

City of Newburyport Zoning Board of Appeals
Application for a SPECIAL PERMIT

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 JUN -4 PM 2:30

Petitioner: Michael + Tracey Joyce

Mailing Address: 8 Charron Drive

Phone: (978) 399-8727

Email: mikepjoyce@gmail.com

Property Address: 8 Charron Drive

Map and Lot(s): 40-78

Zoning District: R2

Book and Page(s): Book 35830, Page 0185

Owner(s) Name: Michael Joyce, Tracey Joyce

Mailing Address (if different): N/A

The applicant is requesting a Special Permit under section(s):

- Special Permit for Use (V.D) – Use # _____
- Spacing (VI.D)
- In-Law Apartment (XIIA)
- Bonus Provisions for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Wind Energy Conversion Facilities (XXVI)
- Other _____

Description of request:

Add attached 2 car garage w/ In-Law unit (403⁶⁰⁹ ft²)
above it.

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):





CITY OF NEWBURYPORT, MA
ZONING REVIEW/BUILDING PERMIT DENIAL

APR# 2018-035

Name: MICHAEL JOYCE 978-399-8727

Address: 8 CHARCON DRIVE Zoning District(s): R2

Request: ATTACHED
ADD 2 CAR GARAGE WITH IN LAW UNIT ABOVE TO
EXISTING DWELLING. 483 SF IN IN-LAW UNIT

ZONING BOARD REVIEW REQUIRED

Variance

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

Sign Variance

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

Special Permit for Non-Conformities

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

Special Permit

- Special Permit for Use (V.D) Use #: _____
- 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 _____

PLANNING BOARD REVIEW REQUIRED

Special Permit

- Table of Permitted Uses (V-D)
- Marijuana Overlay District (V-G)
- 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 ___ Rear Yard
 - ___ Upward Extension ___ Lot Coverage
 - ___ Open Space ___ Side Yard
 - ___ Height ___ Lot Frontage
 - ___ Lot Area ___ 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 ^{AYB} 1965

- Demo. Delay
- *Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

CITY COUNCIL REVIEW REQUIRED (X.H.9)


Newburyport Zoning Administrator

5/17/18
Date

Michael and Tracey Joyce
8 Charron Drive, Newburyport, MA 01950

21 - MAY - 2018

Request for Special Permit – In-Law Apartment

We certify that the requested addition is in compliance with ordinances on the table of use regulations or elsewhere.

The use is essential/desirable to the public convenience or welfare.

The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the city will be unduly subjected to hazards affecting health, safety, or the general welfare.

The regulations in the permit table for an in-law apartment are fulfilled:

- The in-law apartment is occupied by parents by blood.
- Dimensional requirements are met.
- The GLA of the apartment is below the maximum allowed 700 square feet. The plan calls for ~~483~~ square feet. 604
- Safety, health, and building codes are met.
- The permit will be granted and recorded at the Essex South District Registry of Deeds and a copy of the permit will be provided to the building inspector before issuing a certificate of occupancy.
- In the 11th and 23rd month following the grant of the permit, we will certify under the pains and penalties of perjury that the in-law apartment is occupied by parents by blood. This will be filed with the inspector, and ZBA.
- The permit will expire if the previous bullet is not fulfilled, if the in-law ceases to be occupied as stated herein, or at the expiration of 3 years from its granting unless the ZBA renews the application.
- If the unit is not occupied or we fail to meet the permit requirements, the kitchen will be removed within 6 months of the expiration of the permit, subject to approval by the building inspector.
- We consent to the inspection of the premises by the ZBA at any time upon reasonable written notice to ourselves, the homeowners, Michael and Tracey Joyce.


The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The requested use will not, by its addition to the neighborhood, cause an excess of that particular use that could be detrimental to the character of that said neighborhood.

The proposed use is in harmony with the purpose and intent of this ordinance.

The proposed use will not be conducted in a manner as to emit any dangerous, noxious, injurious or otherwise objectionable fire, explosion, radioactive or other hazard, noise or vibration, smoke, dust, odor, or other form of environmental pollution.

Sincerely,

A handwritten signature in black ink, appearing to be 'MJ' or similar initials, written in a cursive style.

