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CITY OF AMESBURY, MA

AMESBURY ZONING BOARD OF APPEALS APPLICATION FOR SPECIAL PERMIT / FINDING

Filing Fee: \$200.00 plus abutter notification postage @ \$1.16/per abutter

The following documents are required to complete this application:

- ☒ **A certified list of abutters** and parties in interest (issued from the Assessor's Office).
- ☐ A **letter of denial** issued from the Inspectional Services Dept. if applicable.
- ☒ **Deed** or other that demonstrates the applicant holds a vested non-contingent interest in the property.
- ☒ Attach a **Certified Plot Plan** that describes, in detail, the following:
 1. The location of all existing buildings, structures, driveways, or similar manmade improvements to the proposed property;
 2. The dimensions of all the existing building, structures, driveways, or similar manmade improvements to the proposed property;
 3. The dimensions of the proposed property, i.e.; area, boundaries, front/rear/side yard setbacks;
 4. The location and dimensions of proposed buildings, additions, or structures;
 5. The location and dimensions of any private ways, easements, or right of ways that abut the subject property;
 6. The location and dimensions of any private ways, easements, or right of ways that cross the subject property;
 7. A scale of measurements in the lower right-hand corner of the plan;
 8. Also, the lower right-hand corner the address of the property and the Applicant's name, and if different the property owner's name;
 9. The name of the person or entity preparing the plan; and the other pertinent information, locations, or dimensions.

In the event the Applicant has appeared before any other City Board, Commission, or Authority (either directly or indirectly) in connection with a petition for Variance, application for Special Permit/Finding, or Notice of Appeal pending before the Board, the Applicant shall disclose such appearance. The Applicant shall include the petition for Special Permit/Finding, any Decision, Order, or similar Determination as issued from the other City Board, Commission or Authority.

Please be advised if the application for Special Permit is submitted with incomplete information or is not filled out completely, the Zoning Board of Appeals reserve the right to dismiss, without prejudice.

Vinny Tirone, Director

Municipal Development Center • 39 South Hunt Road • Amesbury, MA 01913

P (978) 300-8151 • tironev@amesburyma.gov

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AMESBURY ZONING BOARD OF APPEALS APPLICATION FOR SPECIAL PERMIT / FINDING

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1. Name of Applicant: Ardis Cortez
2. Applicant's Address: 3 Erin Road, Amesbury, MA 01913
3. Applicant's Phone Number: 978-270-2407
4. Applicant's Email: ardy.cortez@gmail.com
5. Name of Property Owner: Ardis Cortez
6. Address of Property Owner: 3 Erin Road, Amesbury, MA 01913
7. Address of Subject Property: 3 Erin Road, Amesbury, MA 01913
8. Precinct: (Voting District) 5
9. For what purpose do you request the special permit:
Addition of an in-law apartment
10. Provision(s) of the Zoning By-laws which relates to the requested Special Permit. Please cite the Article & Section: Section X.1 - K.2
11. Has a Variance, Special Permit, and/or Finding ever been requested of the Property: No
If Yes:
a. Date approved or denied: _____
b. Name of previous owner/applicant: _____
c. Attach a copy of decision and any pertaining information.
12. Has the applicant, or representative for the applicant appeared before any City Board, Agency, Commission, or other Authority (either directly or indirectly) on connection with the proposed Special Permit/Finding: No
If Yes:
a. Date of appearance: _____
b. Name of Owner/Applicant: _____
c. Name of Board, Commission, or Authority: _____



13. Property Characteristics:

- a. Square Footage of Area Existing: 12,682 Proposed: 12,682
b. Frontage Existing: 103.62 ft Proposed: 103.62 ft
c. Zoning District: R-40
d. Dimensional Requirements:
i. Front: Existing: 22.29 Proposed: 22.29
ii. Rear: Existing: 45.84 Proposed: 26.86
iii. Left Side Existing: 21.64 Proposed: 21.64
iv. Right Side Existing: 51.49 Proposed: 51.49
v. Height: Existing: +/- 33.5 Proposed: +/- 33.5
vi. Stories: Existing: 2 Proposed: 2
vii. Building Area: Existing: 1,036 Proposed: 1,576
viii. Open Space: Existing: 11,646 Proposed: 11,106
e. Present use of Property: single-family residence

