

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

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

	Required Dimensional Controls from Section VI.A	Existing Dimensional Controls from survey or site plan	Proposed Dimensional Controls from proposed plans
Lot Area			
Frontage			
Height*			
Max. Lot Coverage (%)**			
Min. Open Space (%)***			
Primary Front Setback			
Side A Setback/Secondary Front 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# 2020-093

Name: Jane B. Holaday and Steven Clarke

Address: 8 Peters Road Zoning District(s): R1

Request: Construct garage addition to a single family structure extending a non conforming front yard setback.

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)

Smart Growth District (XXIX)

- Plan Approval

Site Plan Review (XV)

- Major
- Minor

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay
- *Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

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

Jennifer T Blanchet

12/22/2020

Newburyport Zoning Administrator

Date

8 PETERS RD

Location 8 PETERS RD

MBLU 92/ 101/ / /

Owner HOLADAY WILLIAM J

Assessment \$400,800

PID 5994

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$159,700	\$241,100	\$400,800

Owner of Record

Owner HOLADAY WILLIAM J

Sale Price \$401,000

Co-Owner JANE B T/E

Certificate

Address 8 PETERS RD
NEWBURYPORT, MA 01950

Book & Page 24627/0460

Sale Date 07/29/2005

Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
HOLADAY WILLIAM J	\$401,000		24627/0460	00	07/29/2005
SPIRO ROBERT L & NANCY A T/E	\$0		5617/0651		

Building Information

Building 1 : Section 1

Year Built: 1964

Living Area: 1,032

Building Attributes	
Field	Description
Style:	Ranch
Model	Residential
Grade:	Average
Stories:	1 Story
Occupancy	1

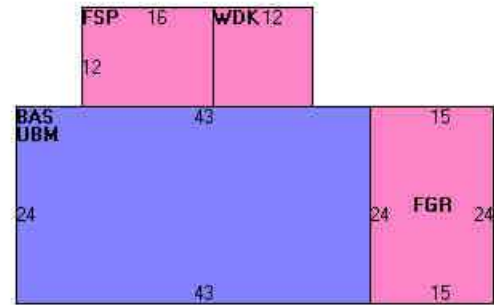
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	1
Total Rooms:	5 Rooms
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	01
Cndtn	
Num Park	
Fireplaces	
Kitchen Grd	
Fndtn Cndtn	
Basement	

Building Photo



(<http://images.vgsi.com/photos/NewburyportMAPPhotos//01\00\78\18.jpg>)

Building Layout



(http://images.vgsi.com/photos/NewburyportMAPPhotos//Sketches/5994_61)

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,032	1,032	
FGR	Garage, Attached	360	0	
FSP	Porch, Screened	192	0	
UBM	Basement, Unfinished	1,032	0	
WDK	Deck, Wood	144	0	
		2,760	1,032	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL1	FIREPLACE 1 ST	1.00 UNITS	\$2,700	1

Land

Land Use

Use Code 1010
Description SINGLE FAM

Land Line Valuation

Size (Acres) 0.29
Depth 0
Assessed Value \$241,100

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SPL2	POOL-INGR VN/P			800.00 S.F.	\$12,800	1
SHD1	SHED FRAME			160.00 S.F.	\$1,400	1

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$150,600	\$241,100	\$391,700

**Memo to support an application for a Special Permit for Non-Conformities
8 Peters Rd
Newburyport, MA 01950**

We are requesting a Special Permit for Non-Conformities for to build an addition to a pre-existing non-conforming structure. The Special Permit-for Non-Conformities is required due non-conforming lot size, and front and side setbacks. There will be no increase or extension of any non-conformities.

The addition consists of 517 s.f of garage space. This design allows us to have enclosed winter parking for two cars.

1) Please identify the particular use existing or proposed for the land or structure.

The existing and proposed use is single family (#Use 101).

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.

The lot is non-conforming for lot area (12,330 where 20,000 is required), front yard setback (18.9' where 30' is required), and a side yard setback on the west side of the property (16.4' where 20' is required).

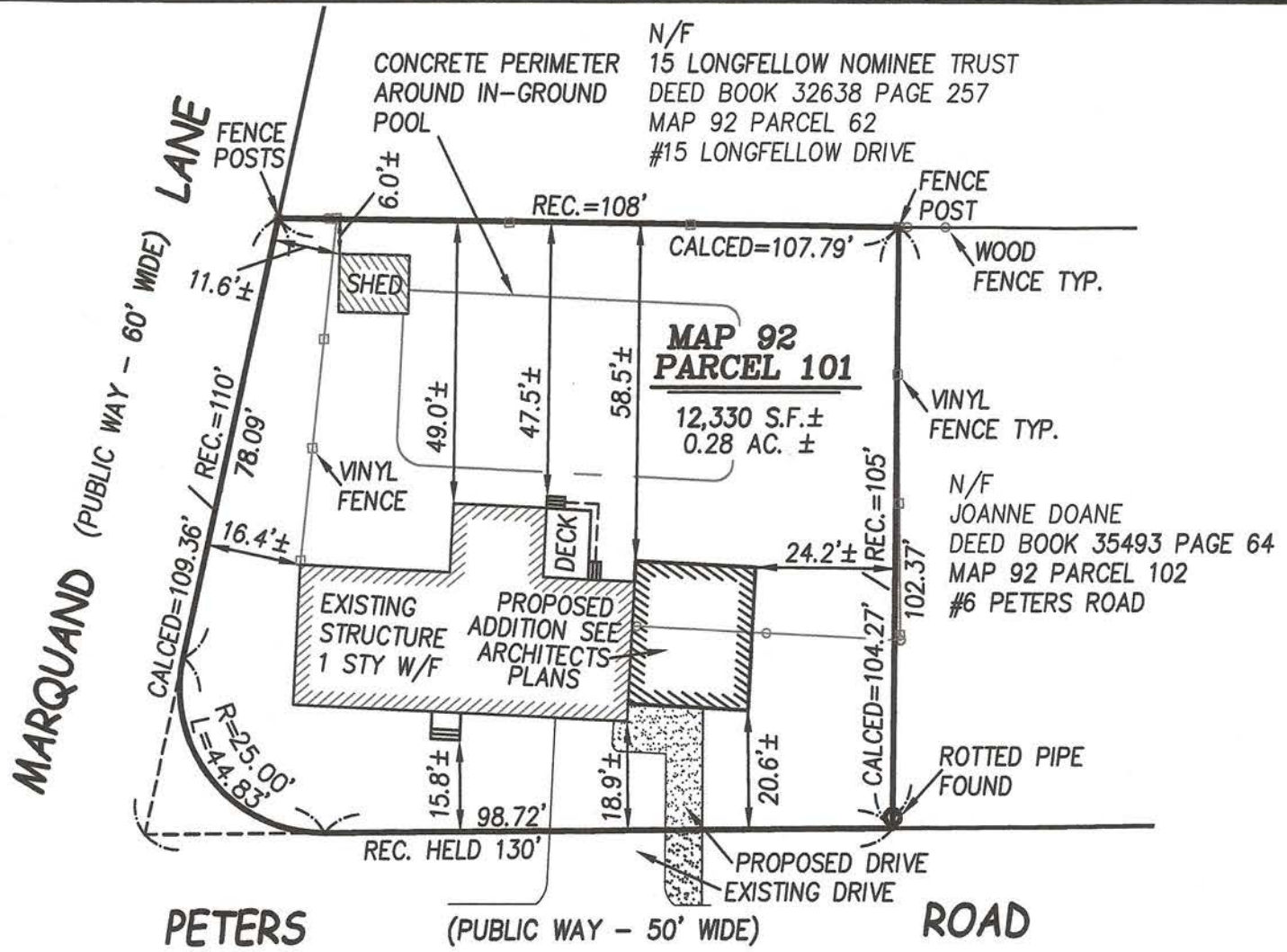
3) Please identify whether the proposed use, extension, alteration, or addition would intensify the existing non-conformities or result in additional ones.

The proposed addition will not result in any new non-conformities or result in any 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.

The addition of a second garage bay is not more detrimental than the existing. The addition is on the east side of the building where existing and proposed side setbacks are within the required dimensional controls. The front setback of the proposed addition is greater than that of the existing structure and therefor not more detrimental than existing.

PLAN REF. #1



NOTES:

- 1.) THE LOCUS PARCEL IS AN EXISTING NON-CONFORMING LOT. WHEN DESIGNED IT DID CONFORM TO ZONING.
- 2.) THE STRUCTURE WAS BUILT IN 1964 PER CURRENT ASSESSORS SHEET.
- 3.) ABUTTING LANDS ARE ACCORDING TO THE CITY OF NEWBURYPORT ASSESSOR'S OFFICE.

ZONING REQUIREMENTS:

DISTRICT (R1) RESIDENTIAL 1
 WATER RESOURCE PROTECTION DISTRICT ZONES B & C

MIN LOT AREA	20,000 SF
MIN LOT FRONTAGE	125 FT
MAX. BLD. COVERAGE	20%
MAX. HEIGHT	30 FT.
MIN. OPEN SPACE	50%
MIN YARDS	
FRONT	30 FT
SIDE	20 FT
REAR	30 FT



AREA SUMMARY:

	EXISTING	PROPOSED	REQUIRED/ ALLOWED
BUILDING COV:	14%	18.2%	20%
OPEN SPACE:	83.3%	77.5%	50%

DEED REFERENCE:

FROM: ROBERT L. & NANCY A. SPIRO
 TO: WILLIAM & JANE B. HOLADAY
 DEED BOOK 24627 PAGE 460 DATE: 7-29-05
 ASSESSORS MAP 92 PARCEL 101

PLAN REFERENCES:

- 1.) "SUBDIVISION PLAN OF LAND IN NEWBURYPORT, MA.." CALLED "FREEDOM ACRES" SCALE: 1"=100' DATED: SEPTEMBER 1961 PREPARED BY H.F. MACWILLIAMS E.S.R.D. PLAN BOOK 97 PLAN 47.
- 2.) "PLAN OF LONGFELLOW DRIVE IN NEWBURYPORT, MA.." AS REVISED NOVEMBER 1, 1962 SCALE: 1"=100' PREPARED BY H.F. MACWILLIAMS ENGINEER E.S.R.D. PLAN 38 OF 1963.

CERTIFIED PROPOSED PLOT PLAN / LIMITED SITE PLAN

APPLICANT: MR. STEVEN CLARKE
 LOCATION: 8 PETERS ROAD
 NEWBURYPORT, MA. 01950

SCALE: 1" = 30' DATE: 11-20-20

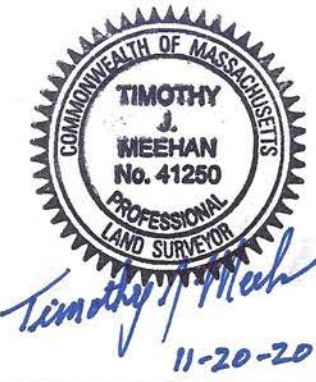
I CERTIFY THAT THE FOUNDATION SHOWN ON THIS PLAN IS LOCATED APPROXIMATELY AS SHOWN HEREON AND THAT WHEN CONSTRUCTED IT DOES NOT CONFORM TO THE ZONING REQUIREMENTS OF THE CITY OF NEWBURYPORT.
 LOT. SEE NOTES 1 & 2 BELOW.

I FURTHER CERTIFY THAT THE STRUCTURE IS NOT LOCATED WITHIN A FEDERAL FLOOD HAZARD ZONE V OR A AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) 25009C0116F EFFECTIVE DATE: 7/3/2012

BY: *Timothy J. Meehan* DATE: 11-20-20

SETBACKS SHOWN ON THIS PLAN ARE FOR THE DETERMINATION OF ZONING REQUIREMENTS ONLY.

