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JAN 28 2020

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

Newburyport Planning Dept.

Petitioner: LINDSEY + MICHAEL DUNNIGAN

Mailing Address: 42 8TH ST. UNIT 5203, CHARLESTOWN, MA 02129

Phone: 781/718-2486 Email: MPDUNNIGAN@GMAIL.COM

LINDSEY.FORD1@GMAIL.COM

Property Address: 29 HAWCOCK ST

Map and Lot(s): 25/44 Zoning District: R2/DCOD

Book and Page(s): 37163/0471

Owner(s) Name: LINDSEY & MICHAEL DUNNIGAN

Mailing Address (if different): (SAME)

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) |
| <input type="checkbox"/> Parking | <input type="checkbox"/> Plum Island Overlay District (XXI-G-3) |
| <input 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"/> Use | |
| <input type="checkbox"/> Rear Yard | |
| <input type="checkbox"/> Lot Coverage | |
| <input checked="" type="checkbox"/> Side Yard | |
| <input type="checkbox"/> Lot Frontage | |
| <input type="checkbox"/> Front Yard | |

Description of request:

ONE-STORY ADDITION

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	6,015 SF	6,015 SF	10,000 SF
Frontage	44.97'	44.97'	90'
Height*	18.5	18.5	35'
Lot Coverage (%)**	17.1%	24.7%	25%
Open Space (%)***	74.8%	67.2%	40%
Front Setback	4.9'	4.9'	25'
Side A Setback	9.9'	9.9'	10'
Side B Setback	1.6'	1.6'	10'
Rear Setback	102.5'	84.3'	25'
Parking Spaces	2	2	2
FAR****	N/A	N/A	N/A

*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):

 _____ 1/28/2020

CITY OF NEWBURYPORT, MA
ZONING DETERMINATION

APR# 2020-013

Name: Lindsey and Michael Dunnigan

Address: 29 Hancock Street Zoning District(s): R2/DCOD

Request: Construct single story addition to a nonconforming single family property/structure. No Roof line change to existing historic structure. <25% wall demo, ,500SF add

ZONING BOARD REVIEW REQUIRED

Variance

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

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-3)
 - 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)

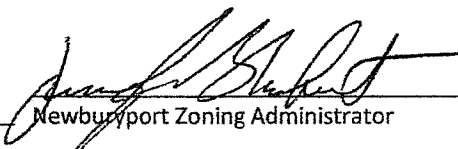
- Major
- Minor

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay
- *Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

evaluate for tree and sidewalk compliance

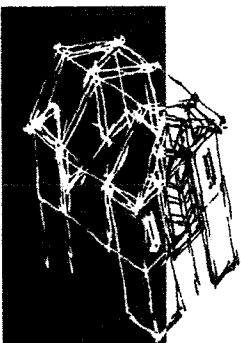
 _____
 Newburyport Zoning Administrator
 01/24/2020
 Date

January 28, 2020

Memorandum in Support of the Application for a Special Permit for Non-Conformities by Michael and Lindsey Dunnigan for the Proposed One-Story Addition at 29 Hancock Street in Newburyport, MA.

- A) The current use of the existing land is Residential/One-Family (Use No.101).The proposed use will remain Residential/One-Family.
- B) The current structure is non-conforming with the requirements of the present zoning ordinance in the following ways:
 - 1) Side Setbacks: The existing dwelling sits 1.6 feet from the right side property line and 9.9 feet from the left side property line where 10 feet is required.
 - 2) Front Setback: The existing dwelling sits 4.9 feet from the front property line where 25 feet is required.
 - 3) The Lot is non-conforming in both its square footage and frontage. The Lot is 6,015 SF where 10,000 SF is required, and the frontage is 44.97' w.here 90' is required.
- C) The Proposed One-Story Addition will extend but not intensify the right side setback. There will be no new non-conformities.
- D) The Proposed One-Story Addition will not be more detrimental than the existing structure. The modest one-story addition will have only a 14.5-foot median roof height, and the 18-foot extension of the footprint along the right side will not impede view or air and will only cast minimal shadow onto the abutting property in the latter hours of the day. The massing of the new structure is appropriately scaled - smaller than the main house, and consistent in form and detailing.

