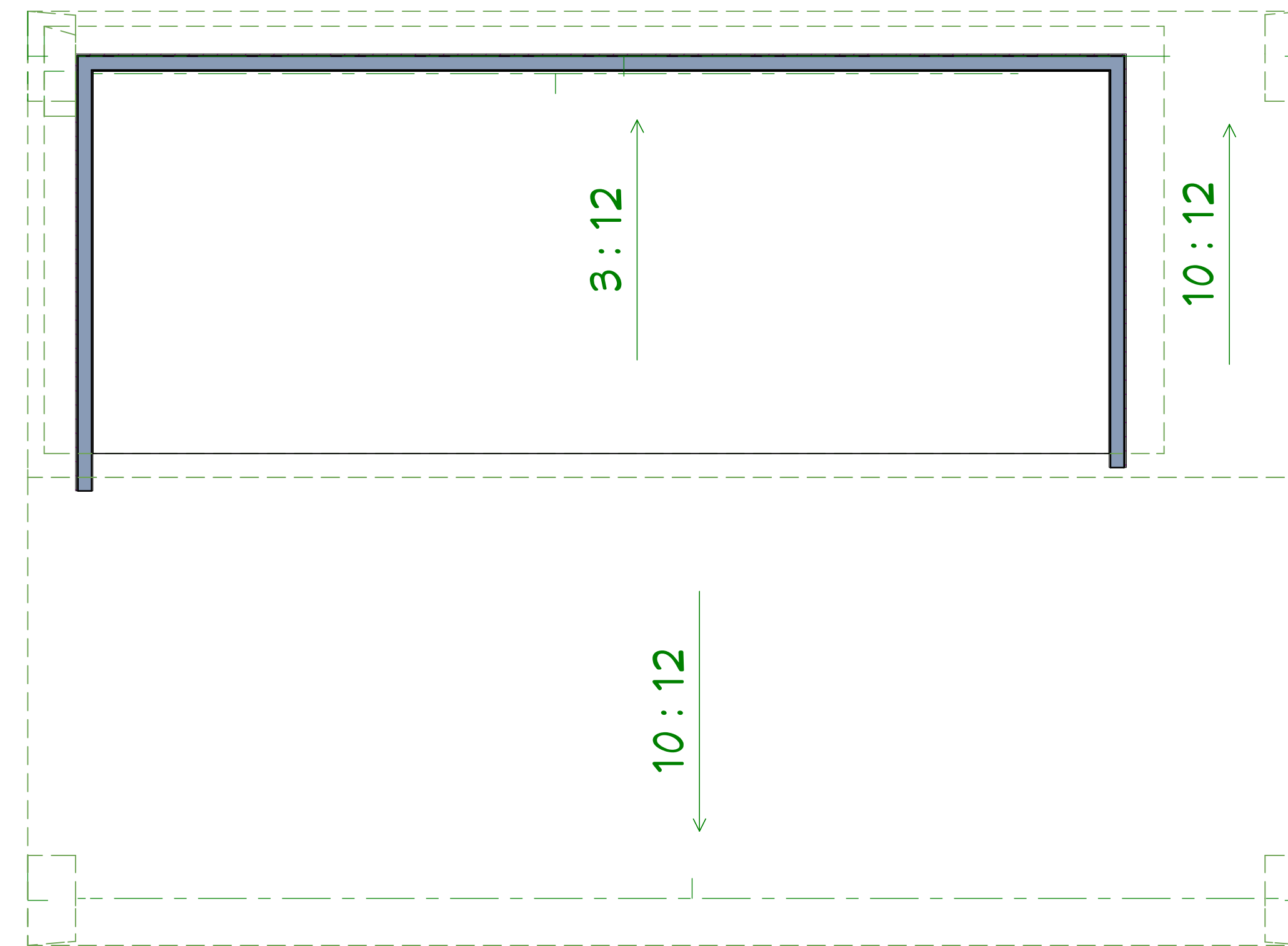


2nd Floor

DATE:	7/23/2024
SCALE:	@ 24" x 36"
SHEET:	A-1



Foundation



Roof

Roof and Foundation Plans

Holman Garage/DADU
271 Lafayette Rd Portsmouth, NH 03801

DATE:

7/23/2024

SCALE:

