

# 68 Middle Street Overview/Existing Conditions

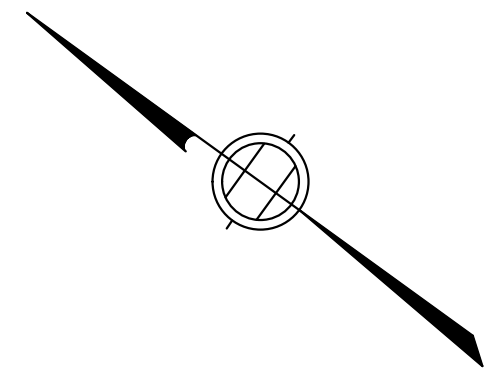
- Application for Special Permit for Non-Conformities
- Property is pre-existing, nonconforming for lot area, frontage, lot coverage, open space, front setback, west side setback, and parking.
- R2 district requires a minimum lot size of 20,000 square feet and 120 feet of frontage where the Lot has 5,487 total square feet and 38.60 feet of frontage.
- Lot coverage is 31.3% where the maximum is 25% and 31.3% open space where 40% is the minimum.
- R2 district requires a minimum front yard setback of 20 feet and side yard setbacks of 10 feet where the front yard setback is 11.1 feet and one side yard setback is 0.10 feet.
- Currently has 2 parking spaces where 6 are required.
- The height, rear yard setback, and other side yard setback are in compliance.

# 68 Middle Street Overview- Continued

- Based on available information, current use has been 4 family for well over 20 years.
- However, while it is clear from the record that a three (3) family was permitted via a variance for intensity of use in 1970, there is no record allowing a 4<sup>th</sup> unit to be constructed.

# 68 Middle Street Proposed Changes

- Applicant proposes to remove the one story addition in back of structure and build new two story addition that is inside of and smaller than the existing footprint and which meets the setback requirements.
- Use after construction would be three family.
- Proposed addition itself meets all dimensional requirements and would reduce overall lot coverage. It does not create new non-conformities or extend any existing non-conformities.
- Proposed addition would actually improve some existing non-conformities by, reducing setbacks, creating space for 3 parking spaces instead of 2 and reducing lot coverage.



