



TOWN SEAL  
tel: 781-631-1529

**Town of Marblehead**  
**ZONING BOARD OF APPEALS**  
Mary A. Alley Municipal Building  
7 Widger Road, Marblehead, MA 01945

fax: 781-631-2617

Revision Date: 12-02-20

**ZBA APPLICATION**

PAGE 1 of 3

Town Clerk

Project Address 41 Devereux Street

Assessor Map(s) 69 Parcel Number(s) 4

**OWNER INFORMATION**

Signature [Signature] date 7/29/21

Name (printed) Holly and Jason Matulewicz

Address 41 Devereux Street

Phone Numbers: home 617-861-7863 work

E-mail hollyharrison@hotmail.com fax

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

Signature [Signature] date 7/29/21

Name (printed) Brian Stein - BDS Design, Inc

Address 254 Bay Road, Hamilton, MA 01982

Phone Numbers: home  work 978-530-4705

E-mail brian@bdsdesigninc.com fax

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

Add new 12x19.4' deck on rear of home that will encroach 8.3' into rear setback

Existing lot is non-conforming in lot area, frontage, front, rear and side yard setbacks, with undersized parking area. The existing shed is in the side and rear yard setbacks

- 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;
- 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] 8/2/21

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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

Project Address 41 Devereux Street Map(s) / Parcel(s) 69/4**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 Residential**CURRENT USE CONFORMS TO ZONING** (Article IV, Table 1)Yes ☒ No ☐ (explain) \_\_\_\_\_**PROPOSED CHANGE OF USE**No ☒ Yes ☐ (explain) \_\_\_\_\_**PROPOSED CONSTRUCTION QUALITIES 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) SHED IN SIDE & REAR SETBACK
- ☐ No Existing Dimensional Non-conformities

**NEW DIMENSIONAL NON-CONFORMITIES** (check all that apply)

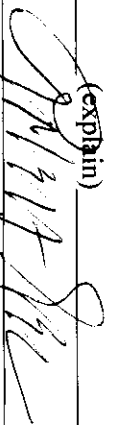
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- ☐ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)
- ☐ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)
- ☐ Exceeds 10% Expansion Limits for Non-conforming Building (§200-30.D)
- ☐ Other Non-conformities (explain) \_\_\_\_\_
- ☐ No New Dimensional Non-conformities

**ADDITIONAL HEARINGS REQUIRED**

Conservation Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Reviewed by Building Department For Zoning Board Of Appeals
Historic District Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Planning Board	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

**DESIGN & SURVEY PLANS MEET-ZBA-RULES & REGULATIONS** (Sections 3(A) and 3(C))Yes ☒ No ☐ (explain) \_\_\_\_\_

Building Official

Date 7-30-2024

Project Address 41 Devereux Street Map(s) / Parcel(s) 69/4

**NET OPEN AREA (NOA)**

**EXISTING**

**PROPOSED**

Lot area = A

5,800 SF

5,800 SF

**Area of features**

footprint of accessory building(s)

342 SF

342 SF

footprint of building

871 SF

871 SF

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

194 SF

443 SF

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

324 SF

324 SF

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

-

-

other areas (explain)

1,749 SF

1,980 SF

Sum of features = B

4,051 SF

3,820 SF

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

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

342 SF

342 SF

basement or cellar (area > 5' in height)

871 SF

871 SF

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

871 SF

871 SF

2nd floor (12' or less in height)

12' see definition

832 SF

832 SF

3rd floor (12' or less in height)

of STORY §200-71

-

-

4th floor (12' or less in height)

154 SF

154 SF

attic (area > 5' in height)

154 SF

154 SF

area under deck (if > 5' in height)

126 SF

126 SF

roofed porch(es)

3,196 SF

3,196 SF

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

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

= 0 SF

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

= 0 %

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

= 1.27

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

= 1.20

This worksheet applies 1. plan by/dated JAROSZ LAND SURVEY 7-28-21  
to the following plan(s): 2. plan by/dated BOS DESIGN INC 7-30-21

3. plan by/dated

Building Official

*[Signature]*

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

Date

8-2-2021

PLAN OF LAND  
IN  
MARBLEHEAD, MASS.

SCALE: 1" = 10'  
DATE: JULY 28, 2021



SHOWING PROPOSED ADDITION  
#41 DEVEREUX STREET  
See Board of appeals Case #

OWNERS: Holly & Jason MATULEWICZ  
Parcel I.D. 69 4 0  
ZONE: SR  
Deed Reference  
Bk. 31752 Pg. 142  
Southern Essex  
Registry of Deeds

DIMENSIONAL REGULATIONS:

ONE-FAMILY DWELLING  
LOT AREA = 10,000 S.F.

