

City of Newburyport Zoning Board of Appeals

Application for a SPECIAL PERMIT for NON-CONFORMITIES

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):
(Refer to the Zoning Determination form supplied by the Zoning Administrator)

- | | |
|---|---|
| <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) |
| ___ Upward Extension | ___ FAR |
| ___ Open Space | ___ Footprint Expansion |
| ___ Height | ___ Height Increase |
| ___ Lot Area | |
| ___ Use | |

Description of request:

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			
Frontage			
Height*			
Lot Coverage (%)**			
Open Space (%)***			
Front Setback			
Side A Setback			
Side B Setback			
Rear Setback			
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.

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

 Petitioner

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

 Owner (if different)

CITY OF NEWBURYPORT, MA
ZONING DETERMINATION

APR# _____

Name: _____

Address: _____ Zoning District(s): _____

Request: _____

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)
 - 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)

Site Plan Review (XV)

- Major
- Minor

Smart Growth District (XXIX)

- Plan Approval

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay
- *Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

The name typed below represents the intent to sign the foregoing document:

Newburyport Zoning Administrator

Date

John and Genevieve Bleiler
3 Plummer Avenue
Newburyport, MA 01950

June 3, 2020

Rob Ciampitti, Chair
Zoning Board of Appeals
City of Newburyport
City Hall
60 Pleasant Street
Newburyport, MA 01950

Re: **Request for Special Permit for Non-Conformities**
3 Plummer Avenue, Newburyport, MA
Map 68/ Lot 49

Dear Chair and Members of the Board:

This letter has been prepared in support of an application for Special Permit for Non-Conformities at 3 Plummer Avenue, Newburyport, MA (property of John and Genevieve Bleiler) under Section IX-B.2.A and Section IX-B.3.C of the City of Newburyport Zoning Ordinance.

The owners wish to remove an existing sunporch and build a modest 2-story addition to the south of their 1,702 square foot (SF) single-family house. This addition will provide first floor age-in place bedroom space, expand a second story bedroom, and add closet/storage space to a house with little existing storage.

The proposed project does not exceed the allowable lot coverage, and will not intensify or increase any existing non-conforming side, front, or rear lot setbacks. The proposed project has been designed to be in keeping with the historic nature of this 1854 cape style house and will not be more detrimental to the neighborhood than the existing non-conforming dwelling.

EXISTING CONDITIONS

The existing two-story home is in the R-2 Zoning District within a residential neighborhood. This cape style home was built in approximately 1854, and includes a small sunporch (98 SF), likely added in the 1930's or 1940's. This sunporch does not appear on a 1924 insurance map reviewed by Ms. Jennifer Blanchet, Zoning Administrator, City of Newburyport and likely was an open porch that was enclosed by a prior owner of the home. The existing house is located on a pre-existing legally non-conforming parcel, as tabulated below

Parameter	Required Dimensional Controls	Existing Dimensional Controls
Lot Area (SF)	10,000	7,535
Front Yard Setback (feet)	25	10.4
Side Yard Setback (feet)	10	7.4
Rear Yard Setback (feet)	25	23.5

The property is currently compliant with regard to all other zoning parameters: the existing percent lot coverage is conforming (22.8% vs. 25% required) and the existing open space is conforming (66.8% vs. 40% minimum). The lot has 124.69 feet of frontage on Plummer Avenue which is conforming (90 feet required).

The existing home does not have an attic, has a modest first floor master bedroom, and has only limited closet/storage space.

PROPOSED CONDITIONS

The owners propose to demolish the existing 98 SF sunporch and replace it with a two-story addition. As described above, the age of the sunporch is unknown, however it was likely added to the house in the last 75 to 100 years, and thus requires Historical Commission Review.

The proposed first floor addition will include an expanded master bedroom and closet/storage space, and the second floor will include a re-oriented upstairs bedroom, as well as additional storage/closet space. The first-floor addition is being proposed in part to provide one-story living, with the master bedroom on the first floor, for age-in-place living.

The proposed addition will create an additional 156 SF of living space on the ground floor and the second story addition includes an additional 213 SF of living space.

The modest proposed addition will not result in any new non-conformities. The architect (Benjamin Nutter Architects, of Topsfield, MA) has designed the addition to reflect the historic nature of the home in terms of scale, style, and neighborhood setting. The Plummer Avenue façade of the house has been setback by approximately 2 feet in order to preserve the existing roofline, and the mean roof height of the addition will be 1.33 feet less than the existing mean roofline of the house.