■ 437 Merrimac Street
Newburyport, MA 01950



29 HANCOCK ST

Location 29 HANCOCK ST

MBLU 25/ 44/ / /

Owner DUNNIGAN MICHAEL & LINDSEY T/E

Assessment \$585,600

PID 1354

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$330,500	\$255,100	\$585,600

Owner of Record

Owner DUNNIGAN MICHAEL & LINDSEY T/E

Sale Price \$670,000

Co-Owner

Certificate

Address 29 HANCOCK ST

Book & Page 37163/0471

NEWBURYPORT, MA 01950

Sale Date 11/19/2018

Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
DUNNIGAN MICHAEL & LINDSEY T/E	\$670,000		37163/0471	00	11/19/2018
RYAN PHILLIS	\$515,000		33816/0418	00	01/23/2015
RICCARDI RICHARD	\$490,000		26601/0266	00	02/28/2007
KAYE NANCY & LOUIE T/E	\$439,000		17654/0360	00	09/17/2001
LEHAN PATRICIA E	\$100		16175/0104	1A	01/31/2000

Building Information

Building 1 : Section 1

Year Built: 1824

Living Area: 1,432

Building Attributes

Field	Description
Style	Antique
Model	Residential

Stories:	1.75
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	Central
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	7 Rooms
Bath Style:	Average
Kitchen Style:	Average

Building Photo



(<http://images.vgsi.com/photos/NewburyportMAPhotos//\01\01\13\64.jpg>)

Building Layout



(http://images.vgsi.com/photos/NewburyportMAPhotos//Sketches/1354_1426.jpg)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	856	856
TQS	Three Quarter Story	768	576
UBM	Basement, Unfinished	768	0
WDK	Deck, Wood	418	0
		2,810	1,432

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL4	FIREPLACE, MNF	1 UNITS	\$1,600	1

Land

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAT1	PATIO-AVG			252 S.F.	\$1,100	1

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$217,200	\$255,100	\$472,300

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City of Newburyport

01/27/2020



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassIT/MassGIS.
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- Legend**
- Municipal Boundary
 - Roads
 - Interstate
 - Major Road
 - Local Road
 - Railroad

No. 74 PURCHASE ST
N/F
JOHN S. & VIVIAN C.
GOVE

No. 76-78 PURCHASE ST
N/F
ANDREW R. WILLEMSSEN
& KAREN A. KUHITHAU

LEGEND:

BIT	BITUMINOUS
L	LANDING
(M)	MEASURED
OV	OVER
(R)	RECORD
WDFE	WOOD FENCE
W/F	WOOD FRAME

NOTES:

- 1.) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY PERFORMED ON JANUARY 16, 2020.
- 2.) SUBSURFACE AND ABOVE GROUND UTILITIES WERE NOT INCLUDED AS PART OF THIS SURVEY, THEY WERE NOT RESEARCHED NOR SHOWN HEREON.
- 3.) A TITLE EXAMINATION WAS NOT PROVIDED FOR THIS SURVEY. AS SUCH OTHER MATTERS OF RECORD MAY EXIST AND NOT BE SHOWN HEREON.

RECORD OWNERS:

MICHAEL & LINDSEY DUNNIGAN
29 HANCOCK STREET
NEWBURYPORT, MA

REFERENCES:

DEED BOOK 37163 PAGE 471

PLAN BOOK 2628 PLAN 6
PLAN BOOK 2342 PLAN 600
PLAN BOOK 352 PLAN 45

ZONING:

R2 (SINGLE FAMILY)
DCOD
(EXISTING)

LOT AREA:	6,015SF
FRONTAGE:	44.97'
FRONT OFFSET:	4.9'
SIDE OFFSET:	1.6'
REAR OFFSET:	102.5'
LOT COVERAGE:	17.1%
OPEN SPACE:	74.8%

(PROPOSED)

LOT AREA:	6,015SF
FRONTAGE:	44.97'
FRONT OFFSET:	4.9'
SIDE OFFSET:	1.6'
REAR OFFSET:	84.3
LOT COVERAGE:	24.7%
OPEN SPACE:	67.2%

