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MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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**August 21, 2023**

## **Decision**

### **City of Salem Board of Appeals**

The petition of JOSEPH AND VALQUIRLA JOURDAN at 73 PROCTOR STREET (Map 25, Lot 3) (R2 Zoning District) for a Special Permit per Section *3.3.5 Nonconforming Single- and Two-family Structures* of the Salem Zoning Ordinance to convert a single-family home to a two-family home. The proposed new unit will be a one-bedroom unit. There will be no exterior changes to the property.

A public hearing on the above petition was opened on August 16, 2023 and was closed on August 16, 2023

On August 16, 2023, the following members of the Salem Board of Appeals were present: Peter Copelas (Chair), Carly McClain, Paul Viccica, Rosa Ordaz and Hannah Osthoff.

### **Statements of Fact:**

The petition is date stamped July 26, 2023. The petitioner proposes to convert a single-family home to a two-family home.

1. 73 Proctor Street is owned by Joseph and Valquirla Jourdan
2. The petitioner was Joseph and Valquirla Jourdan
3. The representative was Architect David Jaquith.
4. 73 Proctor Street is located in the R2 zoning district. (Map 25, Lot 3).
5. On August 16, 2023, David Jaquith presented the plans to the board.
6. All proposed construction will be done within the house. There is no proposed construction to the exterior of the house except that they will be adding a second means of egress for the proposed unit.
7. Mr. Jaquith reviewed the site plan.
8. The petitioner will be adding two parking spaces to the rear of the property to accommodate for the required parking.

9. Mr. Jaquith reviewed the floor plan for the property. The home will be divided so that the additional apartment will be approximately six hundred fifty square feet with one bedroom.
10. Mr. Jaquith expressed that he felt the Board of Appeals should approve the petition because it will be adding new housing for the city.
11. Mr. Jaquith reviewed the criteria for a special permit.
12. Chair Copelas commented that he felt that the house was deceptively large and had more than enough space to accommodate the new unit.
13. Chair Copelas opened the meeting to comments from the board.
14. There were none.
15. Chair Copelas opened the meeting up to public comment.
16. There were none.
17. Rosa Ordaz made a motion to approve the petition.

On the basis of the above statements of fact and findings, the Salem Board of Appeals voted five (5) in favor (Peter A. Copelas(Chair), Nina Vyden, Carlie McClain, Rosa Ordaz, Hannah Osthoff and Paul Viccica and none (0) opposed to grant JOSEPH AND VALQUIRLA JOURDAN at 73 PROCTOR STREET a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-family Structures* of the Salem Zoning Ordinance to convert a single-family home to a two-family home. The proposed new unit will be a one-bedroom unit.

**Receiving five (5) in favor votes, the petition for a Special Permit is GRANTED.**

**Standard Conditions:**

1. 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 the new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy is to be obtained.
7. Unless this Decision expressly provides otherwise, any zoning relief granted does not empower or authorize the Petitioner to demolish or reconstruct the structure(s) located on the subject property to an extent of more than fifty percent (50%) of its floor area or more than fifty percent (50%) of its replacement cost at the time of destruction.

If the structure is demolished by any means to an extent of more than fifty percent (50%) of its replacement cost or more than fifty percent (50%) of its floor area at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the Ordinance.

8. All construction shall be done per the plans and dimensions submitted to and approved by this Board. Any modification to the plans and dimensions must be approved by the Board of Appeals unless such changes are deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

9. Petitioner shall schedule Assessing Department inspections of the property, at least annually, prior to project completion and a final inspection upon project completion.

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Peter A. Copelas/ 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.

