

# City of Newburyport Zoning Board of Appeals

## Application for a SPECIAL PERMIT for NON-CONFORMITIES

Petitioner: Crane Properties/ Michael Dos Santos

Mailing Address: 2 Miles Lane, Ipswich MA

Phone: 978-994-5640 Email: mike@crane-properties.com

Property Address: 71 Federal Street

Map and Lot(s): 18/75 Zoning District: R2

Book and Page(s): Book 28265 Page 55

Owner(s) Name: CRANE PROPERTIES LLC

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)      |
| ___ Parking  | <input type="checkbox"/> Plum Island Overlay District (XXI-G-3) |
| ___ Upward Extension   | ___ FAR   |
| ___ Open Space   | ___ Footprint Expansion   |
| ___ Height   | ___ Height Increase   |
| ___ Lot Area   |   |
| ___ Use  |   |

Description of request:

Construct a new accessory structure on a non-conforming lot. The proposed detached Garage addition shall be 12'x22'. The proposed addition shall intensify an existing non-conformity, and will not result in a new non-conformity.

The existing dwelling is 1,152sf on a lot with an area of 4,145sf. The existing lot coverage is 28% where 25% is required. The addition shall increase the lot coverage to 34%. The Garage shall comply with all other dimensional regulations.

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	4,145 SF	4,145 SF	10,000 SF
Frontage	52'	52'	90'
Height*	N/A	15'	15'
Lot Coverage (%)**	%28	%34	%25
Open Space (%)***	57.5%	%44	%40
Front Setback	3.5'	3.5'	25'
Side A Setback	0.6'	0.6'	10'
Side B Setback	17.5'	9.4'	6'
Rear Setback	31.8'	6'	6' - 10' from Abutter
Parking Spaces	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):



\_\_\_\_\_

ZONING DETERMINATION

Name: Crane Properties/Michael Dos Santos

Address: 71 Federal Street Zoning District(s): R2/DCOD

Request: Construct accessory structure on non conforming property resulting in intensification of nonconforming lot coverage. 15' max height at reduced setback.

ZONING BOARD REVIEW REQUIRED

Variance

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

Sign Variance

- Signs (VIII)
Type, Size, Lighting, 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, Rear Yard, Upward Extension, Lot Coverage, Open Space, Side Yard, Height, Lot Frontage, Lot Area, Front Yard, Use, Over 500 sf. increase (IX.B.3.c), Plum Island Overlay District (XXI-G-3)
FAR, Height, Lot Coverage, 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, Rear Yard, Upward Extension, Lot Coverage, Open Space, Side Yard, Height, Lot Frontage, Lot Area, Front Yard, Use, 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

Tree and Sidewalk compliance review

Signature of Zoning Administrator, Date 01/10/2020



4 S. Main Street, Ipswich, MA 01938 • p 978.356.7786 • www.savoiennolan.com

## City of Newburyport Zoning Board of Appeals

Project located at 71 Federal Street, Newburyport, MA  
Owner: Crane Properties  
2 Miles Lane  
Ipswich, MA 01938

Dear Zoning Board Chair and Members of the Board,

We are requesting a Special Permit to construct a new single car garage, (accessory structure), for an existing single family residence in the R2 Zoning District. The existing single family residence is a Non-Conforming structure, which exceeds the allowable lot coverage. The proposed accessory structure will meet all of the dimensional requirements, but will intensify the lot coverage by approximately 3%. The project removes an existing shed that is non-conforming with regards to the setbacks, and seeks to replace it with a single car garage, designed with the minimum appropriate footprint. Please refer to the drawings supplied in the application for more information.

Sincerely,

A handwritten signature in blue ink, appearing to be "W. Nolan", with a long horizontal line extending to the right.

William Nolan, AIA

# 71 FEDERAL ST

**Location** 71 FEDERAL ST

**MBLU** 18/ 75/ / /

**Owner** CRANE PROPERTIES LLC

**Assessment** \$737,100

**PID** 770

**Building Count** 1

## Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$492,100	\$245,000	\$737,100

## Owner of Record

**Owner** CRANE PROPERTIES LLC

**Sale Price** \$550,000

**Co-Owner**

**Certificate**

**Address** 2 MILES LANE

**Book & Page** 37605/0500

IPSWICH, MA 01938

**Sale Date** 06/21/2019

**Instrument** 00

## Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
CRANE PROPERTIES LLC	\$550,000		37605/0500	00	06/21/2019
COUSINS RICHARD A TRUSTEE	\$0		28265/0055	1A	01/23/2009
COUSINS ROBERT B-RICHARD A	\$0		P2805/ 80		

## Building Information

### Building 1 : Section 1

**Year Built:** 1800

**Living Area:** 2,186

Building Attributes	
Field	Description
Style	Antique
Model	Residential
Stories:	2 1/2 Stories
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	
Roof Structure:	Gambrel