Plummer Avenue contain a wide variety of architectural styles, including a raised ranch (immediately across the street), several neighboring bungalow style homes, several older homes of varying vintage, and several recently renovated colonial style homes. The proposed addition is in keeping with the neighborhood and will in no way detract from the neighborhood. The addition has been designed to prevent infill, does not detract from the house roof line, and preserves the character of this smaller single-family house.

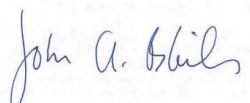
SUMMARY

In summary, the applicant respectfully requests that the Board find that:

- There will be no addition of a new non-conformity. The conditions and circumstances of the lot are such that this modest addition does not exasperate any pre-existing non-conformities with respect to lot coverage, floor area ratio, height, open space, or front, side, or rear yard setbacks.
- The requested special permit is consistent with the spirit, purpose, and intent of the ordinance.
- The proposed addition will not be more substantially detrimental to the neighborhood than the pre-existing non-conforming structure.

Please do not hesitate to contact either of the under-signed with any questions or concerns. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "John A. Bleiler". The signature is written in a cursive style with a large initial 'J'.

John A Bleiler
Homeowner, 3 Plummer Ave

A handwritten signature in black ink that reads "Genevieve Bleiler". The signature is written in a cursive style with a large initial 'G'.

Genevieve Bleiler
Homeowner, 3 Plummer Ave

3 PLUMMER AVE

Location 3 PLUMMER AVE

MBLU 68/ 49/ / /

Owner BLEILER JOHN

Assessment \$640,300

PID 4432

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$382,300	\$258,000	\$640,300

Owner of Record

Owner	BLEILER JOHN	Sale Price	\$680,000
Co-Owner	GENEVIEVE LOOK BLEILER T/E	Certificate	
Address	3 PLUMMER AVE NEWBURYPORT, MA 01950	Book & Page	37878/0504
		Sale Date	09/27/2019
		Instrument	00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
BLEILER JOHN	\$680,000		37878/0504	00	09/27/2019
BROGDEN NANCY H L/I	\$0		36621/0141	1A	04/02/2018
BRODGEN WILLIAM R	\$209,000		29278/0528	1H	02/12/2010
BENNETT BERNICE E.L.I	\$1		10491/0571	1A	07/06/1990
BENNETT BRIAN H	\$0		06579/0507		04/06/1979

Building Information

Building 1 : Section 1

Year Built: 1850

Living Area: 1,702

Building Attributes	
Field	Description
Style	Conventional
Model	Residential

Stories:	2
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	Drywall/Sheet
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	Hardwood
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	2
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	7
Bath Style:	Modern
Kitchen Style:	Modern

Building Photo



(<http://images.vgsi.com/photos/NewburyportMAPhotos/\01\00\69\24.jpg>)

Building Layout



(http://images.vgsi.com/photos/NewburyportMAPhotos//Sketches/4432_46)

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,168	1,168	
TQS	Three Quarter Story	432	324	
FUS	Upper Story, Finished	210	210	
FEP	Porch, Enclosed	96	0	
UBM	Basement, Unfinished	1,168	0	
		3,074	1,702	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL3	FIREPLACE 2 ST	1 UNITS	\$4,200	1