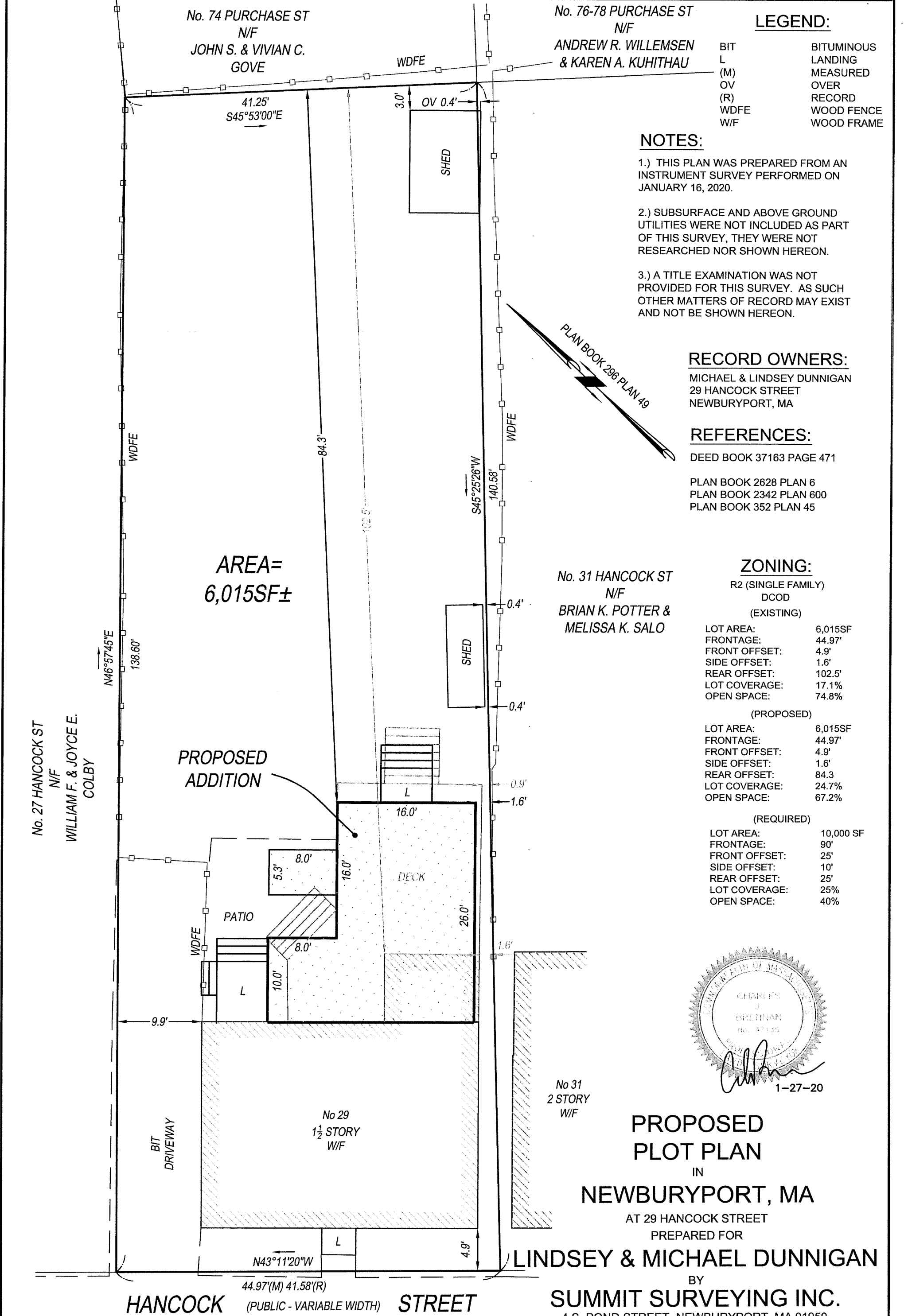
(REQUIRED)

LOT AREA:	10,000 SF
FRONTAGE:	90'
FRONT OFFSET:	25'
SIDE OFFSET:	10'
REAR OFFSET:	25'
LOT COVERAGE:	25%
OPEN SPACE:	40%

No. 31 HANCOCK ST
N/F
BRIAN K. POTTER &
MELISSA K. SALO

AREA=
6,015SF±

No. 27 HANCOCK ST
N/F
WILLIAM F. & JOYCE E.
COLBY



**PROPOSED
PLOT PLAN
IN
NEWBURYPORT, MA**

AT 29 HANCOCK STREET
PREPARED FOR

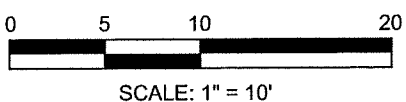
LINDSEY & MICHAEL DUNNIGAN
BY

SUMMIT SURVEYING INC.

