

# City of Newburyport Zoning Board of Appeals Application for a SPECIAL PERMIT for NON-CONFORMITIES

Petitioner: Michael J Gray

Mailing Address: 12 Harrison St, Newburyport MA

Phone: 781-589-3627 Email: mgray@gray-boys.com

Property Address: Same

Map and Lot(s): Map 26 Lot 37, and 35 Zoning District: R2/DCOD

Book and Page(s): 15062/0203

Owner(s) Name: Michael and Tracy Gray

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

This request for a Special Permit for Non-Conformities is made under section(s):  
(Refer to the Zoning Determination form supplied by the Zoning Administrator)

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

Description of request:

Revert Existing non conforming 2 family to single family including roof line change and exterior stair demolition at rear structure. Primary gambrel roof line and el at rear to be replaced at higher elevation. Proposal also includes an accessory structure that does not require zoning relief.

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

**City of Newburyport Zoning Board of Appeals**  
**Application for a SPECIAL PERMIT for NON-CONFORMITIES**

	Existing Dimensional Controls	Proposed Dimensional Controls	Required Dimensional Controls
Lot Area	7906 sq'	7906 sq'	10000sq'
Frontage	138'	138'	90'
Height*	<35'	<35'	35
Lot Coverage (%)**	22%	24%	25%
Open Space (%)***	68%	58%	40%
Front Setback	-3	-3	25
Side A Setback	12.7'	12.7'	20
Side B Setback			20
Rear Setback	6.8'	6.8'	25
Parking Spaces			
FAR****			

\*Height is measured to median roof line.

\*\*Total building footprint divided by the lot area expressed as a percentage.

\*\*\*Area unoccupied by building, parking areas, or driveways expressed as a percentage of lot area. Pools, patios, and decks may be included in open space.

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

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. 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):

*Michael J Gray*

CITY OF NEWBURYPORT, MA  
ZONING DETERMINATION

APR# 2020-032

Name: Mike Gray

Address: 12 Harrison Street Zoning District(s): R2/DCOD

Request: Revert existing non conforming 2 family to single family including roof line change and exterior stair demolition at rear of structure. Primary gambrel roof line and el at rear to be replaced at higher elevation. Proposal also includes an accessory structure that does not require zoning relief.

**ZONING BOARD REVIEW REQUIRED**

Variance

- Dimensional Controls (VI)
  - Lot Area
  - Lot Frontage
  - Lot Coverage
  - Parking (VII)
  - Modification
  - Open Space
  - Height
  - Lot Width
- Front Yard
- Side Yard
- Rear Yard

Sign Variance

- Signs (VIII)
  - Type
  - Lighting
  - Size
  - Location

Other

\_\_\_\_\_

Special Permit

- Table of Use Regulations (V.D) #: \_\_\_\_\_
- Spacing (VI.D)
- In-Law Apartment (XIIA)
- Bonus for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Demolition Control Overlay District (XXVIII)\*
- Wind Energy Conversion Facilities (XXVI)
- Other \_\_\_\_\_

Special Permit for Non-Conformities

- Extension or Alteration (IX.B.2)
  - Parking
  - Upward Extension
  - Open Space
  - Height
  - Lot Area
  - Use
  - Rear Yard
  - Lot Coverage
  - Side Yard
  - Lot Frontage
  - Front Yard
- Over 500 sf. increase (IX.B.3.c)
- Plum Island Overlay District (XXI-G)
  - FAR
  - Lot Coverage
  - Height
  - Setbacks
  - Open Space

**PLANNING BOARD REVIEW REQUIRED**

Special Permit

- Table of Use Regulations (V-D) # \_\_\_\_\_
- One residential structure per lot (VI.C)
- Open Space Residential Development (XIV)
- Water Resource Protection District (XIX)
- Federal Street Overlay District (XXII)
- Courts and Lanes (XXIII)
- Waterfront West Overlay District (XXIV)
- Towle Complex Redev. Overlay District (XXV)
- Downtown Overlay District (XXVII)\*
- Other \_\_\_\_\_

Special Permit for Non-Conformities

- Extension or Alteration (IX.B.2)
  - Parking
  - Upward Extension
  - Open Space
  - Height
  - Lot Area
  - Use
  - Rear Yard
  - Lot Coverage
  - Side Yard
  - Lot Frontage
  - Front Yard
- Over 500 sf. increase (IX.B.3.c)

Smart Growth District (XXIX)

- Plan Approval

Site Plan Review (XV)

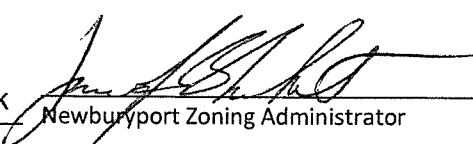
- Major
- Minor

**HISTORICAL COMMISSION REVIEW REQUIRED**

- Demo. Delay
- \*Advisory Review

**CONSERVATION COMMISSION REVIEW REQUIRED**

review for substantial rehab tree and sidewalk

  
Newburyport Zoning Administrator

03/10/2020  
Date

City of Newburyport Zoning Board of appeals,

12-14 Harrison was Purchased as a two family home which we will be converting back to a single family home. We are petitioning the Zoning Board of Appeals due to the DCOD regulations pertaining to a rear elevation roof line change and raising the roof 3 feet bringing the total height to 31 feet 5 inches, still under the 35 feet restriction. The existing gambrel roof line will be kept on the gable ends. The rear elevation shed roof will be removed to accommodate a third floor deck. The remaining rear roof will be reframed as a gambrel to reflect the gable ends. The renovations to the house are still within the existing building footprint.

**12-14 HARRISON ST**

Location 12-14 HARRISON ST

MBLU 26/ 36/ / /

Owner HOLOHAN MICHAEL J

Assessment \$878,200

PID 1423

Building Count 1

**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$508,500	\$369,700	\$878,200

**Owner of Record**

Owner HOLOHAN MICHAEL J  
 Co-Owner NADINE E T/E  
 Address 12 HARRISON ST  
 NEWBURYPORT, MA 01950

Sale Price \$90,000  
 Certificate  
 Book & Page 15062/0203  
 Sale Date 09/01/1998  
 Instrument 1A

**Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
HOLOHAN MICHAEL J	\$90,000		15062/0203	1A	09/01/1998
WOOD, HOPE G.	\$1		12587/0117	1F	05/24/1994
WOOD HOPE G	\$0		5368/ 516		

**Building Information**

**Building 1 : Section 1**

Year Built: 1850  
 Living Area: 3,651

**Building Photo**

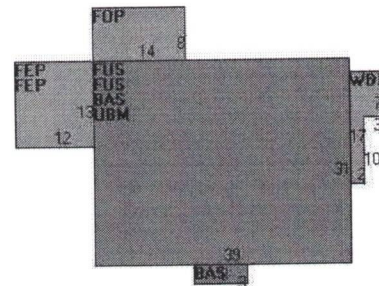
Building Attributes	
Field	Description
Style	Family Conver.
Model	Residential
Stories:	3 Stories
Occupancy	2
Exterior Wall 1	Clapboard
Exterior Wall 2	