**LOCUS TITLE INFORMATION**

68 MIDDLE STREET

OWNER: THAYER F. PHIPPS  
 DEED REFERENCE: BOOK 21236 PAGE 120  
 ASSESSORS: MAP 16 PARCEL 39

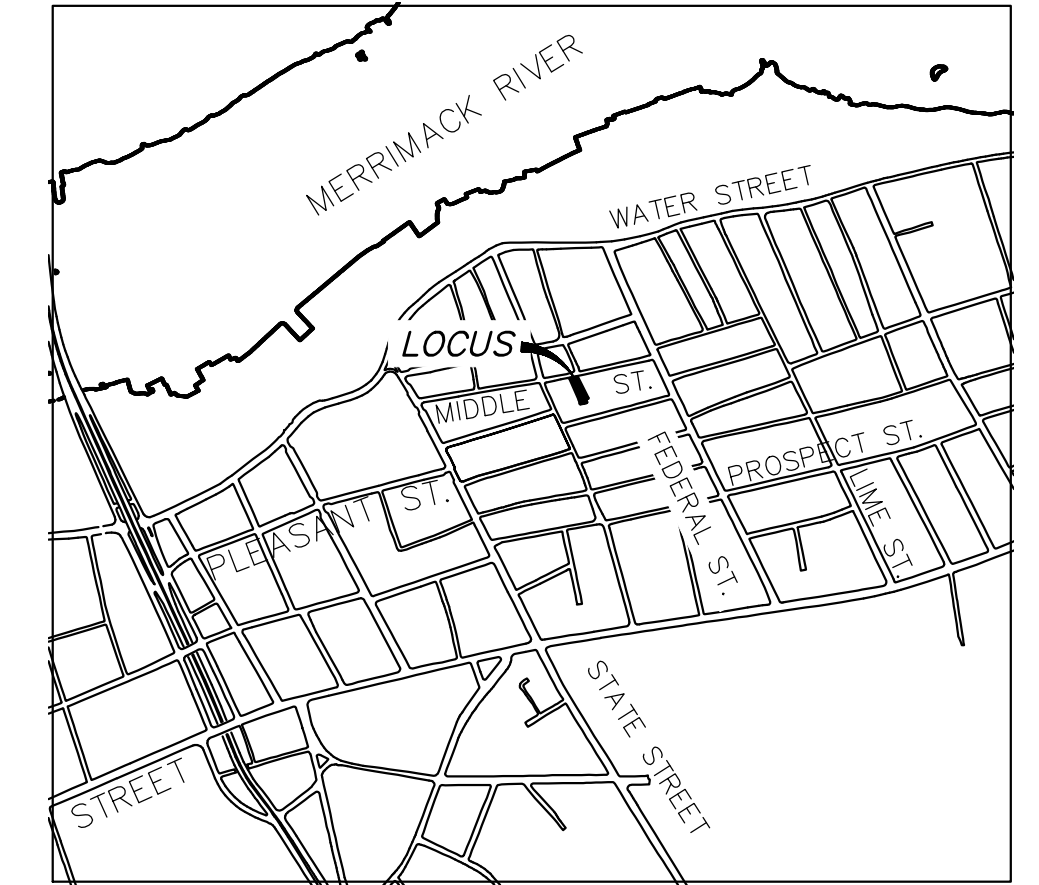
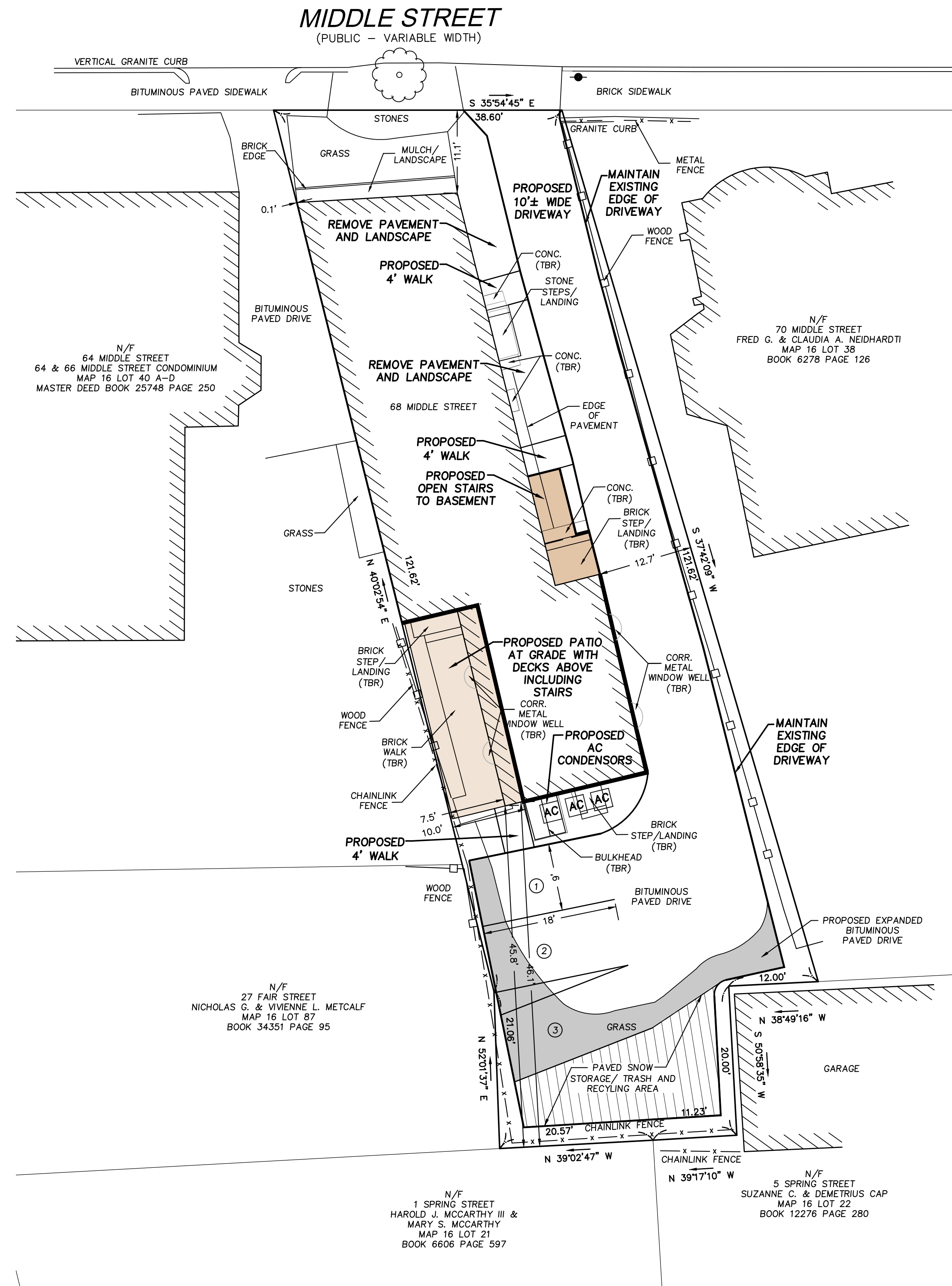
**ZONING**