AREA CALCULATIONS:

HOUSE = 1,065 S.F.  
GARAGE = 300 S.F.  
SHED = 50 S.F.

PROPOSED:

DECK,  
STAIRS  
ADDITION = 300 S.F.

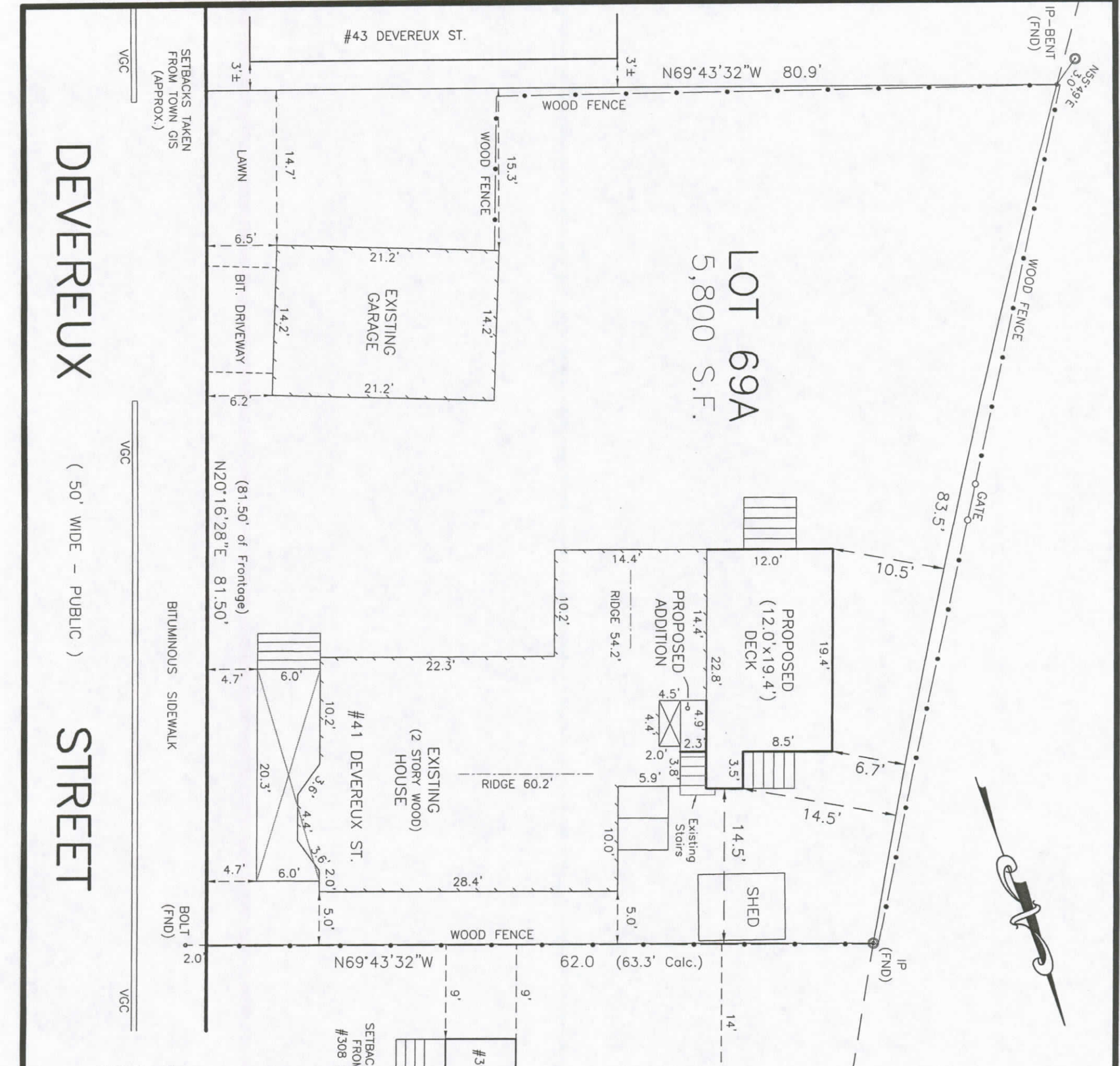
1,715 S.F.

