

# City of Newburyport Zoning Board of Appeals

## Application for a SPECIAL PERMIT FOR NON-CONFORMITIES

Petitioner: RSN Realty LLC

Mailing Address: 29 Mulholland Dr., Ipswich, MA 01938

Phone: 978-807-8050 Email: eric@smarterglass.com

Property Address: 12 Purchase St

Map and Lot(s): 22/45 Zoning District: R3

Book and Page(s): 35989/0369

Owner(s) Name: RSN Realty, LLC - Eric Primack

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

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

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

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

Description of request:

Removal of existing kitchen, rear porch and bathroom above the kitchen. Replace with larger kitchen on a poured foundation with Bedroom and bath above, along with a small roof deck above the new bed/bath.

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

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	Lot s.f.	Open Space %	Lot Coverage %	FAR*	Height	Frontage	Parking Spaces	Front Setback	Side A Setback	Side B Setback	Rear Setback
Existing	4892.1	79%	21%		28.5'	41.65'	2	15'	10'	2.4'	52.6'
Proposed	4892.1	76%	24%		19.5'	41.65'	2	15'	10'	2.4'	52.6'
Required	8000	35%	30%		35'	80'	0	20'	10'	10'	20'

\*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**
900	2	1639	Resid- R3B3
_____	_____	_____	_____
_____	_____	_____	_____

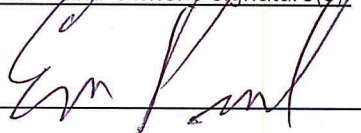
**Proposed Buildings:**

Ground Floor Sq. Feet	# of Floors	Total Sq. Feet	Use Code of Building**
1186	2	2372	Resid-R3B3
_____	_____	_____	_____
_____	_____	_____	_____

\*\*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)

 9/29/17 \_\_\_\_\_

OFFICE OF THE BUILDING COMMISSIONER/ZONING CODE ENFORCEMENT OFFICER

ZONING DENIAL

City APR#: 69

Name: RSN Realty / Eric Rimack

Address: 12 Purchase St. Zoning District: R-III

Request: Construct new ADDITION Intensifying Existing non-conformance (Side Setback)

ZONING BOARD

Dimensional Variance

- Dimensional Controls (VI)
  - Lot Area
  - Lot Coverage
  - Lot Frontage
  - Open Space
  - Front Yard
  - Height
  - Side Yard
  - Lot Width
  - Rear Yard
- PIOD (XXI)
  - FAR
  - 2 1/2 stories
- Parking (VII)

Use Variance

- Not permitted use (V)
- Sign Location/Replacement (VIII)

Special Permit

- Special Permit for Use (V.D)
- Spacing (VI.D)
- In-Law Apartment (XIIA)
- Bonus Provisions for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Demolition Control Overlay District (XXVIII)
- Wind Energy Conversion Facilities (XXVI)

Special Permit for Non-Conformities

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

PLANNING BOARD

Special Permit

- One residential structure per lot (VI.C)
- Floodplain (XIII)
- 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)

Site Plan Review (XV)

- Major
- Minor


CITY COUNCIL

- GACM (X.H.9)
- Other: \_\_\_\_\_

CONSERVATION COMMISSION

HISTORICAL COMMISSION - Demolition Delay

9/29/17  
Date

  
Building Commissioner/Zoning Code Enf. Officer

## Application for Special Permit for Non-Conformities

Submitted by :RSN Realty, LLC

Submitted to: Zoning Board of Appeals

Memo:

- A. Single Family Home existing and Proposed
- B. Right side of house doesn't meet setback requirements
- C. Proposed renovation does not increase setback and yet a second story would increase height. Actual reduction in length of proposed renovation in relation to existing.
- D. Currently a two story extremely unsightly addition that sits 2.4 ft from the right side setback. Proposed to be replaced by one the current width of the back of the home and a bed/bath above that is the same dimension.