Roof Structure:	Gambrel
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	Drywall/Sheet
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	3
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	12 Rooms
Bath Style:	Old Style
Kitchen Style:	Old Style



(http://images.vgsi.com/photos/NewburyportMAPPhotos/\001\00\09\71.jpg)

**Building Layout**



(http://images.vgsi.com/photos/NewburyportMAPPhotos//Sketches/142:

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
FUS	Upper Story, Finished	2,418	2,418	
BAS	First Floor	1,233	1,233	
FEP	Porch, Enclosed	312	0	
FOP	Porch, Open	112	0	
UBM	Basement, Unfinished	1,209	0	
WDK	Deck, Wood	55	0	
		5,339	3,651	



**Extra Features**

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL3	FIREPLACE 2 ST	1 UNITS	\$3,300	1

**Land**

**Land Use**

Use Code 1040

**Land Line Valuation**

Size (Acres) 0.17

Description TWO FAMILY

Depth 0  
 Assessed Value \$369,700

**Outbuildings**

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SPL2	POOL-INGR VN/P			800 S.F.	\$12,800	1
SHD1	SHED FRAME			342 S.F.	\$2,100	1
PAT1	PATIO-AVG			400 S.F.	\$1,800	1

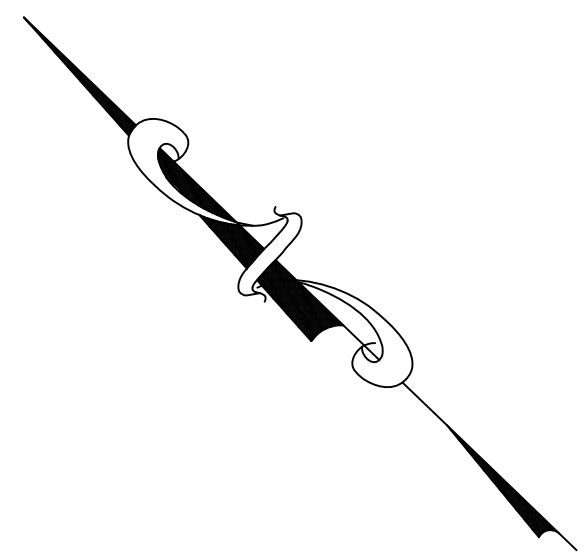
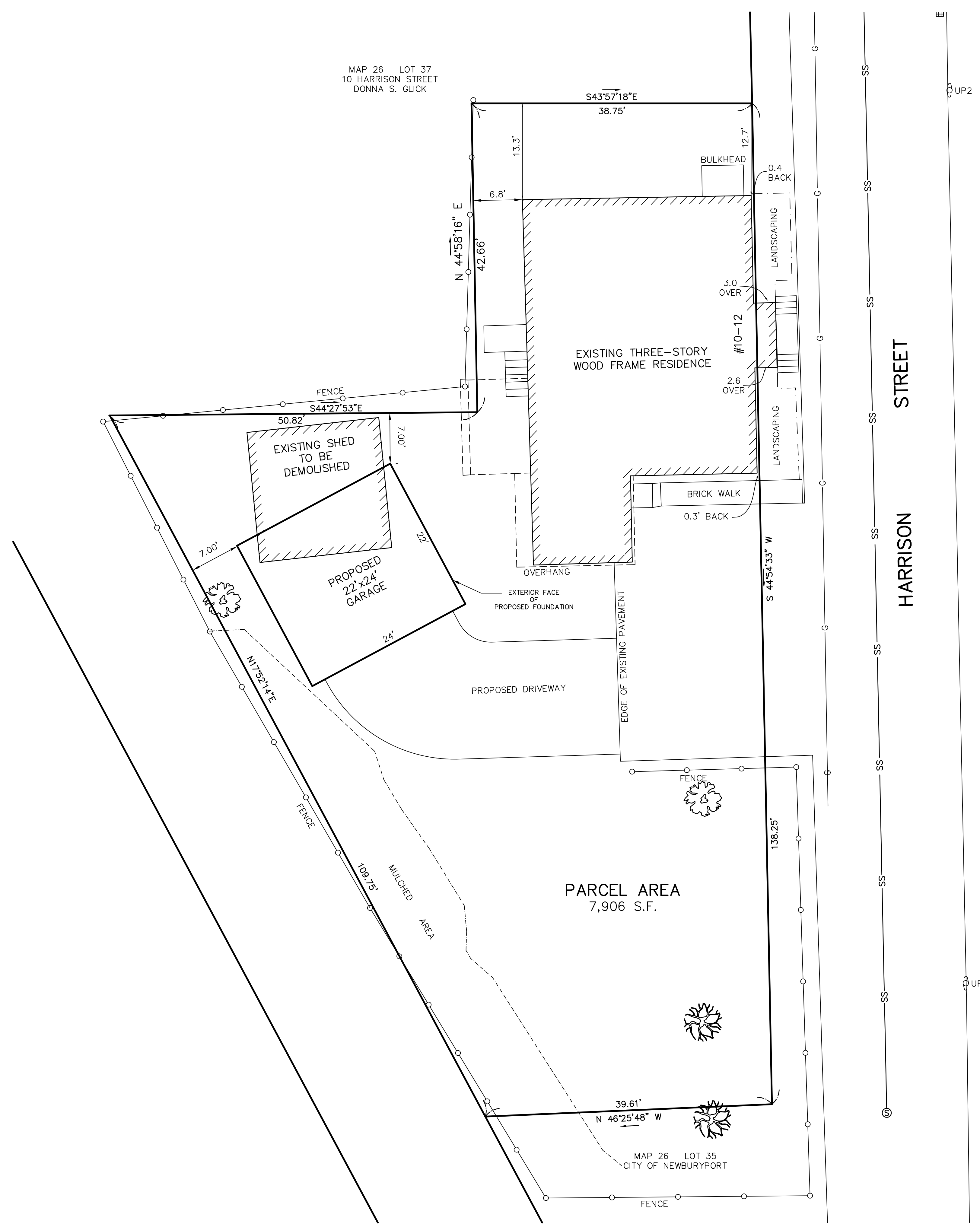
**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$426,200	\$369,700	\$795,900

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MAP 26 LOT 37  
10 HARRISON STREET  
DONNA S. GLICK