Land

Land Use

Use Code 1010
Description SINGLE FAM

Land Line Valuation

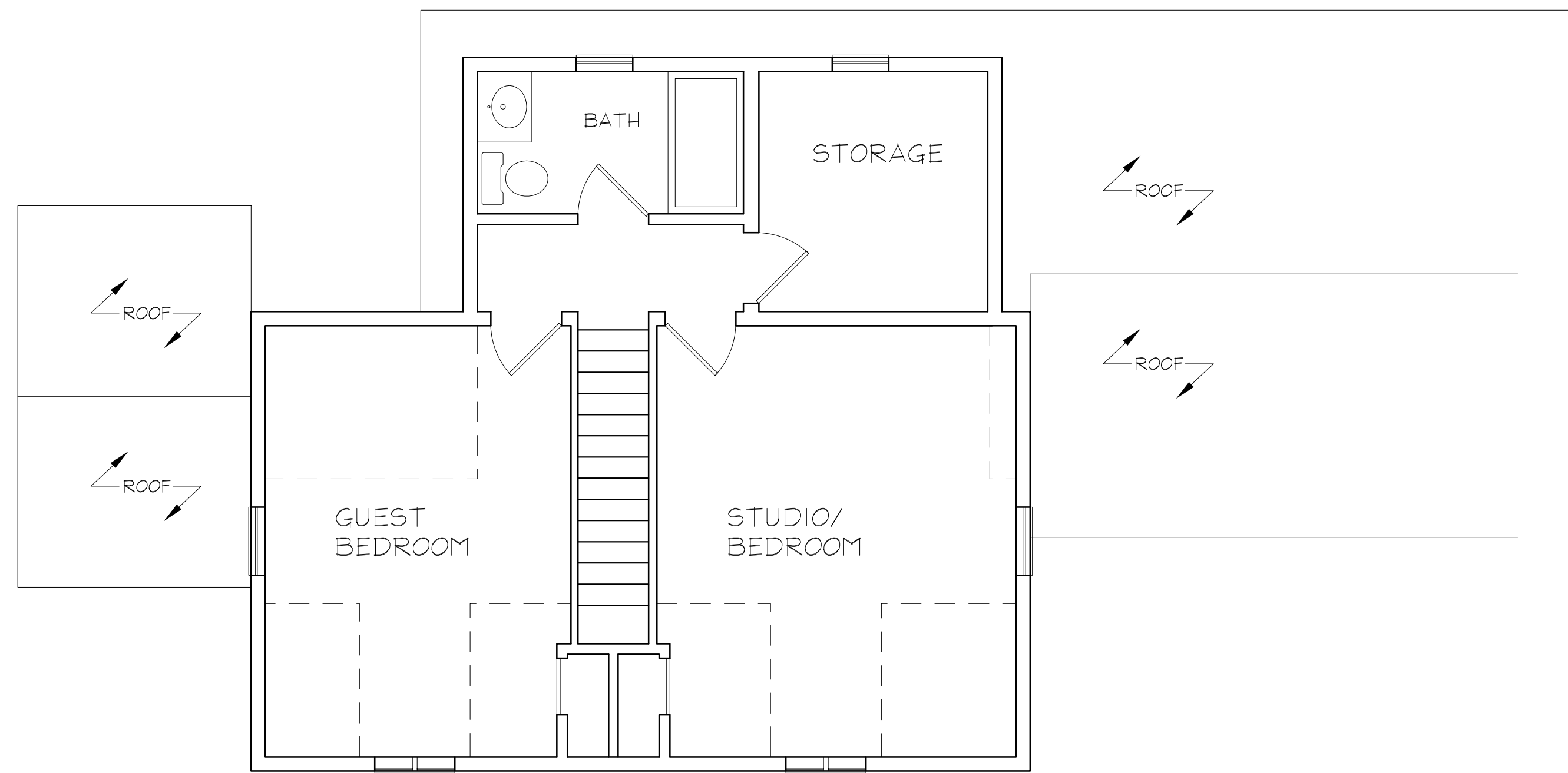
Size (Acres) 0.15
Depth 0
Assessed Value \$258,000

