



TOWN SEAL
tel: 781-631-1529

fax: 781-631-2617

Revision Date: 12-02-20

Town of Marblehead **ZONING BOARD OF APPEALS**

Mary A. Alley Municipal Building
7 Widger Road, Marblehead, MA 01945

ZBA APPLICATION

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Town Clerk

Project Address 38 ORCHARD STREET
Assessor Map(s) 90 Parcel Number(s) 29

OWNER INFORMATION

Signature [Signature] date 8/7/23

Name (printed) TYLER GILL

Address 38 ORCHARD ST MARBLEHEAD MA 01945

Phone Numbers: home 617 680 6731 work 617 680 6731

E-mail gilltcg@gmail.com fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature [Signature] date 6/12/23

Name (printed) ANTHONY ROOSSIER, RA, LEED AP

Address 1 COPPER BEECH LANE, NAHANT, MA 01908

Phone Numbers: home 617-233-9991 work _____

E-mail tony@roossienarchitects.com fax _____

PROJECT DESCRIPTION & RELIEF REQUESTED (attach additional page if necessary)

THIS PROJECT CONSISTS OF THE REMOVAL OF A 2-STORY GARAGE WING AT THE REAR OF THE STRUCTURE AND THE CONSTRUCTION OF A NEW 2-STORY FAMILY ROOM/BEDROOM WING AT THE REAR OF THE STRUCTURE. THE PROPERTY DOES NOT HAVE THE REQUIRED LOT AREA, LOT WIDTH, OF FRONTAGE AND ALSO HAS LESS THAN THE REQUIRED SIDE YARD SETBACK. NEW WORK EXCEEDS 10%

- Please schedule a Zoning / Application review with the Building Department by calling 781-631-2220.
- Obtain the Town Clerk's stamp and submit 12 copies of each of the following to the Town Engineer's Office:
 - the signed and stamped application (3 pages);
 - current survey plan (not older than 90 days) as prepared by a Registered Professional Land Surveyor;
 - the project design plans as required;
 - check for the applicable fee payable to the Town of Marblehead.
- Any relevant permit(s) that were previously issued must be available for review by the Board of Appeals at the scheduled hearing. (Section 3(D), Board of Zoning Appeals Rules & Regulations).

REQUIRED SIGNATURES

1. Building Commissioner (pages 1, 2 and 3) _____

2. Town Clerk's stamp (upper right corner) _____

[Signature]
7/14/23

Reviewed by
Building Department
For Zoning Board
Of Appeals

View Bylaws - (Chapter 200, Zoning) - online at: www.marblehead.org/

Town of Marblehead
ZBA-APPLICATION

Revision Date: 12-02-2020

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Project Address 38 ORCHARD STREET Map(s) / Parcel(s) 90/29

ZONING DISTRICT (circle all that apply)

B B1 BR CR SCR ECR GR SGR (SR) SSR ESR SESR HBR U SU

CURRENT USE (explain) SINGLE FAMILY

CURRENT USE CONFORMS TO ZONING (Article IV, Table 1)

Yes X No _____ (explain) _____

PROPOSED CHANGE OF USE

No X Yes _____ (explain) _____

PROPOSED CONSTRUCTION QUALIFIES AS "Building New" (§200-7) Yes _____ No X

EXISTING DIMENSIONAL NON-CONFORMITIES (check all that apply)

- X Lot Area - Less than required (§200-7 and Table 2)
X Lot Width - Less than required (§200-7)
X Frontage - Less than required (§200-7 and Table 2)
_____ Front Yard Setback - Less than required (Table 2)
_____ Rear Yard Setback - Less than required (Table 2)
X Side Yard Setback - Less than required (Table 2)
_____ Height - Exceeds maximum allowed (§200-7 and Table 2)
_____ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)
_____ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)
_____ Other Non-conformities (explain) _____
_____ No Existing Dimensional Non-conformities

NEW DIMENSIONAL NON-CONFORMITIES (check all that apply)

- _____ Lot Area - Less than required (§200-7 and Table 2)
_____ Lot Width - Less than required (§200-7)
_____ Frontage - Less than required (§200-7 and Table 2)
_____ Front Yard Setback - Less than required (Table 2)
_____ Rear Yard Setback - Less than required (Table 2)
_____ Side Yard Setback - Less than required (Table 2)
_____ Height - Exceeds maximum allowed (§200-7 and Table 2)
_____ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)
_____ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)
X Exceeds 10% Expansion Limits for Non-conforming Building (§200-30.D)
_____ Other Non-conformities (explain) _____
_____ No New Dimensional Non-conformities

ADDITIONAL HEARINGS REQUIRED

Conservation Commission	Yes _____	No <u>X</u>
Historic District Commission	Yes _____	No <u>X</u>
Planning Board	Yes _____	No <u>X</u>

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DESIGN & SURVEY PLANS MEET -ZBA- RULES & REGULATIONS (Sections 3(A) and 3(C))

Yes ✓ No _____ (explain) _____

Building Official [Signature] Date 7-14-23

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Project Address 38 ORCHARD ST Map(s) / Parcel(s) 90/29

NET OPEN AREA (NOA)

Lot area = A

Area of features

footprint of accessory building(s)

footprint of building

footprint of deck(s), porch(es), step(s), bulkhead(s)

number of required parking spaces 2 x (9' x 18' per space)

area of pond(s), or tidal area(s) below MHW

other areas (explain) _____

Sum of features = B

Net Open Area (NOA) = (A - B)

EXISTING

PROPOSED

8327

8327

48

0

1068

1238

12

53

324

324

0

0

0

0

1452

1615

6875

6712

GROSS FLOOR AREA (GFA)

accessory structure(s)

basement or cellar (area >5' in height)

1st floor (12' or less in height) NOTE: [for heights exceeding

2nd floor (12' or less in height) 12' see definition

3rd floor (12' or less in height) of STORY §200-7]

4th floor (12' or less in height)

attic (area >5' in height)

area under deck (if >5' in height)

roofed porch(es)

Gross Floor Area (GFA) = sum of the above areas

48

0

660

1128

1068

1238

973

1110

0

0

0

0

279

279

0

0

0

0

3028

3755

Proposed total change in GFA = (proposed GFA - existing GFA) = 727

Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100 = 24.0 %

Existing Open Area Ratio = (existing NOA ÷ existing GFA) = 2.27

Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA) = 1.79

This worksheet applies 1. plan by/dated N° SHORE SURVEY JUNE 14, 2023
 to the following plan(s): 2. plan by/dated ANTHONY ROUSSEIN ARCH. 6-12-23
 3. plan by/dated PATRIOT PROPERTIES - WEB SITE

Building Official [Signature] Date 7-14-2023

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