(5,800-1,715) = 4,085 S.F.  
4,085/5,800 x 100 = 70.4± %  
OPEN AREA = 70.4± %

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SETBACKS:  
FRONT = 20 FEET  
SIDES = 15 FEET  
REAR = 15 FEET

JAROSZ LAND SURVEYING  
3 MILL STREET  
MANCHESTER, MA. 01944  
jj1717@comcast.net  
Phone: (781)-710-8484  
JAROSZLANDSURVEYOR.COM



DEVEREUX

STREET

( 50' WIDE - PUBLIC )

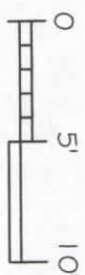
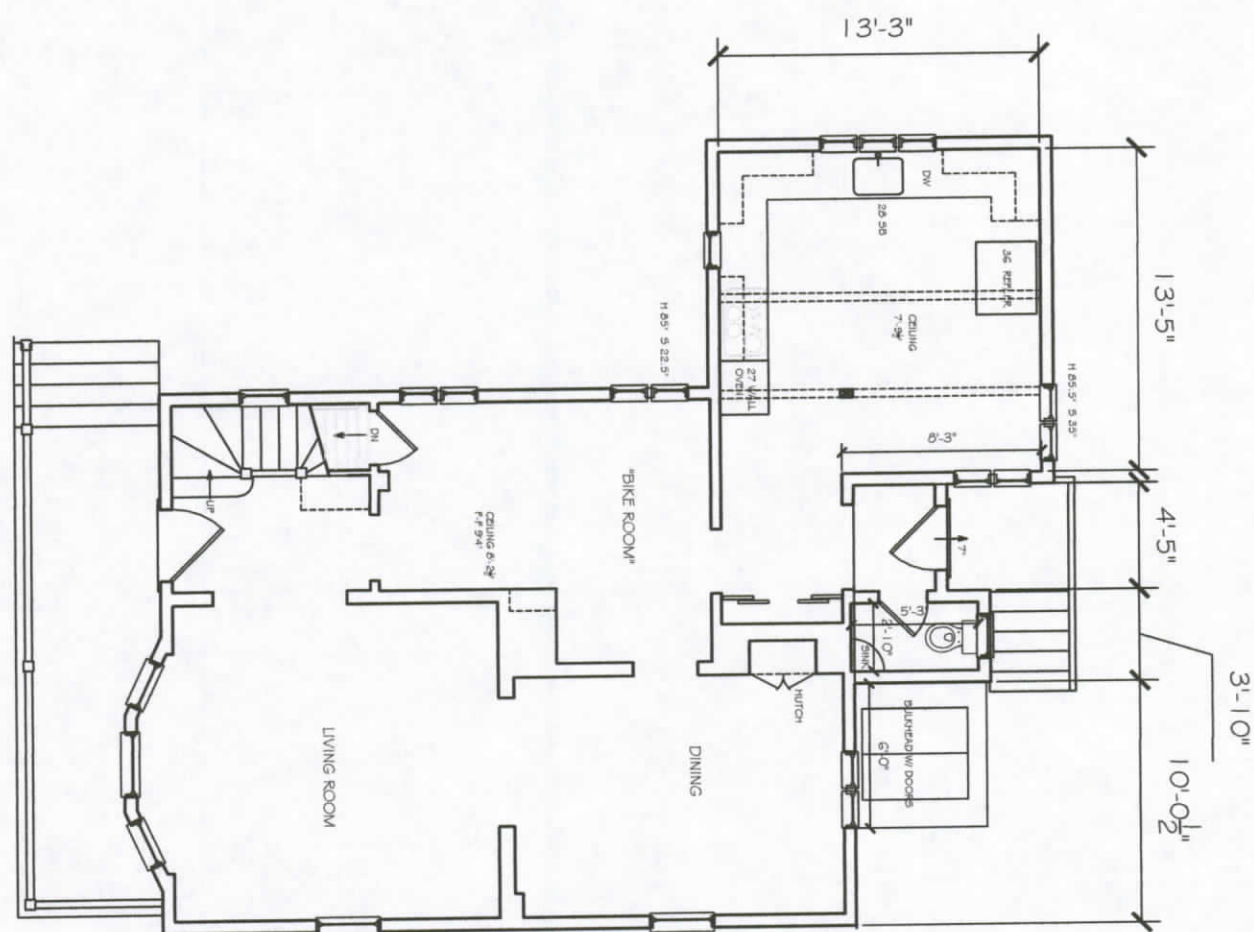
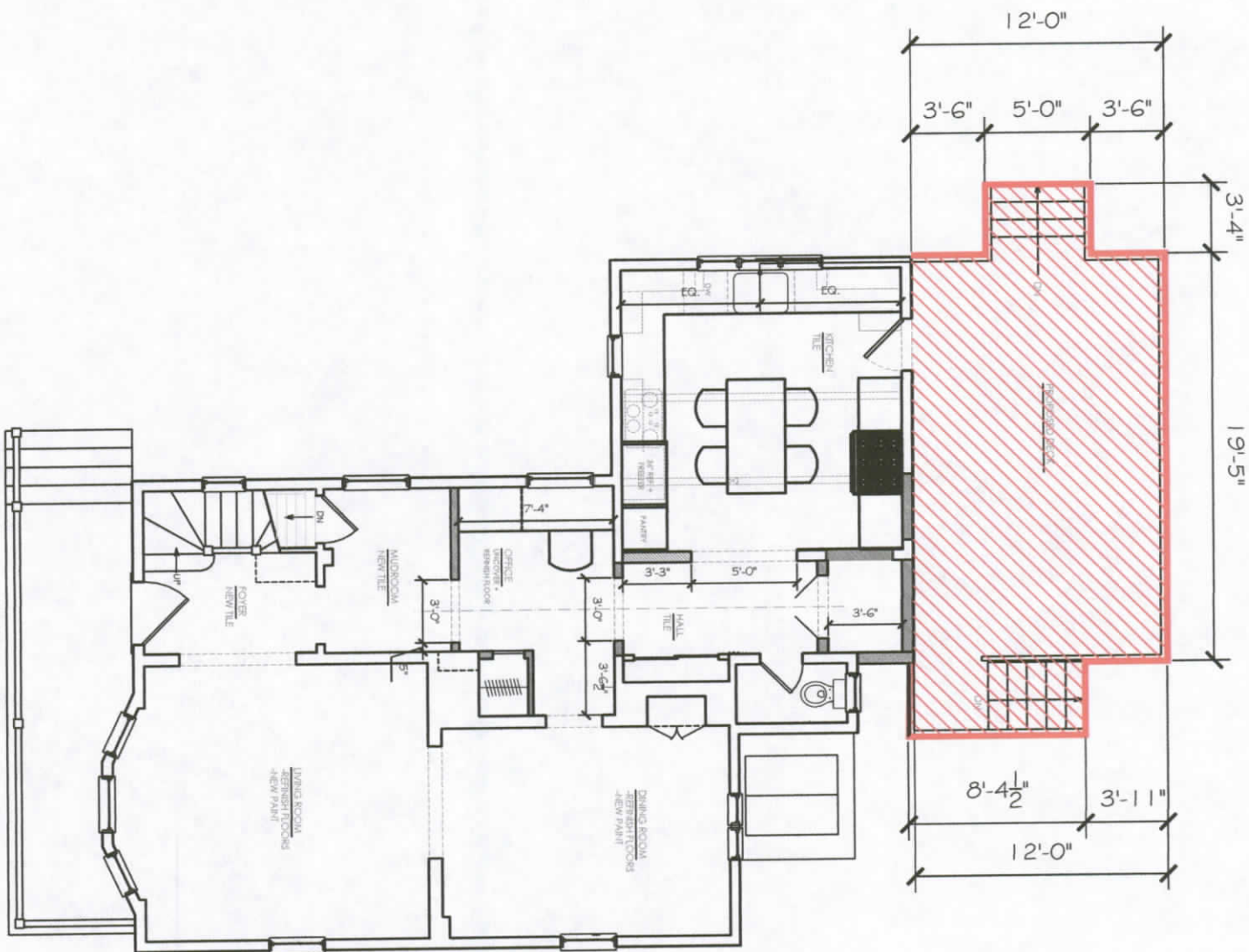
SETBACKS TAKEN  
FROM TOWN GIS  
(APPROX.)