4 S. POND STREET, NEWBURYPORT, MA 01950

TEL. 978-692-7109
JANUARY 24, 2020

WWW.SUMMITSURVEYINGINC.COM
20-0104



HANCOCK STREET
(PUBLIC - VARIABLE WIDTH)

N43°11'20"W
44.97'(M) 41.58'(R)

No 29
1½ STORY
W/F

No 31
2 STORY
W/F

BIT
DRIVEWAY

PROPOSED
ADDITION

SHED

SHED

DECK

PATIO

L

L

L

SHED

WDFE

N46°57'45"E
138.60'

84.3'

102.5'

S45°25'26"W
140.58'

WDFE

0.4'

0.9'

1.6'

4.9'

WDFE

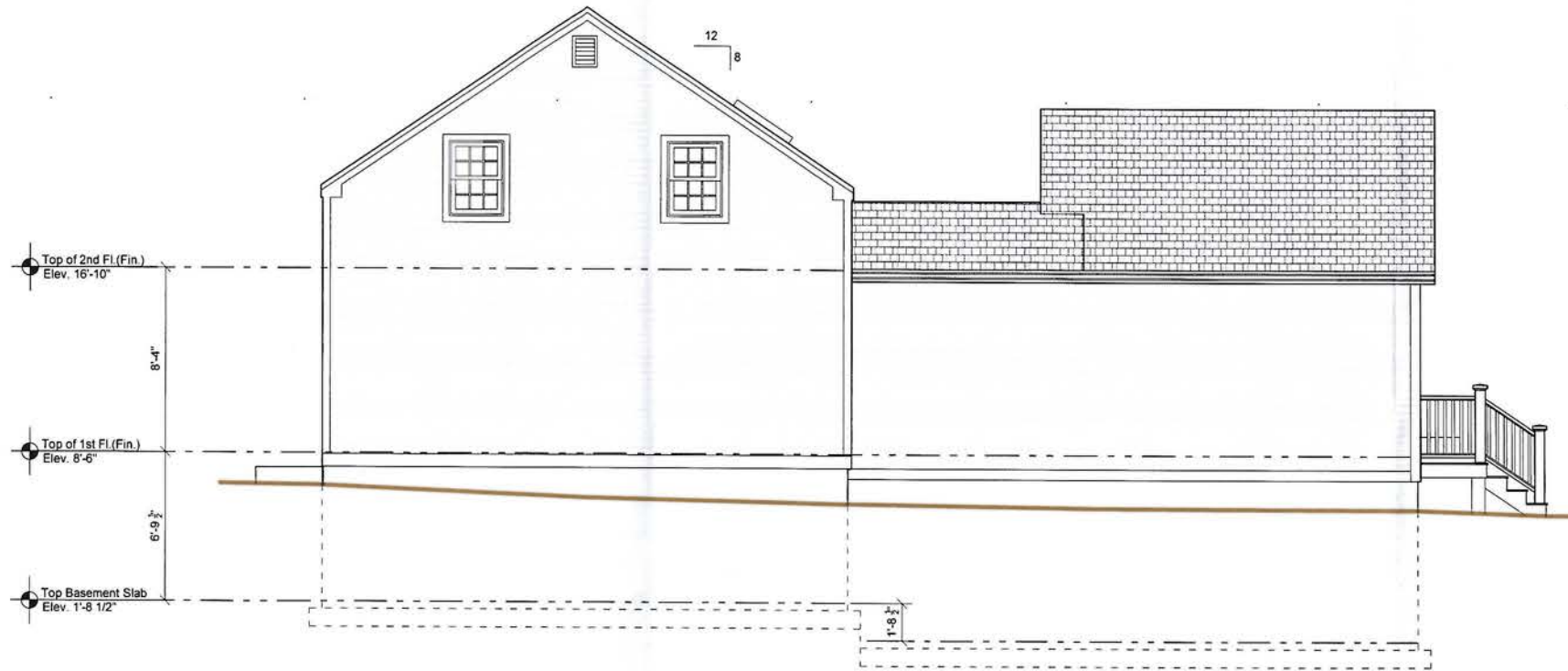
3.0'