ESSEX COUNTY
 DEED REFERENCE DERIVED FROM BK. 24627 PG. 460
 PLAN REFERENCE: PLAN BOOK 97 PL. 47
 FILE: 20011\20011CPPP.DWG
 JOB NO. 20011

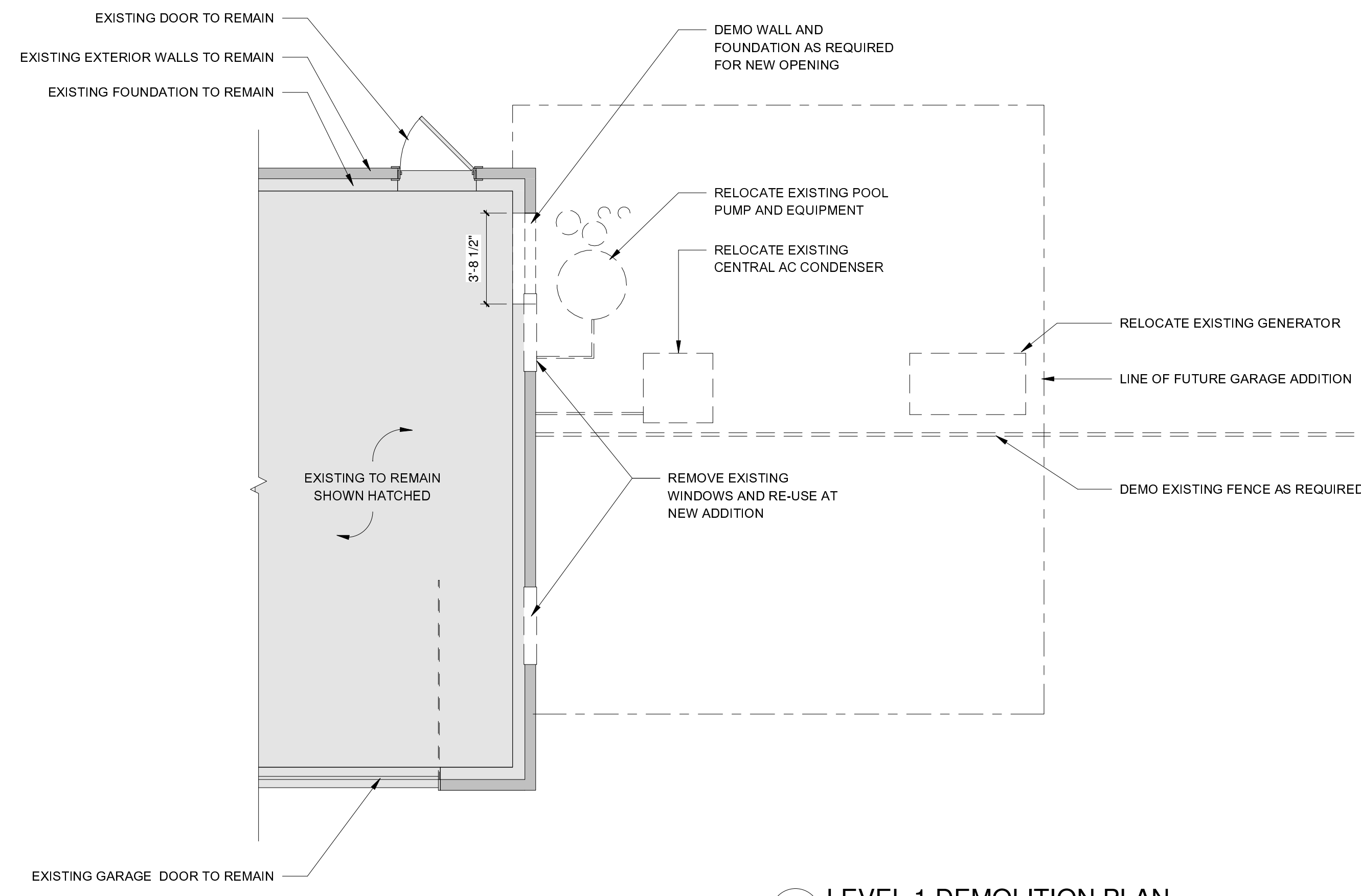


ARC SURVEYING & ENGINEERING ASSOCIATES, INC.

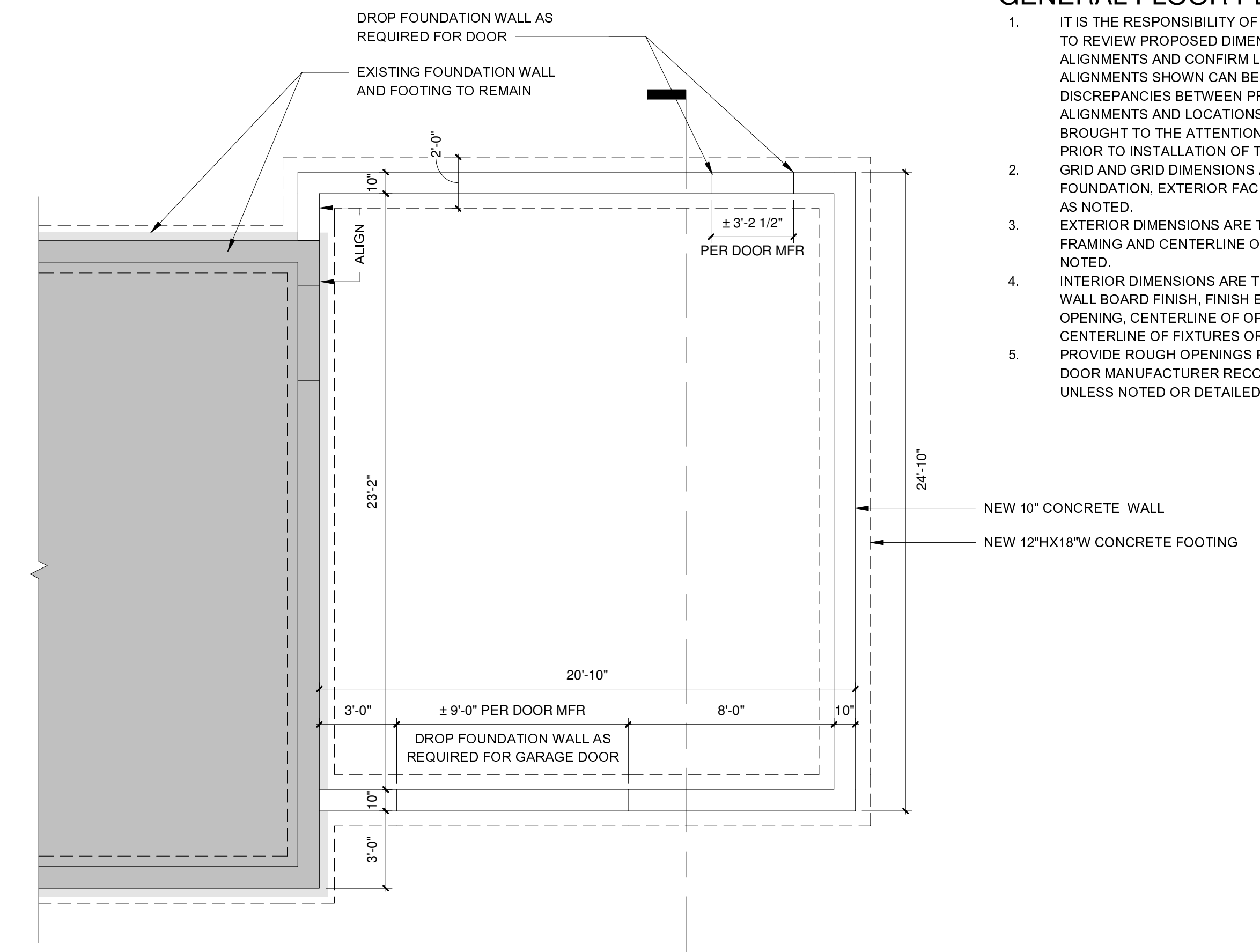
25 FORDHAM WAY NEWBURY, MA. 01951 PH: 978-463-4041 WWW.ARCSEAINC.COM

GENERAL FLOOR PLAN NOTES

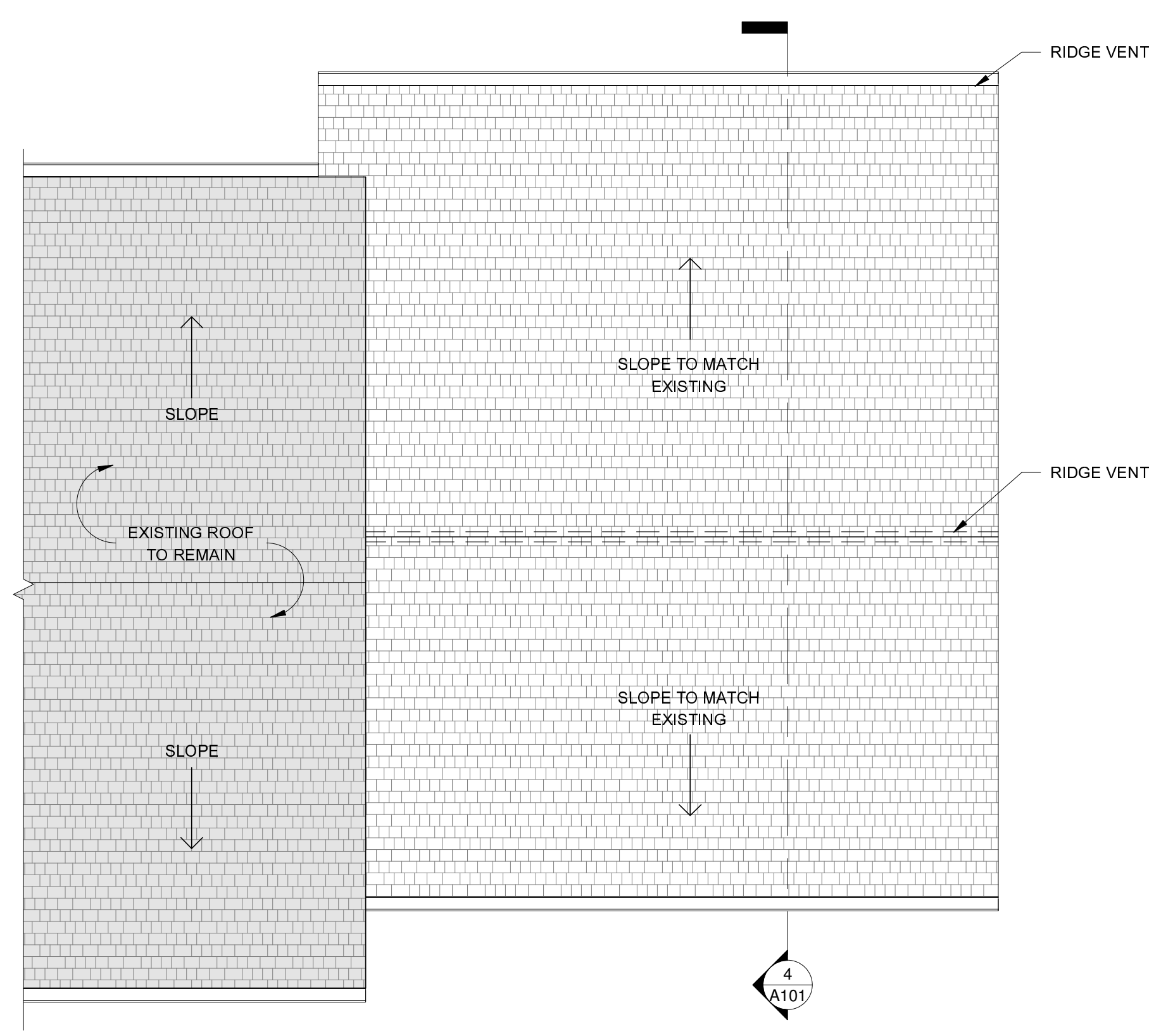
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3. INTERIOR DIMENSIONS ARE TO FINISH FACE OF WALL BOARD FINISH, FINISH EDGE, FINISH OPENING, CENTERLINE OF OPENING AND CENTERLINE OF FIXTURES OR AS NOTED.
4. PROVIDE ROUGH OPENINGS PER WINDOW AND DOOR MANUFACTURER RECOMMENDATIONS UNLESS NOTED OR DETAILED OTHERWISE.



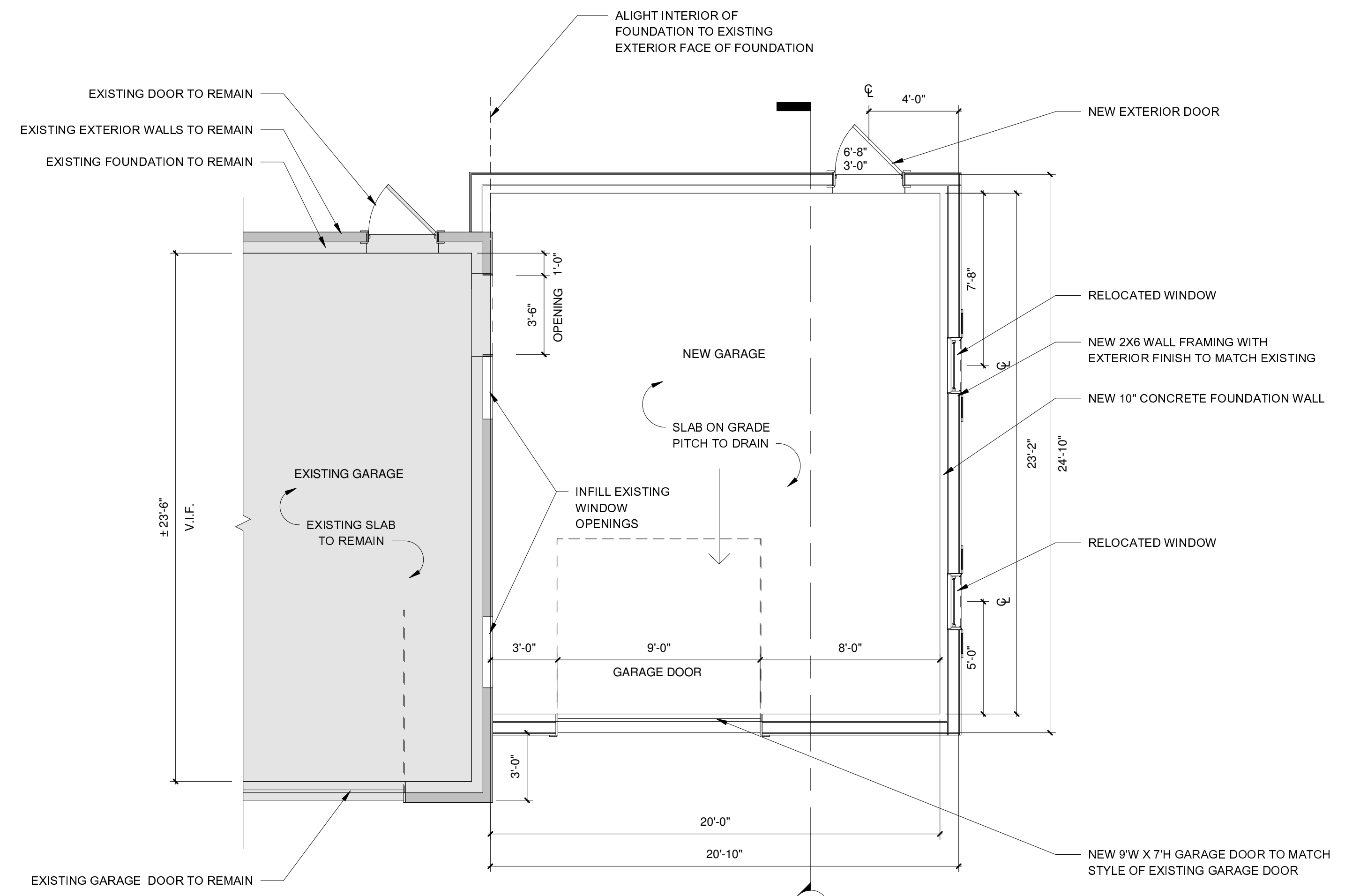
4 LEVEL 1 DEMOLITION PLAN
SCALE: 1/4" = 1'-0"



