



TOWN SEAL

tel: 781-631-1529

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Revision Date: 12-14-15

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 5 Upland Road

Assessor Map(s) 104 Parcel Number(s) 5

OWNER INFORMATION

Signature _____ date _____

Name (printed) Christopher Feeley

Address 3 Upland Road, Marblehead, MA 01945

Phone Numbers: home 781-696-1784

E-mail c/o lynch@marbleheadlaw.com

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature _____ date 12-17-21

Name (printed) Christopher Feeley

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

Phone Numbers: cell 781-704-8559 work 781-631-7808

E-mail: lynch@marbleheadlaw.com

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

Special Permit to remove the existing nonconforming single family dwelling and construct a new single family dwelling on a lot with less than the required lot area, frontage, front and side yard setbacks and open area in the single residence district.

- 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/

Town of Marblehead
ZBA-APPLICATION
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Revision Date: 12-14-2015

Project Address 5 Upland Road Map(s) 104 / Parcel(s) 5

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 X No _____ (explain) _____

PROPOSED CHANGE OF USE

No X Yes _____ (explain) _____

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

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)
X 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)
X Open Area - Less than required (§200-7, §200-15.B(4) 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)

- 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)
X 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)
X Open Area - Less than required (§200-7, §200-15.B(4) 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 _____	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 X No _____ (explain) Survey Plan Exceeds 90 Days

Building Official _____

Date 12/22/2021

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Revision Date: 12-14-2015

Project Address: 5 Upland Road Map(s) 104/ Parcel(s) 5

NET OPEN AREA (NOA)

	<u>EXISTING</u>	<u>PROPOSED</u>
Lot area = A	3,650	3,650
Area of features		
footprint of accessory building(s)	480	480
footprint of building	980	1,090
footprint of deck(s), porch(es), step(s), bulkhead(s)	449	100
number of required parking spaces <u>2</u> x (9' x 18' per space)	324	324
area of pond(s), or tidal area(s) below MHW	_____	_____
other areas (explain) _____	_____	_____
Sum of features = B	2,233	1,994
Net Open Area (NOA) = (A - B)	1,417	1,656

GROSS FLOOR AREA (GFA)

accessory structure(s)	843	843
basement or cellar (area >5' in height)	624	624
1st floor (12' or less in height) NOTE: [for heights exceeding	980	1,100
2nd floor (12' or less in height) 12' see definition	261	764
3rd floor (12' or less in height) of STORY §200-7]	_____	_____
4th floor (12' or less in height)	_____	_____
attic (area >5' in height)	65	_____
area under deck (if >5' in height)	449	200
roofed porch(es)	_____	_____
Gross Floor Area (GFA) = sum of the above areas	3,222	3,531

Proposed total change in GFA = (proposed GFA - existing GFA) = 299

Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100 = 9%

Existing Open Area Ratio = (existing NOA ÷ existing GFA) = 1:.44

Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA) = 1:.47

This worksheet applies 1. plan by/dated Design Plans by Owner/8/10/2021
 to the following plan(s): 2. plan by/dated D. J. Lynch/08/02/2021

3. plan by/dated _____

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Building Official _____

Date 12/22/2021