



Town of Marblehead  
**ZONING BOARD OF APPEALS**

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

TOWN SEAL  
tel: 781-631-1529  
fax: 781-631-2617

Revision Date: 12-02-20

2023 JAN 23 PM 12 L

**ZBA APPLICATION**  
PAGE 1 of 3

Town Clerk

Project Address 21 & 23 Prince Street

Assessor Map(s) 98 Parcel Number(s) 10 & 11

**OWNER INFORMATION**

Signature

Name (printed) Ralph Khouri date

Address 23 Prince Street, Marblehead, MA 01945

Phone Numbers: home

E-mail ralph@khouris.com work 781-910-7847 fax

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

Signature

Name (printed) Ralph Khouri date 1/17/23

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

Phone Numbers: home

E-mail lynch@marbleheadlaw.com work 781-631-7808 fax

**PROJECT DESCRIPTION & RELIEF REQUESTED** (attach additional page if necessary)  
Special Permit to unmerge lots 10 & 11 and allow for the construction of a single-family

dwelling on lot 11 with less than the required lot frontage with the remaining lot 10 having less than the required lot frontage, lot area, lot width and side 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;
  - plans for the applicable fee payable to the Town of Marblehead.
- Any relation (personnel) that were previously issued must be available for review by the Board of Appeals at the scheduled hearing. (Section 30D), Board of Zoning Appeals Rules & Regulations).

**REQUIRED SIGNATURES**

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

*[Signature]* 1-20-23

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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

NARRATIVE  
21 & 23 PRINCE STREET

The application is a request for a Special Permit to unmerge 21 & 23 Princes Street and create two separate lots.

The lots are now separately assessed with 23 Prince Street containing a single-family dwelling consisting of 7,599 square feet and 21 Prince Street being a vacant lot consisting of 14,192 square feet.

Because neither lot has sufficient frontage the lots became merged pursuant to chapter 40A section 6 of Massachusetts General Laws.

The relief requested is to separate the lots and for 23 Prince ( Lot 10 on Plan) to contain 7,599 square feet with 50 feet of frontage with no changes to the existing dwelling which will have less than the required side yard setbacks. 23 Prince (Lot 11) will have 14,192 square feet with 25 feet of frontage. It is proposed to construct a new single-family dwelling on Lot 11 which will meet all of the dimensional regulations of the by-law except for the insufficient frontage.

Town of Marblehead  
**ZBA-APPLICATION**

Page 2 of 3

Revision Date: 12-02-2020

Project Address 21 & 23 Prince Street

Map(s) / Parcel(s) 98/10 & 11

**ZONING DISTRICT** (circle all that apply)

B B1 BR CR SCR ECR GR **SGR** 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) Unmerge Lots New Construction on Lot 11

**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) \_\_\_\_\_
- ☐ 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 type="checkbox"/>	No <input checked="" type="checkbox"/>
Historic District Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Planning Board	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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Building Department  
For Zoning Board  
Of Appeals

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

Yes ☒ No ☐ (explain) \_\_\_\_\_

Building Official



Date 2-15-23

**Town of Marblehead  
ZBA-APPLICATION**

Page 3 of 3

Revision Date: 12-02-2020

Project Address 21 & 23 Prince Street

Map(s) / Parcel(s) 98/10 & 11

**NET OPEN AREA (NOA)**

Lot area = A

<b><u>EXISTING</u></b>	<b>Lot 10 <u>PROPOSED</u></b>
------------------------	-----------------------------------

21,791

7,599

Area of features

footprint of accessory building(s)

footprint of building

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

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

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

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

Sum of features = B

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

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

basement or cellar (area > 5' in height)

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

2nd floor (12' or less in height)

3rd floor (12' or less in height)

4th floor (12' or less in height)

attic (area > 5' in height)

area under deck (if > 5' in height)

roofed porch(es)

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

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

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

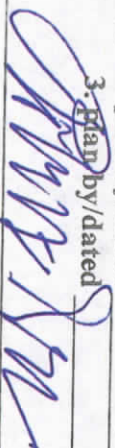
Existing Open Area Ratio = (existing NOA ÷ existing GFA)

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

This worksheet applies 1. plan by/dated Tucker Architecture & Landscape / 6/05/2022  
to the following plan(s): 2. plan by/dated North Shore Survel / 1/10/2023

3. plan by/dated

Building Official



Date 2-15-23

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals



**Town of Marblehead  
ZBA-APPLICATION**

Page 3 of 3

Revision Date: 12-02-2020

Project Address 21 Prince Street

Map(s) / Parcel(s) 98/11

**NET OPEN AREA (NOA)**

Lot area = A

<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>
<u>14,192</u>	<u>14,192</u>

Area of features

footprint of accessory building(s)

<u>0</u>	<u>0</u>
----------	----------

footprint of building

<u>0</u>	<u>1,470</u>
----------	--------------

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

<u>0</u>	<u>458</u>
----------	------------

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

<u>0</u>	<u>324</u>
----------	------------

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

<u>0</u>	<u>0</u>
----------	----------

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

<u>0</u>	<u>0</u>
----------	----------

Sum of features = B

<u>0</u>	<u>2,252</u>
----------	--------------

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

<u>14,216</u>	<u>11,940</u>
---------------	---------------

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

<u>0</u>	<u>0</u>
----------	----------

basement or cellar (area >5' in height)

<u>0</u>	<u>1,470</u>
----------	--------------

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

<u>0</u>	<u>1,470</u>
----------	--------------

2nd floor (12' or less in height)

12' see definition

<u>0</u>	<u>1,470</u>
----------	--------------

3rd floor (12' or less in height)

of STORY §200-71

<u>0</u>	<u>0</u>
----------	----------

4th floor (12' or less in height)

<u>0</u>	<u>0</u>
----------	----------

attic (area >5' in height)

<u>0</u>	<u>0</u>
----------	----------

area under deck (if >5' in height)

<u>0</u>	<u>365</u>
----------	------------

roofed porch(es)

<u>0</u>	<u>667</u>
----------	------------

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

<u>0</u>	<u>5,379</u>
----------	--------------

Proposed total change in GFA = (proposed GFA - existing GFA) = 5,379

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

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

= N/A

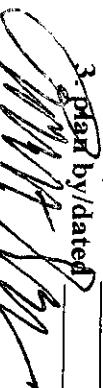
Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA)

= 1:2.2

This worksheet applies 1. plan by/dated Tucker Architecture & Landscape / 06/05/2022  
to the following plan(s): 2. plan by/dated North Shore Survey/ 1/10/2023

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

Building Official

3 plan by/dated  


Date 1-20-23

THIS COPY NOT  
TO BE RECORDED  
AT THE  
REGISTRY OF DEEDS

TOWN OF MARBLEHEAD  
BOARD OF APPEALS  
Application of Karen Lorensen  
for a Special Permit or Variance pursuant to § 200-36.A.  
with respect to the property located at  
21 Prince St  
Assessors Map No. 98, Parcel 11

Pursuant to notice mailed, postage prepaid, to the petitioners, abutters, and persons to whom such notice is required to be given, and pursuant to advertisements in *The Marblehead Reporter* on November 25, and December 2 of 2010 the Board of Appeals held a scheduled hearing at 7 Widger Road, Marblehead, Massachusetts on Tuesday, December 14, 2010 at or after 8:00 PM.

Sitting for the Board of Appeals were members Barbara Shefftz, David Tubridy, Paige Hintlian, Bruce Krasker and acting chairperson Christopher Casey.