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT			
LIVERMORE GLENN APRIL T/E 12 PURCHASE ST						Description	Code	Appraised Value	Assessed Value
NEWBURYPORT, MA 01950 Additional Owners:		SUPPLEMENTAL DATA				RESIDENTL	1010	219,100	219,100
						RES LAND	1010	237,200	237,200
								<b>Total</b>	<b>456,300</b>
									<b>456,300</b>

123  
NEWBURYPORT, MA

**VISION**

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
PRIMACK ERIC		35989/0369	06/30/2017	Q	I	510,000	00	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
LIVERMORE GLENN		22445/0495	02/27/2004	Q	I	405,000	00	2017	1010	212,600	2016	1010	212,600	2015	1010	195,500
MANLEY DAVID C		19673/0442	11/25/2002	Q	I	355,000	00	2017	1010	225,900	2016	1010	205,800	2015	1010	205,800
SCHLICHTER MARY FRANCES		16438/0304	07/07/2000	U	I	194,000	1A									
CORLISS RONALD J		6146/ 461	05/12/1975			0										
								<b>Total:</b>		<b>438,500</b>	<b>Total:</b>		<b>418,400</b>	<b>Total:</b>		<b>401,300</b>

EXEMPTIONS				OTHER ASSESSMENTS			
Year	Type	Description	Amount	Code	Description	Number	Amount
<b>Total:</b>							

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD				
NBHD/ SUB	NBHD Name	Street Index Name	Tracing	Batch
6/A				

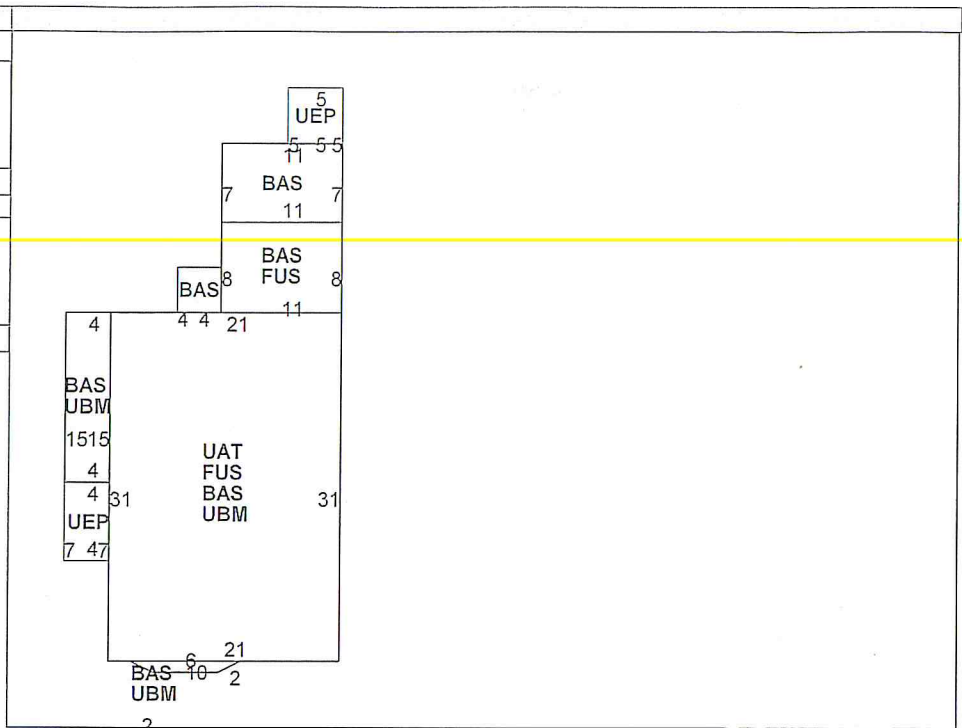
APPRAISED VALUE SUMMARY	
Appraised Bldg. Value (Card)	219,100
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	0
Appraised Land Value (Bldg)	237,200
Special Land Value	0
Total Appraised Parcel Value	456,300
Valuation Method:	C
Adjustment:	0
<b>Net Total Appraised Parcel Value</b>	<b>456,300</b>