Outbuildings

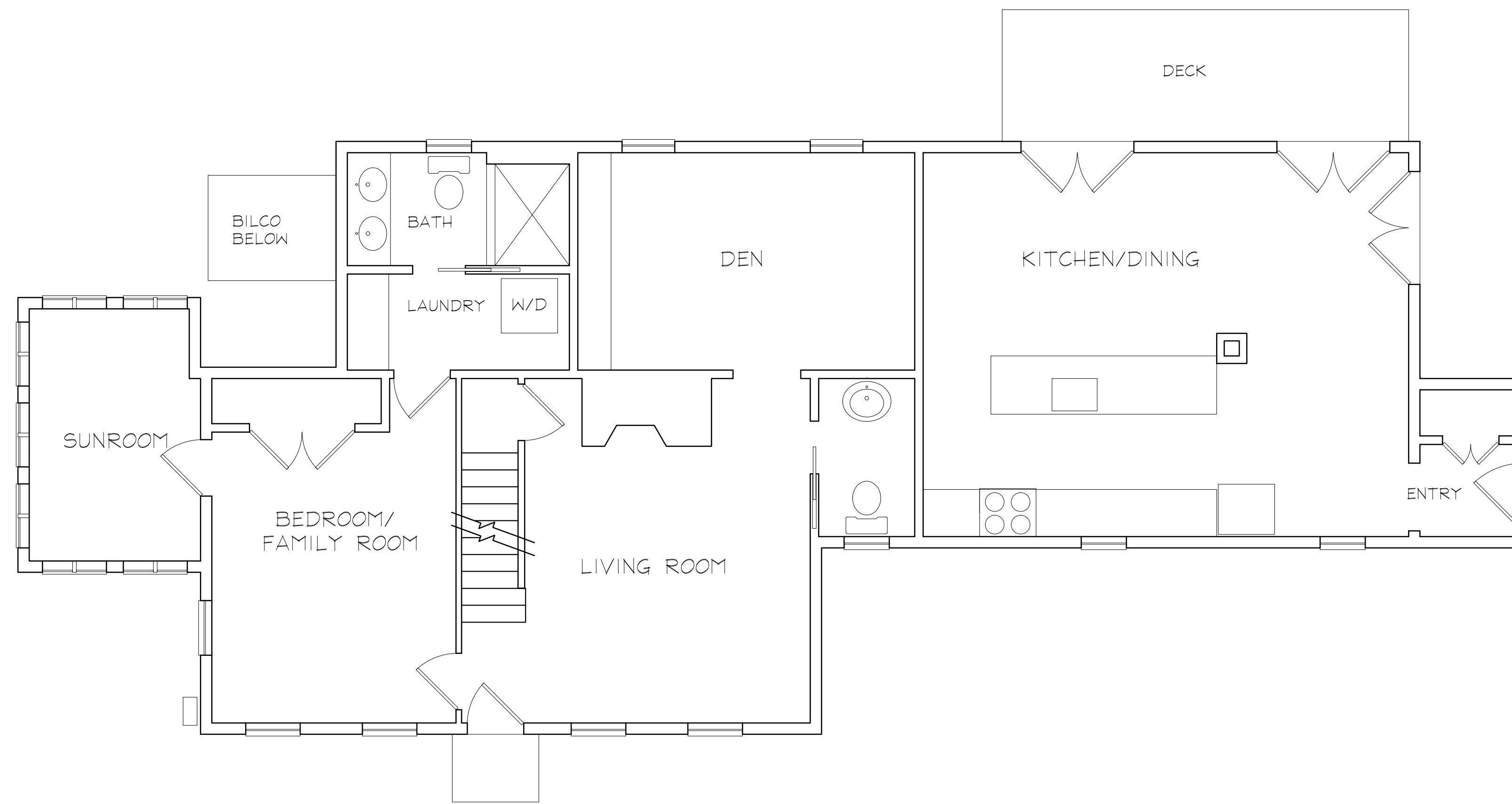
Outbuildings						<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
FGR1	GARAGE-AVE			396 S.F.	\$10,000	1

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$355,300	\$258,000	\$613,300