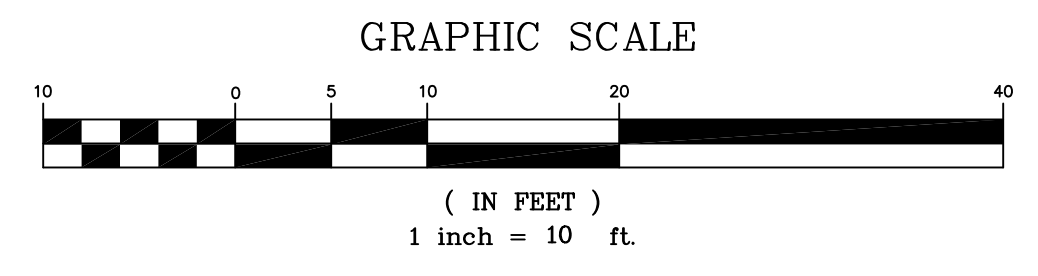
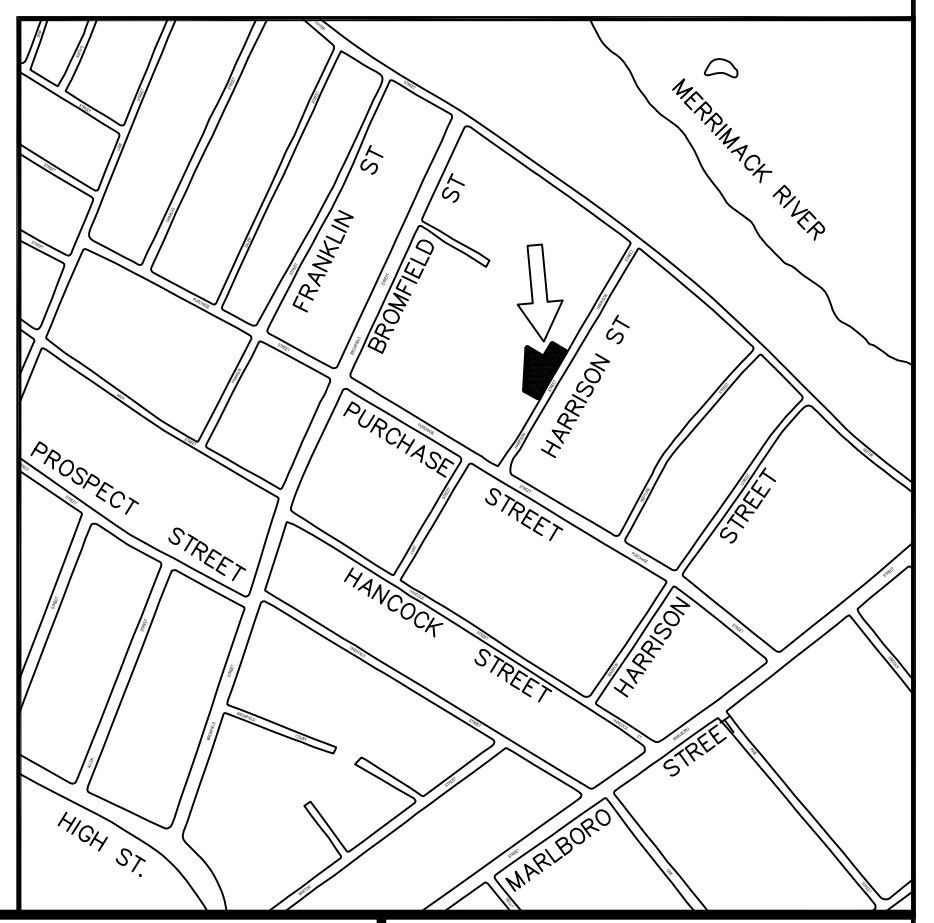


**TABLE OF ZONING REQUIREMENTS  
SINGLE FAMILY RESIDENCE ~ RESIDENCE II (R2) DISTRICT**

ZONING PARAMETER	REQUIRED	EXISTING	PROPOSED
LOT AREA	10,000 S.F.	7,906 S.F.	7,906 S.F.
STREET FRONTAGE	90 FT	138 FT	138 FT
BUILDING HEIGHT	35 FEET	<35 FEET	<35 FEET
LOT COVERAGE	25 %	22%	24%
OPEN SPACE	40 %	68%	58%
FRONT SETBACK	25 FEET	-3 ±	-3 ±
SIDE SETBACK	20 FEET	12.7 FEET	12.7 FEET±
REAR SETBACK	25 FEET	6.8 FEET±	6.8 FEET

**ACCESSORY STRUCTURES  
TABLE OF ZONING REQUIREMENTS  
SINGLE FAMILY RESIDENCE ~ RESIDENCE II (R2) DISTRICT**

ZONING PARAMETER	REQUIRED	PROPOSED
FRONT SETBACK	20 FEET	> 20 FEET
SIDE SETBACK	6 FEET	7 FEET ±
REAR SETBACK	6 FEET	7 FEET ±
MAX. BUILDING HEIGHT	15 FEET	< 35 FEET



<p><b>PROPOSED SITE PLAN</b> ASSESSOR'S MAP 26, LOT 36 12-14 HARRISON ST., NEWBURYPORT, MA</p>		<p>PROFESSIONAL ENGINEER</p>
<p>OWNER &amp; APPLICANT:</p> <p>MICHAEL J. &amp; TRACY R. GRAY 12 HARRISON STREET NEWBURYPORT, MA 01950</p>		<p>JOHN W. HARGREAVES, JR., P.E.</p>
<p><b>SHEET 1 OF 1</b></p>		<p>DATE: 3.6.2020</p>
<p>GA CONSULTANTS, INC. PROFESSIONAL ENGINEERS 10 STATE STREET, NEWBURYPORT, MA 01950 TEL. 978-502-5197</p>		





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architects inc  
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DRAWING TITLE  
EXISTING ELEVATIONS

Revision Schedule		
Number	Date	Revision Description

No

SCALE 1/4" = 1'-0"

DATE 02-10-2020

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PROJECT NUMBER Project Number

