

**3 Lunt Street,  
Newburyport**

*Application for*  
**Special Permit for Non-Conformities**

**January 26, 2021**



Mead, Talerman & Costa, LLC  
Attorneys at Law

**3 Lunt Street,  
Newburyport**  
**Application  
Summary**

## **Application Summary**

- Change in roof pitch of porch/sunroom located at rear of structure.
- Constitutes “upward expansion” of side yard setback requiring a Special Permit.
- No change to existing footprint of structure.
- Porch/sunroom is not historic: built in 2004 with Special Permit.
- Side yard nonconformity is 4.7' where 10' are required.
- Set back distance not changing but converting roof of porch/sunroom to a flat roof results in median roof height increasing from 11'7.5” to 13'3”.

**ZONING**  
RESIDENTIAL (R-2)  
SINGLE-FAMILY (101)

	REQUIRED (SINGLE-FAMILY - 101)	EXISTING (SINGLE-FAMILY - 101)	PROPOSED (SINGLE-FAMILY - 101)
MINIMUM LOT AREA	10,000 SQUARE FEET	5,035 SQUARE FEET	5,035 SQUARE FEET
MINIMUM LOT FRONTAGE	90 FEET	45.78 FEET	45.78 FEET
FRONT SETBACK	25 FEET	6.6 FEET	6.6 FEET
SIDE SETBACK (R)	10 FEET	4.7 FEET	4.7 FEET
SIDE SETBACK (L)	10 FEET	8.0 FEET	8.0 FEET
REAR SETBACK	25 FEET	57.4 FEET	57.4 FEET
MAXIMUM LOT COVERAGE(%)	25.0%	28.2%	28.2%
MAXIMUM HEIGHT	35 FEET	27 FEET	27 FEET
MINIMUM OPEN SPACE	40.0%	62.1%	62.1%
MINIMUM PARKING REQUIRED	2	2	2

ON-LINE ZONING ORDINANCES  
CITY OF NEWBURYPORT WEBSITE  
<http://www.cityofnewburyport.com/Planning/Index.html>  
PLANNING DEPARTMENT - MAIN PHONE 978-485-4400

INFORMATION REGARDING ZONING, INCLUDING PARKING ABOVE, SHOWN HEREON IS NOT INTENDED TO BE A DEFINITIVE ZONING OPINION AND IS FOR INFORMATIONAL PURPOSES ONLY. ALL INFORMATION SHOULD BE VERIFIED BY LEGAL COUNSEL PRIOR TO RELIANCE UPON THE SAME.


**NOTES**

THE PURPOSE OF THIS PLAN IS TO SHOW THE VISIBLE EXISTING CONDITIONS ON THE LOCUS PROPERTY. THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED OCTOBER 15, 2020 BY THIS FIRM.

DESIGN INFORMATION HAS BEEN PROVIDED BY THE CLIENT'S ARCHITECT.

OWNERSHIP INFORMATION USED IN THE PREPARATION OF THIS PLAN WAS OBTAINED FROM THE CITY OF NEWBURYPORT ASSESSOR'S OFFICES.

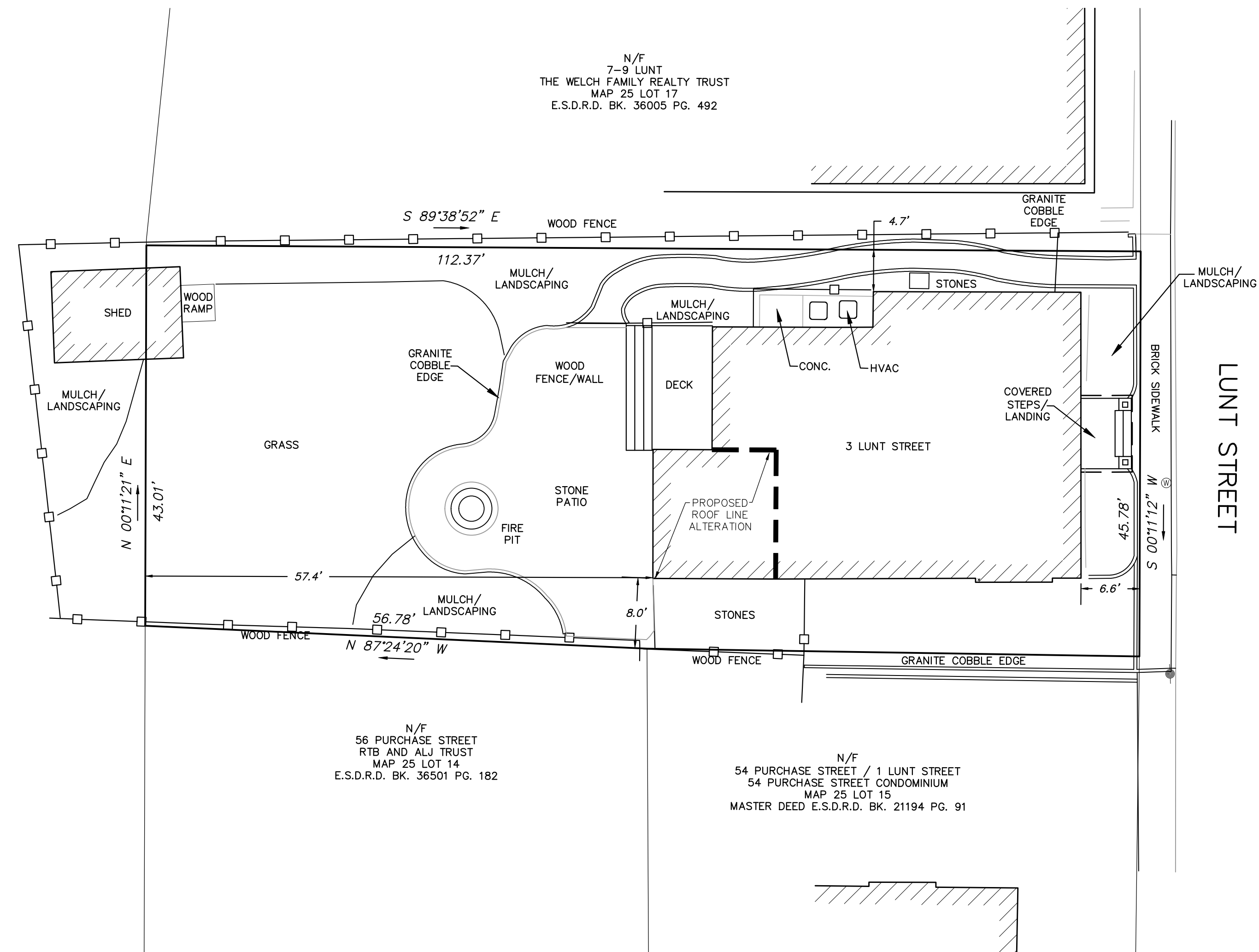
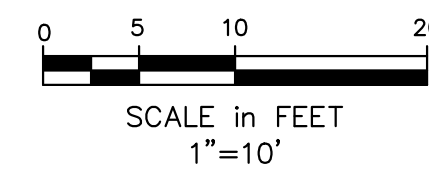
TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THIS PLAN CONFORMS TO THE TECHNICAL AND PROCEDURAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