RESIDENTIAL (R-2)  
 MULTI-FAMILY (103)

	REQUIRED (MULTI-FAMILY - 103)	EXISTING (MULTI-FAMILY - 103)	PROPOSED (MULTI-FAMILY - 103)
MINIMUM LOT AREA	20,000 SQUARE FEET	5,487 SQUARE FEET	5,487 SQUARE FEET
MINIMUM LOT FRONTAGE	120 FEET	38.60 FEET	38.60 FEET
FRONT SETBACK	20 FEET	11.1 FEET	11.1 FEET
SIDE SETBACK (R)	10 FEET	0.1 FEET	0.1 FEET
SIDE SETBACK (L)	10 FEET	12.7 FEET	12.7 FEET
REAR SETBACK	20 FEET	45.8 FEET	46.1 FEET
MAXIMUM LOT COVERAGE(%)	25.0%	31.3%	30.0%
MAXIMUM HEIGHT	35 FEET	32 FEET	32 FEET
MINIMUM OPEN SPACE	40.0%	31.3%	31.3%
MINIMUM PARKING REQUIRED	6	2	3

ON-LINE ZONING ORDINANCES  
 CITY OF NEWBURYPORT WEBSITE  
<http://www.cityofnewburyport.com/Planning/Index.html>  
 PLANNING DEPARTMENT - MAIN PHONE 978-465-4400

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.



LOCUS  
 SCALE 1"=1,000'


**NOTES**

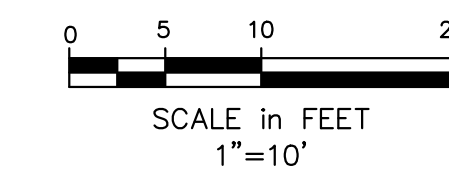
THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON THE LAND AND IS THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED APRIL 7, 2020.

DESIGN INFORMATION IS AS PROVIDED BY THE PROJECT ARCHITECT AND PROJECT COORDINATED WITH THE PROJECT TEAM.

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.

