

TOWN SEAL tel: 781-631-1529

fax: 781-631-2617

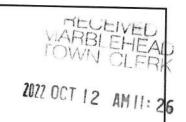
Revision Date: 12-02-20

Town of Marblehead ZONING BOARD OF APPEALS

Mary A. Alley Municipal Building 7 Widger Road, Marblehead, MA 01945

## ZBA APPLICATION

PAGE 1 of 3



Town Clerk

Project Address_	dress 181 Washington Street Marblehead, MA 01945			
Assessor Map(s)	Parcel Number(s) 58-0			
OWNER INFOR	Jack   10-04-2022.			
Name (printed) Andrew Finley and Nancy Manailla				
Address 181 Washington Street Marblehead, MA 01945				
	homework see contact info below			
E-mail	fax			
APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)  Signature date				
Name (printed) Matthew Wolverton Law Offices of Lausier & Lausier, LLC				
Address 2	Hooper Street Marblehead, MA 01945			
	home work 781 631 8830 x3			
E-mail ma	tt@lausierlaw.com			
PROJECT DESCRIPTION & RELIEF REQUESTED (attach additional page if necessary)				
	SEE ATTACHED DESCRIPTION			
	DESCRIPTION Gene Deb Box			
	SEE ATTACHED DESCRIPTION  Reviewed by ment  Planting Department  Cuiton 2 on no pearls  Company			

- 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:
  - o the signed and stamped application (3 pages);
  - o current survey plan (not older than 90 days) as prepared by a Registered Professional Land Surveyor;
  - the project design plans as required;
  - o 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).

REOUIRED SIGNATURES

- 1. Building Commissioner (pages 1, 2 and 3)
- 2. Town Clerk's stamp (upper right corner)

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

## **PROJECT DESCRIPTION & RELIEF REQUESTED**

181 Washington Street, Marblehead, MA 01945 Andrew Finley and Nancy Mantilla

The Applicant requests that the Zoning Board of Appeals issue a Special Permit for use and dimension under the Zoning By-laws pursuant to § 200-31 allowing a change of use of a pre-existing dimensionally nonconforming accessory structure to a single-family residential use on the property located at 181 Washington Street (fronting on Rockaway Street) having less than required Side Yard Setback and exceeding the maximum allowed Height in a CENTRAL RESIDENCE DISTRICT with no external structures being dimensionally modified.

The property previously consisted of one Lot containing a Single Family Dwelling with an Accessory Structure, (hereinafter the "Accessory Building") located thereon. The Applicant submitted a Plan of Land to the Planning Board entitled "PLAN OF LAND, 181 WASHINGTON STREET, Property of Nancy Mantilla Andrew Finley" showing an as of right subdivision with no new or increased nonconformities of the Lot and obtained the endorsement of the Planning Board, with Approval Not Required under the Subdivision Control Law. The Plan has been recorded at the Essex South District Registry of Deeds in Book 41063, Page 4, a copy of which is filed herewith. The properties currently remain under the same ownership. While the property was divided, the current use of each structure on the separate Lots is permitted as a matter of right under § 200-13 A. (Accessory Use on an adjacent Lot) The Applicant now seeks to convert the use of the Accessory Building to Single-Family Residential Use, a conforming use in the Central Residence District. However, because the structure and the proposed change of use is located within the Side Yard Setback adjacent to a single-family dwelling, the Applicant can convert the Accessory Building to a conforming use only by first obtaining a Special Permit from the Zoning Board of Appeals pursuant to § 200-31 of the Zoning By-laws. The interior will be renovated and except for general renovation and restoration as shown on the Architectural Plans, no external dimensional changes will be made.

> Reviewed by Reard Building Department Building Zoning Board

Revision Date: 12-02-2020

Project Address 181 Washington Street Map(s) / Parcel(s) 133/58-0				
ZONING DISTRICT (circle all that apply)				
B B1 BR CR SCR ECR GR SGR SR SSR ESR SESR HBR (U) SU				
<u>CURRENT USE</u> (explain) Accessory Use				
CURRENT USE CONFORMS TO ZONING (Article IV, Table 1)				
Yes _ x _ No (explain)				
PROPOSED CHANGE OF USE				
No Yes X (explain) Single Family Residential Dwelling				
PROPOSED CONSTRUCTION QUALIFIES AS "Building New" (§200-7) Yes No _X				
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)  X Side Yard Setback - Less than required (Table 2)				
X 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				
<u>NEW DIMENSIONAL NON-CONFORMITIES</u> (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)  Less than required (§200-7 and Table 2)				
Front Yard Setback - Less than required (\$200-7 and 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 ( 1 ')				
X No New Dimensional Non-conformities				
ADDITIONAL HEADING DECLINED				
ADDITIONAL HEARINGS REQUIRED  Conservation Commission  Yes  No X  Review Delta Book  And				
Historic District Commission Yes No X				
Conservation Commission  Yes  Historic District Commission  Yes  Yes  No  No  No  No  Planning Board  Yes  No				
<u>DESIGN &amp; SURVEY PLANS MEET -ZBA- RULES &amp; REGULATIONS</u> (Sections 3(A) and 3(C))  Yes No (explain)				
Yes No (explain)				
Building Official Date 10-12-2022				

## Town of Marblehead <u>ZBA-APPLICATION</u> Page 3 of 3

Revision Date: 12-02-2020

Project Address 181 Washington Street	_ Map(s) / Parcel(s) 133/58-0			
NET OPEN AREA (NOA)	<b>EXISTING</b>	PROPOSED		
Lot area = A	11,314	11,314		
Area of features footprint of accessory building(s)	0	0		
footprint of building	1335			
footprint of deck(s), porch(es), step(s), bulkhead(s)	0	_0		
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	1659	1659		
Net Open Area $(NOA) = (A - B)$	9655	9655		
GROSS FLOOR AREA (GFA)				
accessory structure(s)	_0	_0		
basement or cellar (area >5' in height)	_1151	1151		
1st floor (12' or less in height) <u>NOTE</u> : [for heights exceeding	1219	1219		
2nd floor (12' or less in height) 12' see definition	1060	1060		
3rd floor (12' or less in height) of STORY §200-7]	0	O Reviewed by Rope at the control of Rope at		
4th floor (12' or less in height)	0	O Principal Department		
attic (area >5' in height)	_0	O Right Zohing Posts		
area under deck (if >5' in height)	0	O BRED OFFI		
roofed porch(es)	0	0		
Gross Floor Area (GFA) = sum of the above areas	3430	3430		
<u>Proposed total change in GFA</u> = (proposed GFA - existing GFA) = 0				
<u>Percent change in GFA</u> = (proposed total change in GFA ÷ existing GFA) x 100 = $0$				
Existing Open Area Ratio = (existing NOA ÷ existing GFA) = 2.82				
<u>Proposed Open Area Ratio</u> = (proposed NOA ÷ proposed GFA	١) =	= 2.82		
This worksheet applies 1. plan by/dated X/S SHORE SURVEY 8-4-2022 to the following plan(s): 2. plan by/dated EXISTING CONDITIONS 2-16-2022 3. plan by/dated NOSHORE SURVEY ANR 3-31-2022				
Building Official Date 10-12-2022				