1 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



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



2 LEVEL 1 PLAN
SCALE: 1/4" = 1'-0"

8 PETERS ROAD

201902

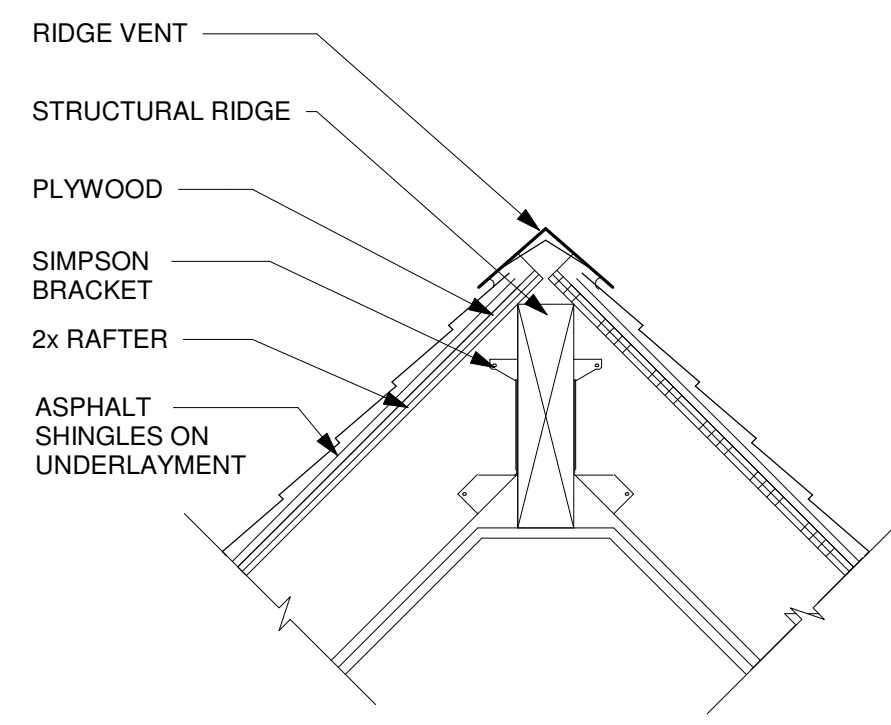
8 PETERS ROAD
NEWBURYPORT, MA 01950

ISSUANCE:
PERMIT PLANS

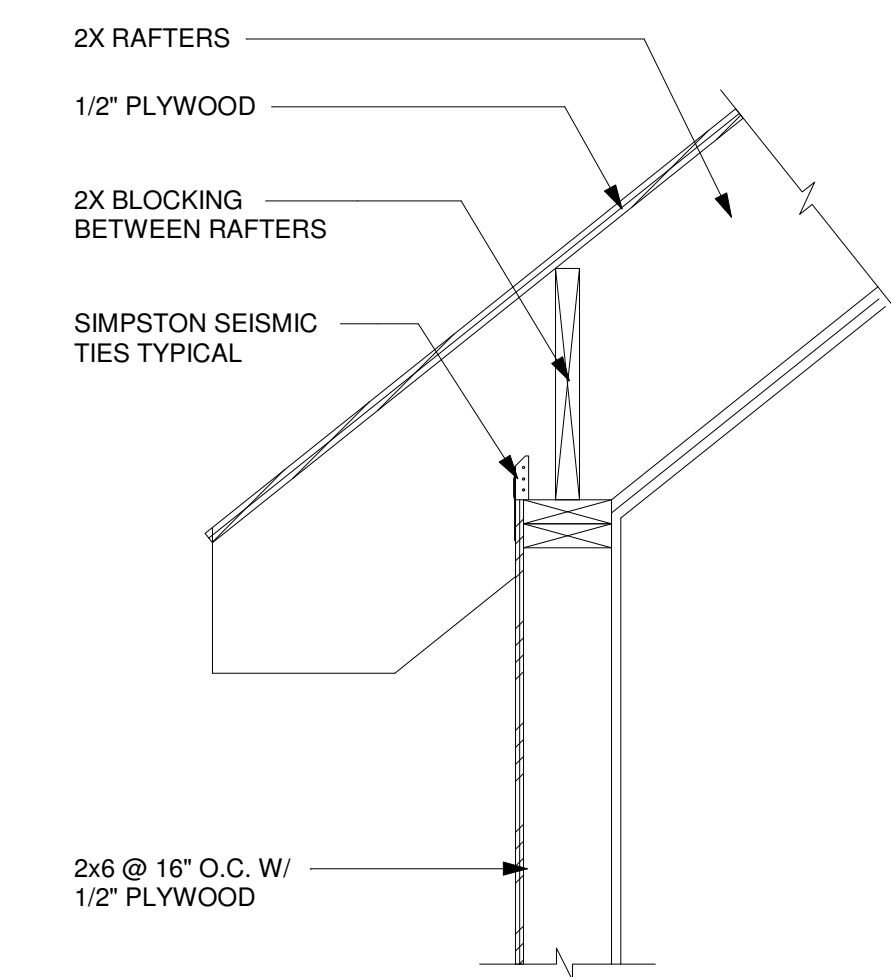
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CHECKED:
SHEET INFO:
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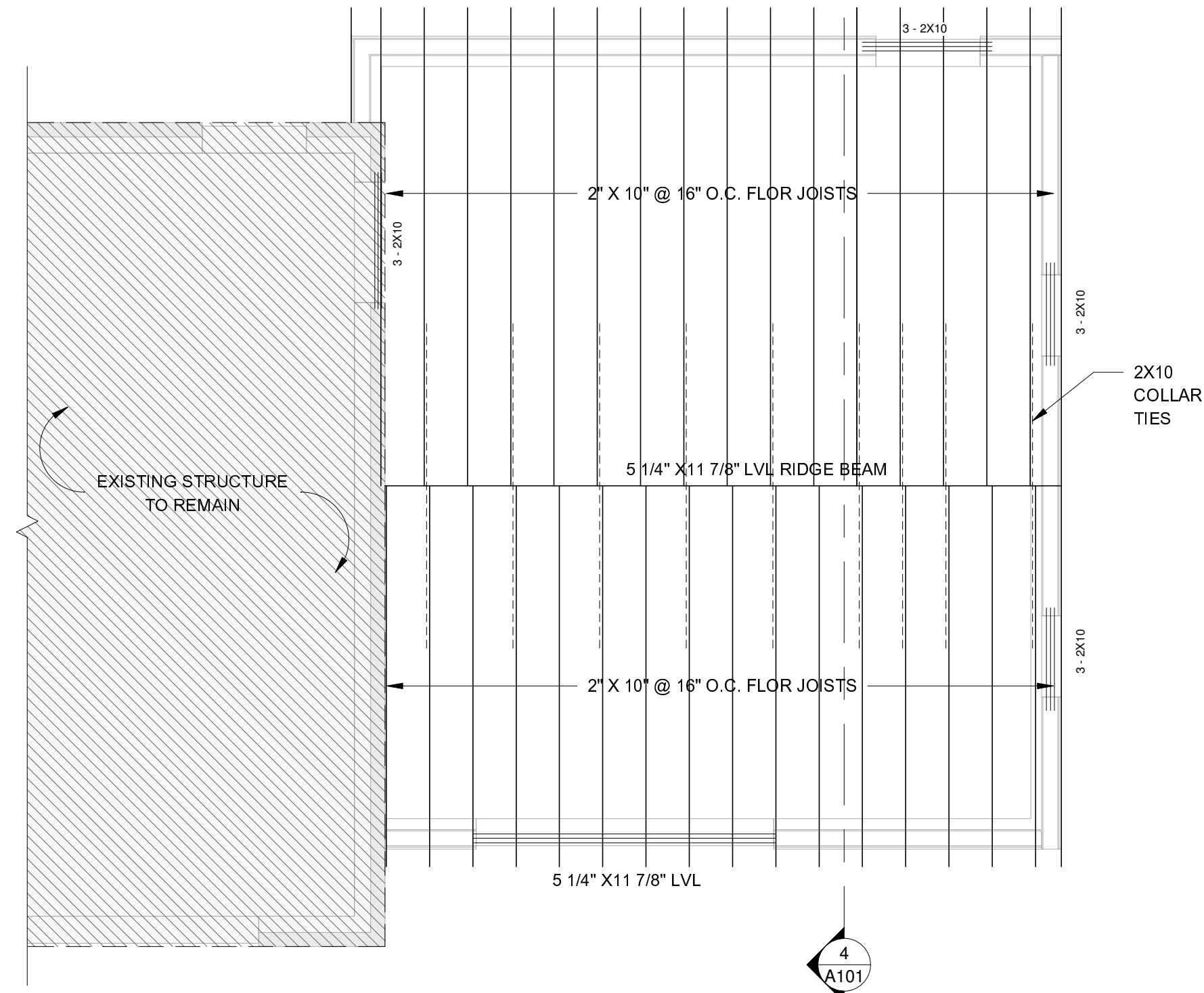
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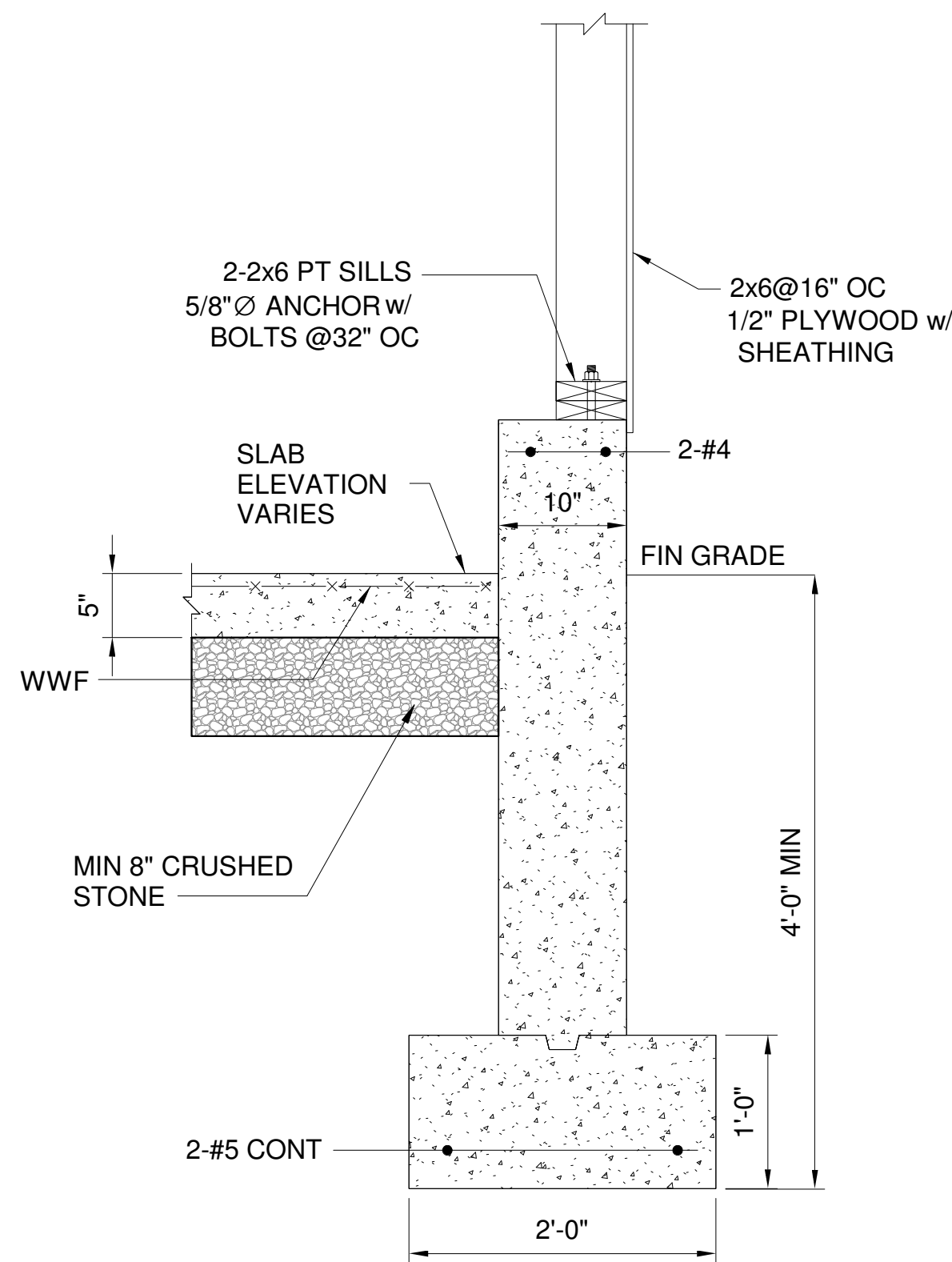
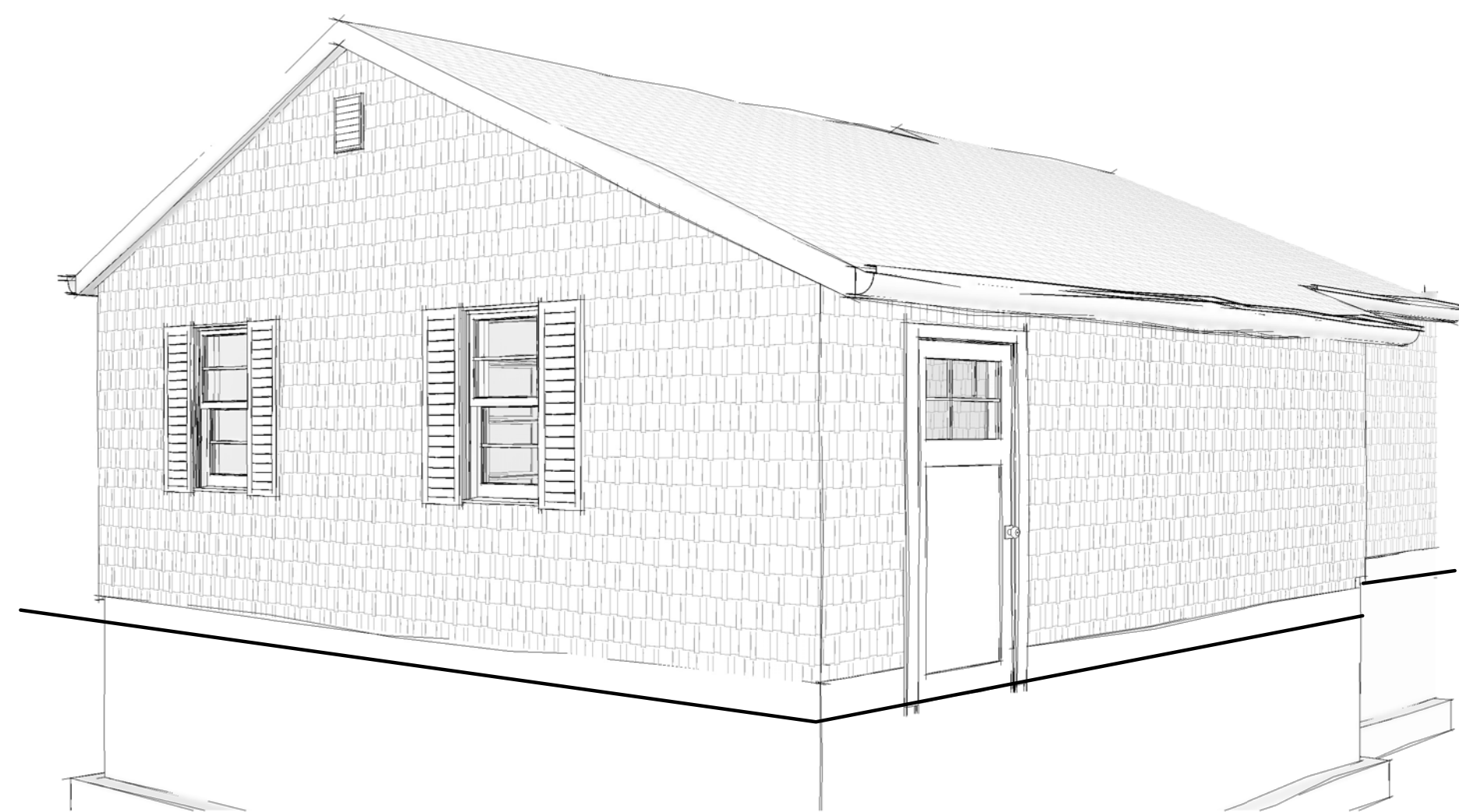
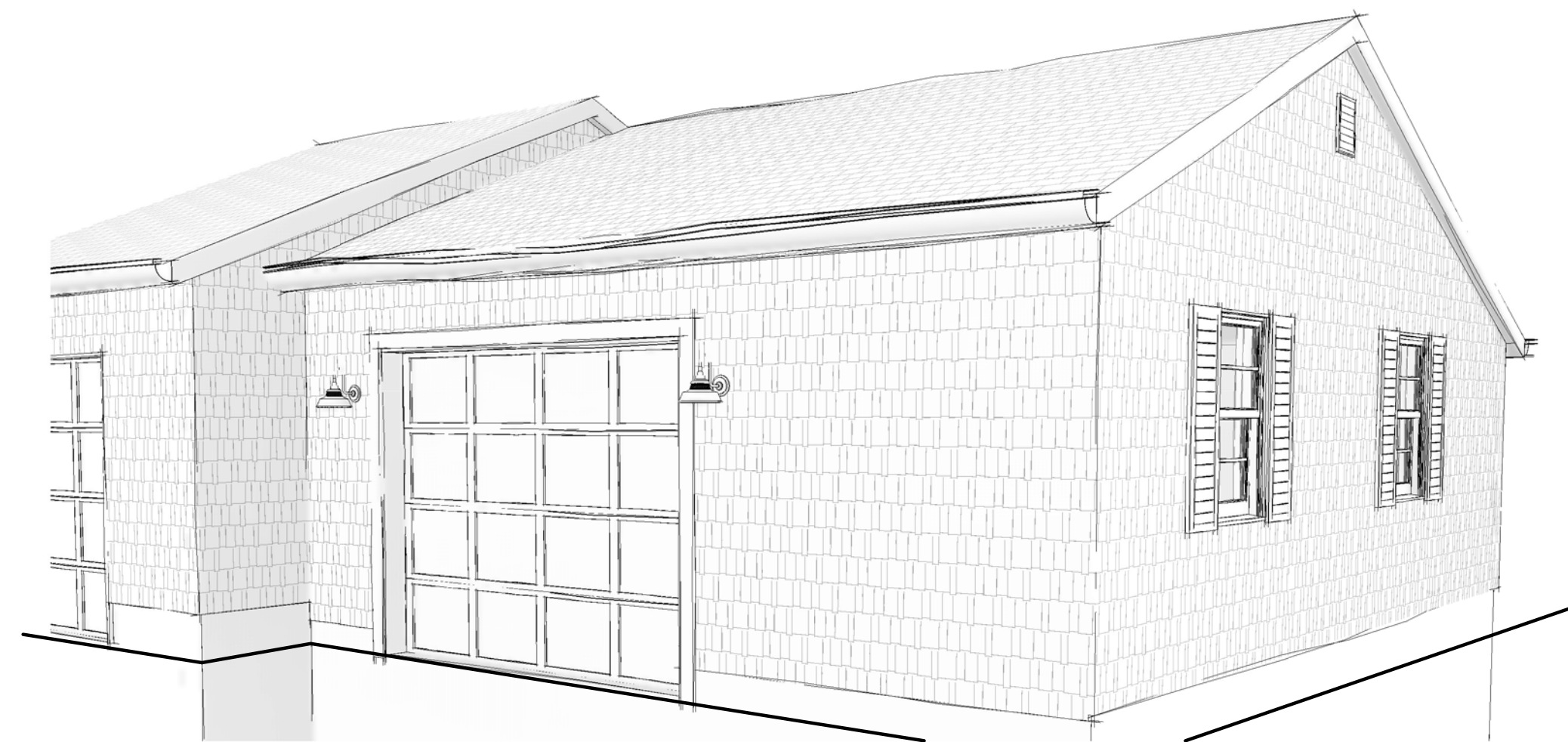
8 RAFTER CONNECTION @ STRUCTURAL RIDGE