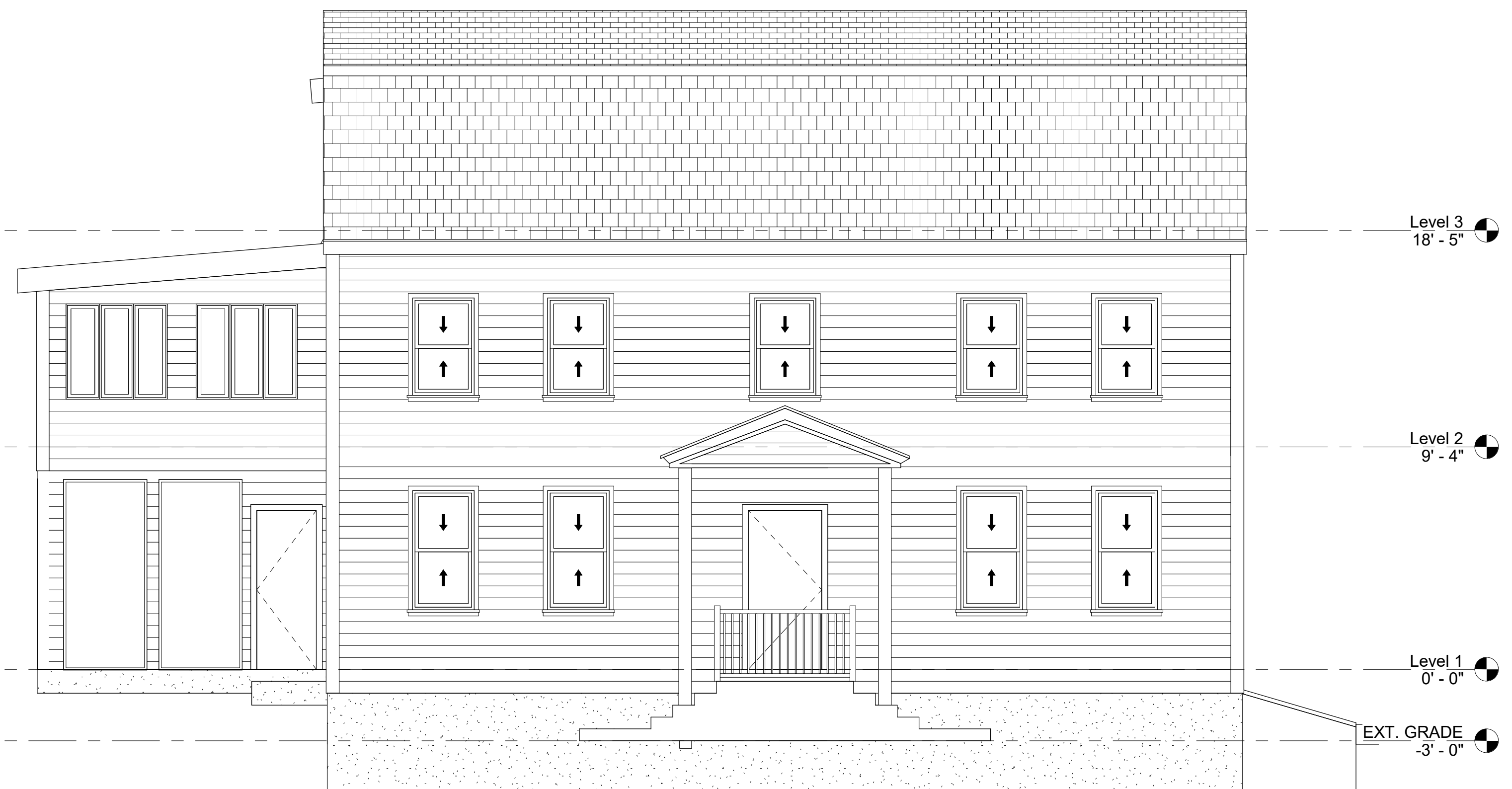
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**A0.2**



① 2 East  
1/4" = 1'-0"



④ 2 South  
1/4" = 1'-0"



② 2 North  
1/4" = 1'-0"



③ 2 West  
1/4" = 1'-0"



# HARRISON ST

03-12-2020

12 Harrison St. Newburyport, MA

PROGRESS SET



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PROPOSED SITE PLAN

Revision Schedule		
Number	Date	Revision Description

No

SCALE 1/8" = 1'-0"

DATE 03-12-2020

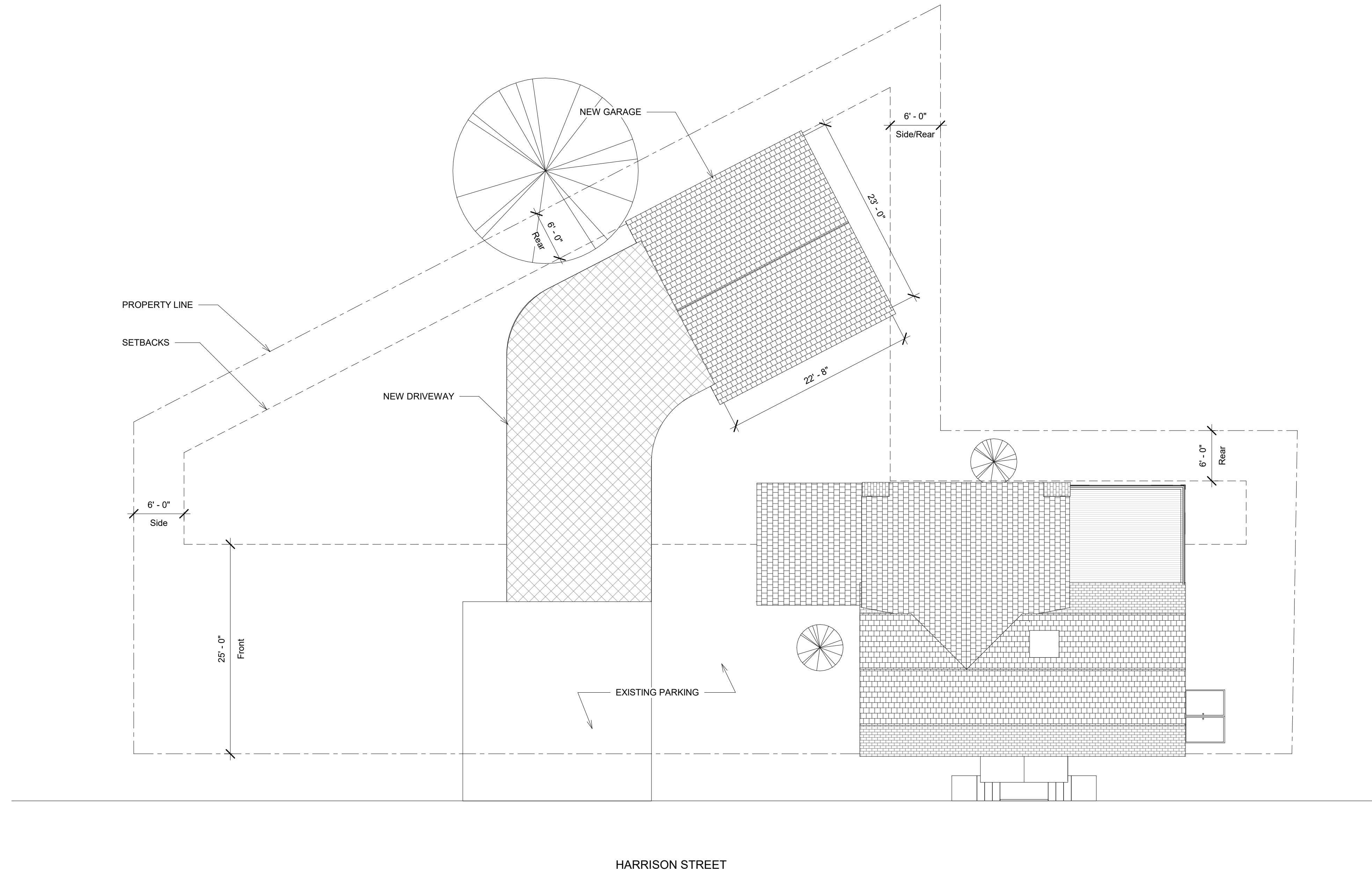
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**A-0**