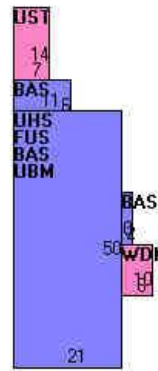
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Pine/Soft Wood
Heat Fuel	Oil
Heat Type:	Steam
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	7
Bath Style:	Average
Kitchen Style:	Old Style

### Building Photo



(http://images.vgsi.com/photos/NewburyportMAPPhotos//\01\00\:

### Building Layout



(http://images.vgsi.com/photos/NewburyportMAPPhotos//Sketches:

Building Sub-Areas (sq ft)		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	1,136	1,136
FUS	Upper Story, Finished	1,050	1,050
UBM	Basement, Unfinished	1,050	0
UHS	Half Story, Unfinished	1,050	0
UST	Utility, Storage, Unfinished	98	0
WDK	Deck, Wood	60	0
		4,444	2,186



### Extra Features

Extra Features	Legend
No Data for Extra Features	

### Land

Land Use

Land Line Valuation

**Land Use**

**Use Code** 1010  
**Description** SINGLE FAM

**Land Use Valuation**

**Size (Acres)** 0.09  
**Depth** 0  
**Assessed Value** \$245,000

**Outbuildings**

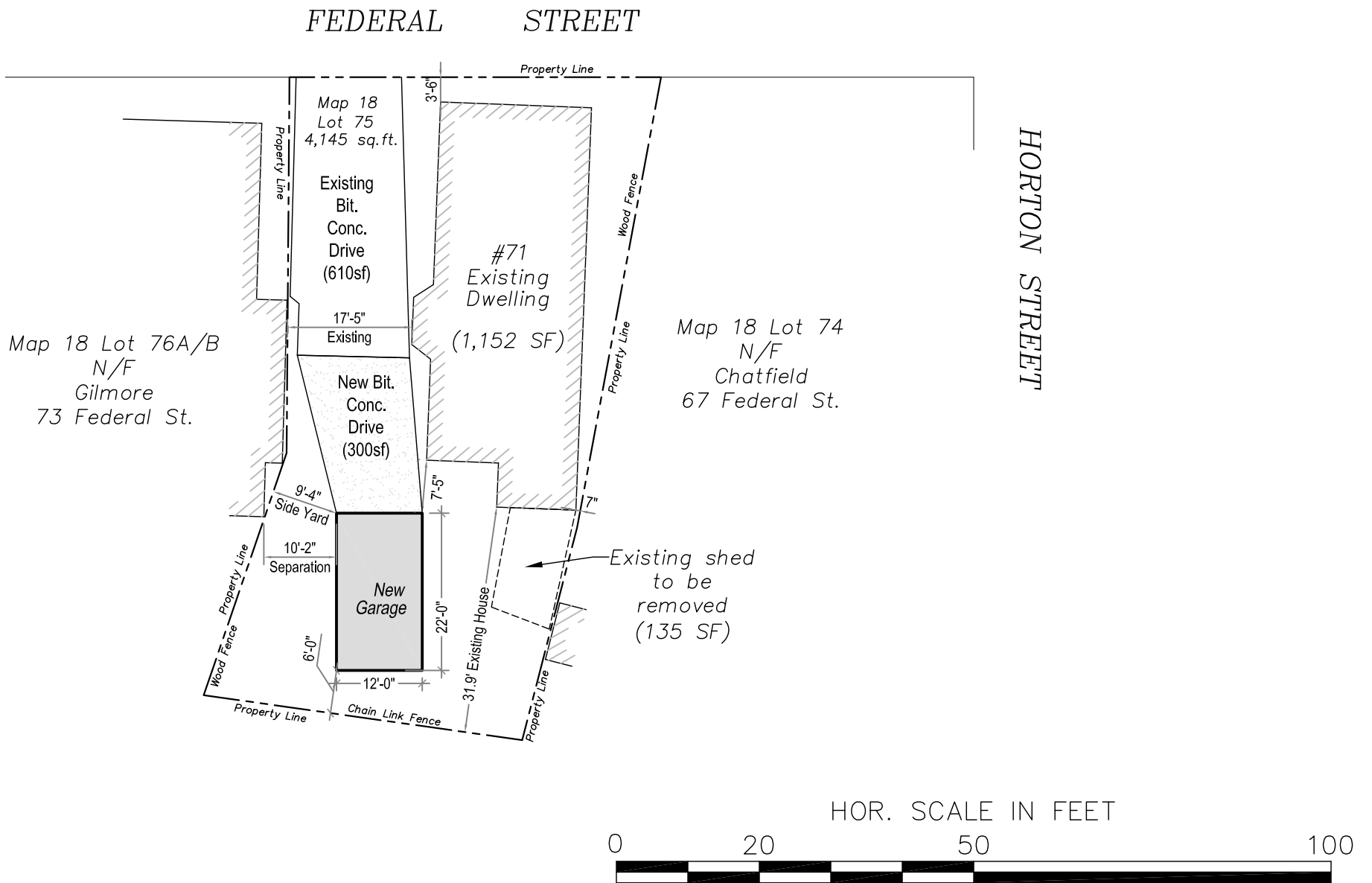
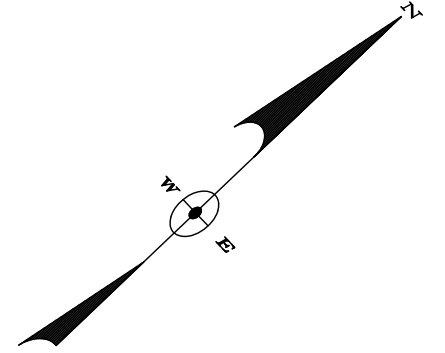
<b>Outbuildings</b>	<b><u>Legend</u></b>
No Data for Outbuildings	

