

# City of Newburyport Zoning Board of Appeals

## Instructions for a SPECIAL PERMIT FOR NON-CONFORMITIES Application

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### Instructions:

1. The petitioner shall submit nine (9) copies of the following information compiled in the following order:
  - a. \_\_\_\_\_ A completed Application for a Special Permit for Non-Conformities form.
  - b. \_\_\_\_\_ Building Commissioner's/Zoning Code Administrator's permit denial form indicating the need for a Special Permit for Non-Conformities.
  - c. \_\_\_\_\_ Pursuant to M.G.L.s Ch. 40A Section 6 and the City's Zoning Ordinance Sections IX.B Extension or Alteration and X.H.7 Special Permits, the petitioner must include a memo addressing each of the points below.
    - A. Please identify the particular use existing or proposed for the land or structure.
    - B. Please identify the particular respect or respects in which the existing structure or use does not conform to the requirements of the present zoning.
    - C. Please identify whether the proposed use, extension, alteration, or addition would intensify the existing non-conformities or result in additional ones.
    - D. Please identify the facts relied upon to support the Special Permit for Non-Conformities that the proposed use, extension, alteration or addition shall not be more detrimental than the existing.
  - d. \_\_\_\_\_ Assessor's Card available from the Assessor's Office or from <http://gis.vgsi.com/newburyportma/>
  - e. \_\_\_\_\_ Plans and drawings clearly representing existing and proposed conditions. Elevation plans shall show the median height of the existing and the proposed structure. Plans shall include all measurements. An architectural scale or ruler should not be necessary to read plans. Plans shall not exceed 36" x 24" and must be folded to an approximate size of 8 ½" x 11".

*Plan(s) shall include all the following requirements:*

    - North point, Date of Plan; Title of Plan, Location Address; Name of Street;
    - Zoning district(s) and dimensional control requirements;
    - Wetlands (if applicable);
    - Property boundaries; locations of buildings on adjacent properties and dimensional setbacks from property lines;
    - Indicate the proposed dimensional setbacks of the proposed structure with the existing structure(s) dimensional controls;
    - Deed restrictions, easements, etc.;
    - Proposed features in solid lines;
    - Features that are to be removed in dashed lines; Graphic Scale;
    - Name, address, and phone numbers of the Applicant, Owner, Designer, Engineer, or Surveyor.
  - f. \_\_\_\_\_ Any supplemental information such as letters of support, photos, etc.

2. The petitioner shall submit .pdf files of the above information on disk or via email to [planning@cityofnewburyport.com](mailto:planning@cityofnewburyport.com).

**Filing fees:** An administrative fee of \$200.00 per application is required at the time of application, plus a publication and abutters notification fee of \$350 per project. Checks may be issued to "The City of Newburyport."

*The Newburyport Zoning Board of Appeals requests that applicants make an effort to reduce the use of paper and printing materials when filing applications with the Board. Please use the following guidelines:*

- *Eliminate transmittal sheets, cover letters, section dividers, and tables of contents*
- *Eliminate folders, envelopes, plastic covers, spiral/GBC binders, and excess binding materials*
- *Submit smaller sized plans as long as they are legible*
- *Double sided copies are encouraged*

# City of Newburyport Zoning Board of Appeals

## Application for a SPECIAL PERMIT FOR NON-CONFORMITIES

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Petitioner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Property Address: \_\_\_\_\_

Map and Lot(s): \_\_\_\_\_ Zoning District: \_\_\_\_\_

Book and Page(s): \_\_\_\_\_

Owner(s) Name: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

This request for a Special Permit for Non-Conformities is made under section(s):

- |   |   |
|---|---|
| <input type="checkbox"/> Extension or Alteration (IX.B.2) | <input type="checkbox"/> Over 500 s.f. increase (IX.B.3.c)      |
| ___ Parking   | <input type="checkbox"/> Plum Island Overlay District (XXI-G-3) |
| ___ Upward Extension                                      | ___ FAR   |
| ___ Open Space  | ___ Footprint Expansion   |
| ___ Height  | ___ Height Increase   |
| ___ Lot Area  |   |
| ___ Rear Yard   |   |
| ___ Lot Coverage  |   |
| ___ Side Yard   |   |
| ___ Lot Frontage  |   |
| ___ Front Yard  |   |

(Refer to the Building Permit Denial as supplied by the Building Commissioner/Zoning Codes Administrator)

Description of request:

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All information contained within this application will become a formal part of the Zoning Board of Appeals proceedings and decision.

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## Application for a SPECIAL PERMIT FOR NON-CONFORMITIES

	Lot s.f.	Open Space %	Lot Coverage %	FAR*	Height	Frontage	Parking Spaces	Front Setback	Side A Setback	Side B Setback	Rear Setback
Existing											
Proposed											
Required											

\*FAR is only applicable within the Plum Island Overlay District (PIOD).

**Existing Buildings:**

Ground Floor Sq. Feet	# of Floors	Total Sq. Feet	Use Code of Building**
_____	_____	_____	_____
_____	_____	_____	_____

**Proposed Buildings:**

Ground Floor Sq. Feet	# of Floors	Total Sq. Feet	Use Code of Building**
_____	_____	_____	_____
_____	_____	_____	_____

\*\*Reference Dimensional Code numbers and uses from the Zoning Ordinance. (e.g. – 101 = single family, etc.)

Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. Every application for a Special Permit for Non-Conformities must be made on this form, which is the official form of the ZBA. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Planning Office does not absolve the petitioner from this responsibility. The petitioner shall be responsible for all expenses for the filing, publication, and legal notification. Failure to comply with the application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal by the ZBA of this application as incomplete.

Petitioner's and Owner's signature(s):

\_\_\_\_\_