NOTES									
WHITE IA									

BUILDING PERMIT RECORD										VISIT/ CHANGE HISTORY					
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments		Date	Type	IS	ID	Cd.	Purpose/Result
										12/18/2006			RL	00	Measur+Listed
										06/02/1998			NR	00	Measur+Listed
										07/15/1988			DS	00	Measur+Listed

LAND LINE VALUATION SECTION																					
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	I. Factor	S.A.	Acre Disc	C. Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing			S Adj Fact	Adj. Unit Price	Land Value
																Spec Use	Spec Calc				
1	1010	SINGLE FAM	R3				4,830	SF	42.71	1.1500	6	1.0000	1.00	0.00					1.00	49.11	237,200

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)				
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	06		Conventional				
Model	01		Residential				
Grade	03		Average				
Stories	2		2 Stories	Kitchen Grd			
Occupancy	1			<b>MIXED USE</b>			
Exterior Wall 1	25		Vinyl Siding	<i>Code</i>	<i>Description</i>	<i>Percentage</i>	
Exterior Wall 2				1010	SINGLE FAM	100	
Roof Structure	03		Gable/Hip	<b>COST/MARKET VALUATION</b>			
Roof Cover	03		Asph/F Gls/Cmp	Adj. Base Rate:		166.95	
Interior Wall 1	03		Plastered	Replace Cost		313,038	
Interior Wall 2				AYB		1850	
Interior Flr 1	09		Pine/Soft Wood	EYB		1987	
Interior Flr 2				Dep Code		A	
Heat Fuel	02		Oil	Remodel Rating			
Heat Type	06		Steam	Year Remodeled			
AC Type	01		None	Dep %		30	
Total Bedrooms	03		3 Bedrooms	Functional Obslnc		0	
Total Bthrms	1			External Obslnc		0	
Total Half Baths	1			Cost Trend Factor		1	
Total Xtra Fixtrs				Condition			
Total Rooms	7		7 Rooms	% Complete			
Bath Style	02		Average	Overall % Cond		70	
Kitchen Style	01		Old Style	Apprais Val		219,100	
				Dep % Ovr		0	
				Dep Ovr Comment			
				Misc Imp Ovr		0	
				Misc Imp Ovr Comment			
				Cost to Cure Ovr		0	
				Cost to Cure Ovr Comment			



OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value

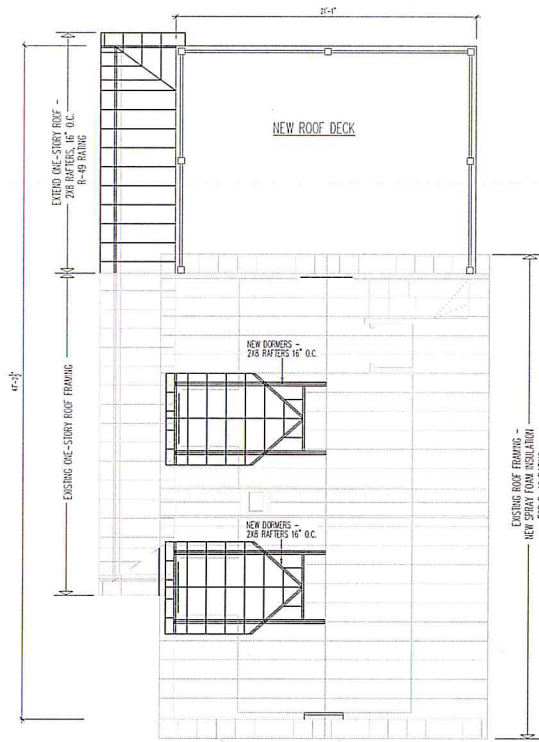
BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	900	900	900	166.95	150,258
FUS	Upper Story, Finished	739	739	739	166.95	123,379
UAT	Attic	0	651	65	16.67	10,852
UBM	Basement, Unfinished	0	719	144	33.44	24,041
UEP	Porch, Enclosed, Unfinished	0	53	27	85.05	4,508
<b>Ttl. Gross Liv/Lease Area:</b>		<b>1.639</b>	<b>3.062</b>	<b>1.875</b>		<b>313.038</b>



