



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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2022 APR -7 PM 2: 33

Town Clerk

Project Address 260 Ocean Avenue

Assessor Map(s) 904 Parcel Number(s) 1

### **OWNER INFORMATION**

Signature \_\_\_\_\_ date \_\_\_\_\_

Name (printed) Stephen Salemi

Address 260 Ocean Avenue, Marblehead, MA

Phone Numbers: home 617-899-5017 work \_\_\_\_\_

E-mail \_\_\_\_\_ fax \_\_\_\_\_

### **APPLICANT or REPRESENTATIVE INFORMATION** (if different from owner)

Signature \_\_\_\_\_ date 4-6-22

Name (printed) Stephen Salemi

Address c/o Paul M. Lynch, Esq., Zero Spring Street, Marblehead, MA 01945

Phone Numbers: home \_\_\_\_\_ work 781-631-7808

E-mail lynch@marbleheadlaw.com fax \_\_\_\_\_

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

Special Permit to construct an addition to an existing single family dwelling on a lot with less than the required lot area, exceeds the allowed height, less than the required side yard setback

The addition will exceed the allowed 10% increase for a nonconforming structure. A prior Special Permit requires a new Special Permit.

- 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)

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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

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Revision Date: 12-02-2020

Project Address 260 Ocean Avenue

Map(s) / Parcel(s) 904/1

**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 Dwelling

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

Yes ☒ No ☐ (explain) \_\_\_\_\_

**PROPOSED CHANGE OF USE**

No ☒ 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)  
☐ 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)  
☒ 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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Historic District Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Planning Board	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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Of Appeals

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

Yes ☒ No ☐ (explain) HAYES ENGINEERING SURVEY PLAN NOT TO SCALE PSI.

Building Official [Signature]

Date 4-6-2022

**Town of Marblehead**  
**ZBA-APPLICATION**  
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Revision Date: 12-02-2020

Project Address 260 Ocean Avenue

Map(s) / Parcel(s) 904/1

**NET OPEN AREA (NOA)**

Lot area = A

**EXISTING**

**PROPOSED**

23,153

23,153

Area of features

footprint of accessory building(s)

0

0

footprint of building

3,626

3,626

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

1,651

1,651

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

324

324

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

0

0

other areas (explain) \_\_\_\_\_

0

0

Sum of features = B

5,601

5,601

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

17,552

17,552

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

0

0

basement or cellar (area >5' in height)

0

0

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

3,626

3,626

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

2,713

3,358

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

856

1,787

4th floor (12' or less in height)

0

0

attic (area >5' in height)

0

0

area under deck (if >5' in height)

0

0

roofed porch(es)

1,151

1,091

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

8,346

9,862

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

= 1,516

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

= 18.16

%

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

= 1:2.10

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

= 1:1.78

This worksheet applies 1. plan by/dated Tucker Architecture & Landscape 3/10/2022

to the following plan(s): 2. plan by/dated Hayes Engineering, Inc. 2/3/17/2022

3. plan by/dated

Building Official

Date 4-6-22