EXISTING SECOND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

BENJAMIN NUTTER ARCHITECTS, LLC
 POST OFFICE BOX 254
 TOPSFIELD, MASSACHUSETTS 01963
 T: 978.887.9836 BENJAMINNUTTER.COM

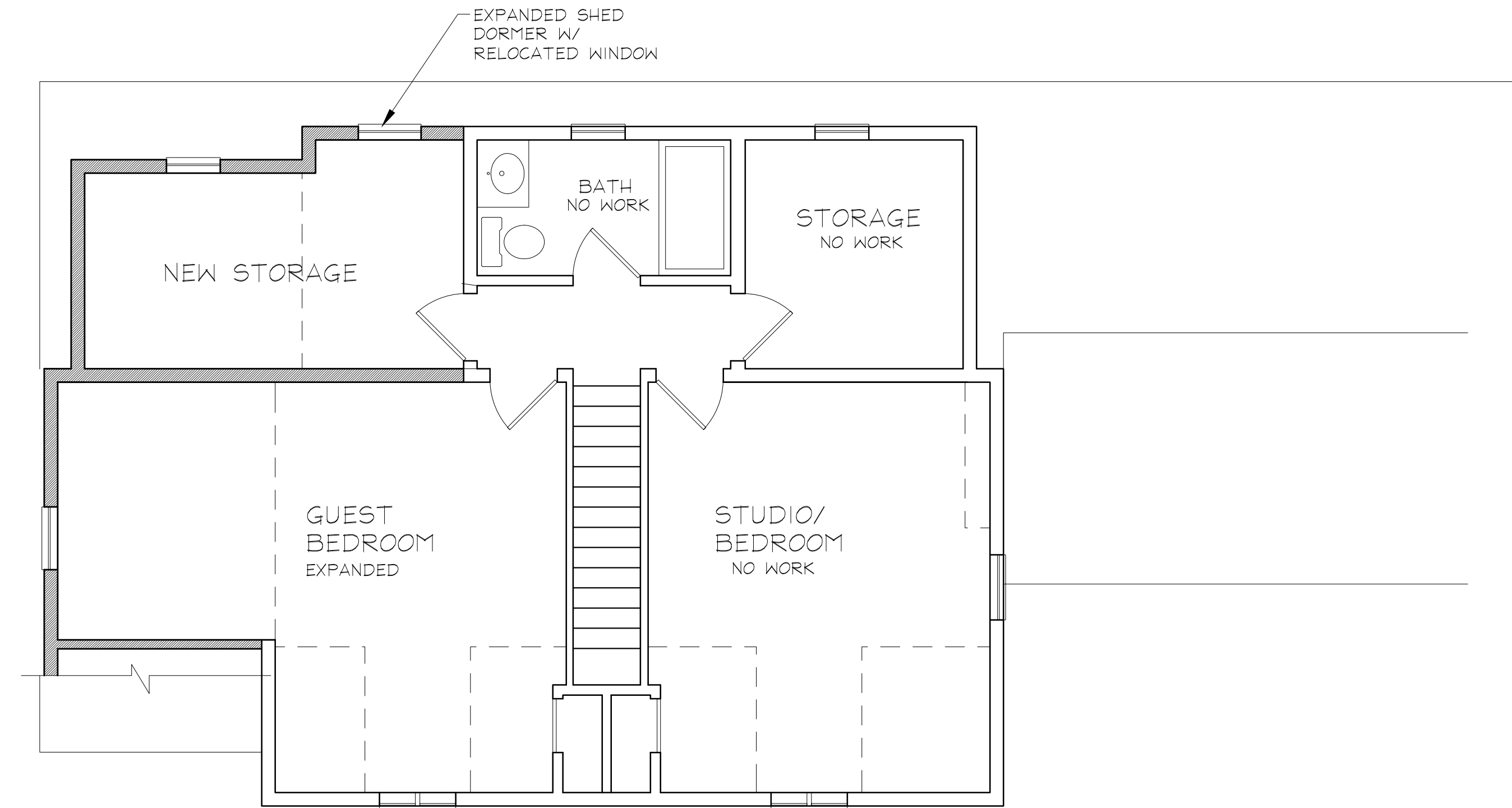
DRAWN BY:
 DS

PRINTS MADE:
 MAY 26, 2020

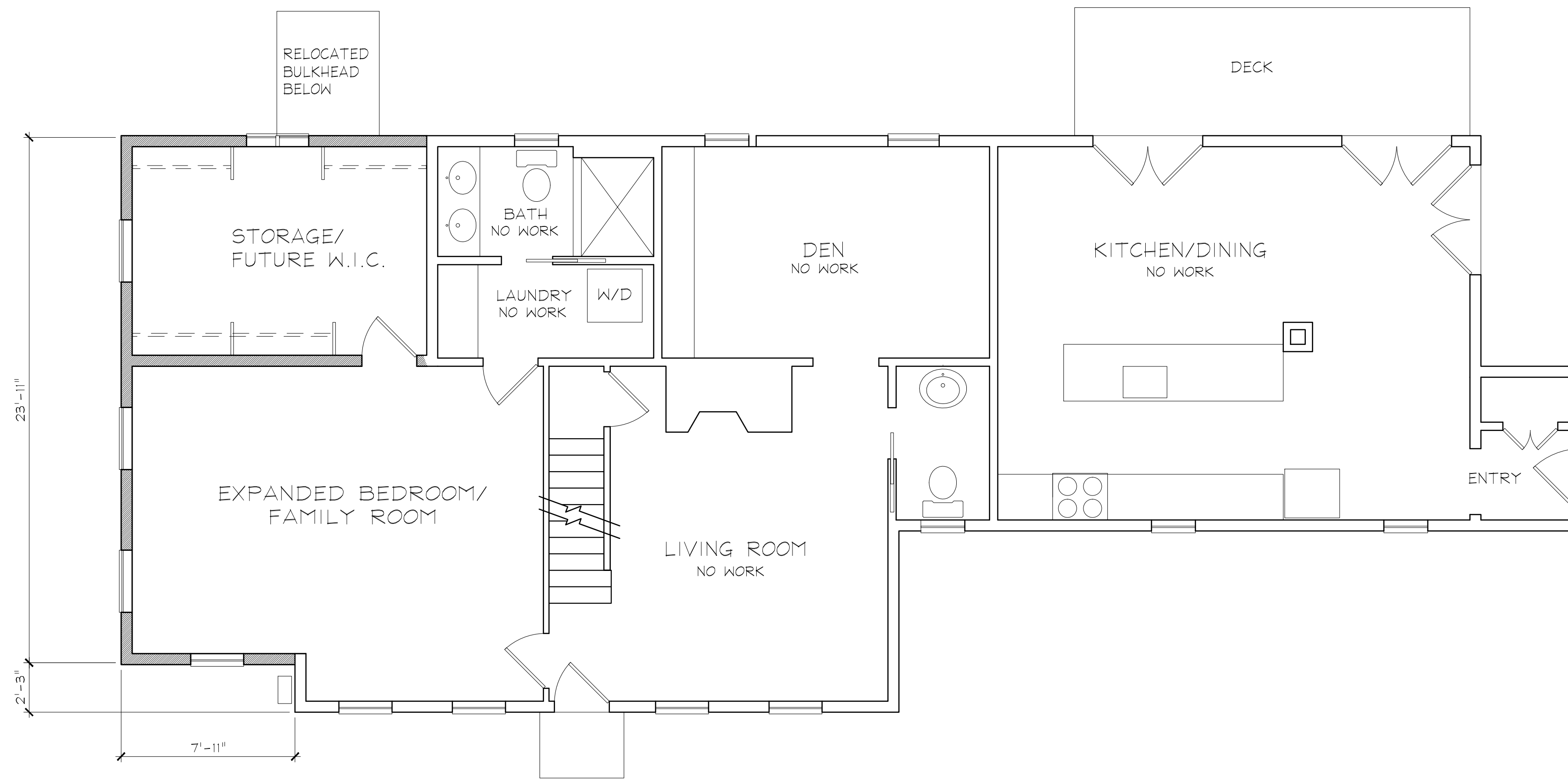
EXISTING FLOOR PLANS
 SCALE: 1/4" = 1'-0"

ALTERATIONS & ADDITIONS FOR
 BLEILER RESIDENCE
 3 PLUMMER AVENUE
 NEWBURYPORT, MA

A1.0



PROPOSED SECOND FLOOR PLAN
 SHADED WALLS INDICATE NEW WORK



PROPOSED FIRST FLOOR PLAN
 SHADED WALLS INDICATE NEW WORK



LEFT SIDE ELEVATION (EASTERLY)



REAR ELEVATION (SOUTHERLY)



FRONT ELEVATION (NORTHERLY)