OV 0.4'

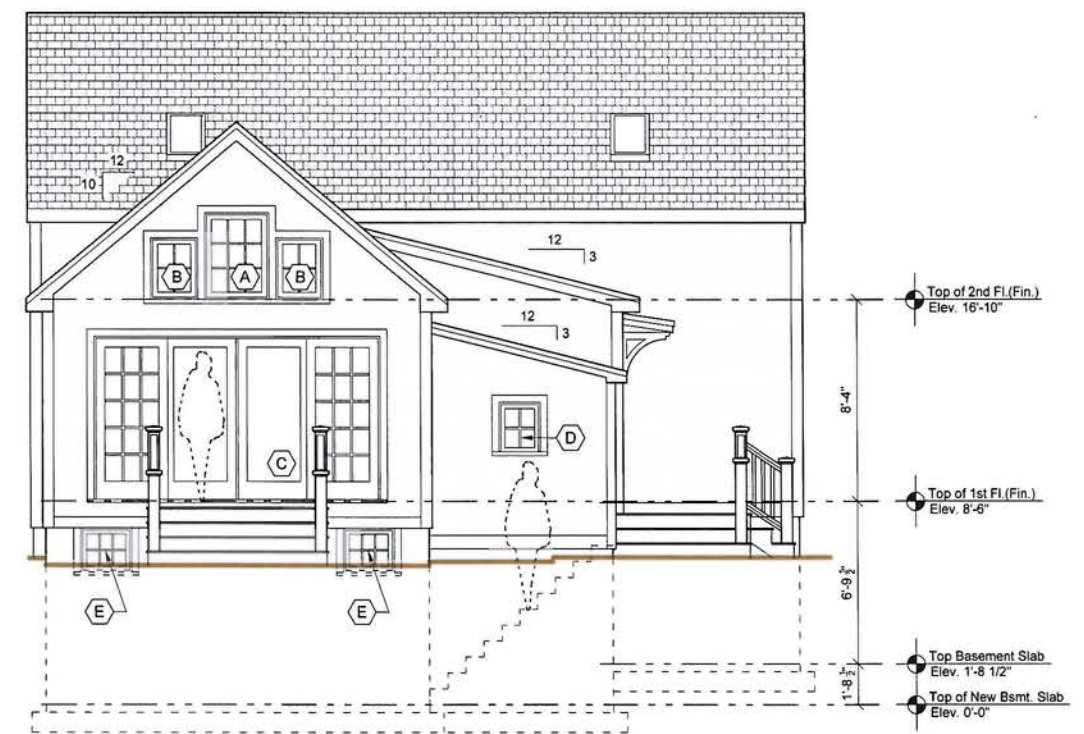
41.25'
S45°53'00"E



Proposed West Elevation
Scale: 1/4" = 1'-0"



Proposed East Elevation
Scale: 1/4" = 1'-0"



Proposed North Elevation
Scale: 1/4" = 1'-0"

Revisions

KEERY
design | LLC
437 Merrimac Street
Newburyport, Massachusetts 01950
978/395-5710



**ZONING
DRAWINGS**

Addition and Renovations to:
The Dunningan Residence
29 Hancock Street
Newburyport, MA 01950

**Proposed Exterior
Elevations**
Project No. 19008
Date: January 28, 2020
Scale: 1/4" = 1'-0"

A1



Existing West Elevation
Scale: 1/4" = 1'-0"



Existing East Elevation
Scale: 1/4" = 1'-0"



Existing North Elevation
Scale: 1/4" = 1'-0"

Revisions:

KEERY
design | LLC
437 Merrimac Street
Newburyport, Massachusetts 01950
978/392-5710