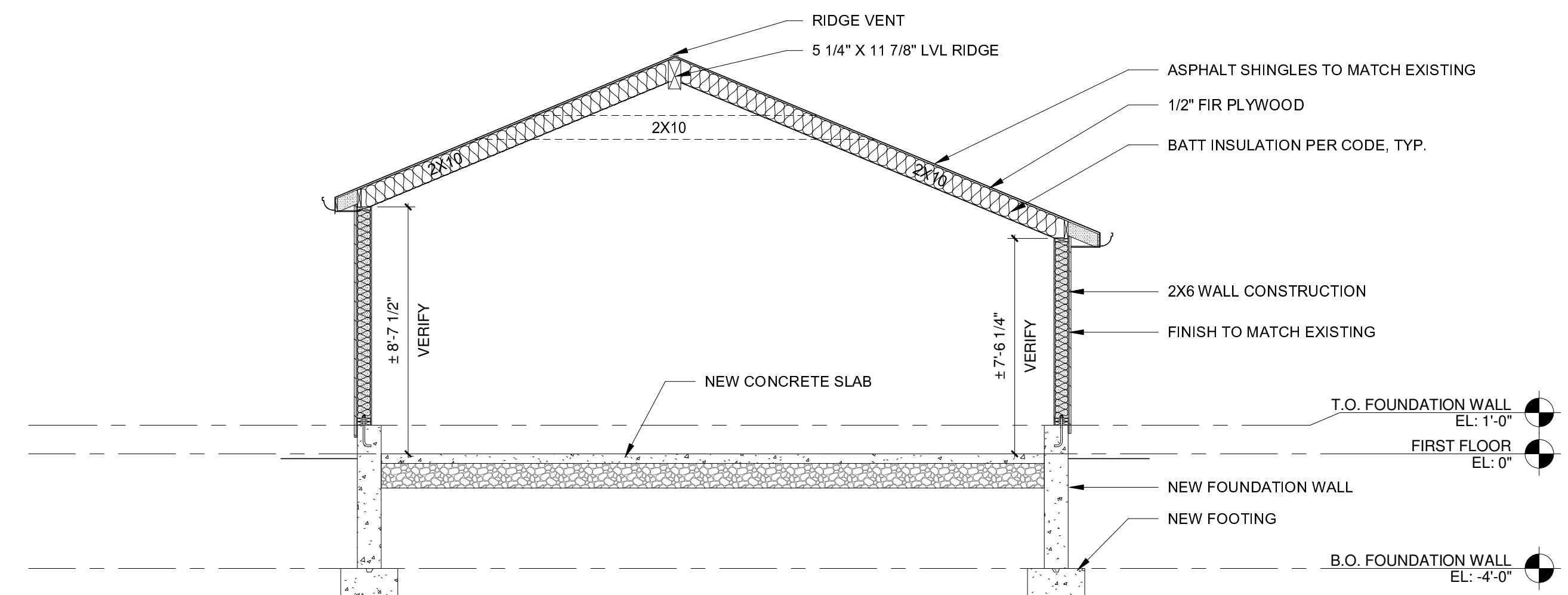
7 ROOF DETAIL



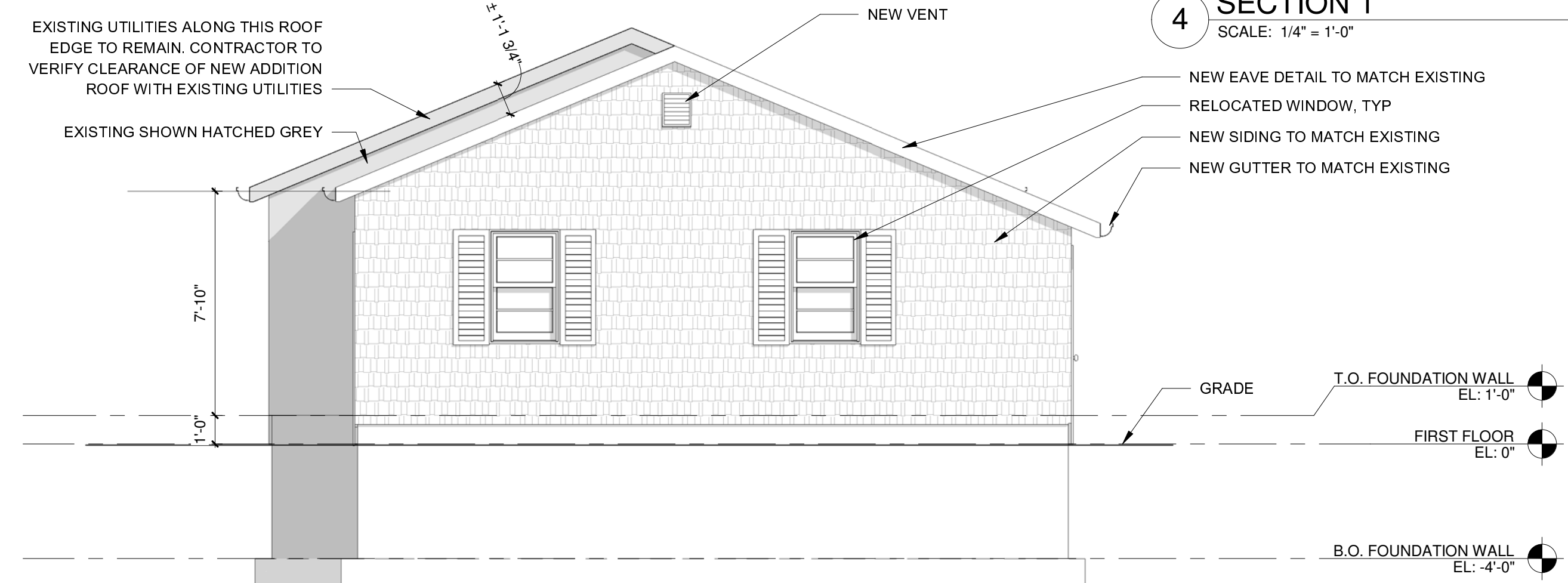
5 FRAMING PLAN
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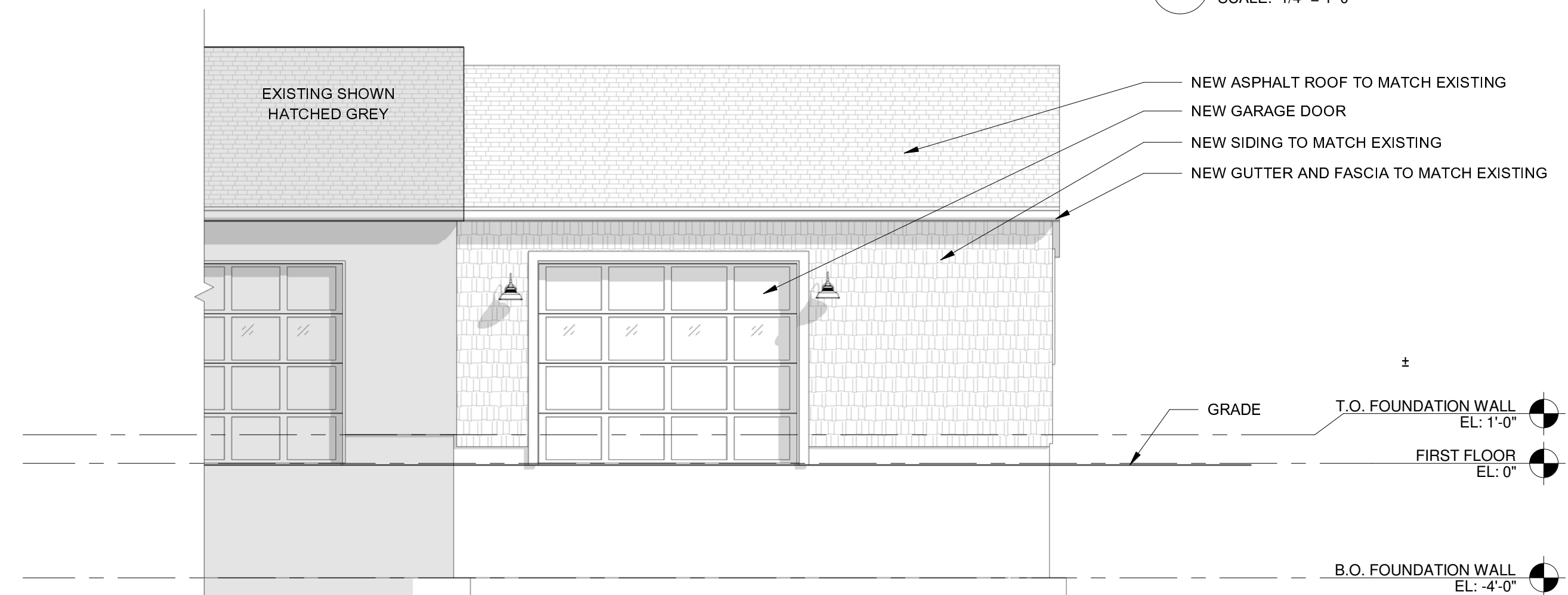
6 WALL AND FOUNDATION DETAIL



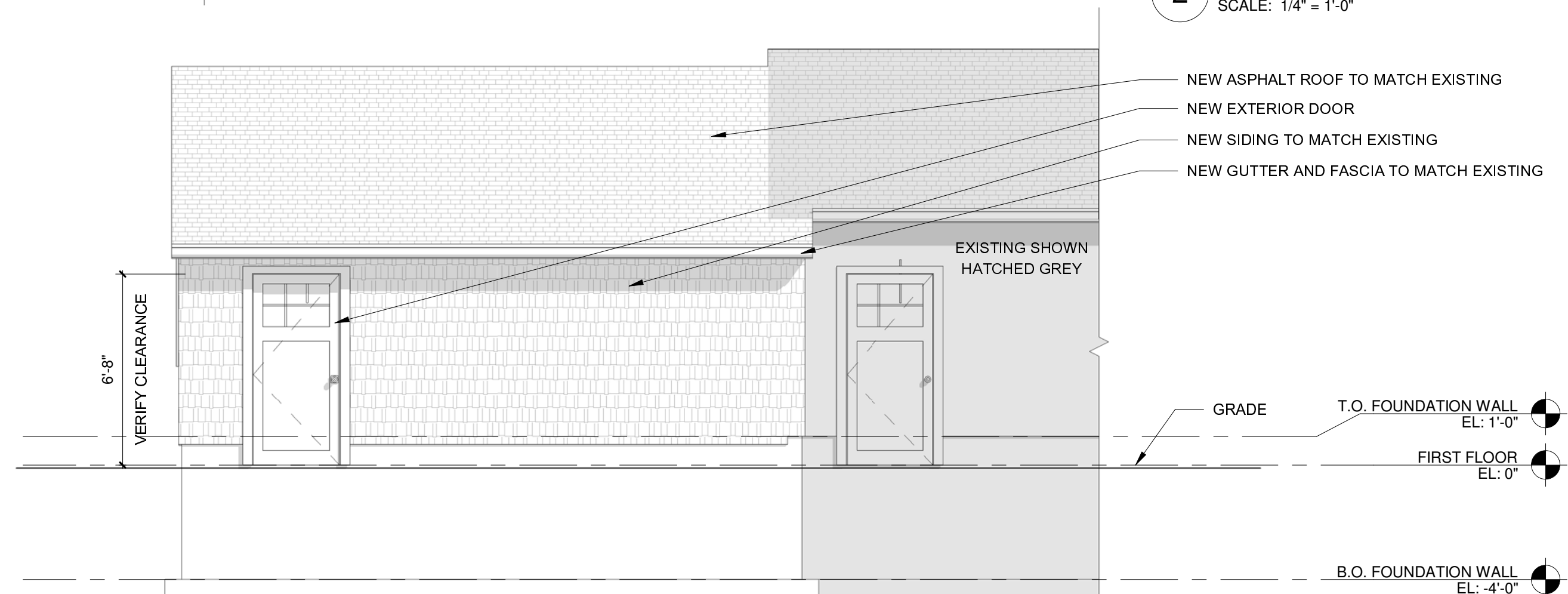
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3 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



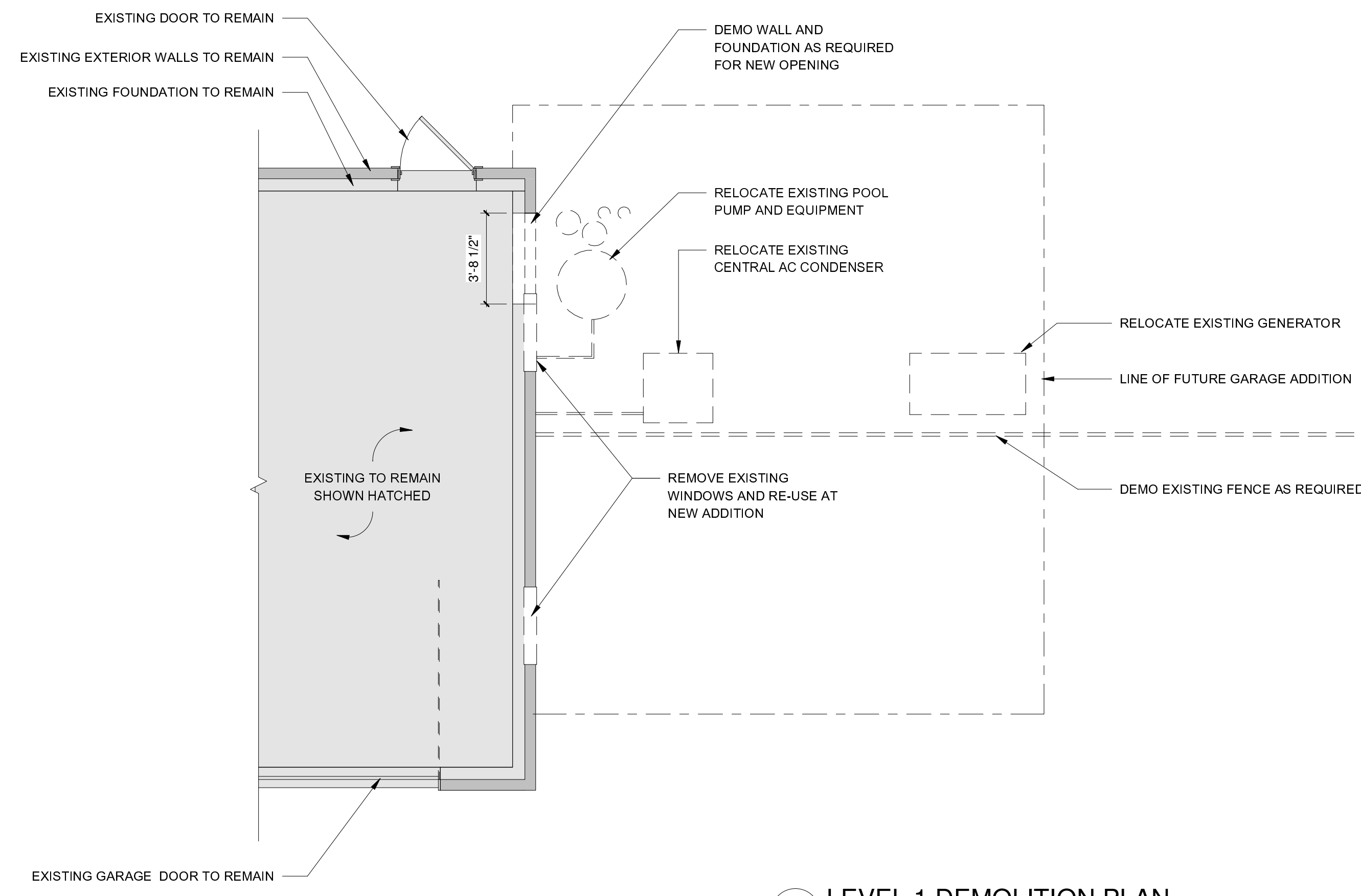
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SCALE: 1/4" = 1'-0"



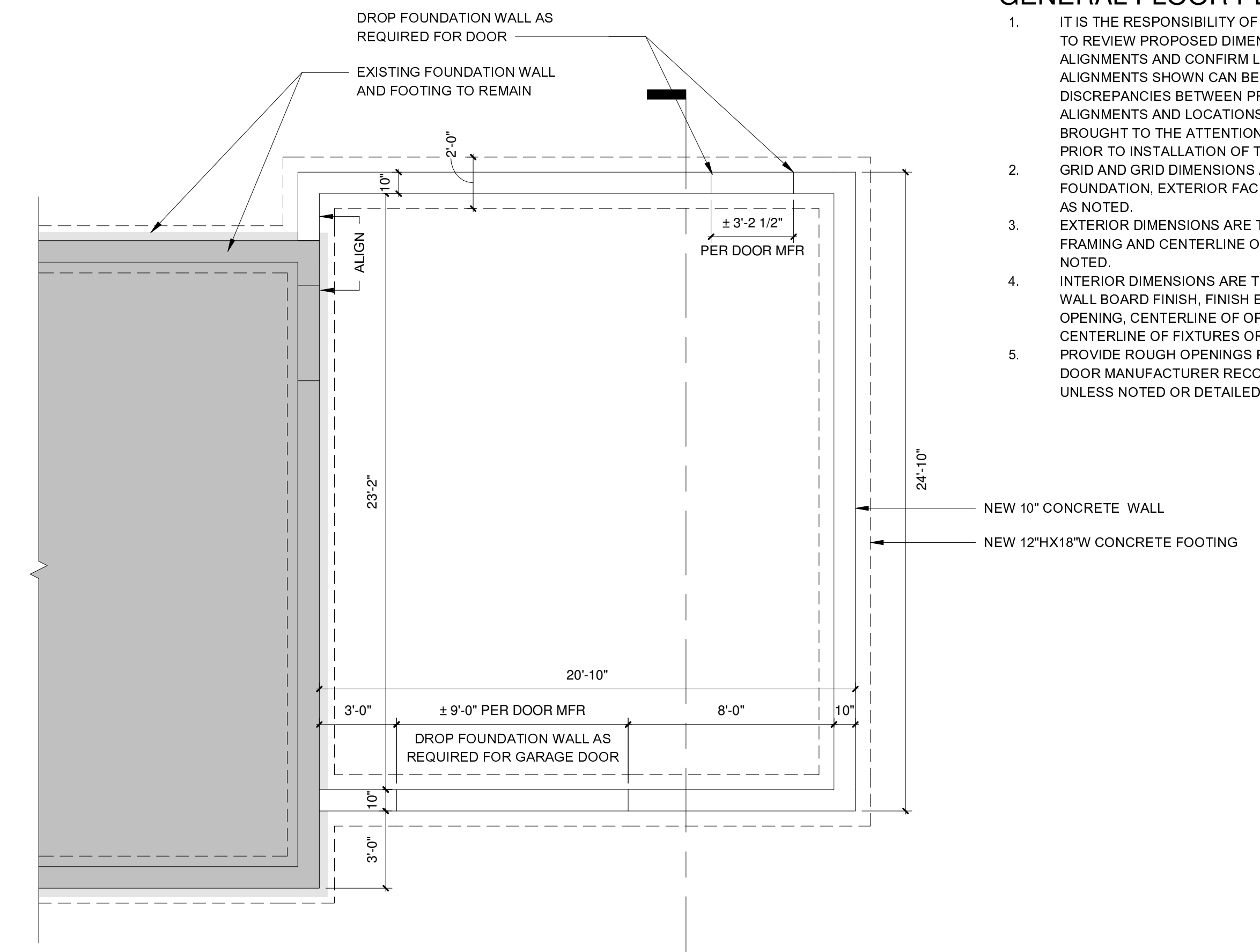
1 REAR ELEVATION
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GENERAL FLOOR PLAN NOTES