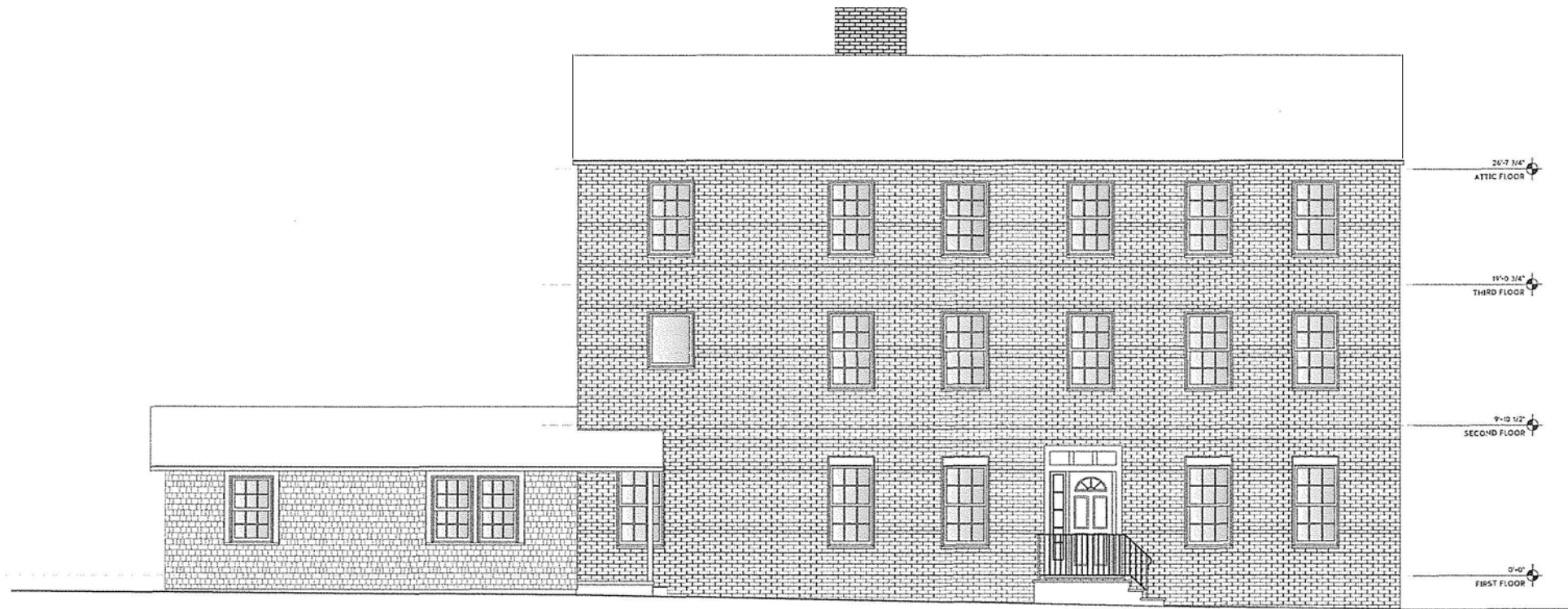
P.L.S.   
 EVERETT J. CHANDLER, P.L.S.  
 MASS. REGISTRATION NO. 41783



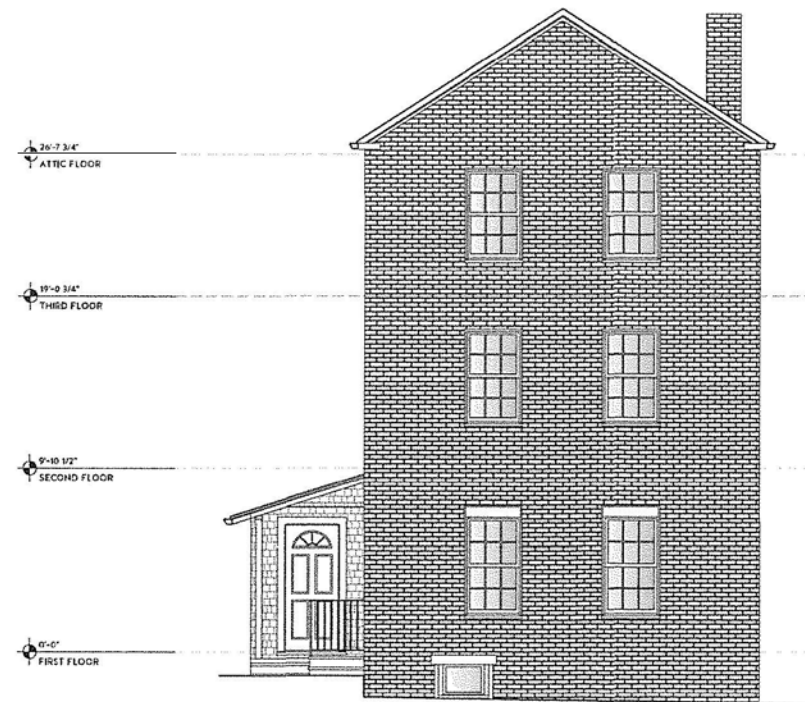
SCALE:			
HORIZ: 1"= 10'			
VERT: _____			
NO.	DATE	BY	REVISIONS

FIELD: <u>CO</u>	<b>ZONING BOARD OF APPEALS          PLAN</b>  <b>68 MIDDLE STREET</b>
CALCS: <u>EC</u>	
CHECKED: <u>EJC</u>	
APPROVED: <u>EJC</u>	

