

City of Newburyport Zoning Board of Appeals

Instructions for an Application for a SPECIAL PERMIT for NON-CONFORMITIES

In order to be scheduled for a public hearing before the Zoning Board of Appeals, the petitioner shall submit the following information. If materials are not included because they are not applicable then the applicant must request a waiver from the Office of Planning and Development in order to consider the application complete.

1. Two (2) hard copies of the following information.
- a. _____ Completed "Application for a Special Permit for Non-Conformities" form.
 - b. _____ Zoning Determination form from the Zoning Administrator indicating the need for a Special Permit for Non-Conformities.
 - c. _____ Assessor's Card available from the Assessor's Office or from <http://gis.vgsi.com/newburyportma/>
 - d. _____ A written memo addressing the following Special Permit for Non-Conformities criteria:
 - 1) Please identify the particular use existing or proposed for the land or structure.
 - 2) Please identify the particular respect or respects in which the existing structure or use does not conform to the requirements of the present zoning.
 - 3) Please identify whether the proposed use, extension, alteration, or addition would intensify the existing non-conformities or result in additional ones.
 - 4) 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.
 - e. _____ Site plans or survey clearly showing existing and proposed conditions. Plans shall include the following:
 - North point;
 - Zoning district(s)
 - Names of streets
 - Wetlands (if applicable);
 - Dimensional control requirements;
 - 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, and other restrictions that may affect the proposal;
 - Proposed features in solid lines; Features that are to be removed in dashed lines;
 - Title block including the Drawing Title, Location Address, and Date of Plan;
 - Graphic scale;
 - Existing and proposed parking spaces
 - f. _____ Elevation plans showing all four sides of the existing building(s) and any proposed work to be highlighted. Plans shall include the following:
 - Title block including the Drawing Title, Location Address, and Date of Plan;
 - Setbacks of any proposed dormers;
 - Height of ridge and median roof lines
 - g. _____ Any other supplemental information such as letters of support, photos, etc.
2. Pdf files of the above information via file transfer or email to planning@cityofnewburyport.com.
3. An administrative fee of \$200.00 per application is required at the time of application, plus a publication/abutters notification fee of \$350 per project. Checks may be combined and made payable to the "City of Newburyport."

City of Newburyport Zoning Board of Appeals

Application for a SPECIAL PERMIT for NON-CONFORMITIES

Petitioner: Eric Primack

Mailing Address: 33 Pine Hill Rd, Newburyport, MA 01950

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

Property Address: 30 Winter St

Map and Lot(s): 49-86 Zoning District: R3/DCOD

Book and Page(s): 25772-278

Owner(s) Name: RADULSKI DENNIS C

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) |
| <input type="checkbox"/> Parking | <input type="checkbox"/> Plum Island Overlay District (XXI-G) |
| <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"/> Use | |
| <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 | |

Description of request:

Remove existing rear shed roofline of single family structure and extend upward the second floor walls and roof to create greater headroom. Upward extension of non-conforming side yard setbacks.

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

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	Required Dimensional Controls from Section VI.A	Existing Dimensional Controls from survey or site plan	Proposed Dimensional Controls from proposed plans
Lot Area	3129	3129	10000
Frontage	42'	42'	90
Height*	31' 31/2"	31' 31/2"	35'
Max. Lot Coverage (%)**	49.3%	49.3%	30%
Min. Open Space (%)***	50.7%	50.7%	35%
Primary Front Setback	4.4'	4.4'	25'
Side A Setback/Secondary Front Setback	2.8'	2.8'	10'
Side B Setback	1.9'	1.9'	10'
Rear Setback	27.5'	27.5'	25'
Parking Spaces	0	0	0
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.

By checking this box and typing my name below, I am electronically signing this application.

Eric Primack

 Petitioner

By checking this box and typing my name below, I am electronically signing this application.

 Owner (if different)