14. If the Special Permit relates to a proposed home occupation, provide the following information: (please refer to Sec. II – Definitions, and Section XI-F - Home Occupations)

- Is the proposed home use customary within the City of Amesbury? Describe fully:

n/a

- Is the proposed use of property something other than any of the following prohibited uses: Beauty Parlor, Barber Shop, Clinic, Bakery, Gift Shop, Tea Room, Tourist Home, Animal Hospital, or Kennel:

n/a

- Where, in the home will the proposed home use be carried out:

n/a



- Will the proposed home use be carried out within the principal building: No n/a _
- Will the proposed home use be carried out within a multi-family dwelling: No n/a _
- Describe all sources of parking that may be utilized in connection with the proposed home use:
n/a

- State the hours of operation of the proposed home use:
n/a

- State the anticipated average number of customers, clients, patients, people, or entities that shall utilize the services offered by the proposed home use during hours of operation on a daily basis: n/a

- Describe, explain and itemize any materials, chemicals, or inventory to be utilized by the proposed home use:
n/a

- State whether the proposed home use requires any license, action, decision, application, consideration, or other formal or informal review from any federal, state, or municipal board, agency, commission, authority, or similar organization:
n/a

- Will there be more than one non-resident employee in connection with the proposed home use:
n/a



15. In the event the Special Permit relates to a proposed alteration, modification, extension, or change to a pre-existing non-conforming use or structure, provide the following information.

- The current pre-existing non-conforming use or structure:

Lot area, frontage, left side yard, front yard,
rear yard.

- Provide proof that the current pre-existing non-conforming use or structure is a legal non-conforming use or structure:

Decision by the planning board and provisions as
described in Deed Book 34812 pg. 535
and Deed Plan Book 424 plan 95

- Describe the proposed alteration, modification, extension, or change to a pre-existing non-conforming use or structure:

The proposed extension is an attached, single-story
in-law addition that will serve as additional, private
living space and a roof deck to replace the existing deck.

- State whether the current pre-existing non-conforming use or structure is located in a residential zoning district:

yes, R-40

- Describe whether the proposed change will be different from the current use/structure:

No, proposed change will maintain residential use.



- Indicate, if applicable, whether the current pre-existing non-conforming use or structure had been abandoned or not used for two (2) or more years:

no - in use

- Describe in detail any anticipated impact or effect upon the surrounding neighborhood that would result if the proposed Special Permit were to be allowed:

Minimal visual impact to neighbor on Lot 2 as indicated on Deed Plan Book 424 Plan 95

- Indicate whether the proposed alteration, modification, extension, or change relates to billboards, signs, or other advertising subject to M.G.L. Ch. 93, 29-33 and/or M.G.L. Ch. 93D:

n/a

- Indicate whether the proposed alteration, modification, extension, or change relates to adult bookstores, adult motion picture theaters, adult paraphernalia shops, or adult video stores subject to M.G.L. Ch. 40A, 9A:

n/a

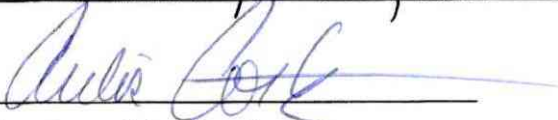
16. Describe why the applicant believes that there would be no loss/or damage to the public good if the Special Permit were to be granted:

Given the scale of the proposed addition, there is only very minimal visual impact to one singular residence and zero impact to the public.



17. Describe why the applicant believes if the Special permit were to be granted, that neither the intent nor the purpose of the By-laws would adversely impacted:

Due to the special attention that has been given to the design, there will be no adverse effect to the intent or purpose of the by-laws. Conversely, the feeling is that it will prop up the intent of the by-laws by increasing the health and safety of the residence and maintain careful drainage that has been put in place on site.


Signature of Applicant

7-10-22
Date