The applicant, Karen Lorensen appeared to request the granting of a Special Permit or Variance to allow limited boat storage on a vacant lot at 21 Prince St, Map 98 Parcel 11, in a Single Residence District abutting a Business District at the rear lot line. The applicant who also owns the adjacent property at 23 Prince Street and resides at that address has been storing between 4 and 20 boats on the 21 Prince Street lot for the last four years. On October 7, 2010 the Applicant was directed in a letter from the Building Commissioner to discontinue this use as is a violation of the Zoning Bylaws for this district.

The applicant's request is to allow the continued storage of up to eighteen boats on the lot. Appearing in support of the applicant were Norm Blanchard of 25 Prince street, Tom Martin of Zero Edgewood Street, Gerard and Genevieve Maloney of 2 Edgewood Street and Jim Hazell of 8 Linden Street, all of whom supported the applicants request provided that no water or electricity be used and no work whatsoever would be done on any boat while stored on the lot.

Angel Ellis of 27 Maverick Street appeared in opposition citing a loss of her view and the presence of trash barrels and loose trash at the rear of the lot as being visible from her residence.

No one else appeared either in favor or in opposition.

In the Board's deliberation acting chairman Casey noted that boat storage was a non-allowed use in the Single Residence district thereby requiring that any relief granted under the Zoning Bylaw would have to be in the form of a Variance. The Board in reviewing the lot layout of 23 Prince Street also noted that the lot's approximately 28ft of street frontage would likely pose a substantial hardship in the event that the applicant /owner attempted to develop the property as a single residence in the future. Consequently the Board made the finding that this application did qualify to be treated as a Variance under the Zoning Bylaw and that the relief, if granted, would not nullify or substantially derogate from the intent or purpose of the Zoning By-law or work substantial detriment to the public good.

The Board voted unanimously as follows:

Mr. Tubridy—Yes  
Mr. Krasker—Yes  
Ms. Hintlian—Yes  
Mr. Casey - Yes  
Ms. Shefftz - Yes

The Variance is granted, with the following conditions:

1. That the number of boats stored on the site shall not exceed eighteen (18) at any time.
2. That no boat stored on the site shall be more than thirty (30) feet in length.
3. That no work, including engine work, shall be performed at any time on any boat while stored on the lot.

Page 2 of 3

Filed with Town Clerk \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_

DEC 18 2014

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AT THE  
REGISTRY OF DEEDS



4. That no water or electricity shall be provided or used at any time on any boat while stored on the lot.
5. That boats may be stored on the lot for the winter only from October 15<sup>th</sup> through May 15<sup>th</sup>.
6. That a maximum of eighteen (18) empty boat trailers may be stored on the lot for the summer only from May 15<sup>th</sup> through October 15<sup>th</sup>.
7. That no dumpsters, trash containers, loose trash or other loose items including but not limited to tarps, strapping lumber, cribbing, jackstands, etc. shall be left on the lot at any time.
8. That prior to any sale or transfer of title of 21 Prince St, the Seller shall be required to petition the Zoning Board of Appeals for the Board's reconsideration of the lot's use at the time of any such sale or transfer.

BOARD OF APPEALS  
TOWN OF MARBLEHEAD

By: David Tubridy  
David Tubridy, Member

DEC 18 2014

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REGISTRY OF DEEDS



**LICENSE AGREEMENT for  
PRIVATE CONNECTION TO TOWN DRAINAGE SYSTEM**

This agreement, made this 13 day of June in the year 2017, by and between Ralph A Hoen and of 21 Pioneer St, (23 Penn) Marblehead, Massachusetts (the "Owner") and the TOWN OF MARBLEHEAD, by and through its Water and Sewer Commission, 100 Tower Way, Marblehead, Essex County, Massachusetts, (the "Town").

WHEREAS, the Owner is the owner of the property at 21 Palmer St in said Marblehead (the "Property"), and said Property frequently accumulates water thereon of which it desires to discharge from said Property by piping into an under drain maintained by the Town for the purpose of water drainage; and

WHEREAS, the Town has agreed to accept such drainage although it is under no obligation to do so and the Owner acknowledges that the Town has no obligation to accept same;

NOW THEREFORE, in consideration of Twenty-five and no/100's (\$25.00) dollars, and other good and valuable consideration, the receipt and sufficiency of which and for the mutual promises set forth below, the parties agree as follows:

1. **Fee:** The Owner shall pay the inspection fee to the Town.
2. **Permit:** The Town shall permit the Owner to connect a **sump pump or catch basin** to the drain owned by the Town and located at above identified address in accordance with the requirements, rules and regulations of the Town of Marblehead Water and Sewer Commission. (choose one)
3. **License and Limitation:** It is understood and agreed that the permission granted to the Owner is a personal one and shall not grant any interest in land and no rights shall pass to any of the Owner's heirs, executors, administrators, successors or assigns and further that said permission is a license revocable at the will of the Town and shall be canceled by a notice in writing sent postage prepaid to said party of the first part to its last known address or usual place of business.
4. **Release and Indemnification:** The Owner, its executors, administrators, heirs, successors and assigns, shall release, indemnify, defend and save harmless the Town, the Town's officers, agents and employees, from and against any and all damages, liabilities, actions, suits, proceedings, claims, demands, losses, costs, expenses, recoveries and judgments of every nature and description (including attorneys' fees) that may arise in whole or in part out of or in connection with the Owner's connection to the drain hereunder or any rights granted by this license and any consequence of every kind and nature resulting therefrom, regardless of whether the damage originates from the Owner's Property or the Town's Property and/or from any and all damages, liabilities, actions, suits, proceedings, claims, demands, losses, costs, expenses, recoveries and judgments of every nature and description (including attorneys' fees) that may arise in whole or in part out of any act or omission by the Owner, executors, administrators, heirs, successors and assigns its employees, agents, subcontractors, and anyone directly or indirectly or anyone for whose acts any of them may be liable and which are in anyway connected with or related to the Owner connecting to the Town's drain. The Owner further agrees to reimburse the Town for damage to its property caused by the Owner, its executors, administrators, heirs, successors and assigns, employees, agents, or subcontractors, and anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, including damages caused by his, its or their use of the Owner's sump pump or drain connection or any rights granted by this license.

IN WITNESS WHEREOF, the parties hereto intending to be legally bound have caused their duly authorized representatives to set their hands and seals on their behalf, on the date and year written first above written.

OWNERS)

Rodney J. Roberts

TOWN OF MARBLEHEAD WATER AND  
SEWER COMMISSION

F. Carlton Siegel

Bradford N. Freeman Jr.

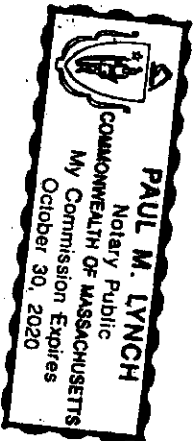
Thomas Murray

Paul Lynch

THE COMMONWEALTH OF MASSACHUSETTS

Essex, SS.

On this 13 day of June, 2019, before me, the undersigned notary public, personally appeared Ralph H. Hunt and                     , personally known to me or proved to me on the basis of satisfactory evidence of identification, which was Personal Not to be the person whose name is signed on the preceding document. and acknowledged to me that s/he signed it for its stated purpose.



[Signature]  
Notary Public

Paul M. Lynch

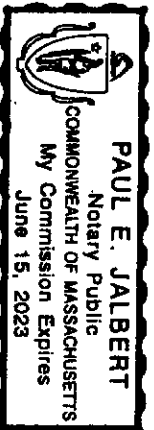
Printed Name of Notary Public

My Commission Expires: 10/30/20

THE COMMONWEALTH OF MASSACHUSETTS

Essex, SS.