VGC

VGC

VGC





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PROJECT  
NORTH

ZBA - 7/30/2021

EXISTING AND  
PROPOSED FIRST  
FLOOR PLANS

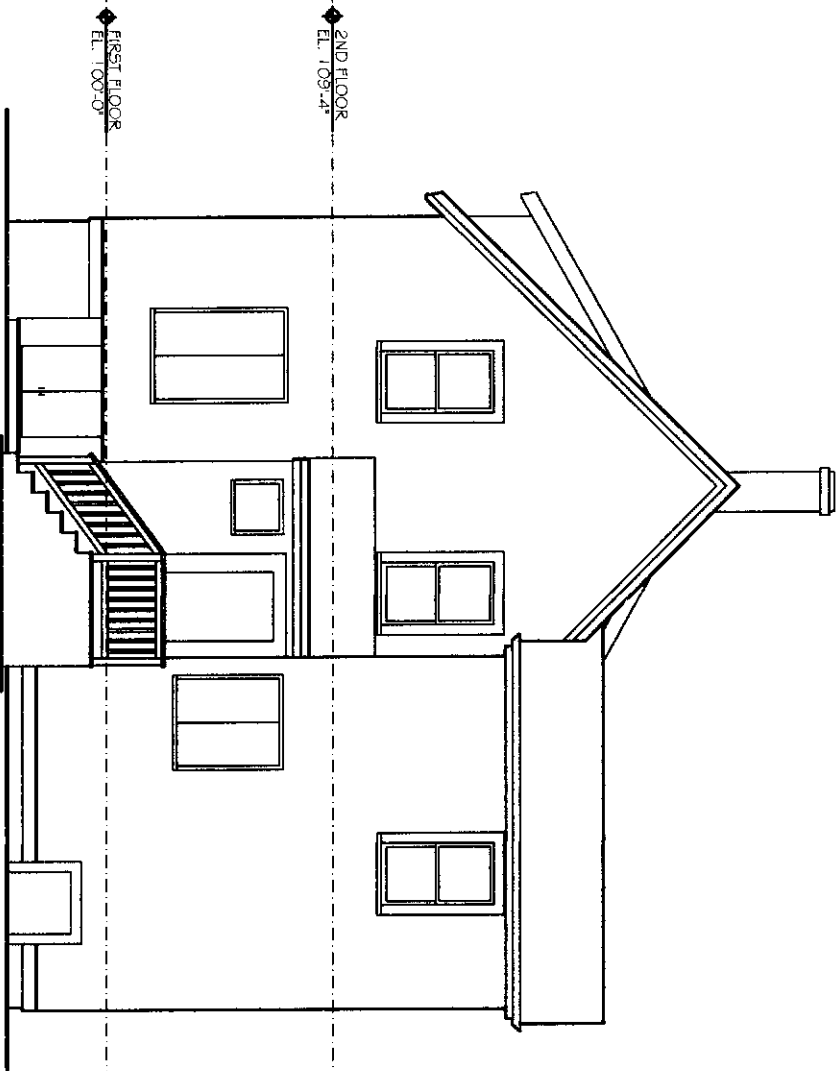
REV.