BENJAMIN NUTTER ARCHITECTS, LLC
 POST OFFICE BOX 254
 TOPSFIELD, MASSACHUSETTS 01963
 T: 978.887.9836 BENJAMINNUTTER.COM

DRAWN BY:
 DS

PRINTS MADE:
 MAY 26, 2020

EXISTING ELEVATIONS
 SCALE: 1/4" = 1'-0"

ALTERATIONS & ADDITIONS FOR
 BLEILER RESIDENCE
 3 PLUMMER AVENUE
 NEWBURYPORT, MA

A2.0



REAR ELEVATION (SOUTHERLY)



LEFT SIDE ELEVATION (EASTERLY)



FRONT ELEVATION (NORTHERLY)

BENJAMIN NUTTER ARCHITECTS, LLC
 POST OFFICE BOX 254
 TOPSFIELD, MASSACHUSETTS 01963
 T: 978.887.9836 BENJAMINNUTTER.COM

DRAWN BY:
 DS

PRINTS MADE:
 MAY 26, 2020

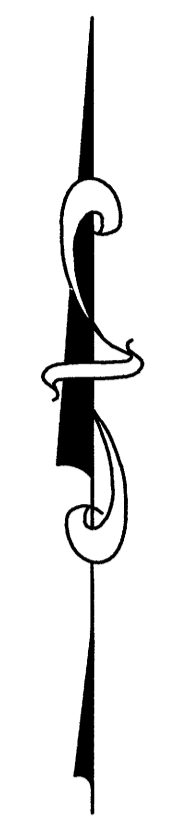
PROPOSED ELEVATIONS
 SCALE: 1/4" = 1'-0"