On this 16<sup>th</sup> day of September, 2019, before me, the undersigned notary public, personally appeared F. Carlton Siegel Bradford N. Freeman Thomas Murray Thomas Carroll and                      of the Town of Marblehead Water and Sewer Commission, personally known to me or proved to me on the basis of satisfactory evidence of identification, which was a driver's license, to be the persons whose name are signed on the preceding document, and acknowledged to me that they signed it voluntarily in their capacity as members of the Town of Marblehead Water and Sewer Commission, for its stated purpose.



[Signature]  
Notary Public

Paul E. Jalbert

Printed Name of Notary Public

My Commission Expires: June 15, 2023

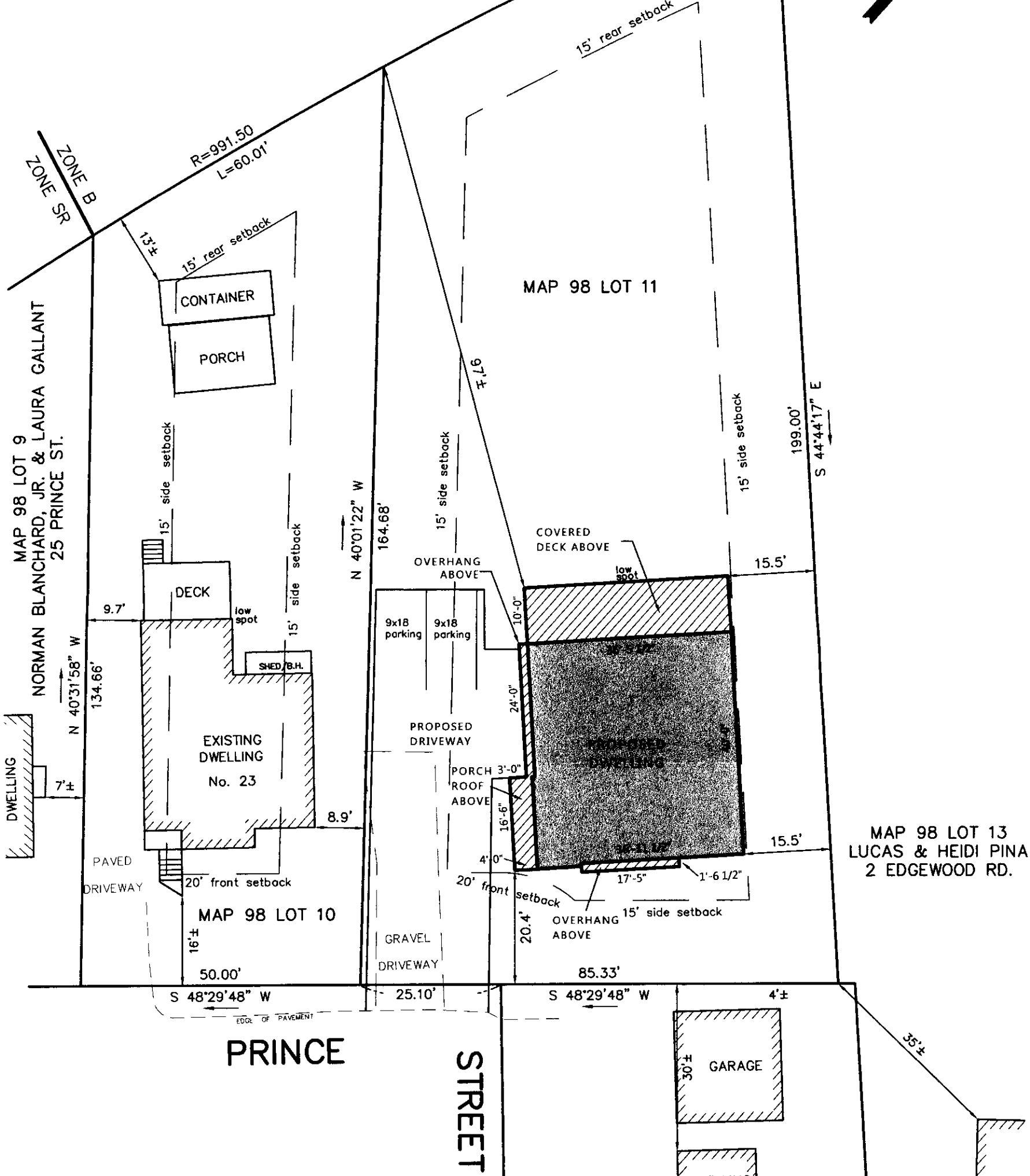
ZONING DISTRICT – SINGLE RESIDENCE

REQUIRED 23 PRINCE 21 PRINCE

LOT AREA	10000	7,599±	14,192±
FRONTAGE	100	50.00'	25.10'
FRONT	20	16'±	20.4'
SIDE	15	8.9'	15.6'
REAR	15	13'±	97'±
BLDG HEIGHT	35	20.5±'	34.7'

MAP 98 LOT 6  
TOWN OF MARBLEHEAD  
Sewer Commission  
MAVERICK ST.  
(Former B&M RR)  
R=991.50  
L=77.72'

ZONE B  
ZONE SR



ZONING BOARD OF APPEALS PLAN

23 & 21 PRINCE STREET  
MARBLEHEAD

PROPERTY OF  
RALPH KHOURI

SCALE 1"=20' JANUARY 10, 2023  
NORTH SHORE SURVEY CORPORATION

14 BROWN ST. – SALEM, MA  
(978) 744-4800

# 5090



*Gail L. Smith*

MAP 98 LOT 12  
THOMAS & CELIA  
MARTIN  
0 EDGEWOOD RD.

THIS PLAN IS THE RESULT  
OF AN INSTRUMENT SURVEY.