**MATULEWICZ  
RESIDENCE**  
41 DEVEREUX STREET, MARBLEHEAD, MA

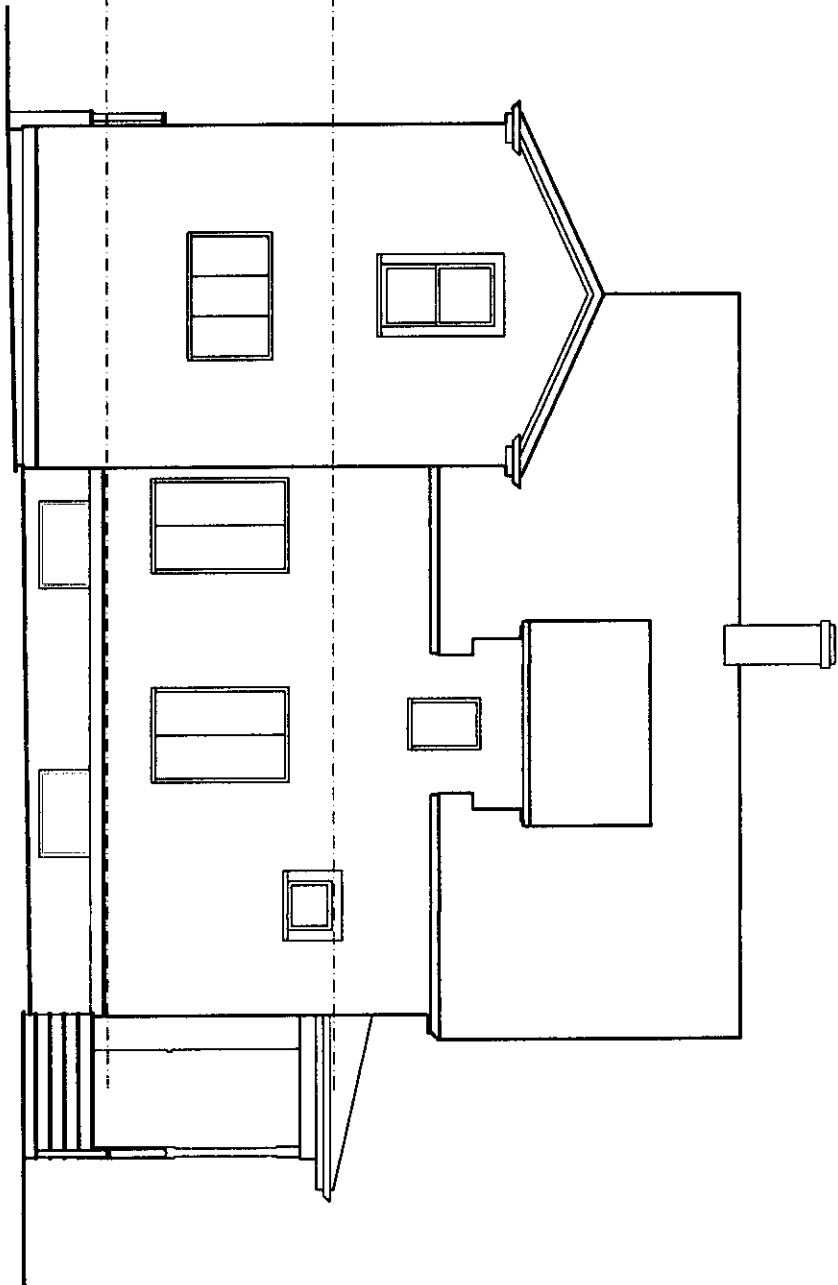
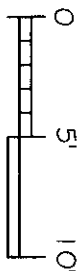
**bds design inc**  
254 bay road  
hamilton, ma 01982  
p 978.530.4705  
www.bdsdesigninc.com

SCALE: 1/8" = 1'-0"  
JOB NO.  
FILE  
DRAWN  
CHECKED  
SHEET NO.