1 Site Plan  
1/8" = 1'-0"





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PROPOSED PLANS

Revision Schedule		
Number	Date	Revision Description

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DATE 03-12-2020

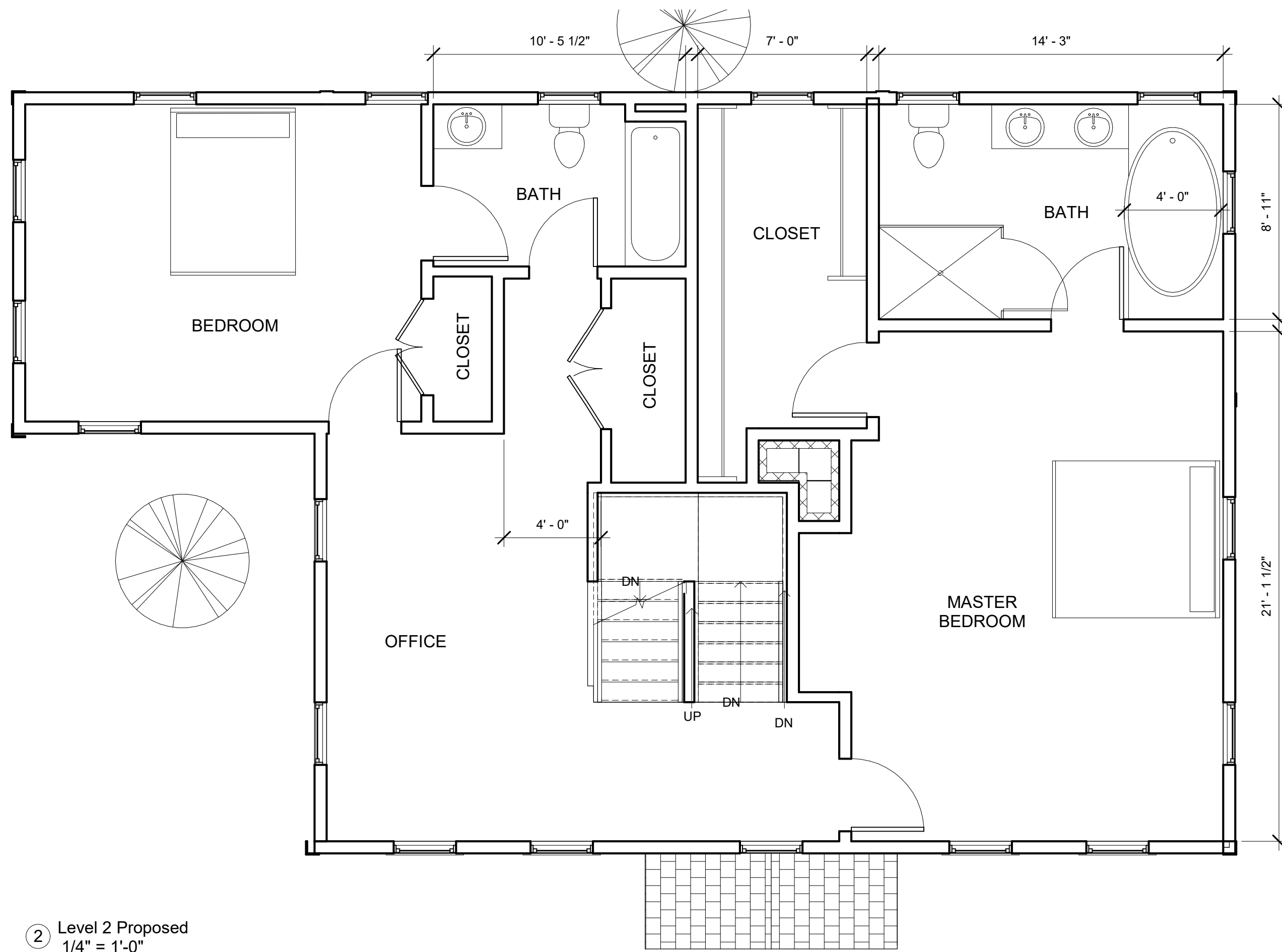