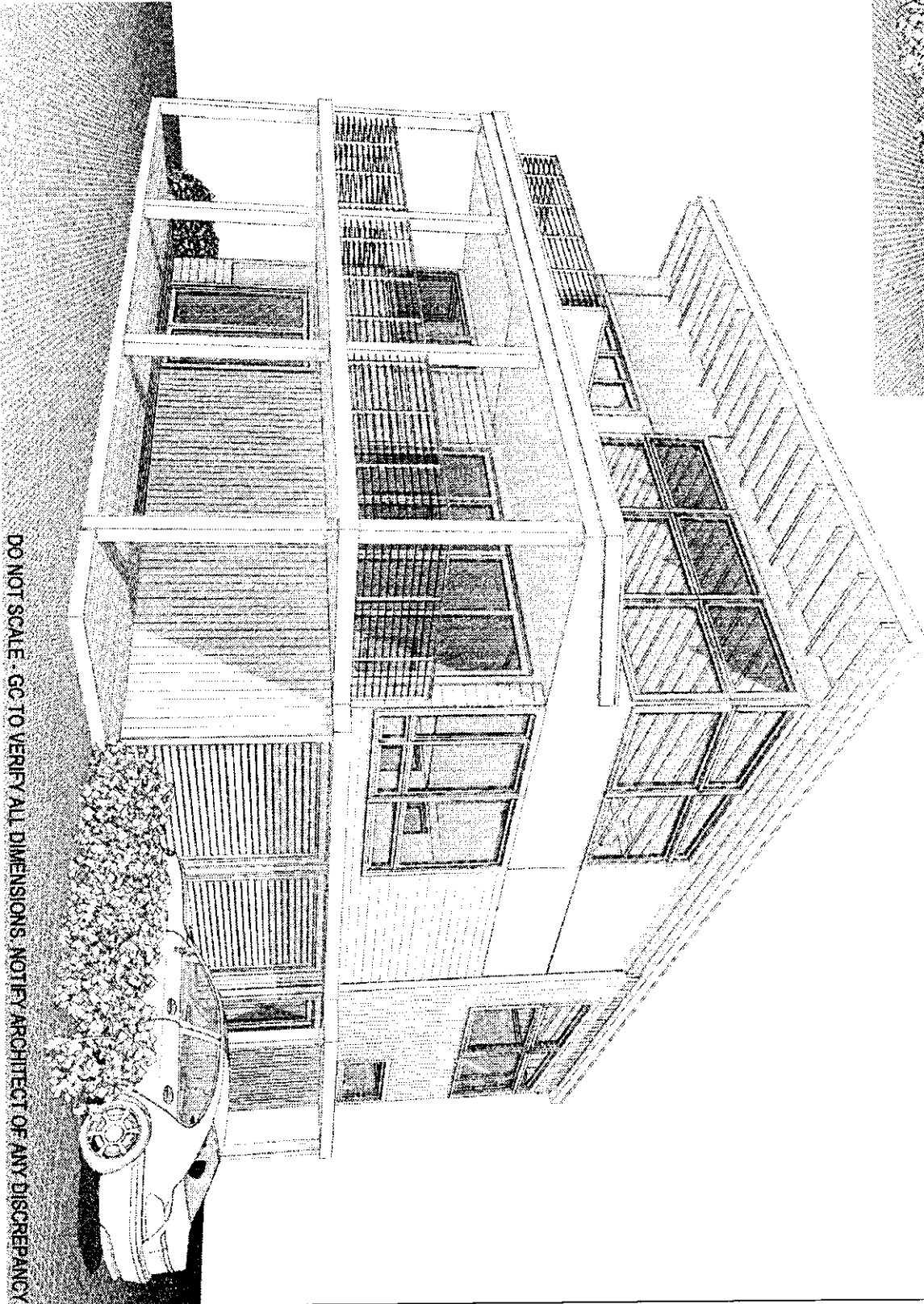
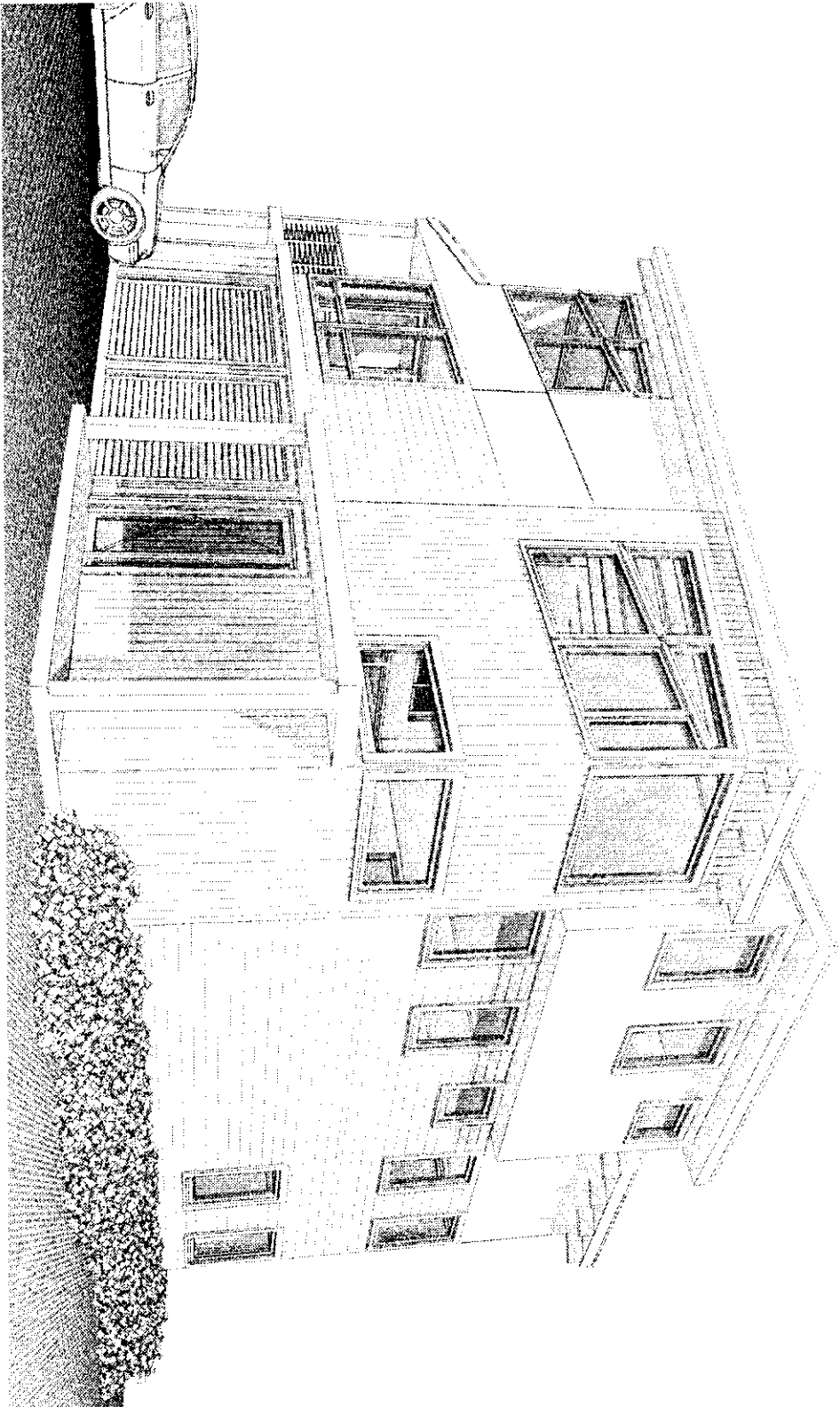
**T U C K E R**  
**Architecture & Landscape**

59 Atlantic Avenue, Marblehead, MA  
www.TuckerArch.com  
(781) 631-3546

Tucker Architecture and Landscape LLC

Drawing Index:

- |     |                     |
|-----|---------------------|
| CVR | Cover               |
| 2   | Basement Floor Plan |
| 3   | First Floor Plan    |
| 4   | Second Floor Plan   |
| 5   | Roof Plan           |
| 6   | Building Elevations |
| 7   | Building Elevations |