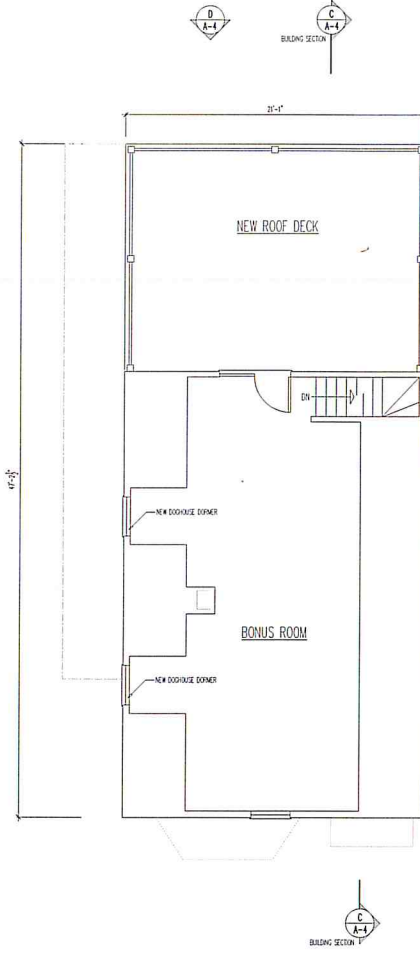








ROOF FRAMING PLAN  
SCALE: 1/4" = 1'-0"



ATTIC FLOOR PLAN  
SCALE: 1/4" = 1'-0"

**JMA ARCHITECTS + PLANNERS**  
Four New Street, Unit 101  
Newburyport, Massachusetts 01950  
(phone) 978.465.2283 (mobile) 978.621.0811

RENOVATIONS & ADDITION TO  
12 PURCHASE STREET  
NEWBURYPORT, MA 01950

ROOF FRAMING PLAN  
ATTIC FLOOR PLAN

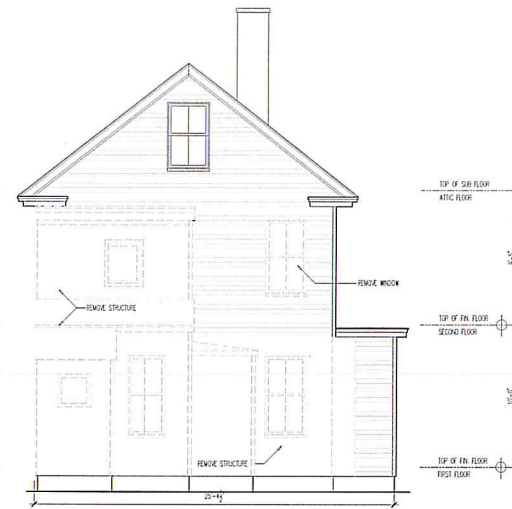
REVISIONS	NO.	DATE	BY	REVISION

DRAWN BY:	LP
DATE ISSUED:	SEP 24, 2017
SCALE:	1/4" = 1'-0"
JOB NO.:	8810-083

SHEET  
A-3



**A** PROPOSED SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



**B** EXISTING REAR ELEVATION  
SCALE: 1/4" = 1'-0"



**C** BUILDING SECTION  
SCALE: 1/4" = 1'-0"



**D** PROPOSED REAR ELEVATION  
SCALE: 1/4" = 1'-0"

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Newburyport, Massachusetts 01950  
(phone) 978.485.2283 (mobile) 978.621.0811

RENOVATIONS & ADDITION TO  
12 PURCHASE STREET  
NEWBURYPORT, MA 01950

EXTERIOR ELEVATIONS  
BUILDING SECTION

DATE	DESCRIPTION

DATE ISSUED	DATE IN 2017
SCALE	1/4" = 1'-0"
JOB NO.	9910-063

SHEET  
**A-4**







