



KIMBERLEY DRISCOLL
MAYOR

CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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CITY CLERK
SALEM, MASS

August 1, 2018

Decision

City of Salem Board of Appeals

Petition of ERIC EASLEY, requesting a special permit per Sec 3.3.3 Non-Conforming Structures to allow the petitioner to expand the existing two-family home by constructing a second floor and farmers porch at 63 LAWRENCE STREET (Map 23 Lot 119)(R-2 Zoning District)

A public hearing on the above Petition was opened on July 18, 2018 pursuant to M.G.L Ch. 40A, § 11 and closed on that date with the following Salem Board of Appeals members present: Peter A. Copelas, Mike Duffy, Jimmy Tsitsinos, Chris Drucas, Jim Hacker.

The petitioner is seeking a special permit per Sec 3.3.3 Non-Conforming Structures to allow the petitioner to expand the existing two-family home by constructing a second floor and farmer's porch.

Statements of fact:

1. In the petition date-stamped June 12, 2018, the Petitioner requested a special permit per Sec 3.3.3 Non-Conforming Structures to allow the petitioner to expand the existing two-family home by constructing a second floor and farmers porch.
2. Eric Easley, petitioner presented the petition.
3. The property is located in an R-2 Zoning District.
4. The property has been on the City's problem property list and has been abandoned for many years. The property was vandalized over the years and the City paid to have the abandoned property boarded up. The property was once used as a neighborhood store.
5. The petitioner purchased the property in January of 2018 and is an existing two (2) family home. The petitioner is proposing to use the property as a two (2) family home.
6. The existing property is a two (2) family single level house that is approximately 31 feet by 46 feet. The proposal is to add a second floor addition with the same dimensions (31ft x 46 ft.) The petitioner is also proposing a farmer's porch to extend off the front of the house approximately 4.5ft. The front porch stairs, as proposed, will be located at the zero lot line and align approximately with the existing front porch at 69 Lawrence Street.
7. The requested relief, if granted, would allow the Petitioner expand the existing two-family home by constructing a second floor and farmers porch.
8. At the public hearing one (1) member of the public spoke in support and two (2) spoke in opposition to the petition due to privacy and parking concerns.

The Salem Board of Appeals, after careful consideration of the evidence presented at the public hearing, and after thorough review of the petition, including the application narrative and plans, and the Petitioner's presentation and public testimony, makes the following **findings** that the proposed project meets the provisions of the City of Salem Zoning Ordinance:

Findings for Special Permit:

The Board finds that the proposed expansion of the existing non-conforming structure is not substantially more detrimental than the existing non-conforming structure to the neighborhood.

1. There are positive social, economic or community needs served by the proposal as the property will be removed from the City's problem property list, be rehabilitated and provide two (2) housing units.
2. There are no impacts on traffic flow and safety, including parking and loading as the petitioner meets the parking requirements of the zoning ordinance.
3. The capacity of the utilities is not affected by the project.
4. There are no significant impacts to the natural environment, including drainage.
5. The proposal fits with the existing neighborhood character.
6. The potential fiscal impact, including impact on the City tax base is positive.

On the basis of the above statements of facts and findings, the Salem Board of Appeals voted five (Peter A. Copelas, Mike Duffy, Jimmy Tsitsinos, Chris Drucas, Jim Hacker) in favor and none (0) opposed, to grant a special permit per Sec 3.3.3 Non-Conforming Structures to allow the petitioner to expand the existing two-family home by constructing a second floor and farmers porch subject to the following terms, conditions and safeguards:

1. The Petitioner shall comply with all city and state statutes, ordinances, codes and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of new construction shall be in harmony with the existing structure.
6. A Certificate of Inspection shall be obtained.
7. A Certificate of Occupancy shall be obtained.
8. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.

Special Conditions:

1. The petitioner shall install privacy walls with a window along the sides of the proposed rear porch.

Peter A. Copelas / ES
Peter A. Copelas (Vice-Chair)
Board of Appeals

A COPY OF THIS DECISION HAS BEEN FILED WITH THE PLANNING BOARD AND THE CITY CLERK

Appeal from this decision, if any, shall be made pursuant to Section 17 of the Massachusetts General Laws Chapter 40A, and shall be filed within 20 days of filing of this decision in the office of the City Clerk. Pursuant to the Massachusetts General Laws Chapter 40A, Section 11, the Variance or Special Permit granted herein shall not take effect until a copy of the decision bearing the certificate of the City Clerk has been filed with the Essex South Registry of Deeds.