FOR APPROVALS

Prince Street Residence  
Marblehead, MA

Cover

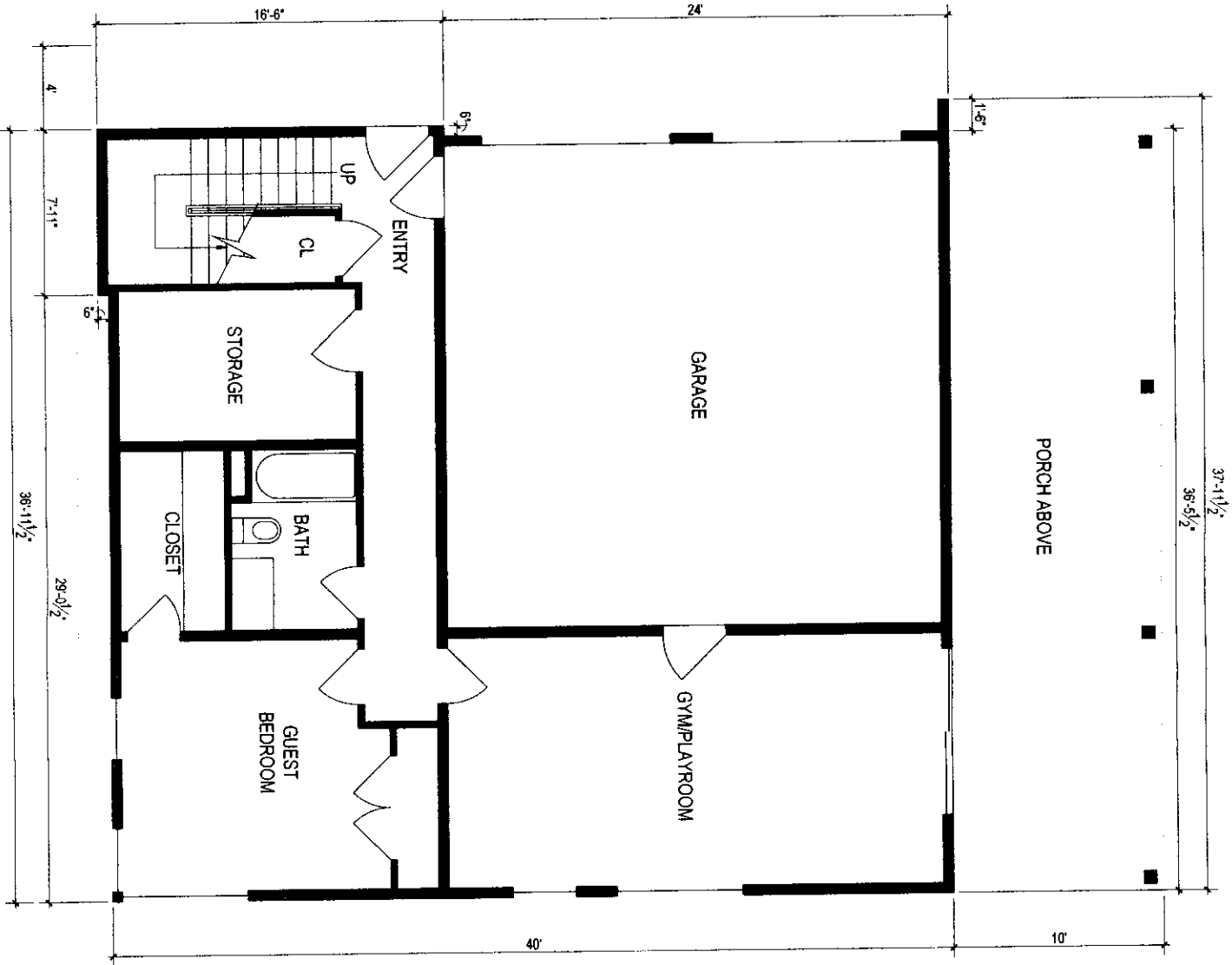
REVISION DATE:  
2022 06 05 ZBA Application

DO NOT SCALE - GC TO VERIFY ALL DIMENSIONS, NOTIFY ARCHITECT OF ANY DISCREPANCY



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FOR APPROVALS

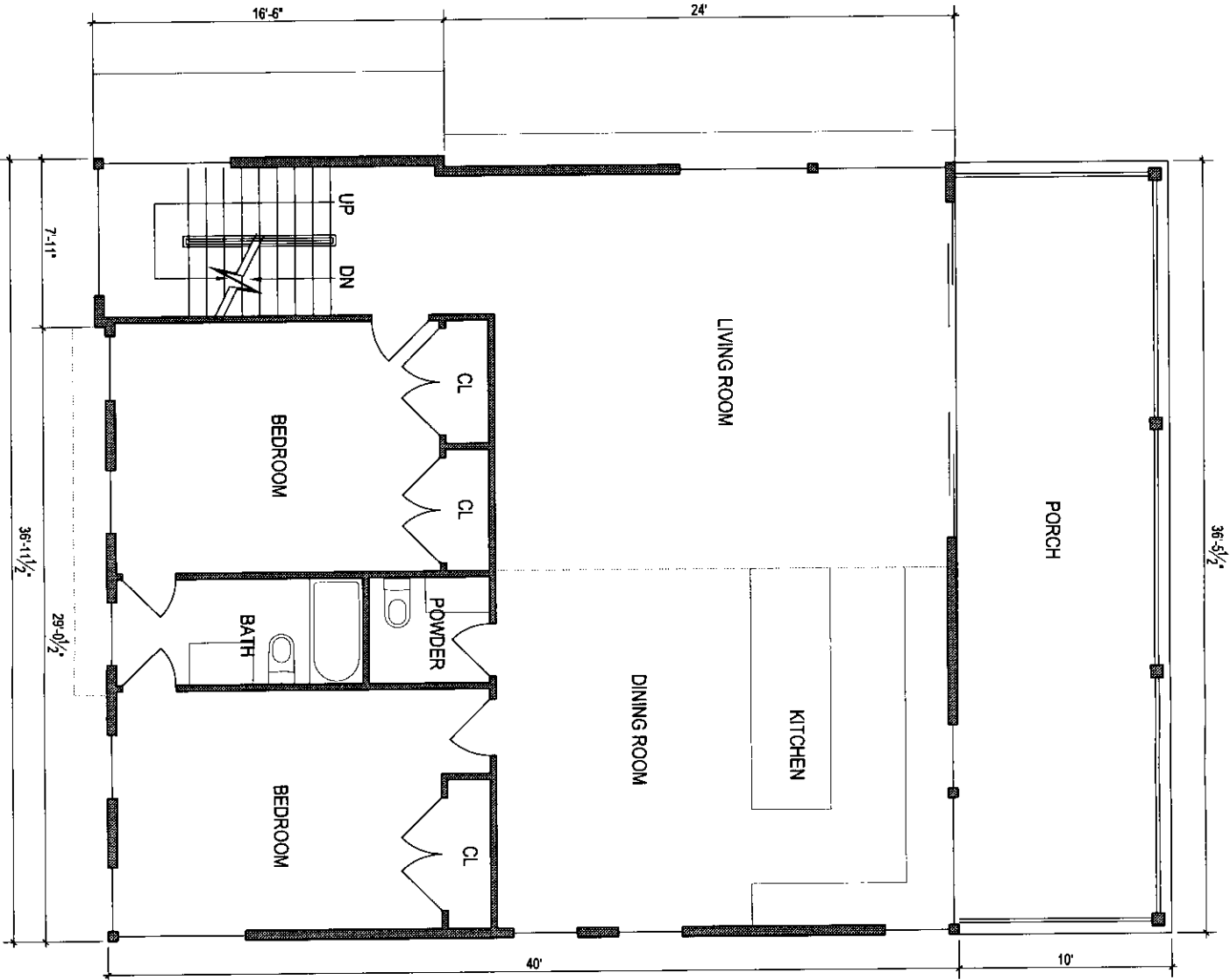
Prince Street Residence  
Marblehead, MA