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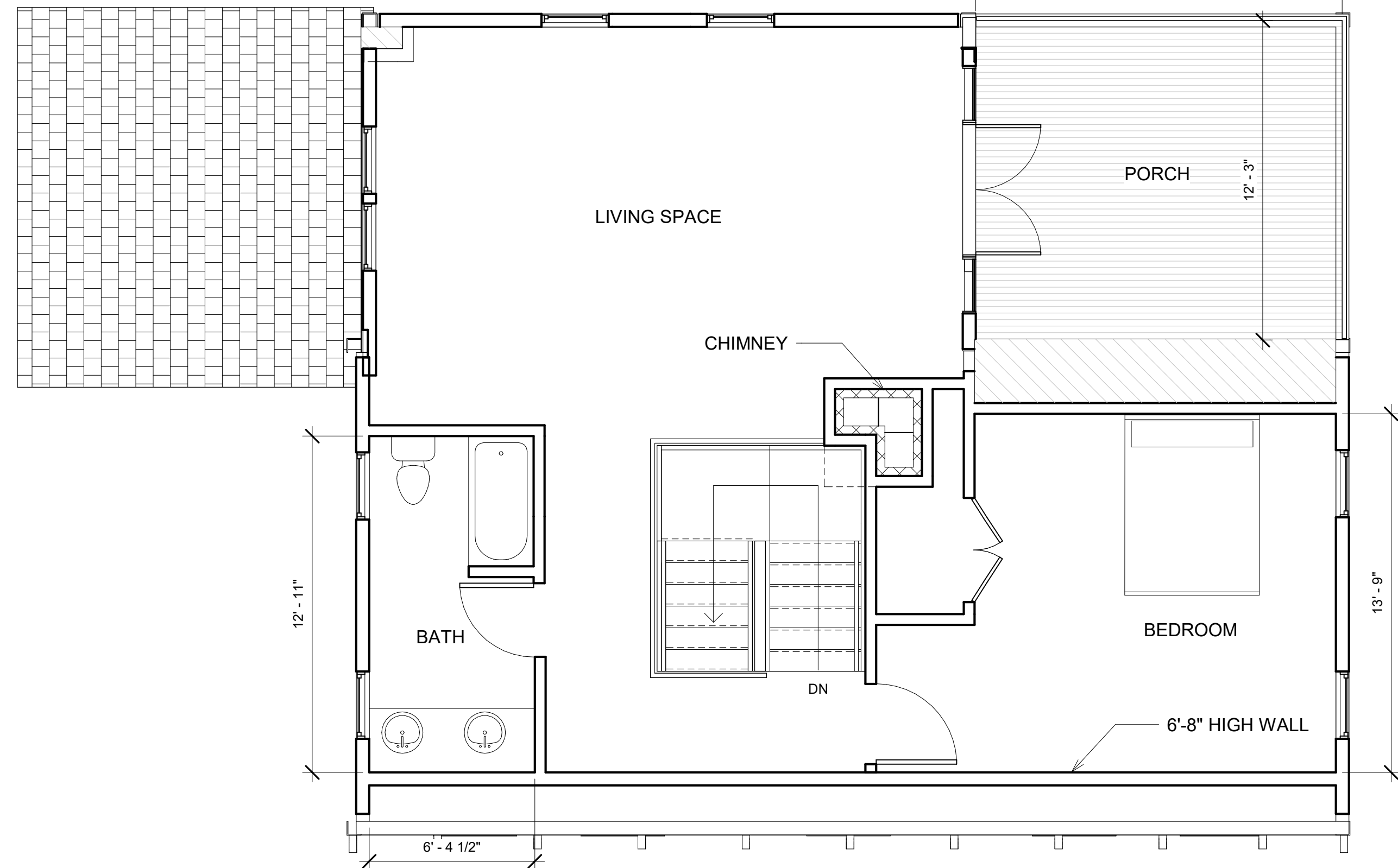
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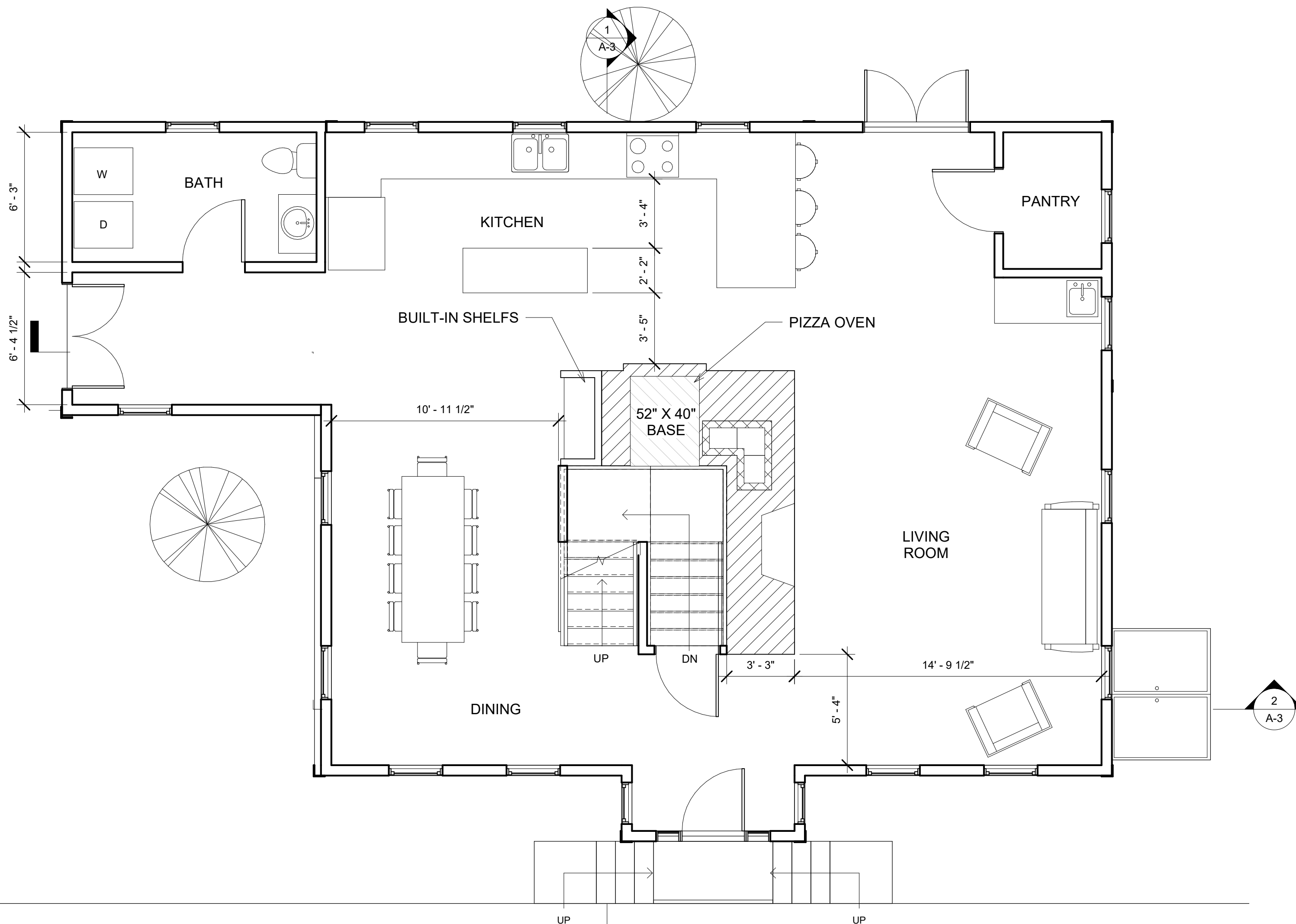
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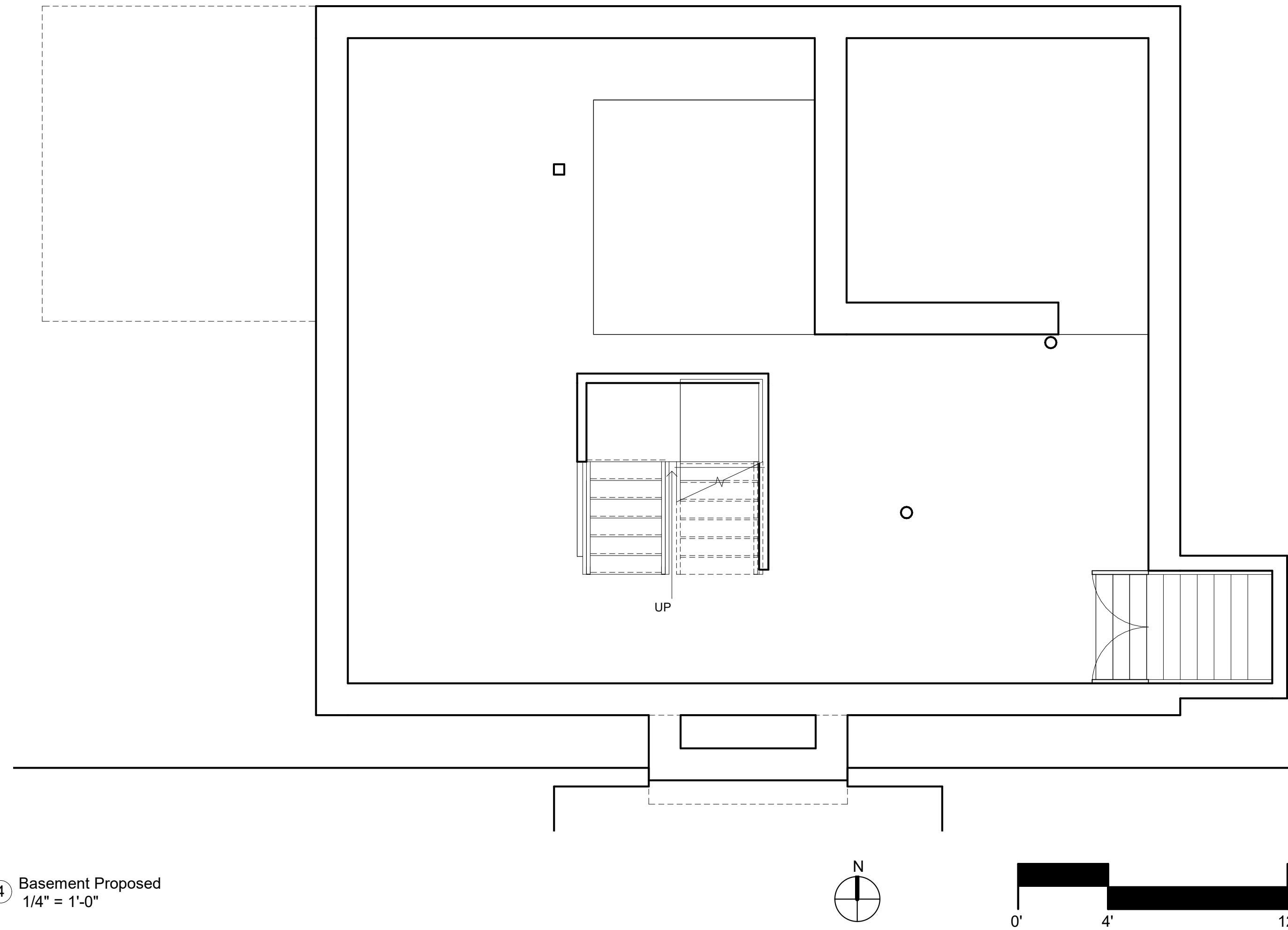
② Level 2 Proposed  
1/4" = 1'-0"