P.L.S.   
EVERETT J. CHANDLER, P.L.S.  
MASS. REGISTRATION NO. 41783

**LOCUS TITLE INFORMATION**

**3 LUNT STREET**

OWNER: KENNETH A. & ALLISSA M. CHRISTIE  
DEED REFERENCE: BK: 34989 PG: 216  
ASSESSORS: MAP 25 LOT 16



SCALE:				
HORIZ: 1"= 10'				
VERT: _____				
NO.	DATE	BY	REVISIONS	

FIELD: CO  
CALCS: EC  
CHECKED: EJC  
APPROVED: EJC

ZONING PLAN  
3 LUNT STREET

PLAN OF LAND IN  
NEWBURYPORT, MASSACHUSETTS  
SURVEYED FOR  
KENNETH & ALISSA CHRISTIE

PROJECT NO.  
2020-3LUNT  
DATE: DEC 22, 2020  
SHEET NO.  
1 OF 1

ADDITIONS/ALTERATIONS TO THE  
**THE CHRISTIE RESIDENCE**  
 AT  
 3 LUNT STREET, NEWBURYPORT, MA 01950



1 EXISTING FRONT ELEVATION  
 Scale: 1/4" = 1'-0"



2 EXISTING LEFT ELEVATION  
 Scale: 1/4" = 1'-0"

REVISION & REISSUE NOTES

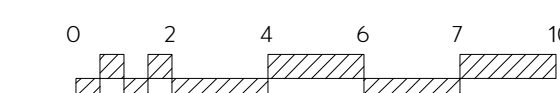
No.	Date	Notes

Project # 2020-26	Project Manager M.L.	Date 12/18/2020
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Scale: AS NOTED

EXISTING  
 ELEVATIONS

**EC3**





ADDITIONS/ALTERATIONS TO THE  
**THE CHRISTIE RESIDENCE**  
AT  
3 LUNT STREET, NEWBURYPORT, MA 01950



1 EXISTING REAR ELEVATION  
Scale: 1/4" = 1'-0"



2 EXISTING RIGHT ELEVATION  
Scale: 1/4" = 1'-0"

REVISION & REISSUE NOTES

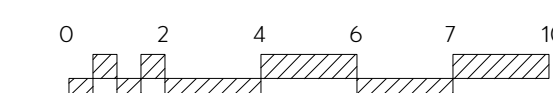
No.	Date	Notes

Project # 2020-26	Project Manager M.L.	Date 12/18/2020
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Scale: AS NOTED

EXISTING  
ELEVATIONS

**EC4**









## **Criteria for Special Permit for Nonconformities for Single and Two Family Residential Structures and Uses:**

- 1. That there will be no addition of a new nonconformity; and**
- 2. That the proposed change will not be substantially more detrimental to the neighborhood than the preexisting nonconforming structure or use.**

**The board of appeals may consider, among other relevant factors, the size, scale, massing, volume, and location of the proposed structure, extension or alteration as compared to:**

- (a) The existing structure and lot;**
- (b) Other structures and lots in the neighborhood; and**
- (c) Reasonable alternatives to the proposal, including alternatives that may require planning board approval under section VI-C of the ordinance.**

## **Application of Special Permit Criteria:**

- 1. There will be no addition of a new nonconformity.**
  - The proposed roof change will not create any new nonconformities.**
  - Footprint of structure not changing.**
  - While upward expansion “intensifies” nonconforming side yard setback it does not create a new nonconformity. Height of 13’3” remains well below 35’ allowed in R-2 District.**

## **Application of Special Permit Criteria Continued:**

**2. The proposed changes will not be substantially more detrimental to the neighborhood than the preexisting nonconforming structure or use:**

- Proposed addition within existing structure's footprint.**
- Use of room will remain as porch/sunroom.**
- Minor increase in height of room's roof is less than two feet.**
- Rear porch/sunroom is minimally visible from the street.**