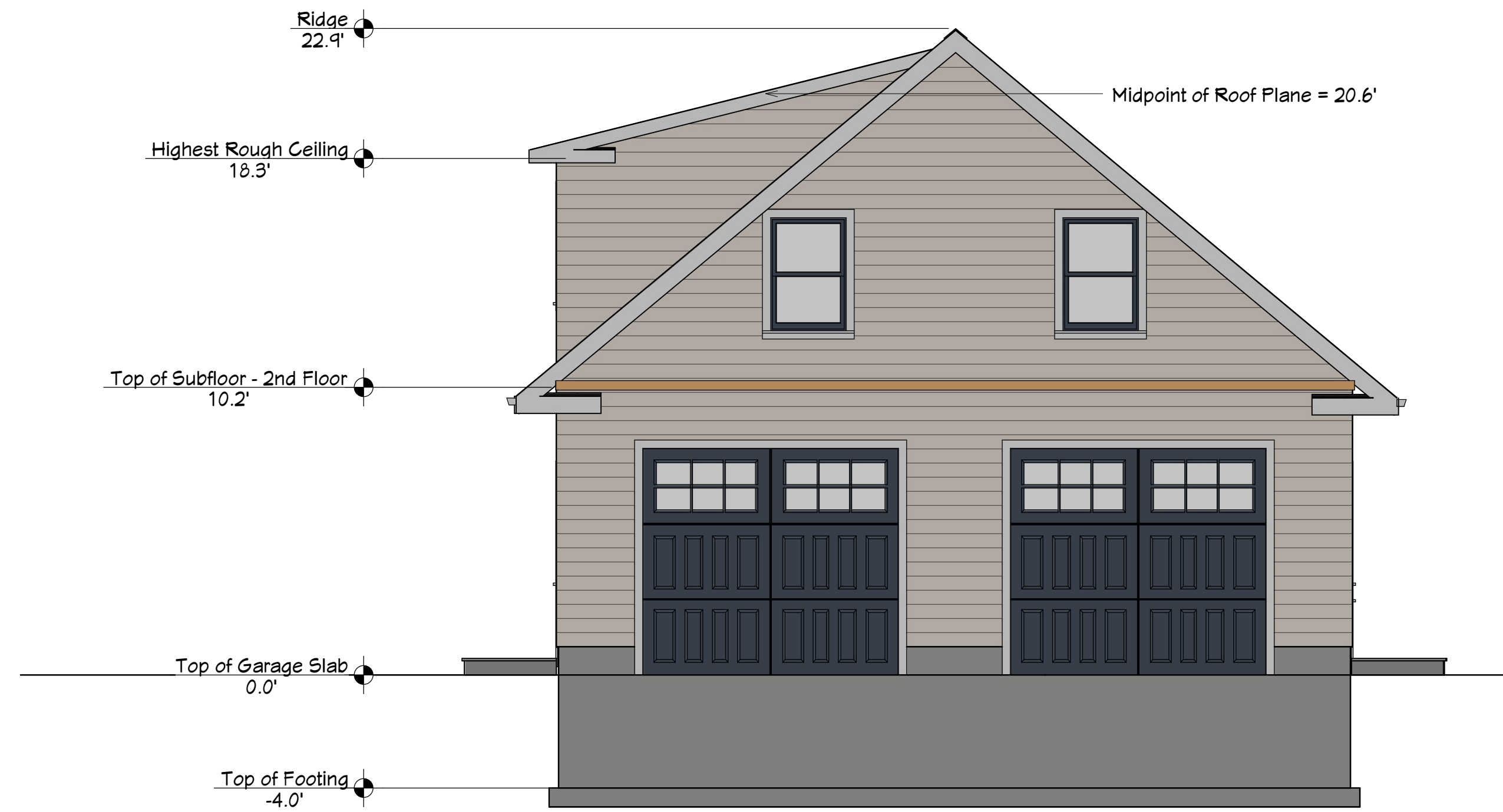
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SHEET:

A-2



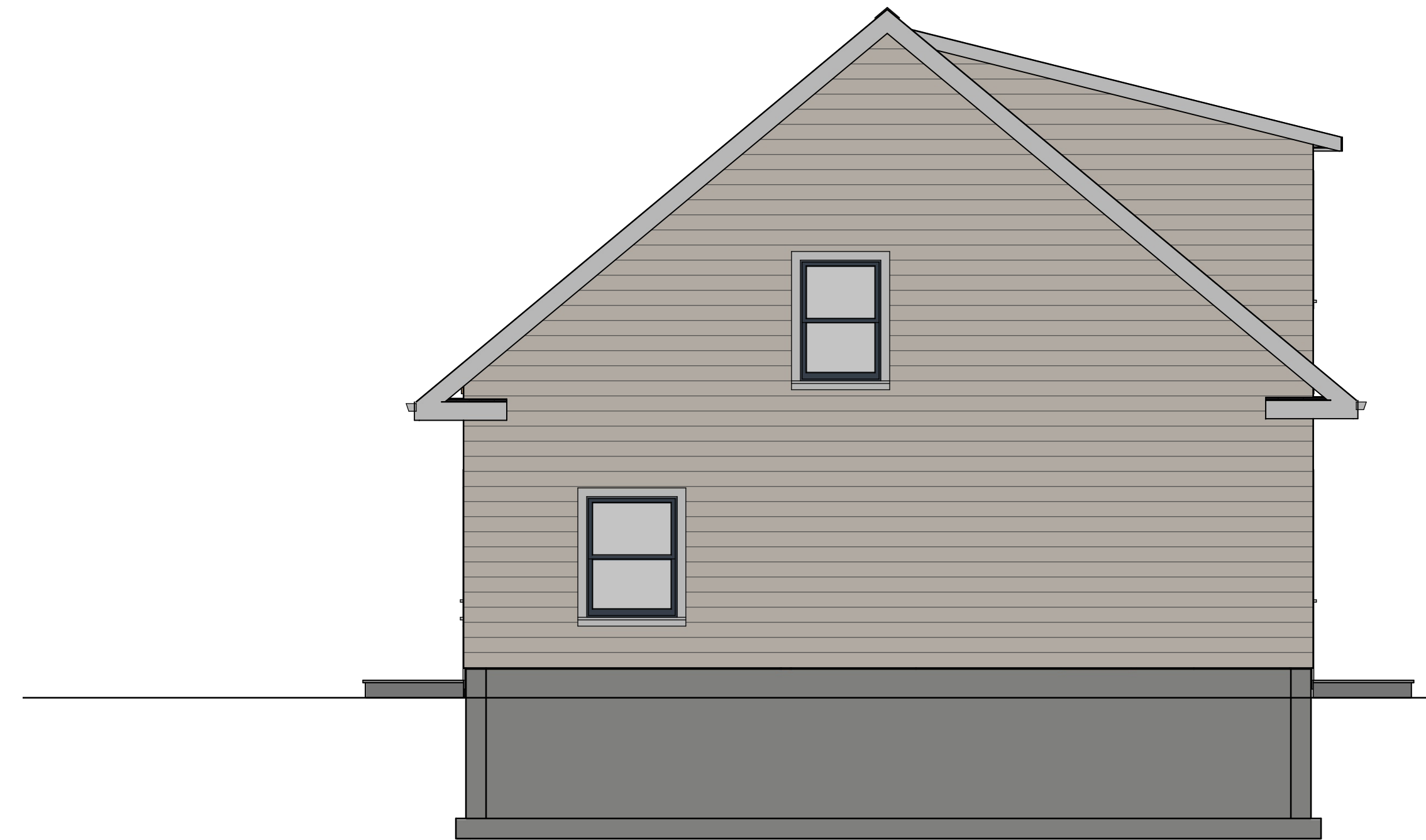
North Elevation



West Elevation



South Elevation



East Elevation

DATE:

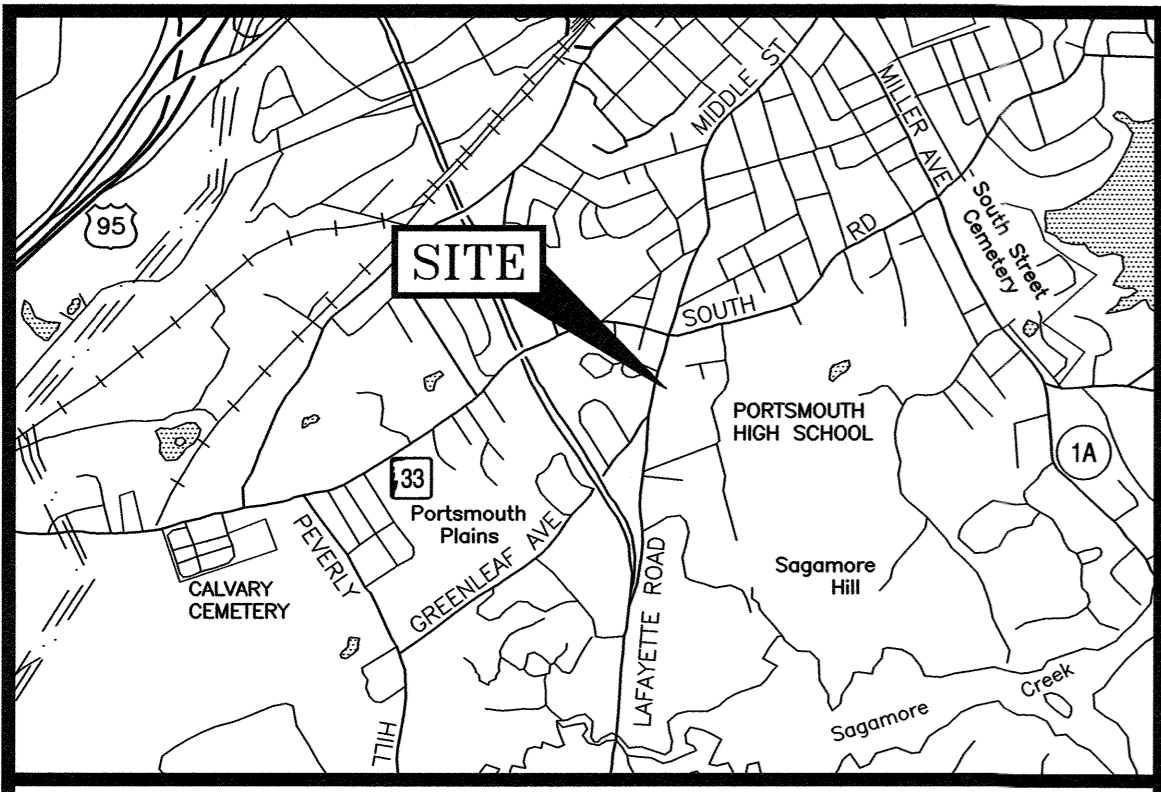
7/23/2024

SCALE:

@ 24" x 36"

SHEET:

E-1



LOCATION MAP SCALE: 1"=2000'

PLAN REFERENCES:

- 1) PLAN OF THE HOMESTEAD FARM OF THE LATE SAMUEL LANGDON PORTSMOUTH, N.H., DRAWN BY A.C. HOYT, DATED MAY 23, 1882, SCALE: 200 FEET TO AN INCH, COPIED BY JOHN W. DURGIN, NOV. 7, 1927, RCRD PLAN # 0364
- 2) PLAN OF HIGHLAND VIEW PORTSMOUTH, N.H., SCALE: 1 INCH = 40 FEET, DATED: JULY 1919, PREPARED BY JOHN W. DURGIN, RCRD PLAN #0248
- 3) LOT LINE RELOCATION PLAN ANTHONY S. BROWN & CHRISTOPHER H. BROWN AND THE PAUL V. BROWN TRUST, SOUTH STREET AND LAFAYETTE ROAD, COUNTY OF ROCKINGHAM, PORTSMOUTH, NEW HAMPSHIRE, SCALE: 1" = 30', DATED: 26 AUGUST 1991, PREPARED BY AMBIT SURVEY, RCRD D-21253
- 4) PLAN OF LAND 6 ROCKAWAY ST. PORTSMOUTH ROCKINGHAM COUNTY, NH FOR: GLENNIS E. LITTLE, SCALE: 1" = 20', DATED SEPTEMBER 2017, PREPARED BY NORWAY PLAINS ASSOCIATES, RCRD D-40361