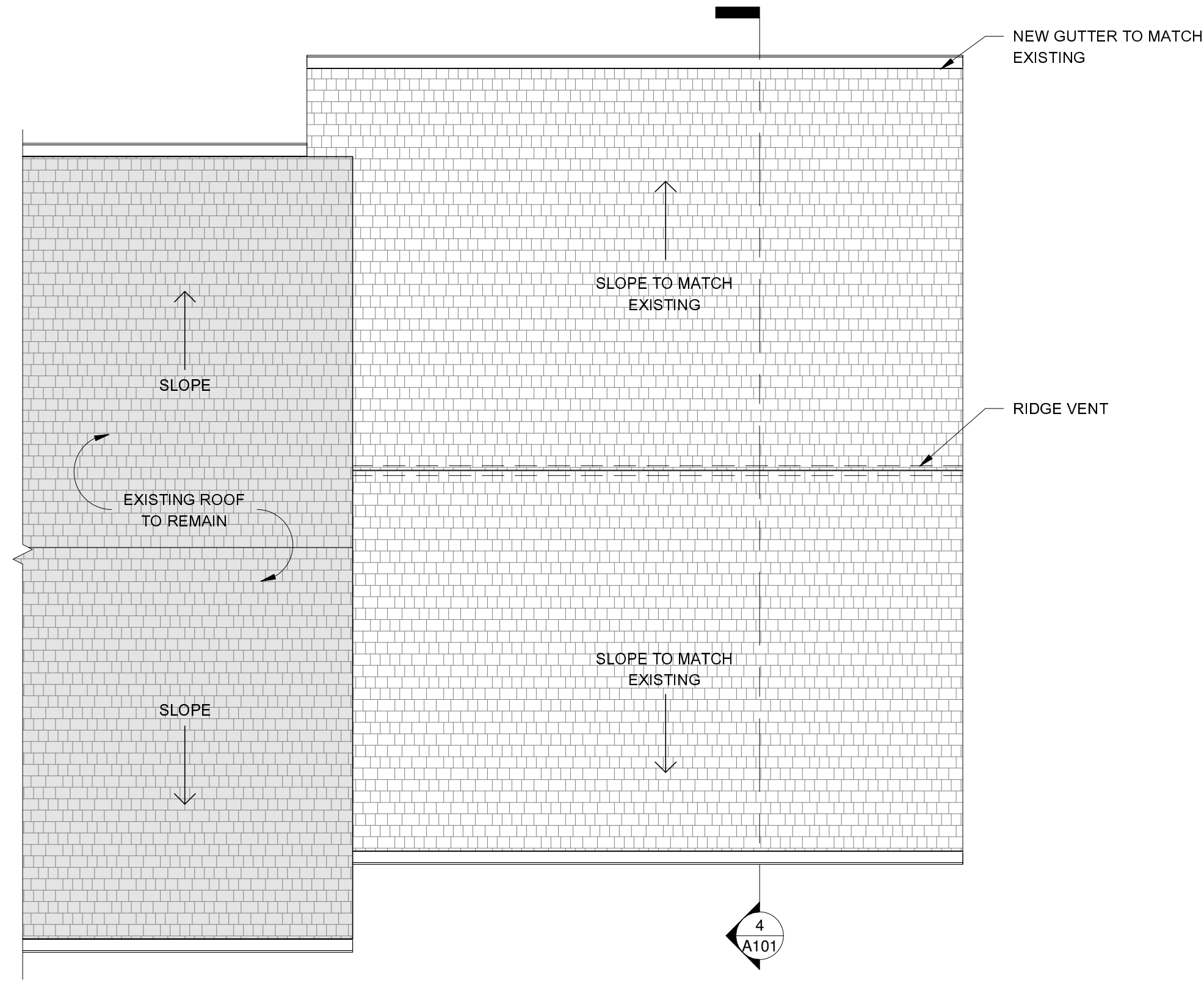
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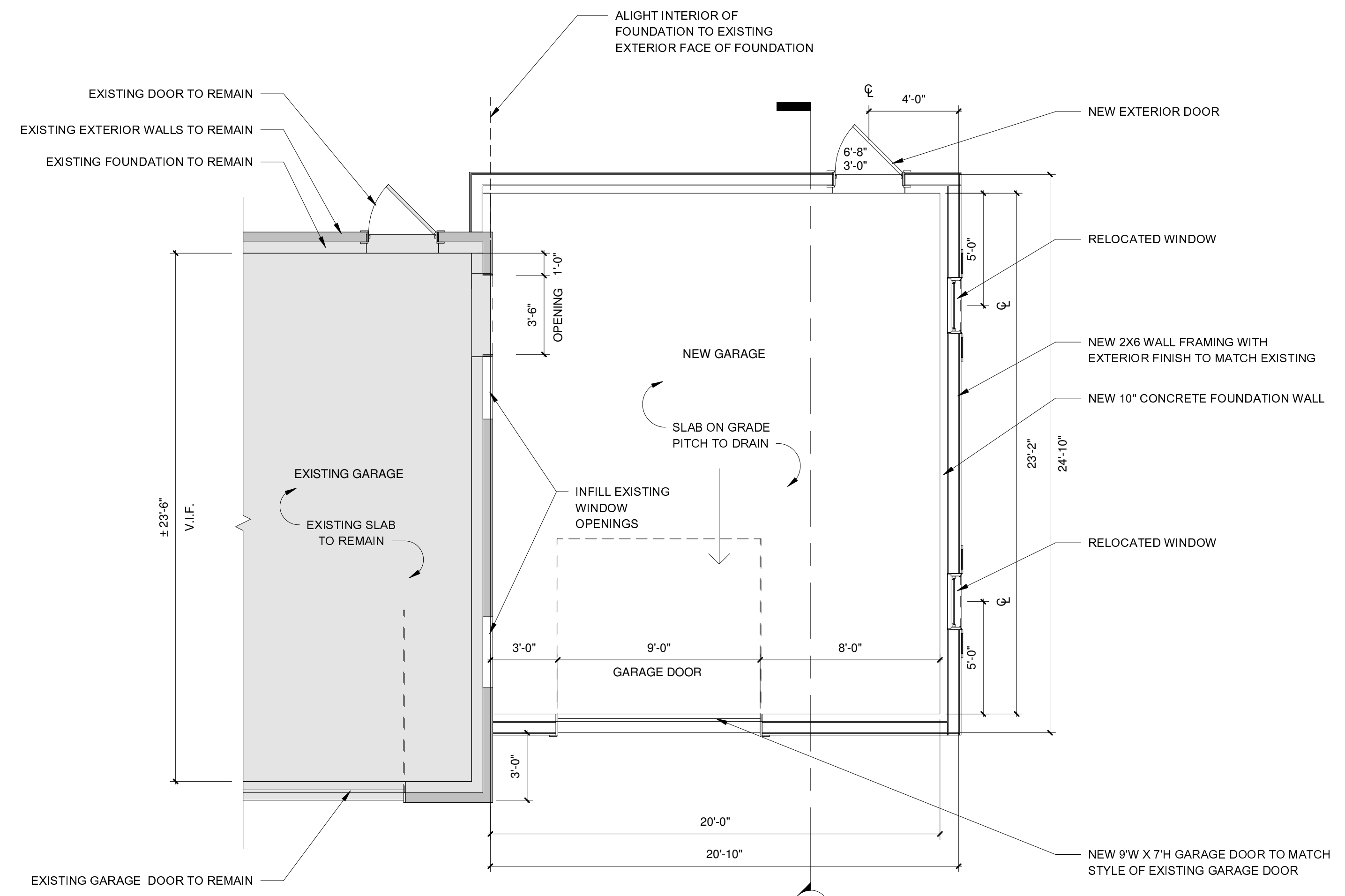
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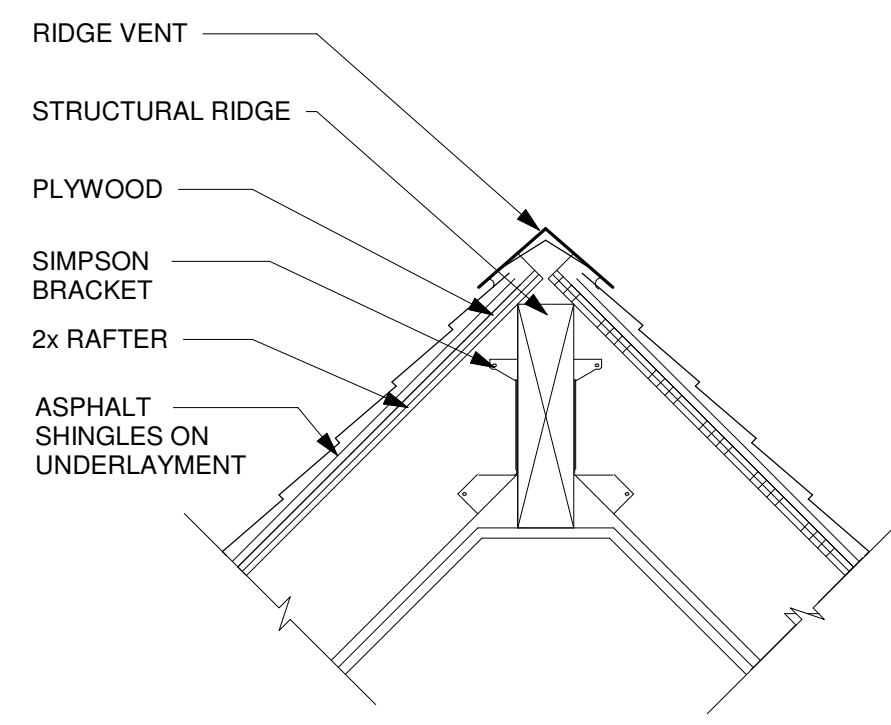