Basement/Ground Level Plan



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**FOR APPROVALS**

Prince Street Residence  
Marblehead, MA

First Floor Plan

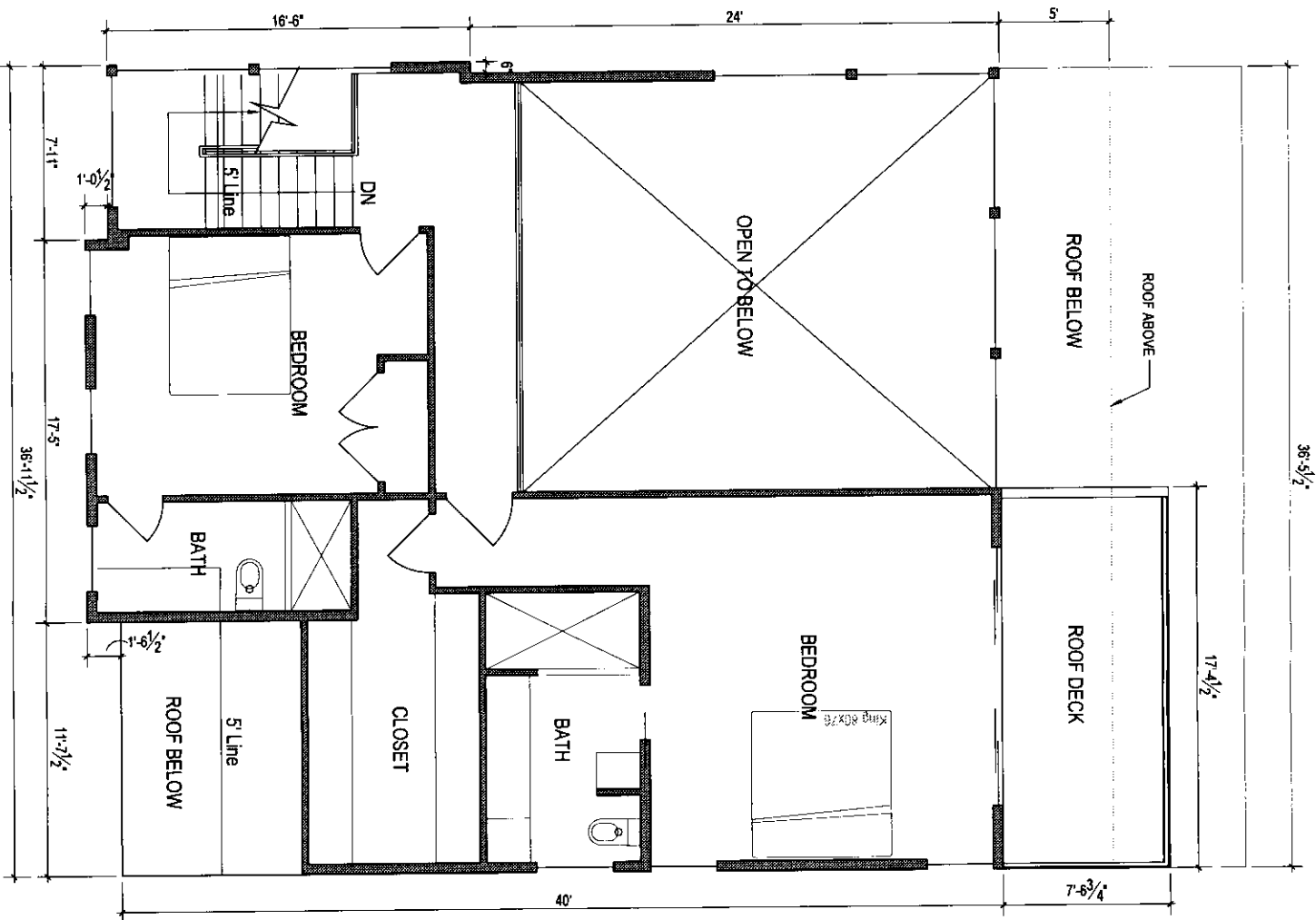
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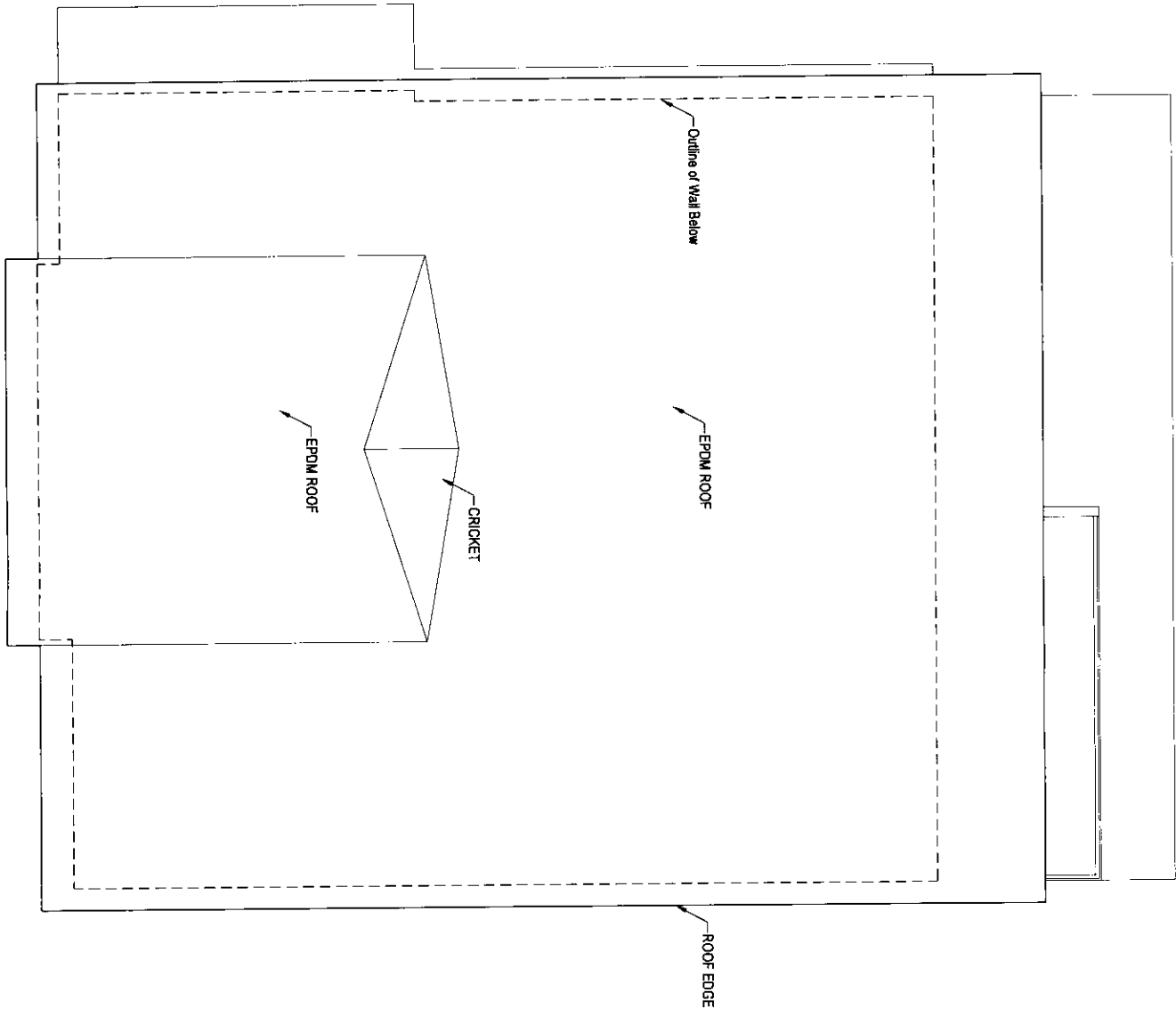
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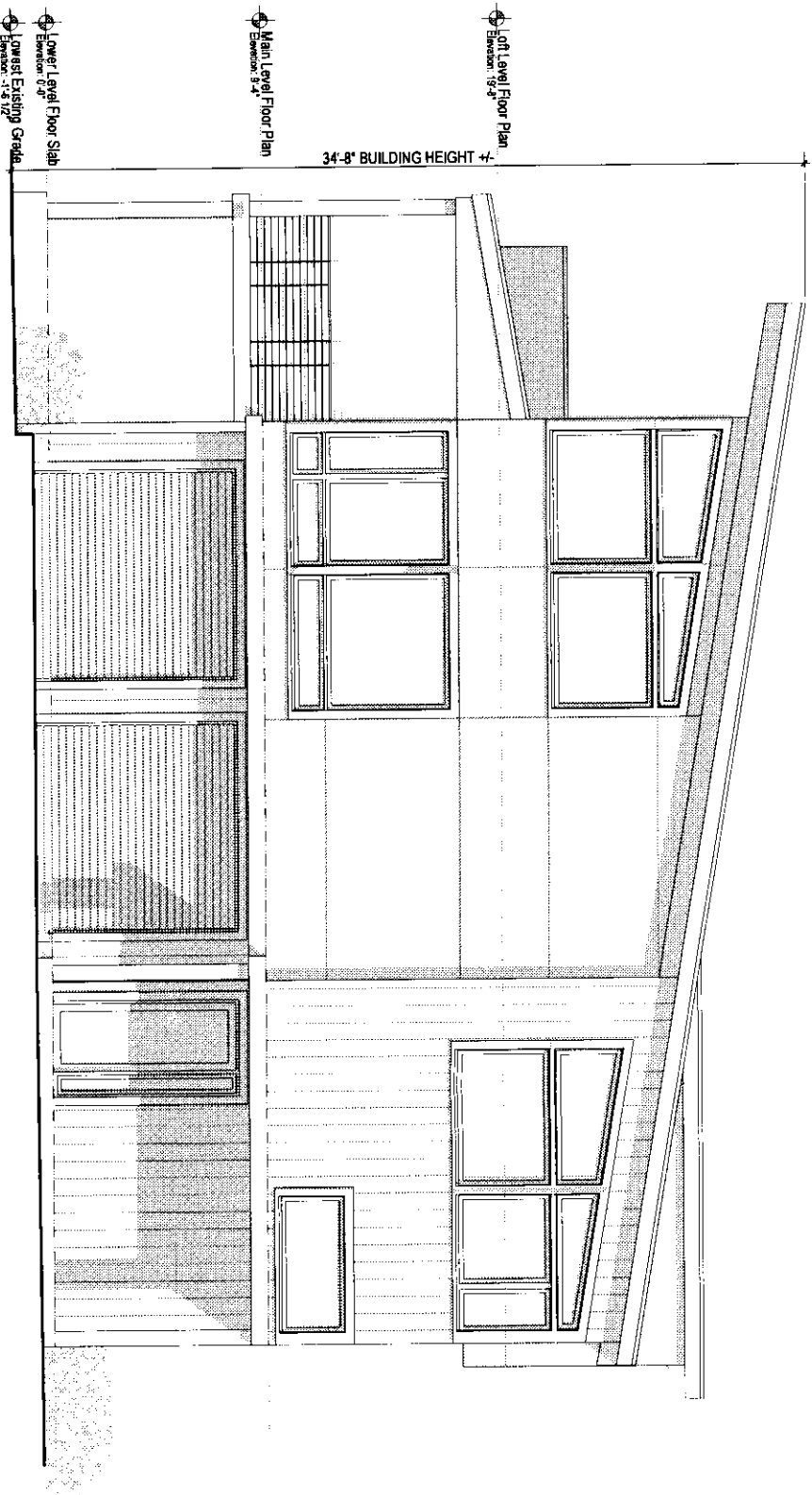


