



TOWN SEAL
tel: 781-631-1529
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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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Project Address 7 Buena Vista Road Marblehead, MA 01945

Assessor Map(s) 105 **Parcel Number(s)** 57

OWNER INFORMATION

Signature _____ **date** _____

Name (printed) Kenneth J. Adam & Julia A. Adam, Trustees of the Adam Family Realty Trust

Address 7 Buena Vista Road Marblehead, MA 01945

Phone Numbers: home _____ **work** see contact info below

E-mail _____ **fax** _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature _____ **date** 4/12/2023

Name (printed) Matthew Wolverton, Law Offices of Lausier & Lausier, LLC

Address 2 Hooper Street Marblehead, MA 01945

Phone Numbers: home _____ **work** 781 631 8830 x3

E-mail matt@lausierlaw.com **fax** 781 631 8840

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

SEE ATTACHED DESCRIPTION

- 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)  4/12/23
2. Town Clerk's stamp (upper right corner)

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

Town of Marblehead
ZBA-APPLICATION

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Project Address 7 Buena Vista Road **Map(s) / Parcel(s)** 105/57

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 Residence

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** _____

EXISTING 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)
X **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)
_____ **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 <u>X</u> _____	No _____

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

Yes ✓ **No** _____ (explain) _____

Building Official  **Date** 4/12/23

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Project Address 7 Buena Vista Road Map(s) / Parcel(s) 105/57

NET OPEN AREA (NOA)

	<u>EXISTING</u>	<u>PROPOSED</u>
Lot area = A	<u>10498</u>	<u>10498</u>
Area of features		
footprint of accessory building(s)	<u>887</u>	<u>0</u>
footprint of building	<u>1298</u>	<u>3113</u>
footprint of deck(s), porch(es), step(s), bulkhead(s)	<u>281</u>	<u>281</u>
number of required parking spaces <u>2</u> x (9' x 18' per space)	<u>324</u>	<u>324</u>
area of pond(s), or tidal area(s) below MHW	<u>0</u>	<u>0</u>
other areas (explain) _____	<u>0</u>	<u>0</u>
Sum of features = B	<u>2790</u>	<u>3718</u>
Net Open Area (NOA) = (A - B)	<u>7708</u>	<u>6780</u>

GROSS FLOOR AREA (GFA)

accessory structure(s)	<u>1705</u>	<u>0</u>
basement or cellar (area >5' in height)	<u>909</u>	<u>1038</u>
1st floor (12' or less in height) NOTE: [for heights exceeding	<u>1298</u>	<u>3072</u>
2nd floor (12' or less in height) 12' see definition	<u>825</u>	<u>1643</u>
3rd floor (12' or less in height) of STORY §200-7]	<u>0</u>	<u>0</u>
4th floor (12' or less in height)	<u>0</u>	<u>0</u>
attic (area >5' in height)	<u>0</u>	<u>0</u>
area under deck (if >5' in height)	<u>0</u>	<u>0</u>
roofed porch(es)	<u>0</u>	<u>28</u>
Gross Floor Area (GFA) = sum of the above areas	<u>4737</u>	<u>5781</u>


Proposed total change in GFA = (proposed GFA - existing GFA) = 1044

Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100 = 22.04 %

Existing Open Area Ratio = (existing NOA ÷ existing GFA) = 1.63

Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA) = 1.17

This worksheet applies 1. plan by/dated North Shore Survey February 9, 2023
to the following plan(s): 2. plan by/dated Bosworth Architects LLC October 25, 2022
3. plan by/dated _____

Building Official  Date 4/12/23

PROJECT DESCRIPTION & RELIEF REQUESTED

7 Buena Vista Road, Marblehead, MA 01945
Kenneth J. Adam & Julia A. Adam, Trustees
Adam Family Realty Trust

The Applicant requests that the Zoning Board of Appeals issue a Special Permit under the Zoning By-Laws allowing the construction of an addition to a pre-existing non-conforming single-family dwelling having less than required Front Yard Setback, located at **7 BUENA VISTA ROAD** in a **SINGLE RESIDENCE DISTRICT**. The proposed addition to the dwelling includes modifications to an existing landing/front porch located within the Front Yard Setback and will increase the Gross Floor Area by more than the allowed ten (10%) percent for a preexisting nonconforming building, but will otherwise conform to all other Dimensional Regulations.