**ZONING
DRAWINGS**

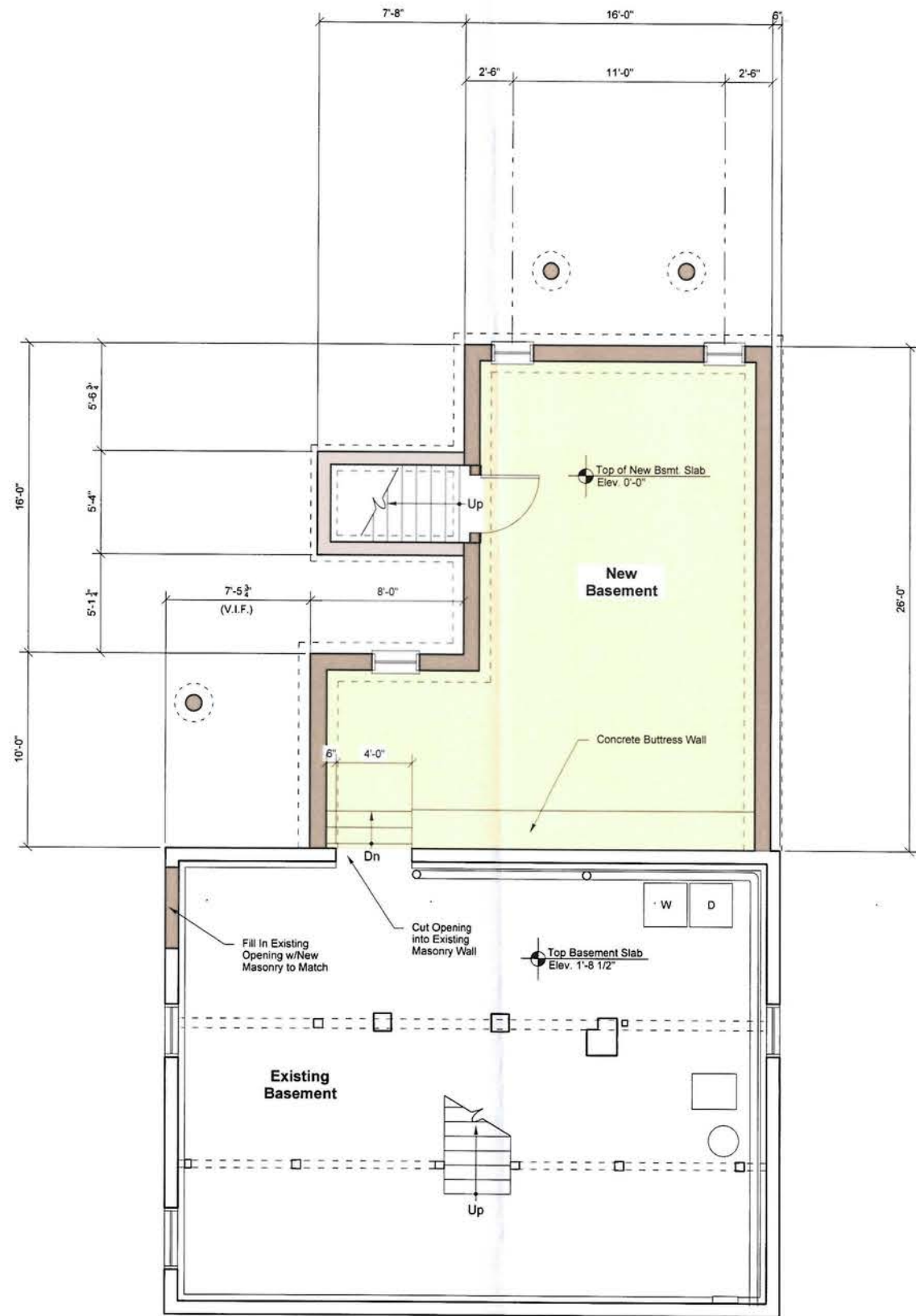
Addition and Renovations to:
The Dunnigan Residence