③ Level 3 Proposed  
1/4" = 1'-0"



① Level 1 Proposed  
1/4" = 1'-0"



④ Basement Proposed  
1/4" = 1'-0"

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EXISTING ELEVATIONS

Revision Schedule		
Number	Date	Revision Description

No

SCALE 1/4" = 1'-0"

DATE 02-10-2020

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PROJECT NUMBER Project Number

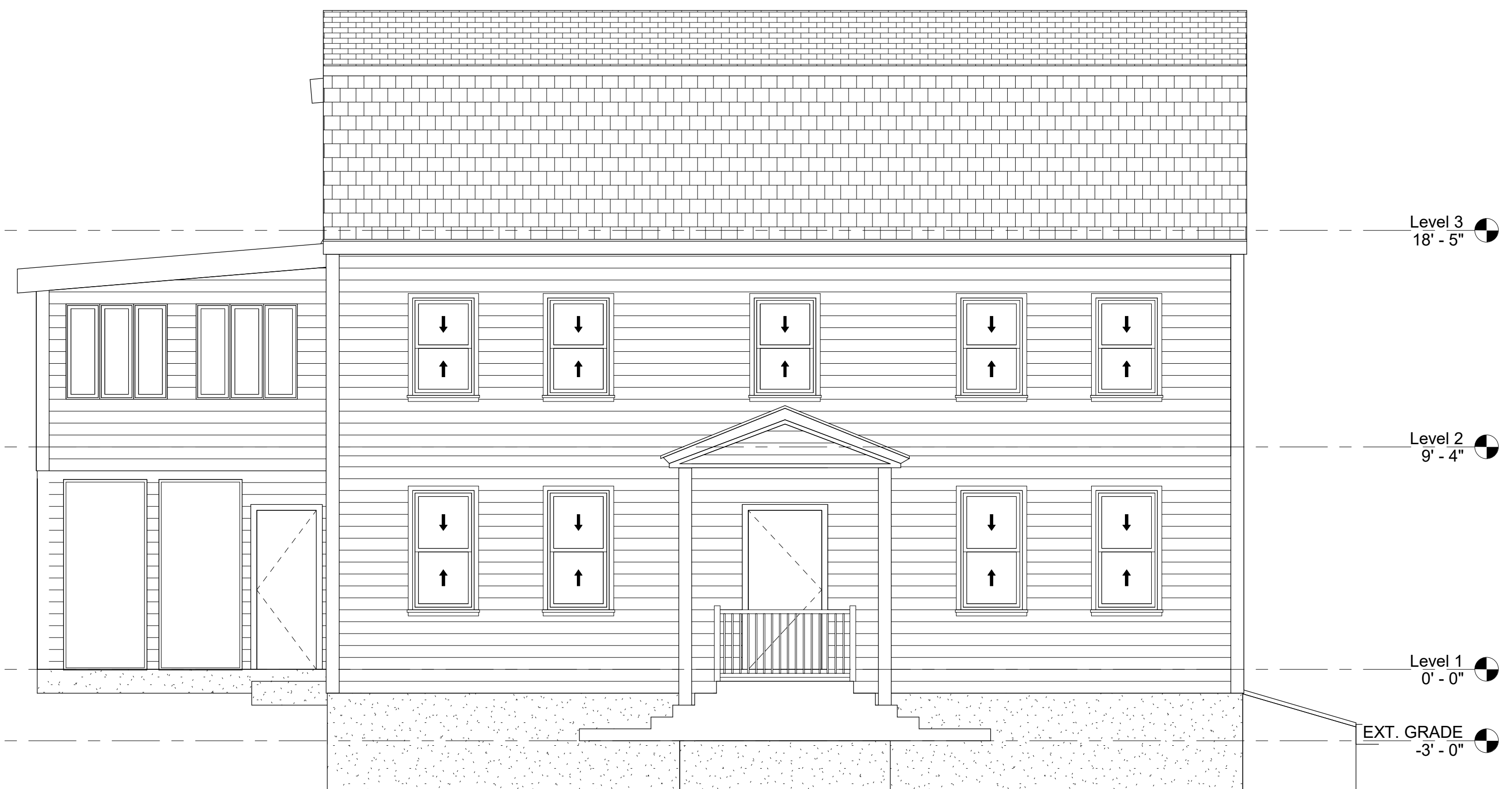
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DRAWING NUMBER

**A0.2**



① 2 East  
1/4" = 1'-0"



④ 2 South  
1/4" = 1'-0"



② 2 North  
1/4" = 1'-0"



③ 2 West  
1/4" = 1'-0"



**HARRISON ST**

12 Harrison St.  
Newburyport, MA



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**PROPOSED ELEVATIONS**

Revision Schedule		
Number	Date	Revision Description

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**A-2**



① 1 East  
1/4" = 1'-0"



④ 1 South  
1/4" = 1'-0"



② 1 North  
1/4" = 1'-0"



③ 1 West  
1/4" = 1'-0"