ALTERATIONS & ADDITIONS FOR
 BLEILER RESIDENCE
 3 PLUMMER AVENUE
 NEWBURYPORT, MA

A2.1

NOTE:

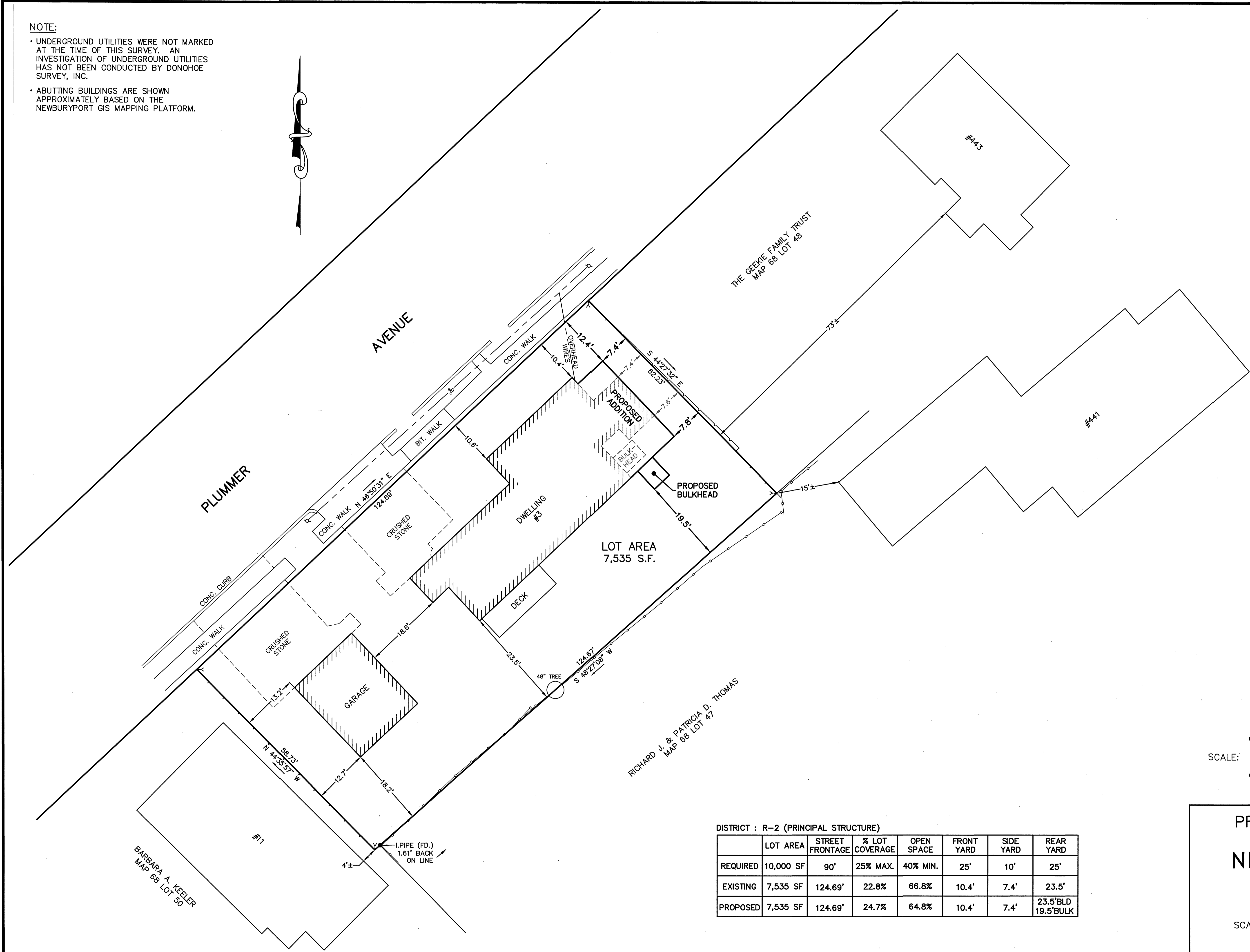
- UNDERGROUND UTILITIES WERE NOT MARKED AT THE TIME OF THIS SURVEY. AN INVESTIGATION OF UNDERGROUND UTILITIES HAS NOT BEEN CONDUCTED BY DONOHOE SURVEY, INC.
- ABUTTING BUILDINGS ARE SHOWN APPROXIMATELY BASED ON THE NEWBURYPORT GIS MAPPING PLATFORM.