PLAN OF LAND IN NEWBURYPORT, MASSACHUSETTS SURVEYED FOR THAYER F. PHIPPS	PROJECT NO. 2020-68MIDDLE DATE: JUN 17, 2020 SHEET NO. 1 OF 1
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2  
EC3  
EXISTING LEFT ELEVATION  
Scale: 1/4" = 1'-0"



1  
EC3  
EXISTING FRONT ELEVATION  
Scale: 1/4" = 1'-0"

C:\07\m\m\68MiddleSt\_ID\_1-19-20.dwg

SCOTT BROWN

ESTD. ARCHITECTS 2007

48 MARKET STREET  
NEWBURYPORT, MA 01950  
T. 978.465.3535  
WWW.SCOTTBROWNARCHITECT.COM

ADDITION/RENOVATION  
68 MIDDLE STREET, NEWBURYPORT, MA

REVISION & REISSUE NOTES

No.	Date	Notes

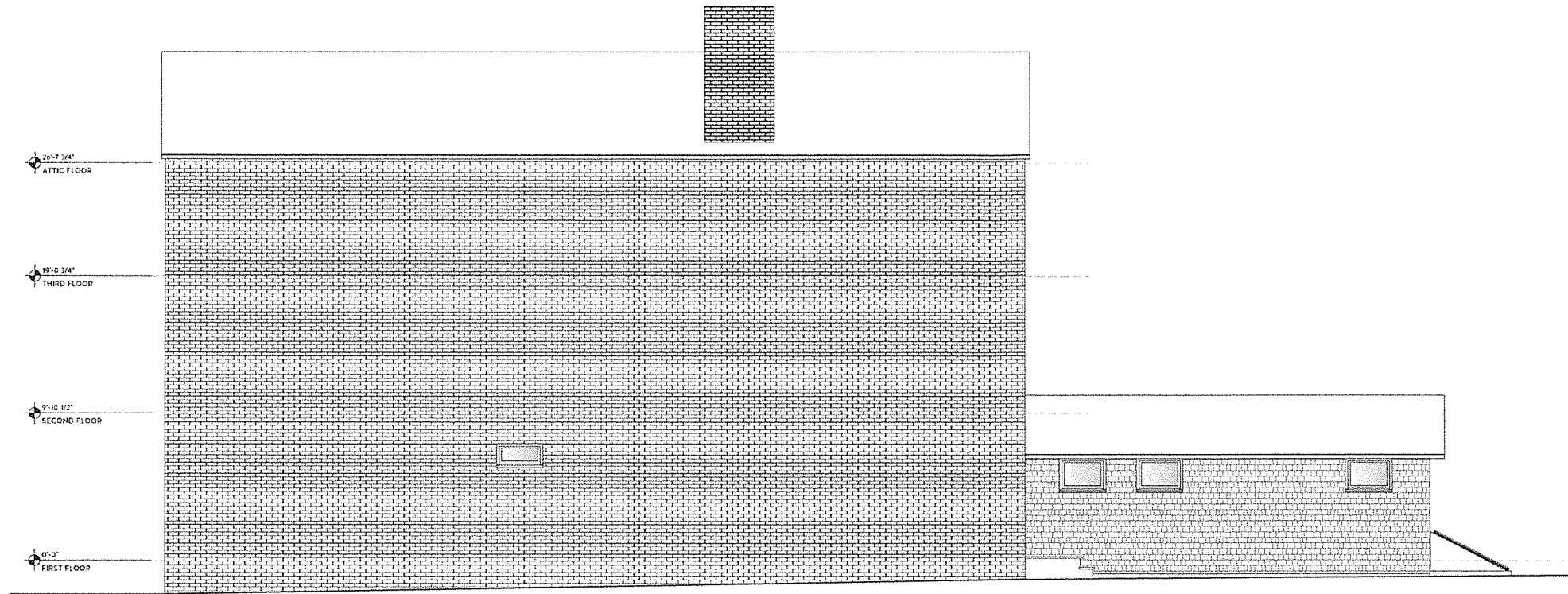
Project #	Project Manager	Date
2020-18	M.L.	6/18/20