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PROPOSED SECTIONS

Revision Schedule		
Number	Date	Revision Description
No		

SCALE  
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DATE  
03-12-2020

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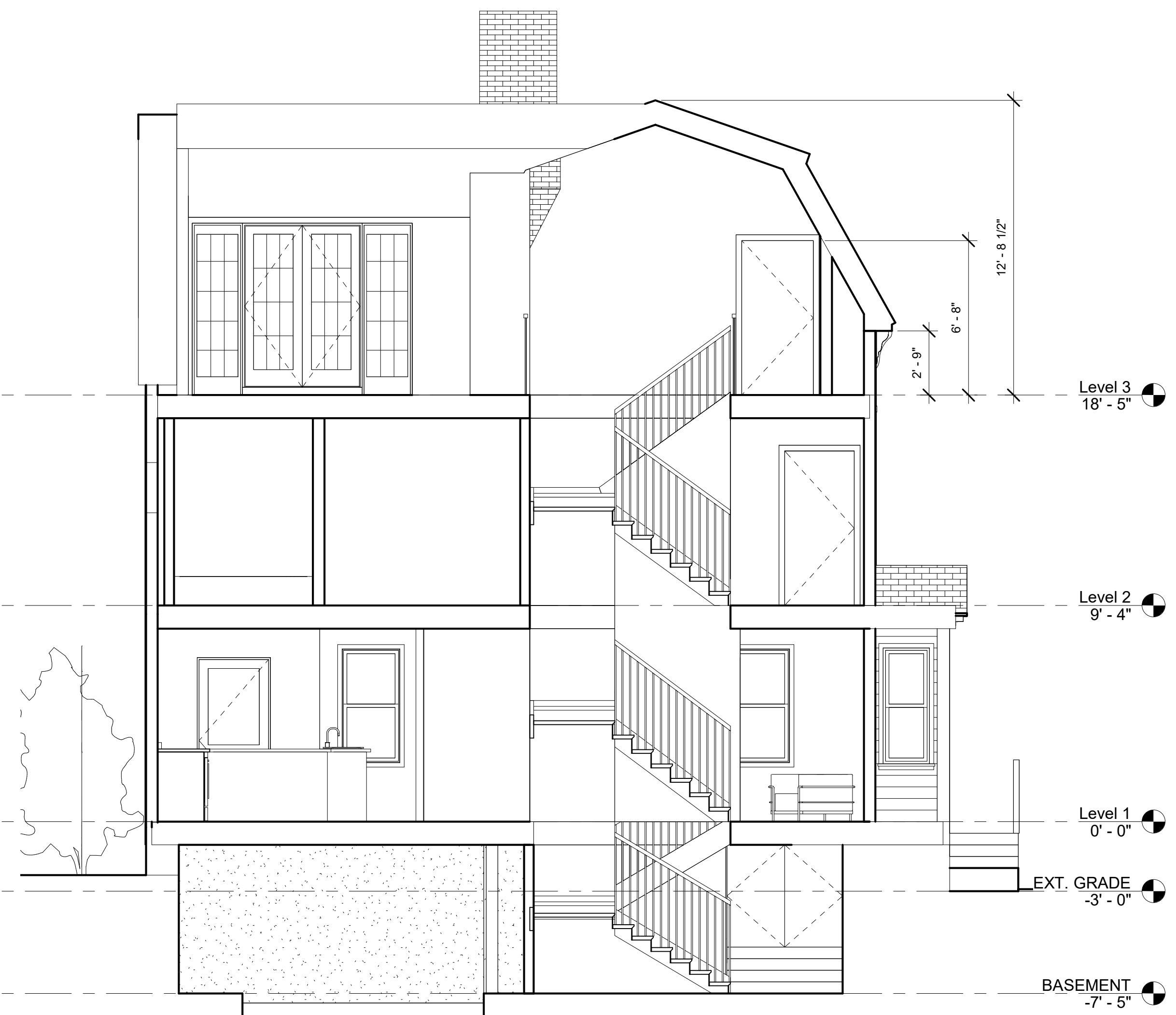
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② Section 4  
1/4" = 1'-0"



① Section 3  
1/4" = 1'-0"



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PROPOSED 3D MODEL

Revision Schedule

Number	Date	Revision Description
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No

SCALE

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NUMBER  
Project Number

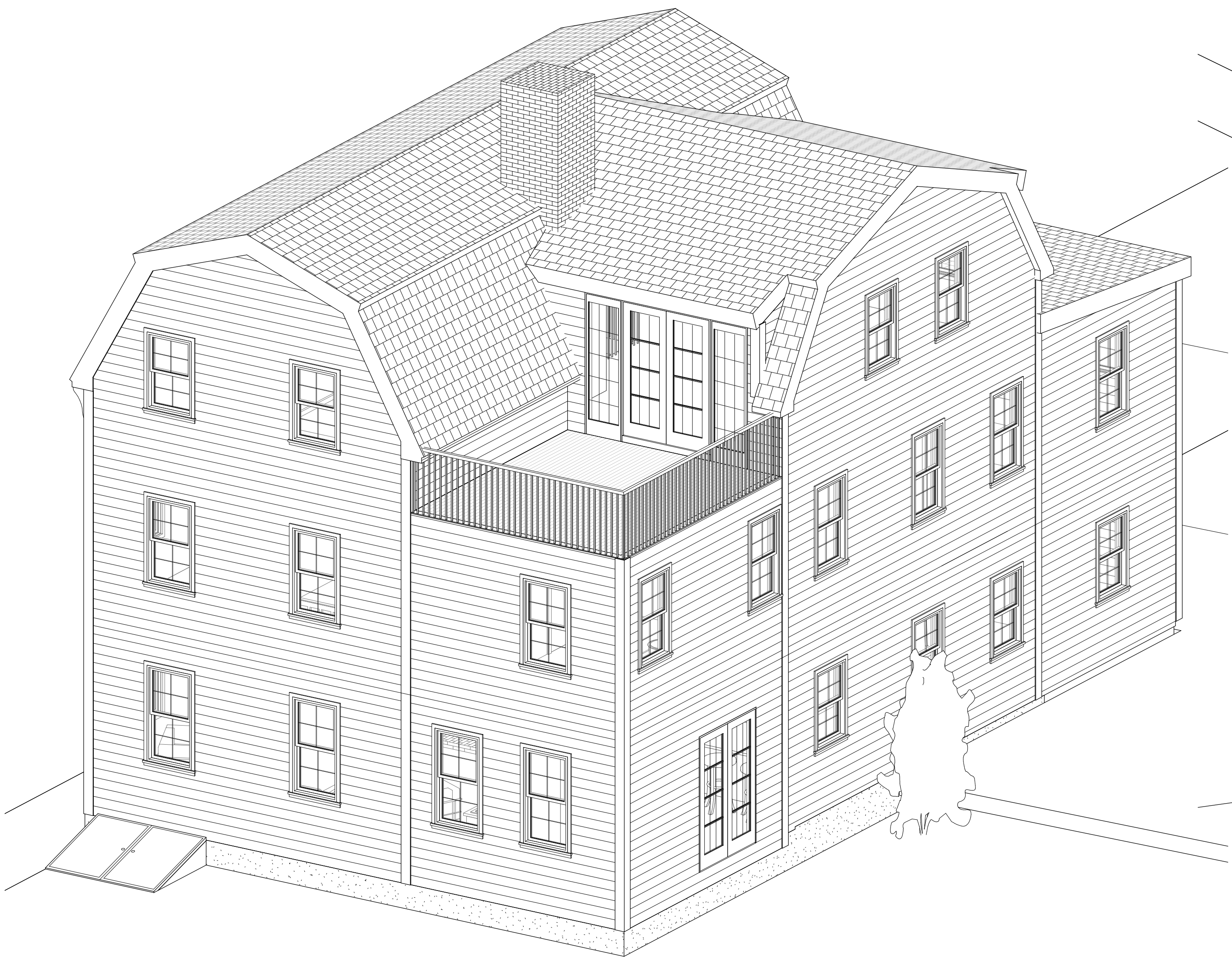
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NUMBER

**A-4**



2 PROPOSED - 3D



1 PROPOSED - 3D



4 PROPOSED - 3D



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