



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

PAGE 1 of 3

RECEIVED
MARBLEHEAD
TOWN CLERK

Town Clerk

2022 JAN 19 PM 4:11

Project Address _____ 29 Brown Street, Marblehead, MA 01945

Assessor Map(s) _____ 914 Parcel Number(s) _____ 2A - 0

OWNER INFORMATION

Signature _____ date _____ January 19, 2022

Name (printed) _____ Andrew Baker and Amanda Baker

Address _____ 29 Brown Street, Marblehead, MA 01945

Phone Numbers: home _____ - - work _____ - - See below for contact information

E-mail _____ andrew.s.baker@gmail.com fax _____ - -

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature _____ date _____ January 19, 2022

Name (printed) _____ Robert C. McCann McCann & McCann, P.C.

Address _____ 89 Newbury Street, Suite 302, Danvers, MA 01923

Phone Numbers: home _____ - - work _____ 978-739-8484

E-mail _____ rmccann@mccannlaw.com fax _____ 978-739-8455

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) _____ 1-19-2022

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

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

Reviewed by
Building Department
For Zoning Board
Of Appeals

PROJECT DESCRIPTION & RELIEF REQUESTED

29 Brown Street, Marblehead, MA 01945
Andrew Baker and Amanda Baker

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The Applicants request that the Zoning Board of Appeals issue a Special Permit under the Zoning By-Laws allowing the subdivision of land located at **29 BROWN STREET** in an **EXPANDED SINGLE RESIDENCE DISTRICT** with no structures being modified for the purpose of adjusting the Lot Lines with the property located at 340 Ocean Avenue as shown on the Survey filed herewith entitled "LOT LINE MODIFICATION 29 BROWN ST. / 340 OCEAN AVE.". The property has less than the required Lot Area, Lot Width, and less than the required Side Yard Set Backs. The subdivision will allow for the transfer of land from 29 Brown Street to 340 Ocean Avenue which transfer requires a Special Permit as a result of a reduction of the Land Area and the Open Space Ratio.

Town of Marblehead
ZBA-APPLICATION

Revision Date: 12-02-2020

Page 2 of 3

Project Address 29 Brown Street, Marblehead, MA 01945 Map(s)/Parcel(s) 914/ 2A - 0

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

No construction proposed

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)
- Frontage – Less than required (§200-7 and Table 2)
- Front Yard Setback – less than allowed (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)

- X 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 Nonconforming Building (§200-30.D)
- Other Non-conformities (explain)
- No Existing Dimensional Non-Conformities

ADDITIONAL HEARINGS REQUIRED

Conservation Commission	Yes <u> </u>	No <u>X</u>
Historic District Commission	Yes <u> </u>	No <u>X</u>
Planning Board	Yes <u>X</u>	No <u> </u> If granted, ANR Plan required

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

Yes X No (explain)

Building Official  Date 1-19-2022

Project Address 29 Brown Street, Marblehead, MA 01945 Map(s)/Parcel(s) 914 / 2A - 0**NET OPEN AREA (NOA)****EXISTING****PROPOSED**

Lot area = A

20,88920,617**Area of features**

footprint of accessory building(s)

400400

footprint of building

1,9741,974

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

611611number of required parking spaces 2 x (9'x18' per space)324324

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

00

other areas (explain) _____

00**Sum of features = B**3,3093,309**Net Open Area (NOA) = (A - B)**17,58017,308**GROSS FLOOR AREA (GFA)**

accessory structure(s)

400400

basement or cellar (area >5' in height)

1,3631,363

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

1,6451,645

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

1,5131,513

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

00

4th floor (12' or less in height)

00

attic (area >5' in height)

1,3631,363

area under deck (if >5' in height)

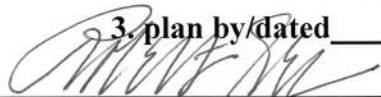
611611

roofed porch(es)

329329**Gross Floor Area (GFA) = sum of the above areas**7,2247,224**Proposed total change in GFA = (proposed GFA - existing GFA)**= 0**Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100**= 0 %**Existing Open Area Ratio = (existing NOA ÷ existing GFA)**= 2.43 : 1.00**Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA)**= 2.39 : 1.00This worksheet applies 1. plan by/dated Hancock Survey Dated 9/3/21 Revised 1/18/22to the following plan(s): 2. plan by/dated No Construction - No Architectural Plans

3. plan by/dated _____

Building Official

Date 1-19-2022Reviewed by
Building Department
For Zoning Board
Of Appeals