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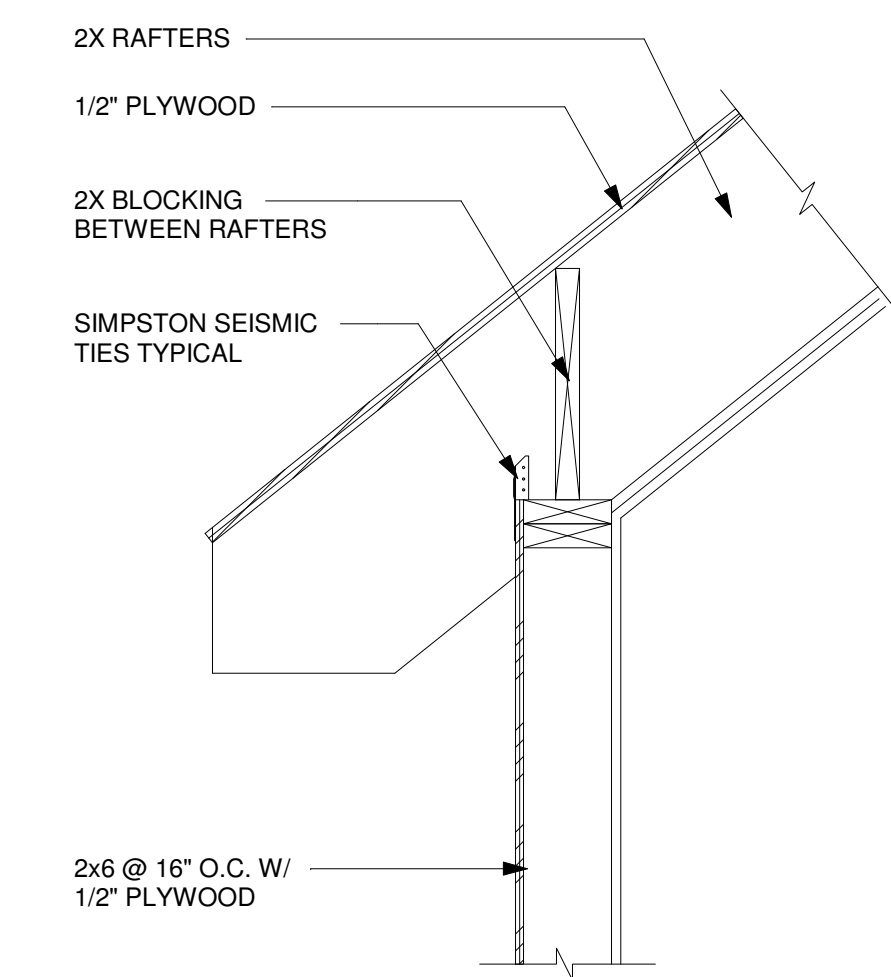
8 PETERS ROAD
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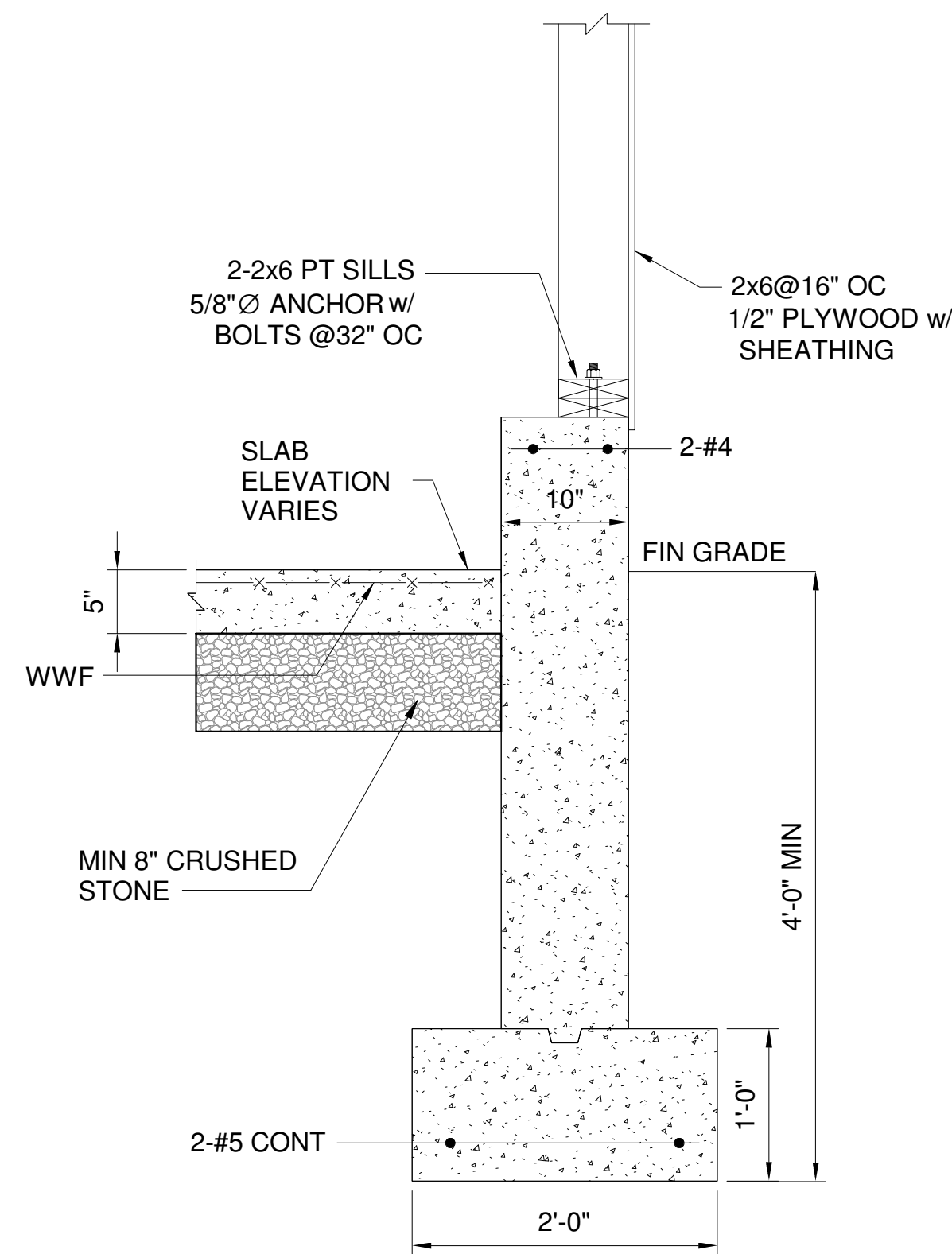
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PERMIT PLANS
REVISION:
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SHEET INFO:
FLOOR PLANS