Scale: AS NOTED

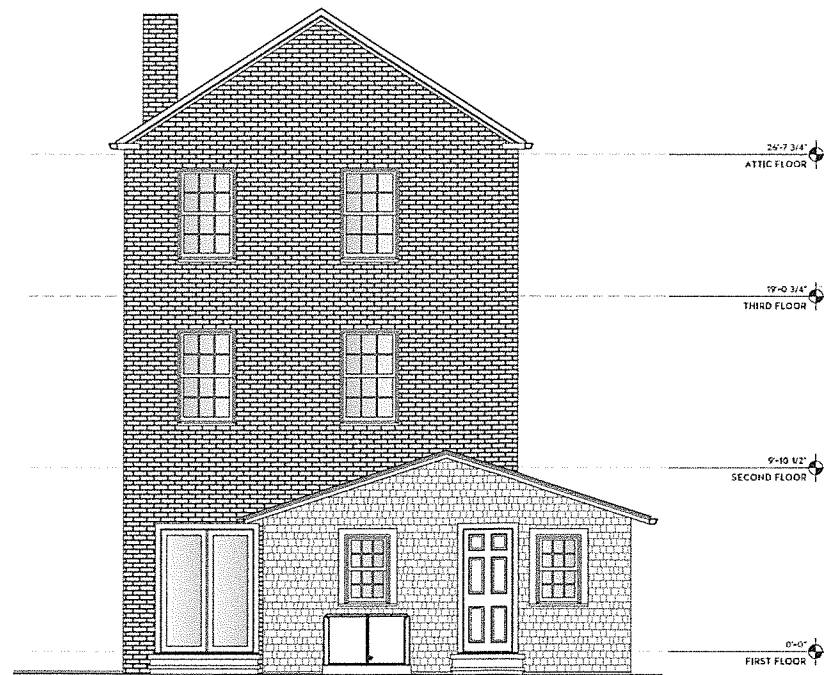
EXISTING  
ELEVATIONS

EC3

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2 EXISTING RIGHT ELEVATION  
EC4  
Scale: 1/4" = 1'-0"



1 EXISTING REAR ELEVATION  
EC4  
Scale: 1/4" = 1'-0"

CAD FILE NAME  
 68MIDDLE\_ST\_18-19-20\_V4.rvt

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ESTD ARCHITECTS 2007

48 MARKET STREET  
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**ADDITION/RENOVATION**  
 68 MIDDLE STREET, NEWBURYPORT, MA

