

CAPE COD ENGINEERING, INC.

Robert M. Perry, P.E.

P.O. Box 1517

East Dennis, MA 02641

Tel 508-385-1445 / Fax 508-385-1446

bobperry@capecod.net

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**Re: 42 DAVENPORT ROAD, WEST DENNIS, MA; ASSESSORS' MAP 26, PARCEL 25
PROJECT: RAZE AND REPLACE EXISTING SINGLE-FAMILY DWELLING.**

**MEMORANDUM CONCERNING SPECIAL PERMIT APPLICATION UNDER
SECTION 2.4.1.2.**

The design was intended to maintain the approximate existing footprint of the house, add a front porch, reduce the dimensional nonconformity and add a second floor maintaining current building bedroom capacity of 3 bedrooms.

EXISTING DWELLING CONDITIONS

1. The house structure, according to the Assessors records, was constructed in 1957 with modifications over the ensuing years.
2. Zoning District: R 40
3. The residential use is a permitted use under Section 2.2.2. in the zoning district.
4. The lot, created in 1956 has been a residential use lot since the house construction date.
5. Access route is an unrestricted, paved street. The street is adequate and supports the neighborhood traffic.
6. The lot has 100 ft. of frontage and 100 ft. of lot width.
7. The lot area is nonconforming: The lot is less than 40,000 s.f. but was created prior to such lot size requirements. The lot has a total of 10,473 s.f. all of it upland area.
8. The lot is not in a flood hazard area as mapped by FEMA
9. The existing building is nonconforming by building coverage at 15.8%
10. The existing building structure is non-conforming by yard setback dimensions on the right side only with a setback of 14.7 ft.
11. Exist. building height is 17.1 ft.
12. Currently a 3-bedroom residential use and is proposed to remain as such

PROPOSED DWELLING-

Building plan reference: "PROPOSED ADDITION / RENOVATION – 42 DAVENPORT RD. WEST DENNIS, MA DATED 12/05/25 – NAZEIH HAMMOURI. PE 47 MANSFIELD STREET, EVERETT, MA

13. The proposed building coverage is 19.4%
14. The proposed right and left side yard setbacks are: Right – 15.4 ft. & Left - 15.4 ft.
15. The proposed front and rear setbacks are: Front – 26.3 ft. (front porch steps = 25.0 ft.); Rear – 39.5 ft.
16. With setbacks met there is 0 proposed N/C floor area
17. Floor Area Ratio (FAR) - With the dwelling remaining above 15% building coverage the FAR must be less than 30%; FAR = 27.7 (net); 29% (gross)

18. Proposed building height is 28.7 ft.
19. Site utilities, electric, cable / telephone, municipal water service are in place, and shall be upgraded as necessary.
20. Traffic pattern on the street remains unchanged.
21. The proposed bedroom count is 3 bedrooms. Septic system was replaced in 2015.
22. The project eliminates the dimensional nonconformity on the right side and will bring the residential use into compliance with current building codes.
23. **GENERAL SPECIAL PERMIT CRITERIA OUTLINE BASED ON THE ABOVE INFORMATION**

- a. The use is allowed by special permit in the districts in which proposed, pursuant to §2.2.2 - Use Regulations Schedule; **Residential is a permitted use in the district.**
- b. Suitability of the site for the proposed use considering the applicable district intent. **Currently a long existing home in a well-established neighborhood**
- c. Adequacy of management of traffic flow within the site as well as in relation to adjoining streets and properties, to minimize unsafe or harmful impacts of the use; **The driveway shall remain as is.**
- d. Compatibility of the proposed use with surrounding land uses, to minimize harmful impact or conflict with existing desirable neighborhood character, including views, vistas, and other aesthetic values; **The new home eliminates the dimensional nonconformity.**
- e. Adequacy of provision of utilities and other necessary or desirable public services; **All common utilities exist and will be upgraded.**
- f. Adequacy of control of artificial light, noise, litter, odor or other sources of nuisance or inconvenience to adjoining properties, public ways, and neighborhoods; **Construction can be conditioned consistent with the Board's practice. Construction activity will be typical and will not cause for a nuisance, noise, or congestion. Long term there is no significant change or effect to the neighborhood character.**
- g. Adequacy of protection from degradation and alteration of the natural environment, including but not limited to slopes and other topographical features, vegetation, wetlands, groundwater and water bodies and wildlife habitat. **The currently stable, level site topography shall remain as it is. Runoff potential is low with such a level, grassed site and is reduced by roof drain containment on the street side.**
- h. **Several favorable factors may be considered for the finding that the proposed change / alteration of the pre-existing nonconforming single family dwelling will not be substantially more detrimental to the neighborhood.**
 - **Several dwelling alterations / replacements in the general area are of similar scope and scale or larger; A comparison finds this proposal consistent with similar SP approvals.**
 - **The dwelling very closely maintains the location of the existing dwelling and the most significant source of the footprint increase is represented by the proposed front porch roof involving a front – to – back width increase, not side – to – side, if the porch was a deck, it would not affect the coverage;**
 - **No *categorical* finding can be made of substantially more detrimental because there is no nonconforming floor area nor is there a proposed increase in nonconforming floor area, and...**
 - **The FAR remains below 30 %;**
 - **Proposed building height is approximately 8 ft. (22 %) below the max. permitted.**