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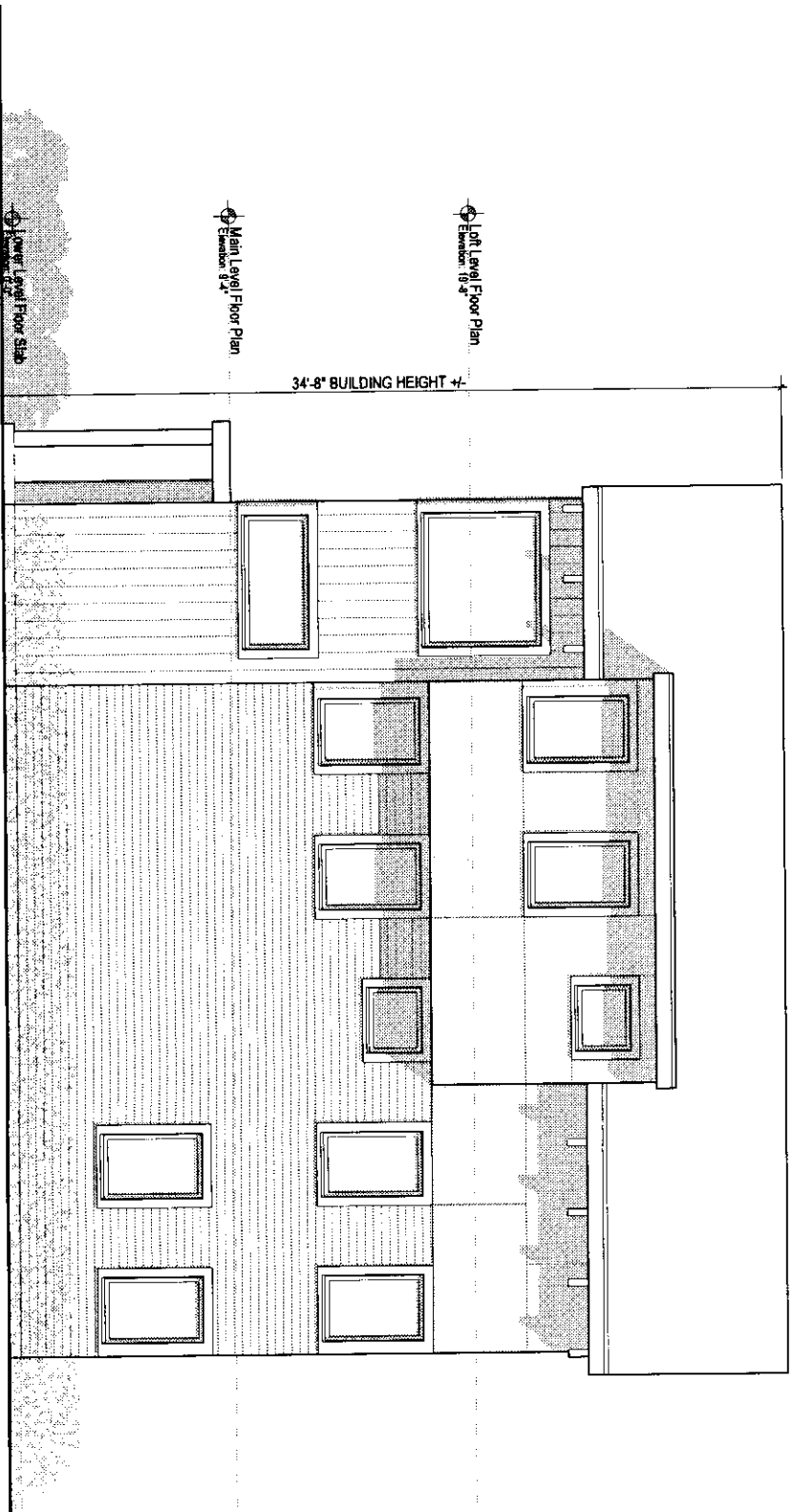
**FOR APPROVALS**

Prince Street Residence  
Marblehead, MA

**Roof Plan**



1 Left Side Elevation  
Scale: 1/8"=1'-0"



2 Front Elevation  
Scale: 1/4"=1'-0"



**T U C K E R**  
**Architecture & Landscape**

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Tucker Architecture and Landscape LLC