29 Hancock Street
Newburyport, MA 01950

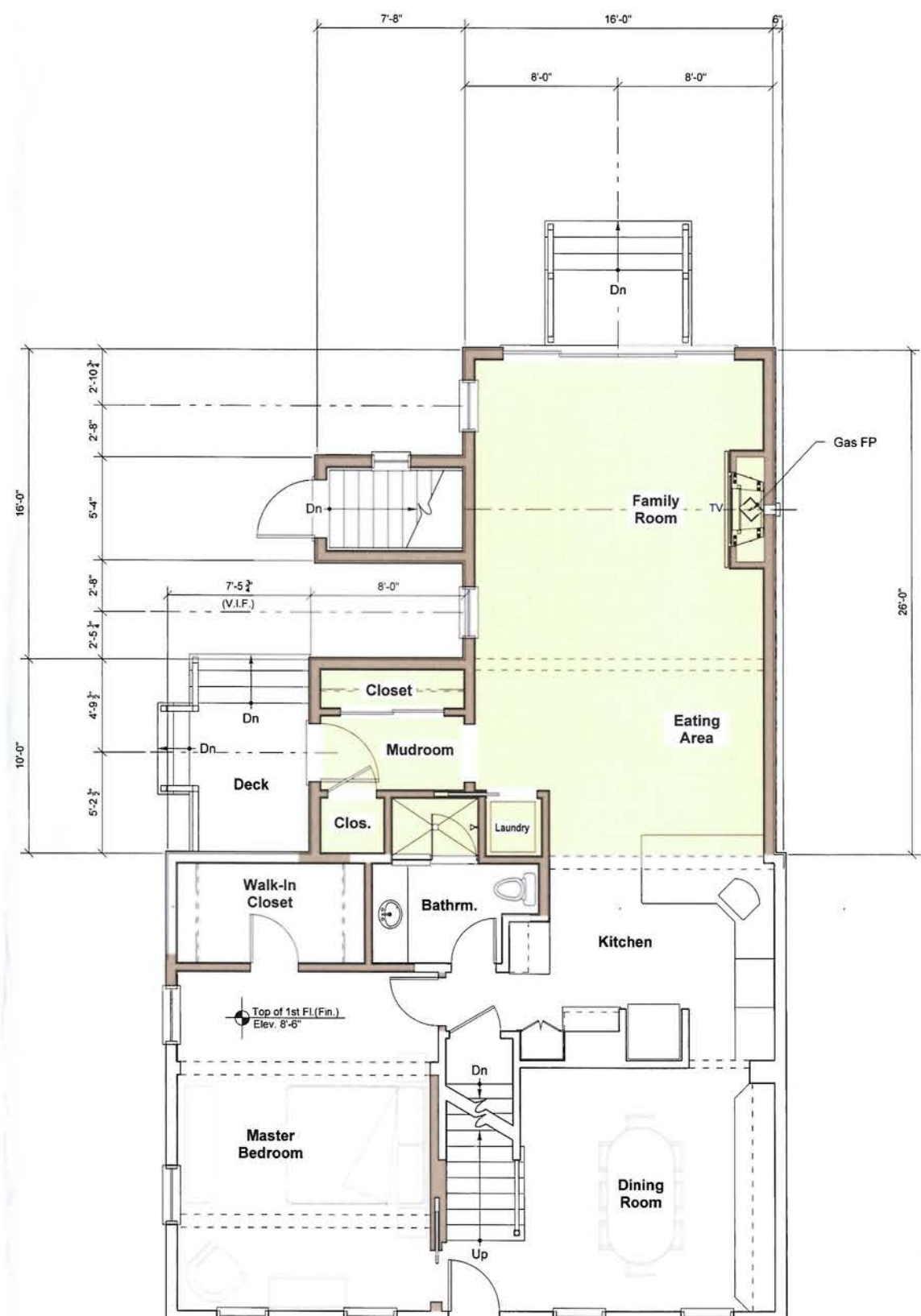
**Existing Exterior
Elevations**

Project No. 19008
Scale: 1/4" = 1'-0"
Date: January 28, 2020

EC2



Proposed Basement Floor Plan (496 Added SF)
Scale: 1/4" = 1'-0"



Proposed First Floor Plan (496 Added SF)
Scale: 1/4" = 1'-0"

Revisions:

KEERY
design | LLC
437 Merrimac Street
Newburyport, Massachusetts 01950
978/395-5710



**ZONING
DRAWINGS**

Addition and Renovations to:
The Dunnigan Residence
29 Hancock Street
Newburyport, MA 01950

**Proposed Basement
& First Floor Plan**
Project No. 19008
Date: January 28, 2020
Scale: 1/4" = 1'-0"