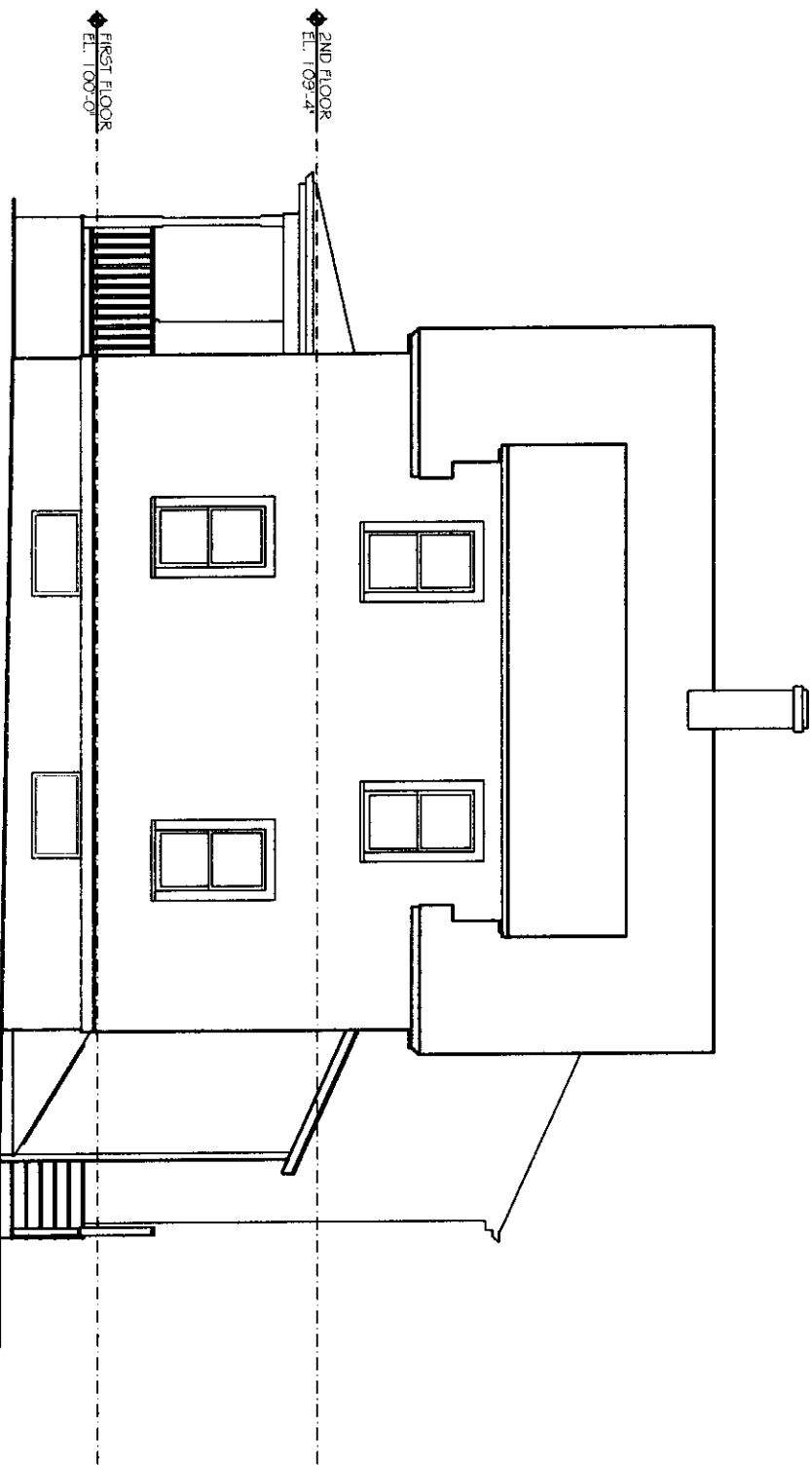
**A1**



**A** EX. WEST ELEVATION  
SCALE: 1/8" = 1'-0"



**B** EX. SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



**C** EX. NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

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REV.