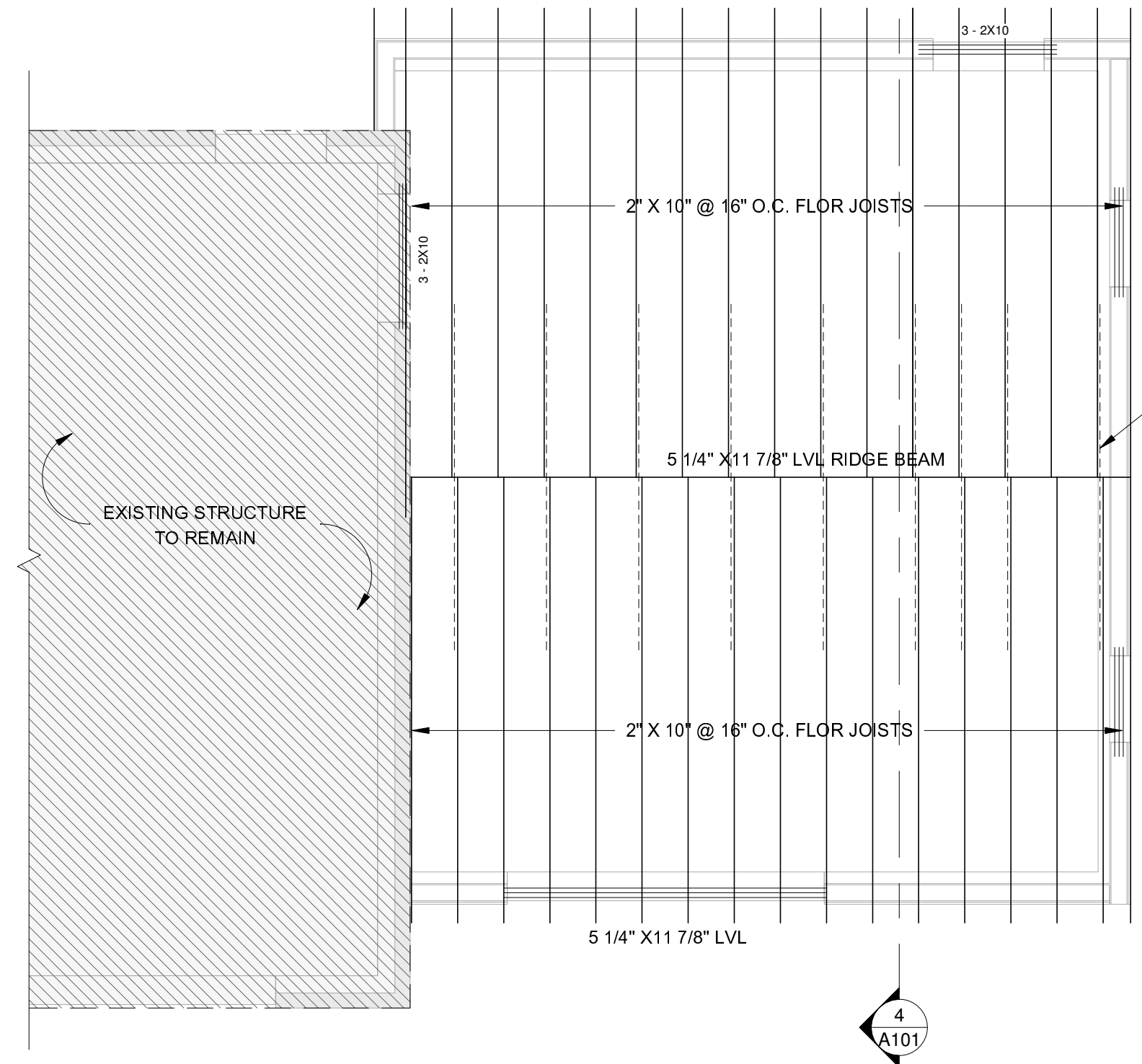
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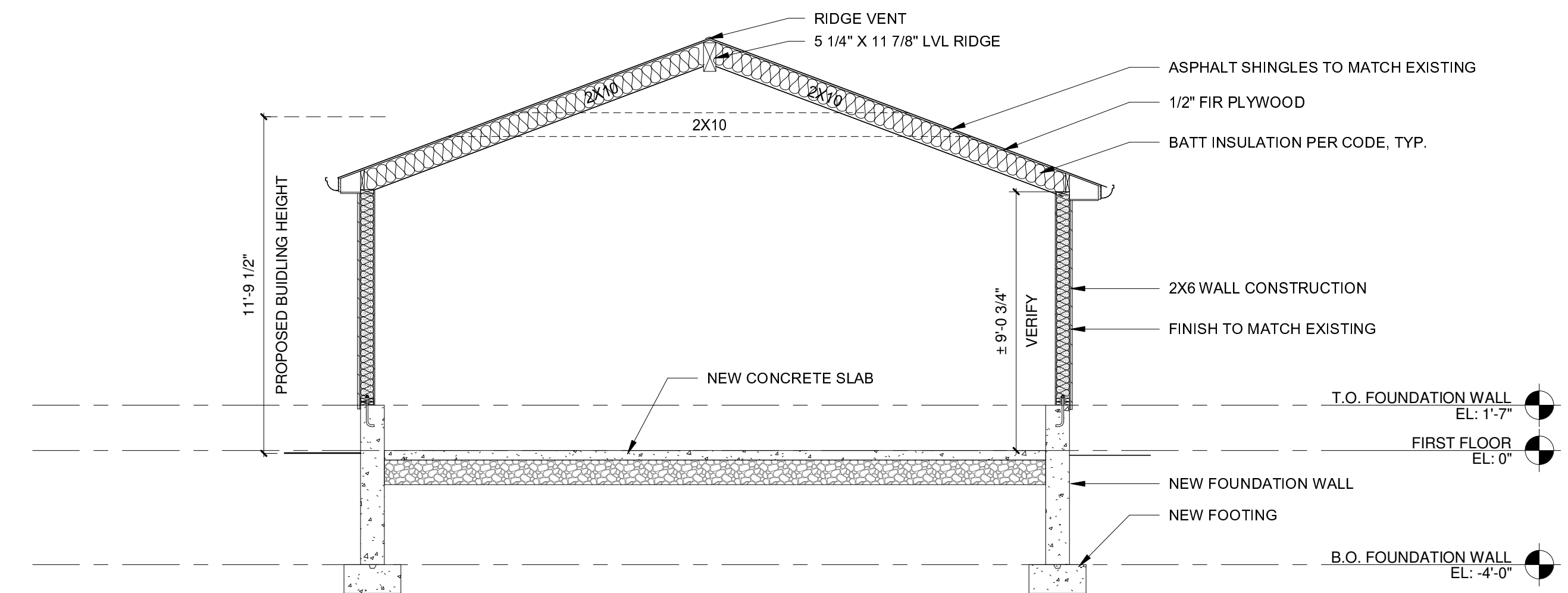
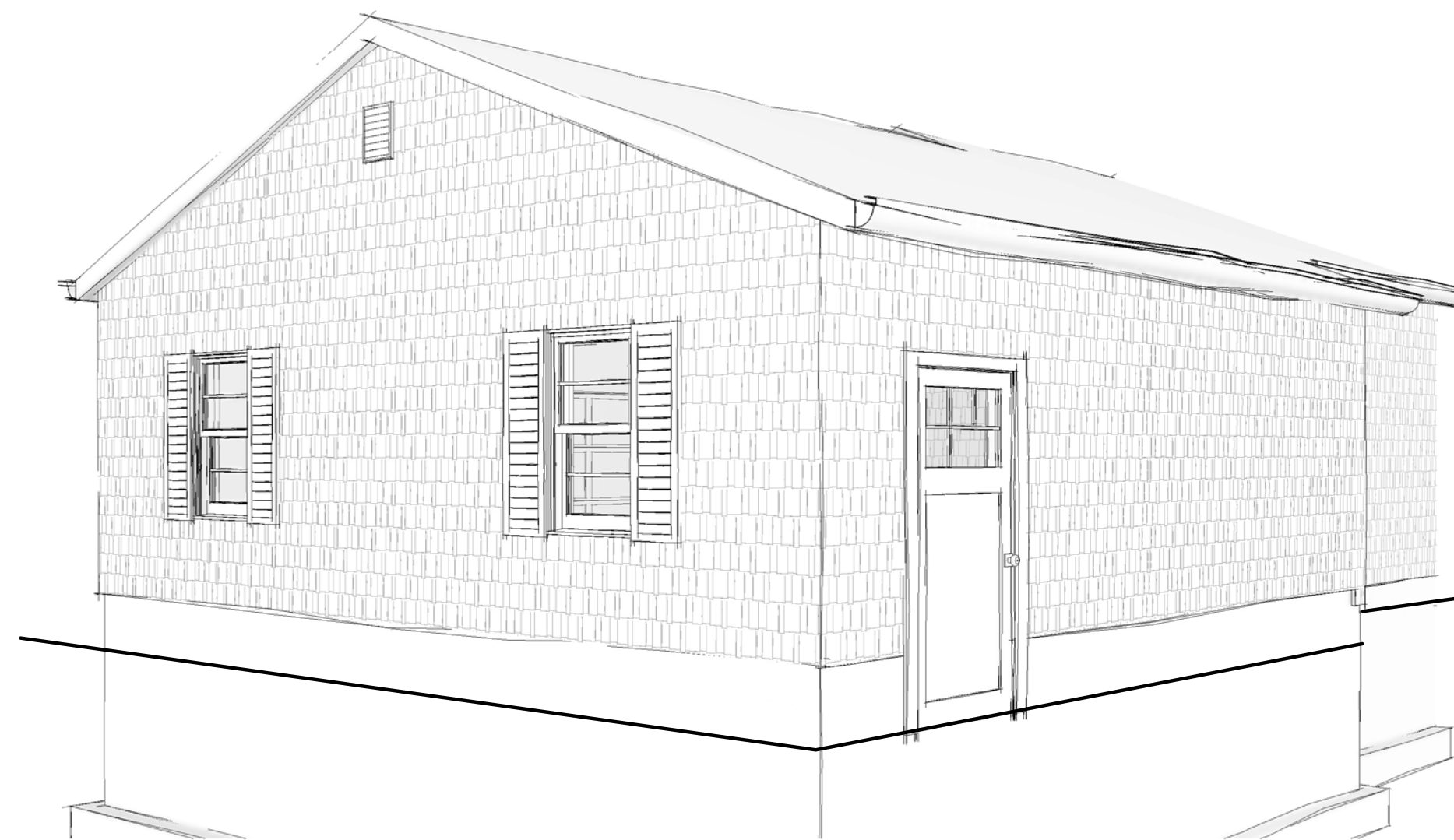
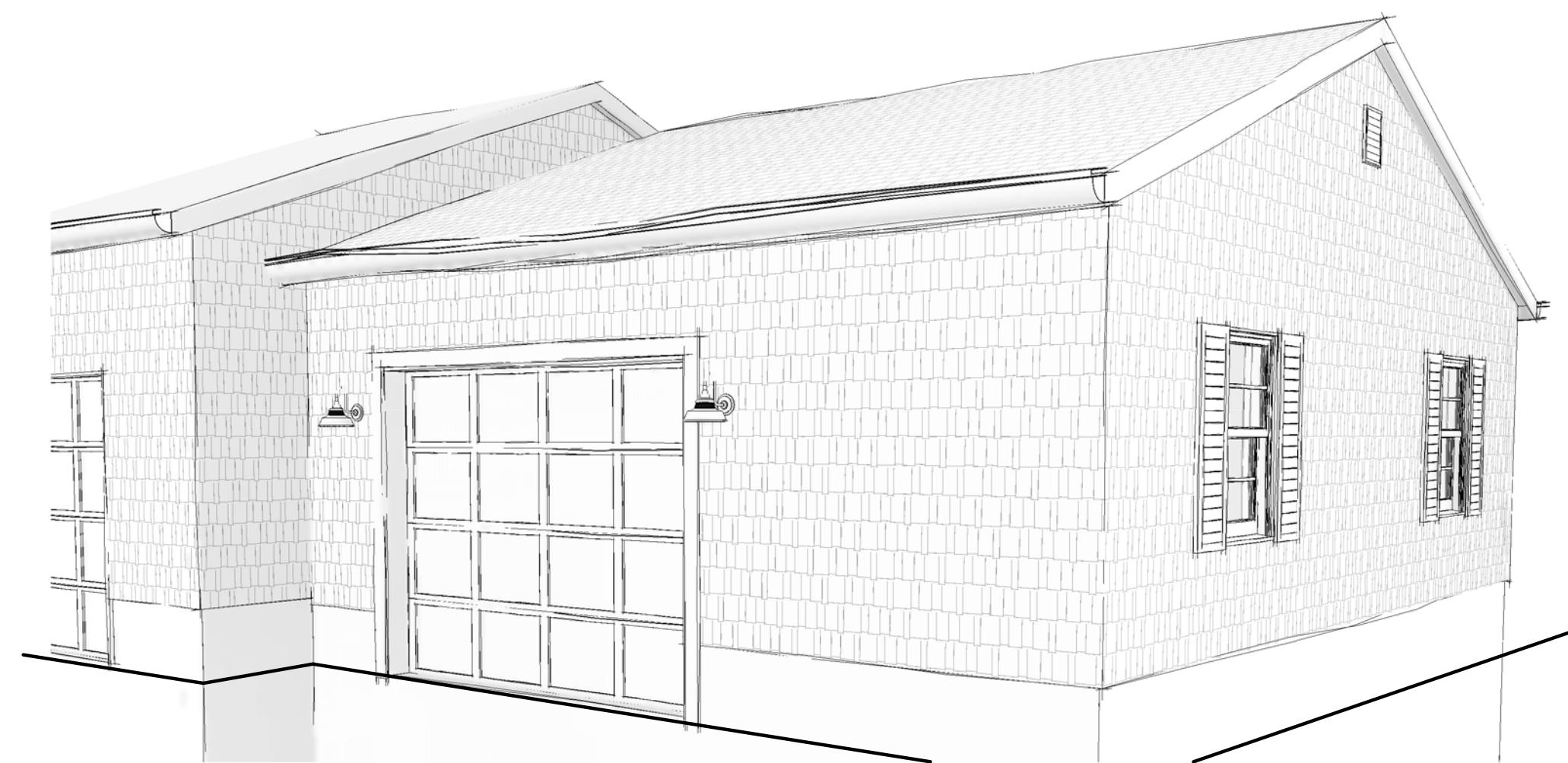
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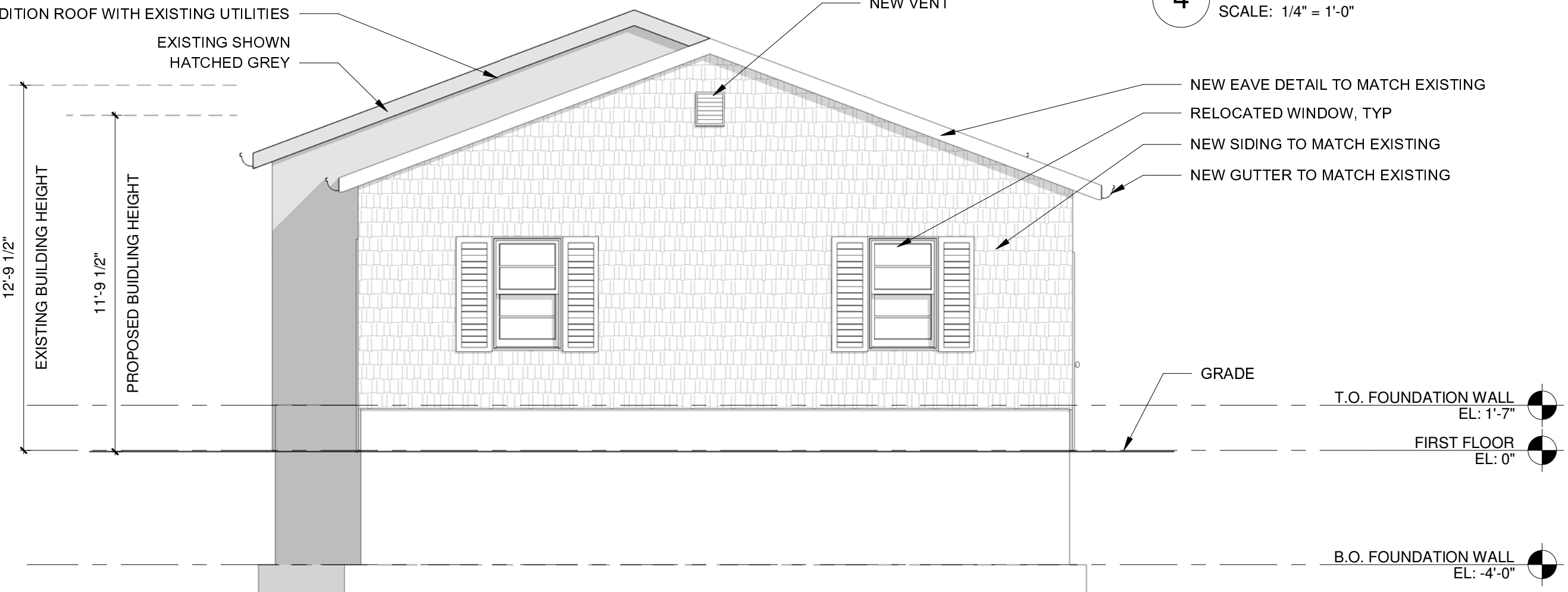