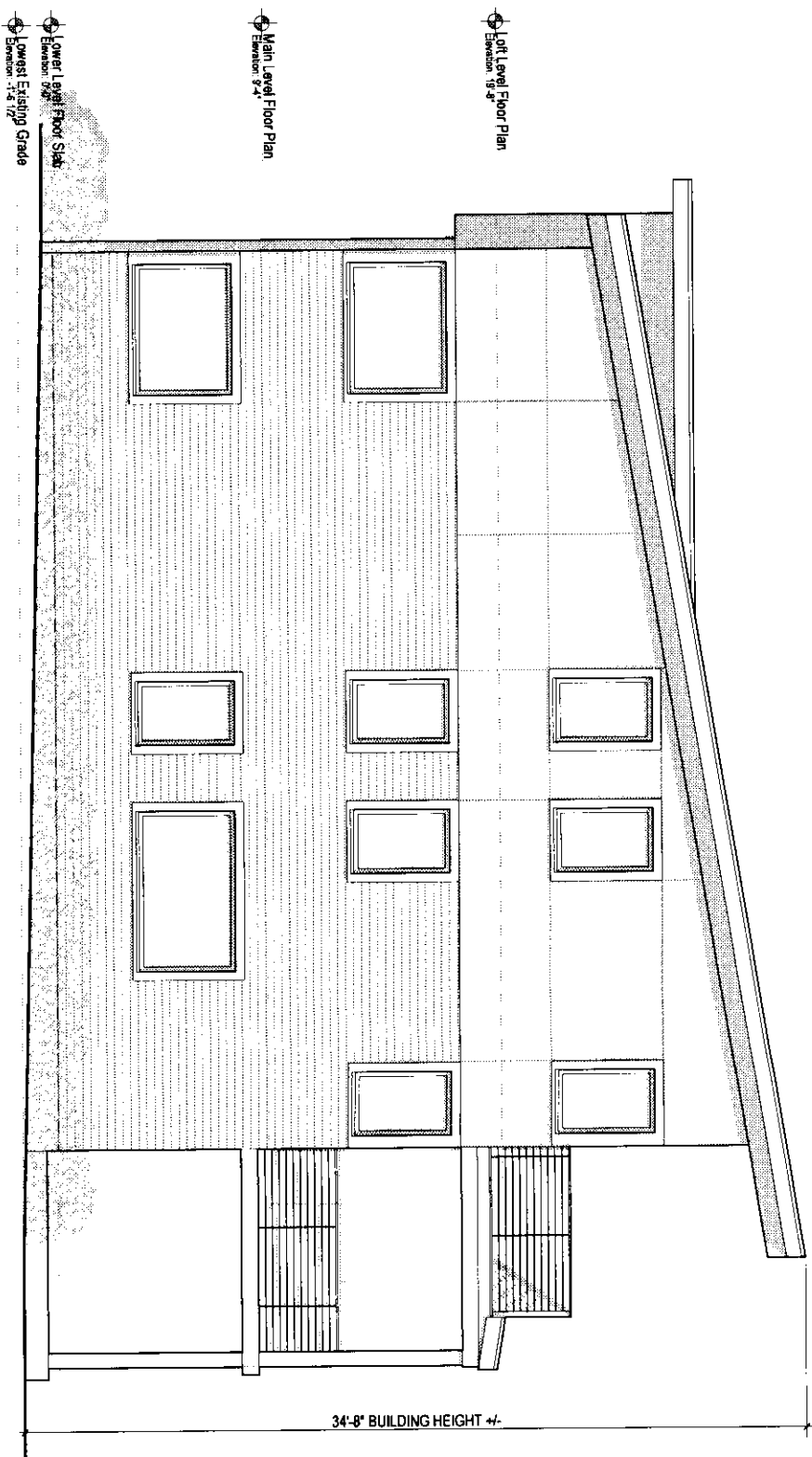
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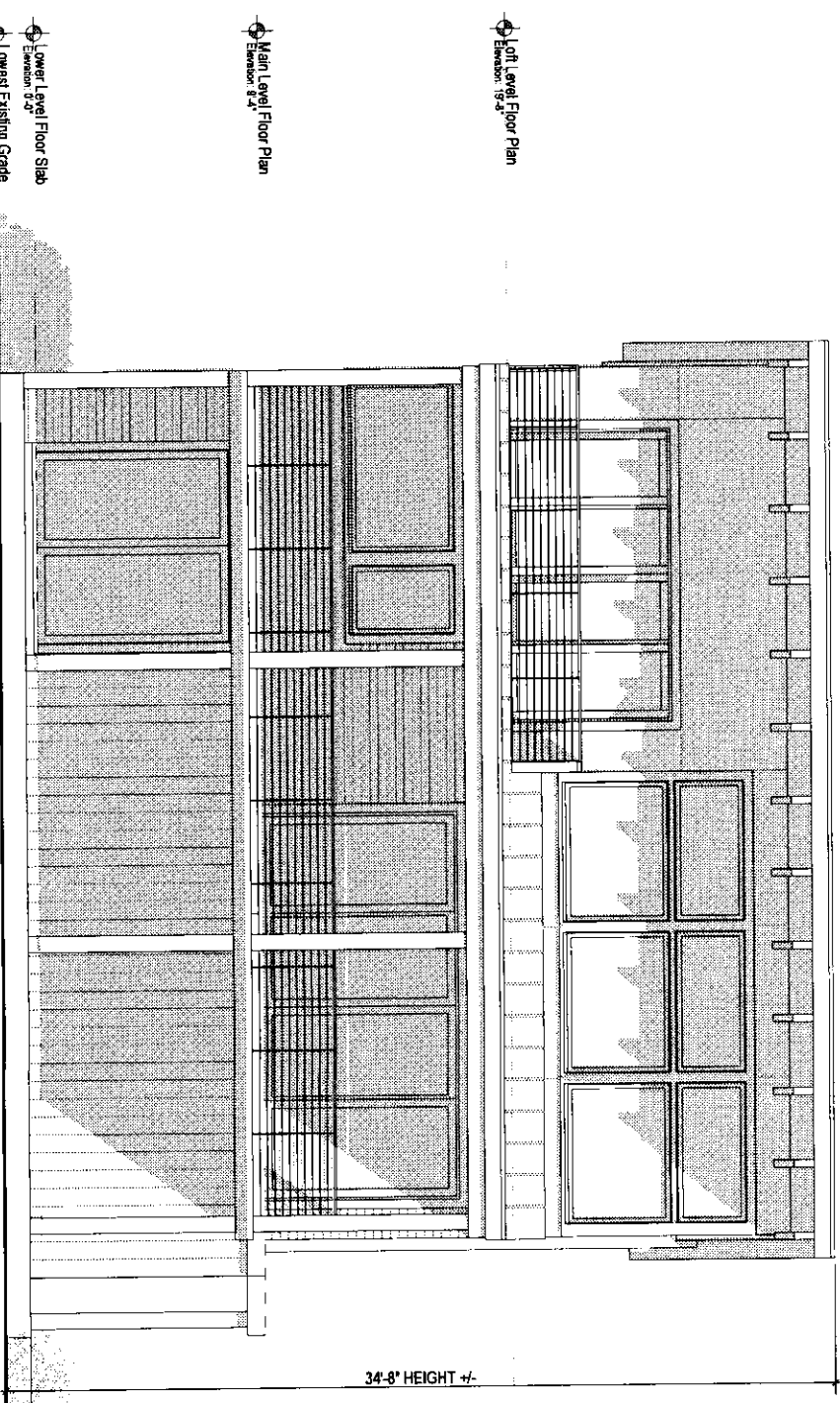
Prince Street Residence  
Marblehead, MA

**Building Elevations**





1 Right Side Elevation  
Scale: 1/4"=1'-0"



2 Rear Elevation  
Scale: 1/4"=1'-0"