**Valuation History**

<b>Assessment</b>			
<b>Valuation Year</b>	<b>Improvements</b>	<b>Land</b>	<b>Total</b>
2019	\$448,700	\$245,000	\$693,700

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NOTE:  
 Proposed Site Plan prepared by Savoie Nolan Architects on January 14, 2020, based on "Plot Plan" prepared on December 26, 2019 by LeBlanc Survey Associates, 161 Holten Street Danvers, MA 01923 (978) 774-6012



ZONING DISTRICT – R2

REFERENCES:

- 1) Deed Book 28265 Page 55
- 2) Plan Bk. 384 Plan 3

Building Area

Existing	Proposed		
1,152 sf	+ 264 sf = 1,416		
Existing to Remain	Removed	Total Existing	
1,152 SF	135 SF	1,287 SF (31%)	
Existing to Remain	Proposed	Total Proposed	
1,152 SF	264 SF	1,416 SF (34%)	

Parking Area

Existing	Proposed		
610 sf	+ 300 sf = 910		

Open Space

Required	Existing	Proposed	
40% Min.	57.5%	- 13.5%	= 44%

Lot Coverage

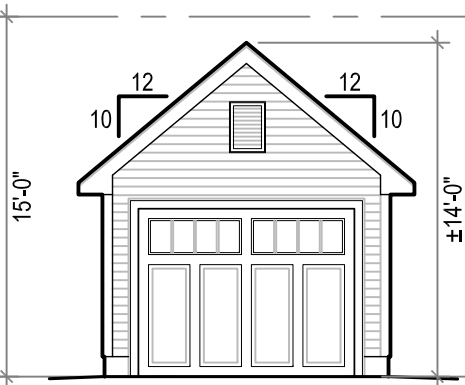
Required	Existing	Proposed	
25% Max.	31%	+ 3% = 34%	

Accessory Structure Setbacks

	Required	Proposed
Front Setback	6'	61'
Side Setback	6'	9.33'
Rear Setback	6'	6'

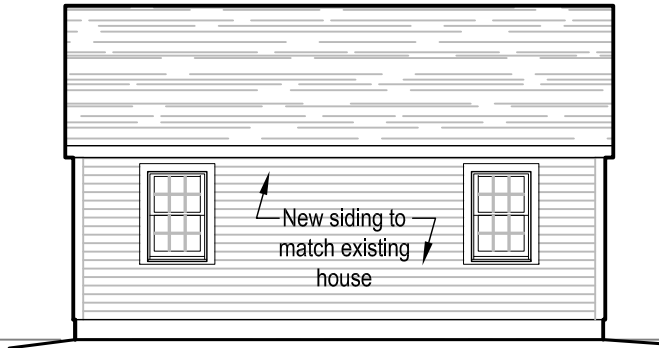


Max Height  
El: 15'-0"



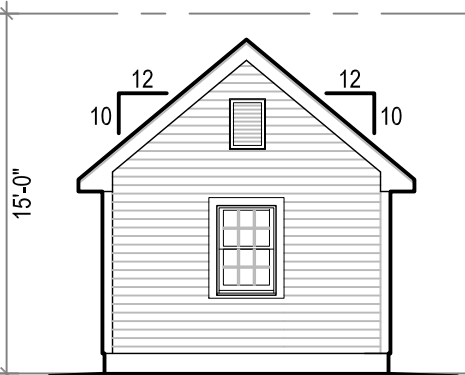
1 Front (Northwest) Elevation  
Scale: 1/8" = 1'-0"

Existing Grade  
REF El: 0'-0"



2 Side (Southwest) Elevation  
Scale: 1/8" = 1'-0"

Max Height  
El: 15'-0"



3 Rear (Southeast) Elevation  
Scale: 1/8" = 1'-0"

Existing Grade  
REF El: 0'-0"



4 Side (Northeast) Elevation  
Scale: 1/8" = 1'-0"