Michael and Tracey Joyce

Property Location: 8 CHARRON DR MAP ID: 40/78/11 Bldg #: 1 of 1 Card 1 of 1 State Use: 1010
 Vision ID: 2555 Account # UTILITIES STRL./ROAD LOCATION TOPO. Sec #: 1 of 1 CURRENT ASSESSMENT Print Date: 01/04/2018 15:34

Code	Description	Appraised Value	Assessed Value
1010	RESIDNTL	182,300	182,300
1010	RES LAND	260,700	260,700
Total:		443,000	443,000

8 CHARRON DR
 NEWBURYPORT, MA 01950
 Additional Owners:
 JOYCE MICHAEL & TRACEY T/E
 CHARRON DR
 NEWBURYPORT, MA 01950

VISION

Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
2018	1010	182,300	2017	1010	178,700
2018	1010	260,700	2017	1010	248,300
Total:		443,000	Total:		427,000

RECORD OF OWNERSHIP
 JOYCE MICHAEL & TRACEY T/E
 MONGEAU RONALD
 FLORITO, MICHAEL A.
 MARTIN MARGARET, L.I.
 MARTIN FREDERICK L

Year	Type	Description	Amount	Number	Amount	Comm. Int.
04/28/2017	Q	500,000	00	00	500,000	00
06/26/2015	Q	393,750	00	00	393,750	00
06/24/1994	U	132,000	ID	1	132,000	1A
03/04/1992	U	0		0	0	
5304/393						
Total:		443,000	Total:		427,000	425,100

OTHER ASSESSMENTS
 This signature acknowledges a visit by a Data Collector or Assessor

APPRaised VALUE SUMMARY
 Appraised Bldg. Value (Card) 182,300
 Appraised XF (B) Value (Bldg) 0
 Appraised OB (L) Value (Bldg) 0
 Appraised Land Value (Bldg) 260,700
 Special Land Value 0
 Total Appraised Parcel Value 443,000
 Valuation Method: C

Adjustment: 0
 Net Total Appraised Parcel Value 443,000

Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments	Date	IS	ID	Cd.	Purpose/Result
A/R 45	02/23/2000	RS	Residential	80,000		0		REPAIR FIRE DAMAG	06/01/2016	SS	15	02	Sales Review
17-7/98	07/30/1998			1,000		0		AG SWIMMING POOL	11/07/2006	AF	02	00	Measur+2Visits
									08/11/2000	SC	00	00	Measur+Listed
									07/01/1999	DR	50	00	Building Permit
									11/28/1997	CN	00	00	Measur+Listed

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

NOTES
 GREY
 REAR DORMER

B Use Code	Zone	Depth	Units	Unit Price	Factor	A. Disc	C. ST.	Notes-Adj	S Adj Fact	Adj. Unit Price	Land Value
I 1010 SINGLE FAM	R2		9,930 SF	22.83	1.1500	6	1.0000	1.00	1.00	26.25	260,700

LAND LINE VALUATION SECTION
 Total Card Land Units: 0.23 AC Parcel Total Land Area: 0.23 AC
 Total Land Value: 260,700

Element	Cd	Ch	Description
Style	04		Cape Cod
Model	01		Residential
Grade	03		Average
Stories	1.75		1 3/4 Stories
Occupancy	1		
Exterior Wall 1	11		Clapboard
Exterior Wall 2			
Roof Structure	03		Gable/Hip
Roof Cover	03		Asph/F GlS/Cmp
Interior Wall 1	05		Drywall/Sheet
Interior Wall 2			
Interior Flr 1	12		Hardwood
Interior Flr 2	14		Carpet
Heat Fuel	03		Gas
Heat Type	05		Hot Water
AC Type	01		None
Total Bedrooms	03		3 Bedrooms
Total Bthrms	1		
Total Half Baths	1		
Total Xtra Fixtrs			
Total Rooms	5		5 Rooms
Bath Style	02		Average
Kitchen Style	02		Average

Code	Description	Percentage
1010	SINGLE FAM	100

MIXED USE

COST/MARKET VALUATION

Adj. Base Rate: 117.98

Replace Cost	222,266
AYB	1965
EYB	1999
Dep Code	G
Remodel Rating	
Year Remodeled	
Dep %	18
Functional Obslnc	0
External Obslnc	0
Cost Trend Factor	1
Condition	
% Complete	82
Overall % Cond	
Apprais Val	182,300
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	

Code	Description	Sub	Unit Price	Yr	Gde	Lp	Rt	Cnd	%Cnd	Apr	Value

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Unit Price	Yr	Gde	Lp	Rt	Cnd	%Cnd	Apr	Value

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprc. Value
BAS	First Floor	960	960	960	117.98	113,257
TQS	Three Quarter Story	720	960	720	88.48	84,942
UBM	Basement, Unfinished	0	960	192	23.60	22,651
WDK	Deck, Wood	0	120	12	11.80	1,416
	Ttl. Gross Liv/Lease Area:	1,680	3,000	1,884		222,266

WDK

10

12

TQS
BAS
UBM

40

24