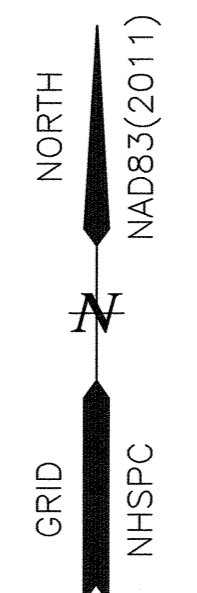
200 Griffin Road, Unit 3
Portsmouth, NH 03801
603.430.9282

WWW.HALEYWARD.COM

NOTES:

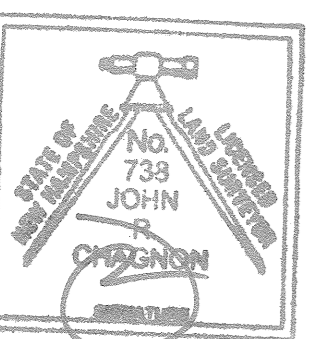
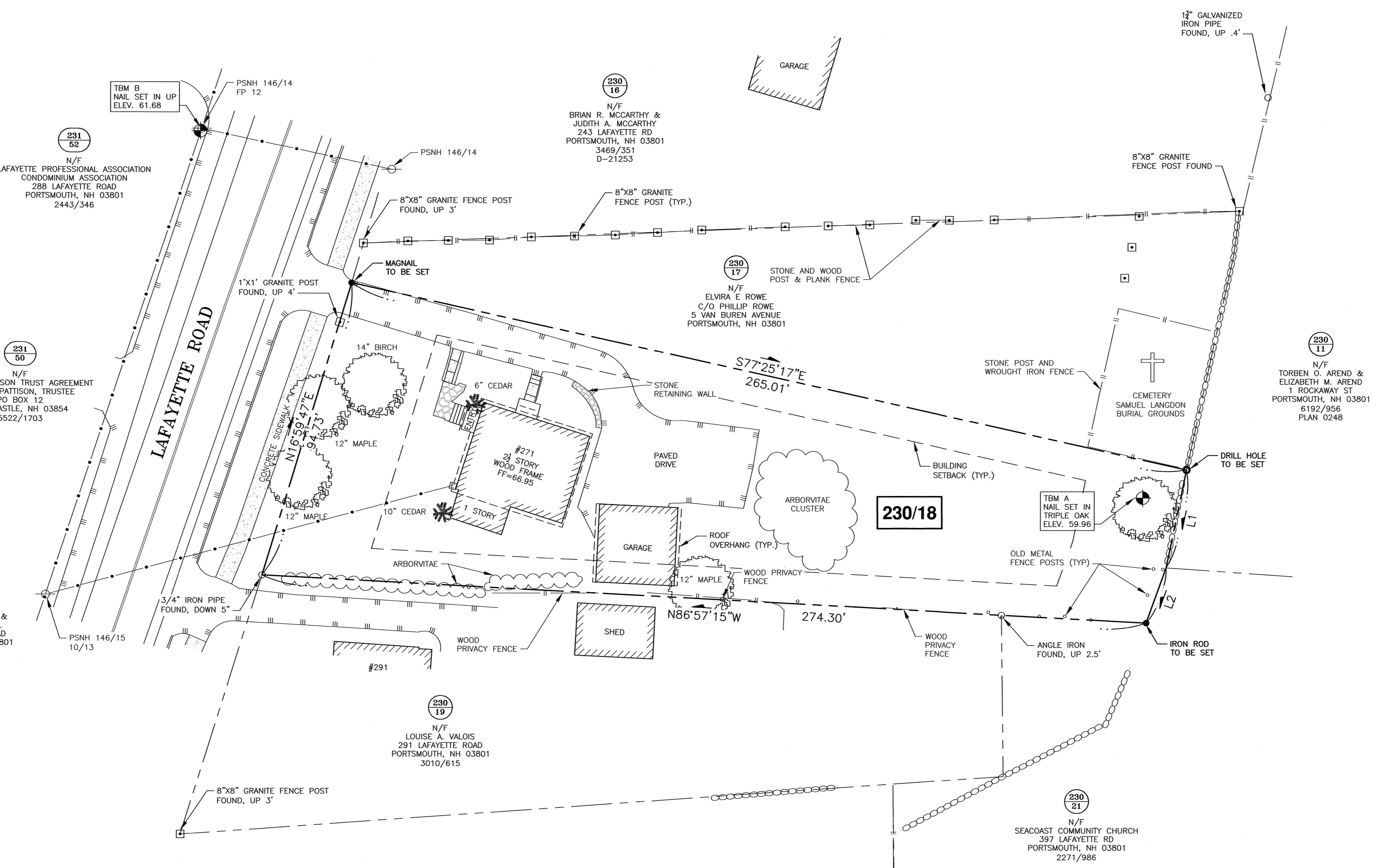
- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 230 AS LOTS 18.
- 2) OWNER OF RECORD:
PAUL SAMUEL HOLMAN &
KRISTINA SCHNEIDER HOLMAN
271 LAFAYETTE ROAD
PORTSMOUTH, NH 03801
6451/2452
- 3) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33015C0270F. EFFECTIVE JANUARY 29, 2021.
- 4) EXISTING LOT AREA:
19,143 S.F.
0.4395 ACRES
- 5) PARCEL IS LOCATED IN SINGLE RESIDENCE B (SRB) DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 15,000 S.F.
FRONTAGE: 100 FEET
SETBACKS:
FRONT 30 FEET
SIDE 10 FEET
REAR 30 FEET