ZBA - 7/30/2021  
EXISTING ELEVATIONS

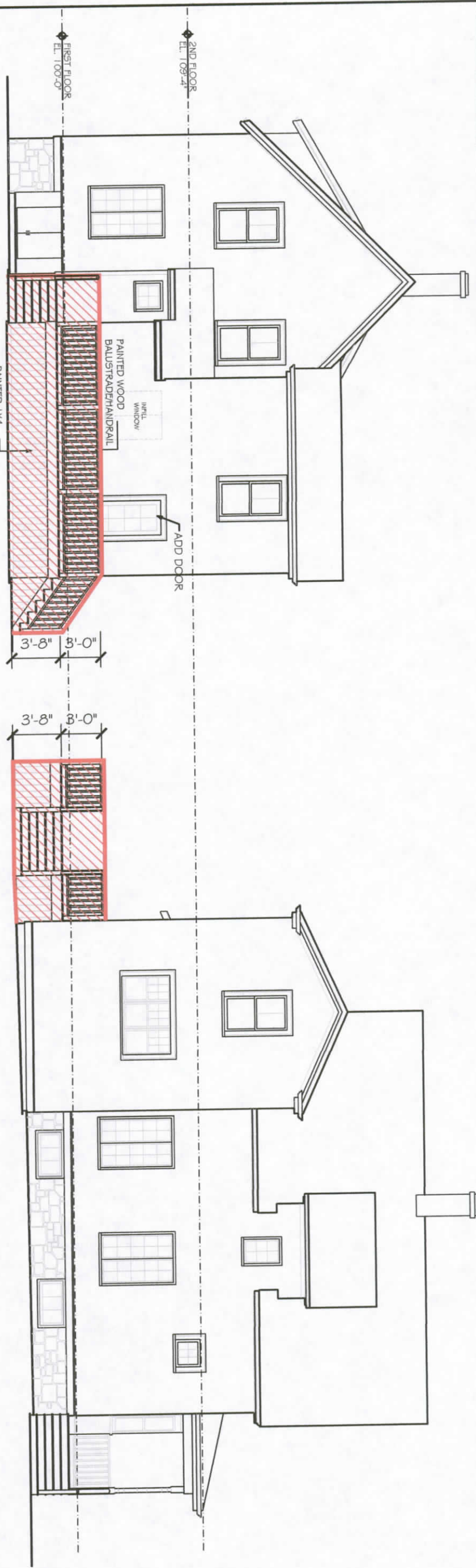
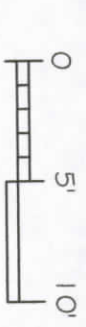
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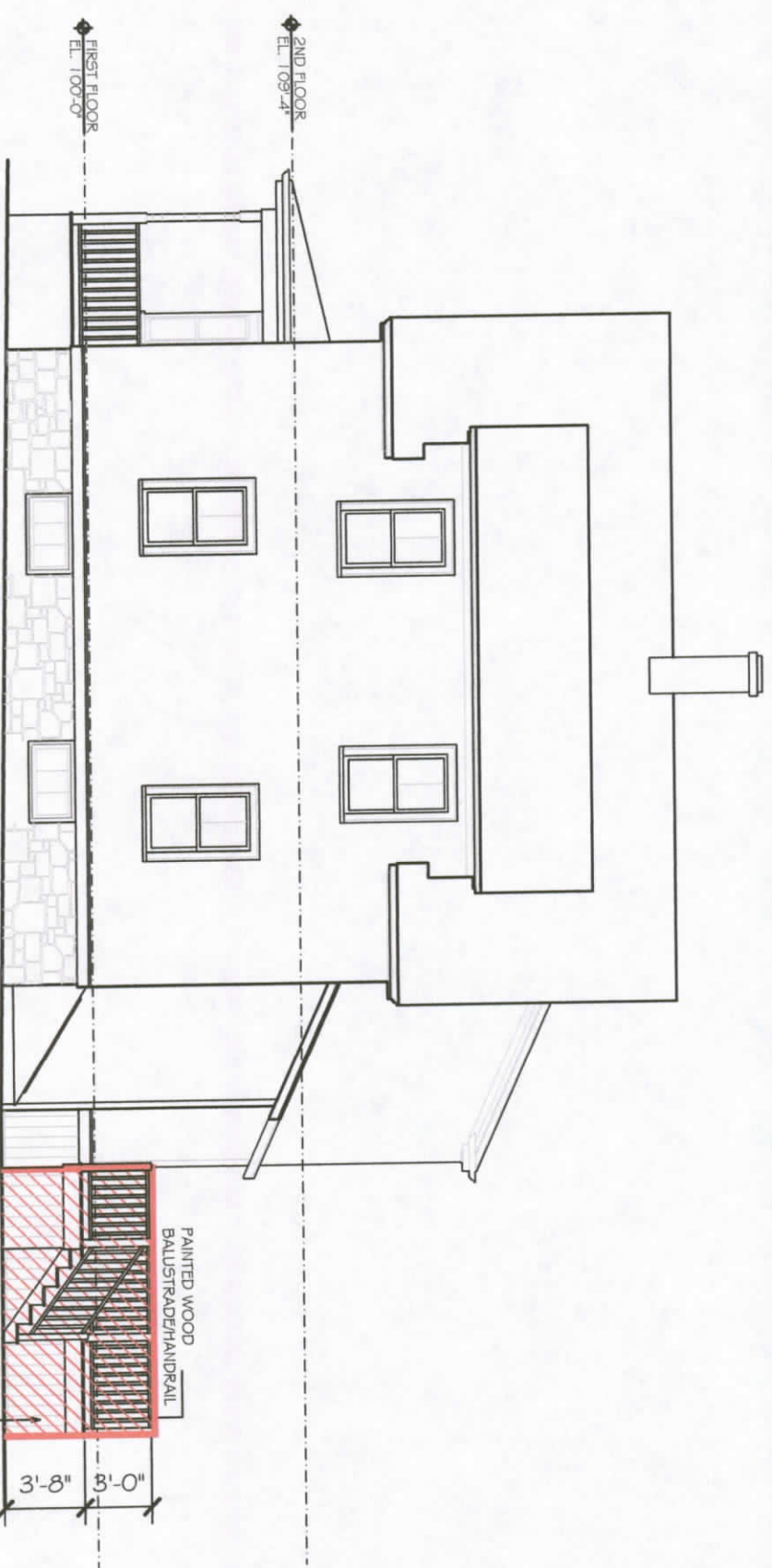
SCALE: 1/8"=1'-0"
JOB NO.
FILE
DRAWN
CHECKED
SHEET NO.



**A** WEST ELEVATION  
SCALE: 1/8" = 1'-0"



**B** SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



**C** NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

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**MATULEWICZ  
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41 DEVEREUX STREET, MARBLEHEAD, MA

ZBA - 7/30/2021  
PROPOSED  
ELEVATIONS

REV.

SCALE: 1/8" = 1'-0"
JOB NO.
FILE
DRAWN
CHECKED
SHEET NO.

A2