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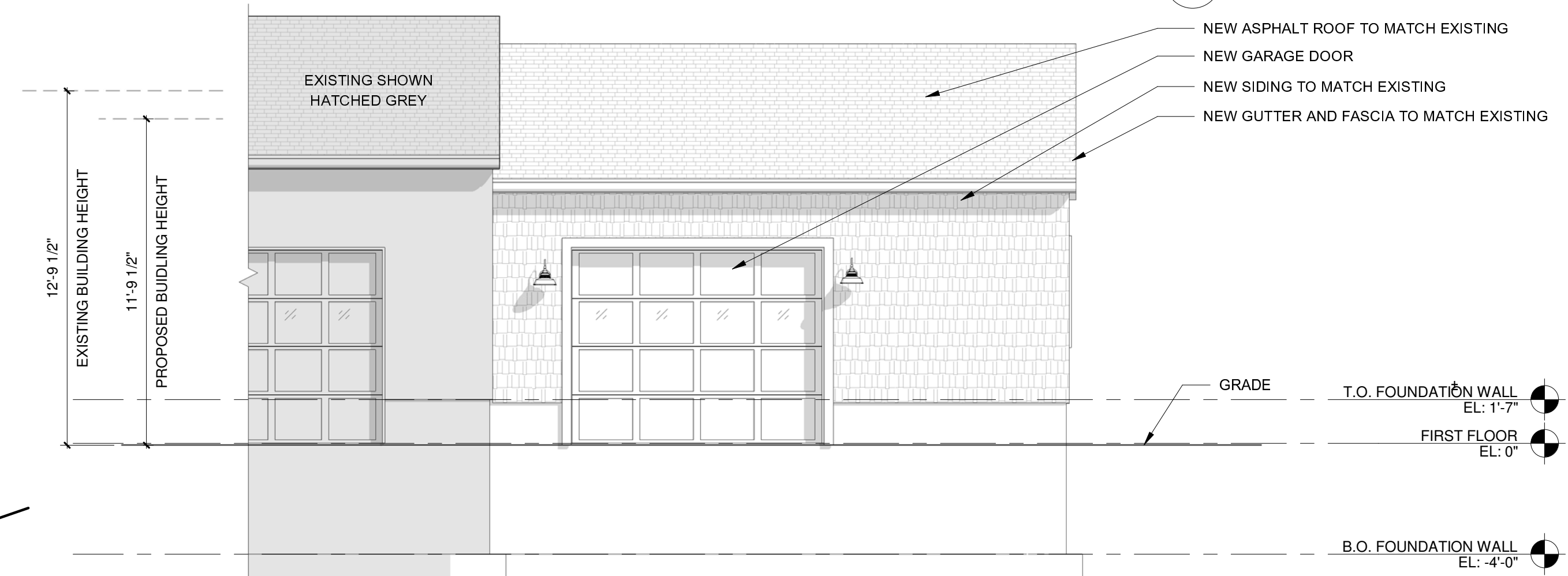
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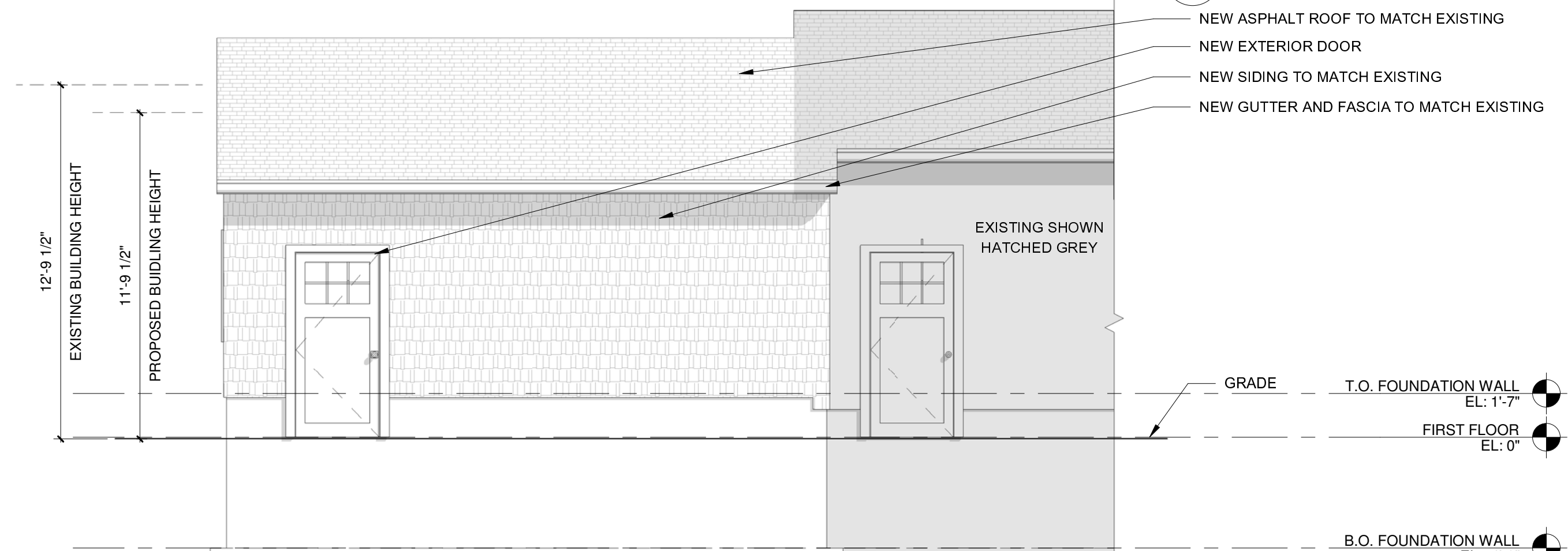
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