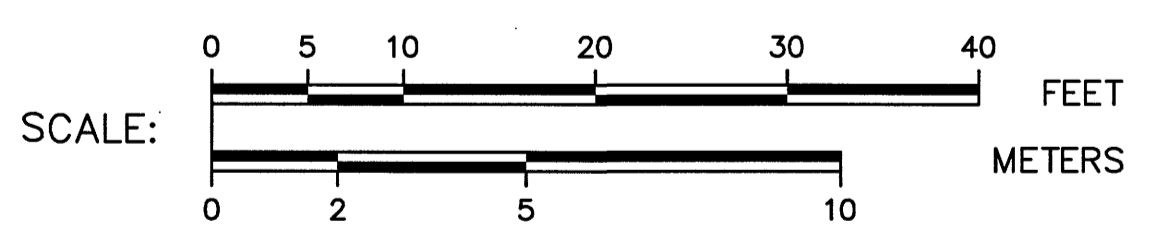
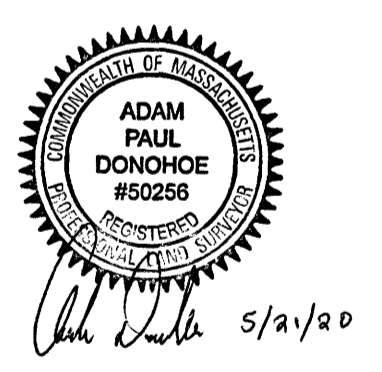
ZONING DISTRICT: R-2
 ASSESSORS: MAP 68 LOT 49
 REFERENCES:
 DEED - BK. 37878 PG. 504
 PLAN - PL. BK. 166 PL. 56

LEGEND & SYMBOLS

- I.P.I.P.E. IRON PIPE
- FD. FOUND
- WG WATER GATE
- CONC. CONCRETE
- BIT. BITUMINOUS
- ⊕ UTILITY POLE
- |— RETAINING WALL
- WOOD FENCE



LOT AREA
7,535 S.F.



DISTRICT : R-2 (PRINCIPAL STRUCTURE)

	LOT AREA	STREET FRONTAGE	% LOT COVERAGE	OPEN SPACE	FRONT YARD	SIDE YARD	REAR YARD
REQUIRED	10,000 SF	90'	25% MAX.	40% MIN.	25'	10'	25'
EXISTING	7,535 SF	124.69'	22.8%	66.8%	10.4'	7.4'	23.5'
PROPOSED	7,535 SF	124.69'	24.7%	64.8%	10.4'	7.4'	23.5'BLD 19.5'BULK

PROPOSED ADDITION PLAN
 #3 PLUMMER AVENUE
NEWBURYPORT, MA

OWNER & APPLICANT
JOHN & GENEVIEVE BLEILER

SCALE: 1" = 10' MAY 21, 2020
DONOHOE SURVEY, INC.
 363 BOSTON ST. TOPSFIELD, MA
 (978) 887-6161

3 Plummer Avenue.

Existing Conditions, Street Facade



3 Plummer Avenue. Existing Conditions. Addition will be on the left side of house, setback 2 feet from façade.



3 Plummer Avenue. Sunroom on left to be demolished for 2 story addition..

3 Plummer Avenue.

Existing Conditions



Sunroom on left side of house to be demolished. Addition to be set back behind utilities



Sunroom existing concrete footing



Sunroom to be demolished from the rear. Area of new addition at rear of house



3 Plummer Avenue.

Neighborhood Pictures. Properties abutting 3 Plummer Avenue.



Merrimac Street house abuts the back corner of 3 Plummer Ave.



Merrimac Street property abuts 3 Plummer



3 Plummer Avenue.

3 Plummer Ave. Neighborhood Views.



3 Plummer Ave. Looking up Plummer Ave. toward High Street. Pictured on left are houses on same side of street as 3 Plummer Ave. Pictured on right are houses on opposite side of the street.



3 Plummer Ave. Looking directly across street and down towards Merrimac Street.