MAXIMUM STRUCTURE HEIGHT: 35 FEET
MAXIMUM BUILDING COVERAGE: 20%
MINIMUM OPEN SPACE: 40%
- 7) THE PURPOSE OF THIS PLAN IS TO SHOW THE RESULTS OF A STANDARD BOUNDARY SURVEY OF ASSESSOR'S MAP 230 LOT 18 IN THE CITY OF PORTSMOUTH.
- 8) VERTICAL DATUM IS NAVD88. BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS.



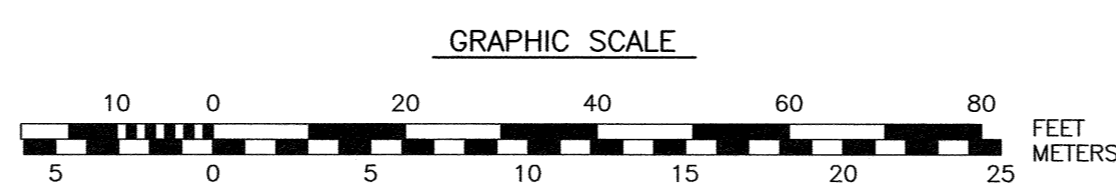
LEGEND:

- N/F NOW OR FORMERLY
- RP RECORD OF PROBATE
- RCRD ROCKINGHAM COUNTY REGISTER OF DEEDS
- RR SPK RAILROAD SPIKE
- 11/21 MAP 11/LOT 21
- IR FND IRON ROD FOUND
- IP FND IRON PIPE FOUND
- IR SET IRON ROD SET
- ⊙ DH FND DRILL HOLE FOUND
- ⊙ DH SET DRILL HOLE SET
- NHHB NHDOT BOUND FOUND
- TB TOWN BOUND
- BND w/DH BOUND WITH DRILL HOLE
- ST BND w/DH STONE BOUND WITH DRILL HOLE



"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

John R. Chagnon
JOHN R. CHAGNON, LLS DATE 4.20.23



LENGTH TABLE

LINE	BEARING	DISTANCE
L1	S11°41'50"W	31.02'
L2	S19°47'15"W	18.15'

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	4/20/23
REVISIONS		

**STANDARD BOUNDARY SURVEY
TAX MAP 230 - LOT 18**

OWNERS:
**PAUL SAMUEL HOLMAN &
KRISTINA SCHNEIDER HOLMAN**
271 LAFAYETTE ROAD
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE

SCALE: 1"=20'

FEBRUARY 2023

PLAN 2023 01 18 18:45:00 - Holman, Paul & Kristina, 271 Lafayette Rd, Portsmouth, NH 03801, Survey 2023.dwg, RCRD NH
 4/26/2023 8:35:56 AM



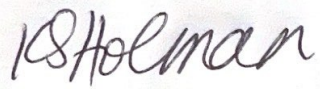
271

09 01 2023

7/24/2024

Re: 271 Lafayette Road

I authorize Jeff Matson to submit the Land Use Application to the City of Portsmouth on my behalf.

A handwritten signature in black ink that reads "Krsitina Holman". The signature is written in a cursive style with a large initial "K".

Krsitina Holman