REVISION & REISSUE NOTES

No.	Date	Notes

Project #	Project Manager	Date
2020-18	M.L.	6/18/20

Scale: AS NOTED

EXISTING  
ELEVATIONS

**EC4**

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ADDITION/RENOVATION  
68 MIDDLE STREET, NEWBURYPORT, MA

REVISION & REISSUE NOTES

No.	Date	Notes

Project #	Project Manager	Date
2020-18	M.L.	6/29/20

Scale: AS NOTED

PROPOSED ELEVATIONS

A2.0



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

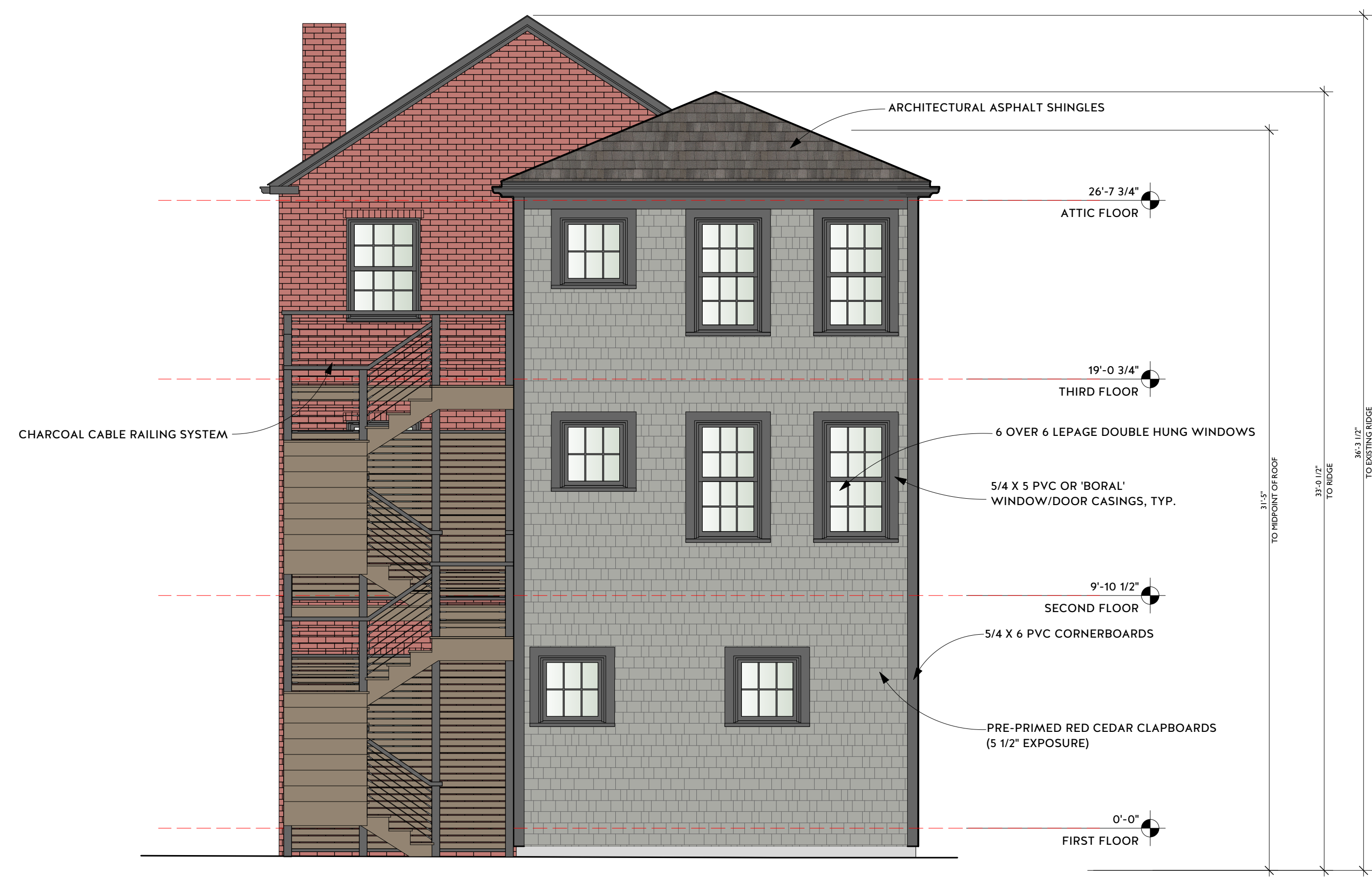


1 PROPOSED FRONT ELEVATION  
Scale: 1/4" = 1'-0"

**ADDITION/RENOVATION**  
68 MIDDLE STREET, NEWBURYPORT, MA



2 PROPOSED RIGHT ELEVATION  
A2.1 Scale: 1/4" = 1'-0"



1 PROPOSED REAR ELEVATION  
A2.1 Scale: 1/4" = 1'-0"

REVISION & REISSUE NOTES

No.	Date	Notes

Project #	Project Manager	Date
2020-18	M.L.	6/29/20

Scale: AS NOTED

PROPOSED ELEVATIONS

CAD File Name: 68MiddleSt\_SD\_6-22-20.rvt



# Criteria for Special Permit for Nonconformities

Requires:

1. There will be no intensification or extension of an existing nonconformity or the addition of a new nonconformity; and
2. The proposed change will not be substantially more detrimental to the neighborhood than preexisting nonconforming structure or use.

# Application of Criteria

## The Proposal:

1. Creates no new nonconformities, does not intensify or expand any existing non-conformities, and the addition itself is in conformance with all structural dimensional requirements.
  - Proposal is lessening intensity of use from 4 family to 3 family.
  - Proposed addition improves some existing nonconformities by increasing parking spaces and reducing lot coverage.
2. Is not substantially more detrimental to the neighborhood than preexisting nonconforming structure or use.
  - Applicant is reducing impacts of dimensional incursions previously granted by 1970 Variance.
  - Proposed addition is much more in keeping with existing historic structure and neighborhood.
  - Because proposed addition's footprint is within and smaller than portion of structure being removed and itself conforms with structural dimensional requirements, it will have no negative impact on any neighboring properties.

# City of Newburyport

08/07/2020



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



**Legend**

- Municipal Boundary
- Roads
  - Interstate
  - Major Road
  - Local Road
  - Railroad
- Parcels (on aerial)