



TOWN SEAL  
tel: 781-631-1529

fax: 781-631-2617

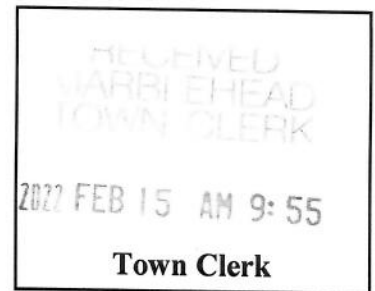
Revision Date: 12-02-20

# Town of Marblehead **ZONING BOARD OF APPEALS**

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

## **ZBA APPLICATION**

PAGE 1 of 3



Project Address 108 Front Street

Assessor Map(s) 166

Parcel Number(s) 38

### **OWNER INFORMATION**

Signature \_\_\_\_\_ date \_\_\_\_\_

Name (printed) John and Judith Toner

Address 108 Front Street, Marblehead, MA

Phone Numbers: home 781-704-6592 work \_\_\_\_\_

E-mail judetoner@icloud.com fax \_\_\_\_\_

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

Signature \_\_\_\_\_ date February 7, 2022

Name (printed) John and Judith Toner

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

Phone Numbers: home \_\_\_\_\_ work 781-631-7808

E-mail lynch@marbleheadlaw.com fax \_\_\_\_\_

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

Special Permit to construct a pergola at the rear of the dwelling within the side yard setback.

- 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)

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

Reviewed by  
Building Department  
For Zoning Board  
Appeals  
2-9-2022

**Town of Marblehead**  
**ZBA-APPLICATION**  
Page 2 of 3

Revision Date: 12-02-2020

Project Address 108 Front Street

Map(s) / Parcel(s) 166/38

**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 \_\_\_\_\_ No X

**EXISTING 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)  
X Side Yard Setback - Less than required (Table 2)  
X Height - Exceeds maximum allowed (§200-7 and Table 2)  
X Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)  
X 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)  
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)  
\_\_\_\_ 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) \_\_\_\_\_

Building Official \_\_\_\_\_

Date 2-9-2022

**Town of Marblehead**  
**ZBA-APPLICATION**  
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Revision Date: 12-02-2020

Project Address 108 Front Street

Map(s) / Parcel(s) 166/38

**NET OPEN AREA (NOA)**

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>
Lot area = A	3,464	3,464
Area of features		
footprint of accessory building(s)	24	24
footprint of building	1,299	1,299
footprint of deck(s), porch(es), step(s), bulkhead(s)	30	30
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	0	0
other areas (explain) _____	0	0
Sum of features = B	1,677	1,677
Net Open Area (NOA) = (A - B)	1,757	1,757

**GROSS FLOOR AREA (GFA)**

accessory structure(s)	24	24
basement or cellar (area >5' in height)	0	0
1st floor (12' or less in height) NOTE: [for heights exceeding	1,183	1,183
2nd floor (12' or less in height) 12' see definition	1,073	1,073
3rd floor (12' or less in height) of STORY §200-7]	0	0
4th floor (12' or less in height)	0	0
attic (area >5' in height)	482	482
area under deck (if >5' in height)	0	0
roofed porch(es)	54	54
Gross Floor Area (GFA) = sum of the above areas	2,816	2,816

**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) = 1: .62

**Proposed Open Area Ratio** = (proposed NOA ÷ proposed GFA) = 1: .62

This worksheet applies 1. plan by/dated North Shore Survey 11/15/2021

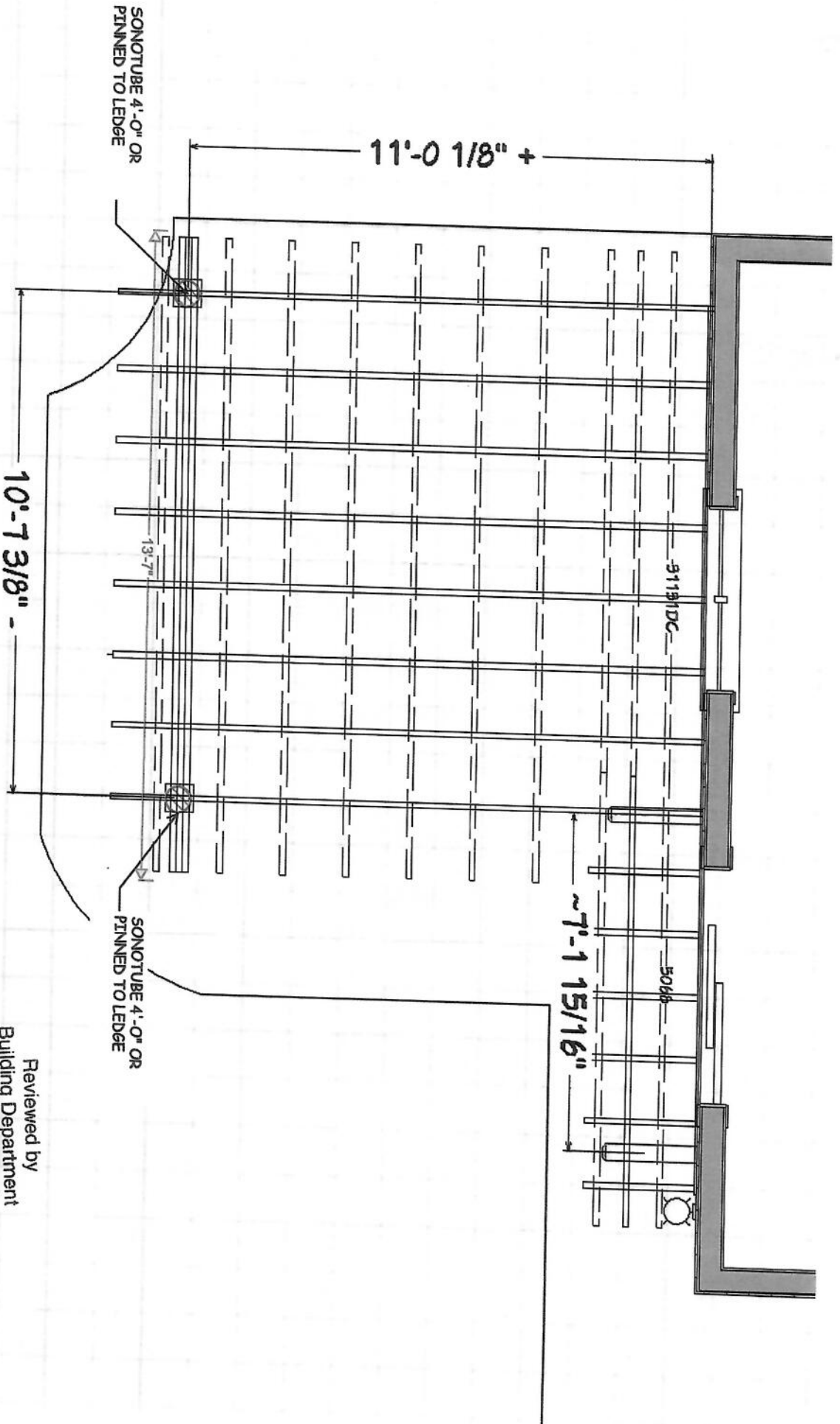
to the following plan(s): 2. plan by/dated Pergola 11/15/2021

3. plan by/dated \_\_\_\_\_

Building Official \_\_\_\_\_

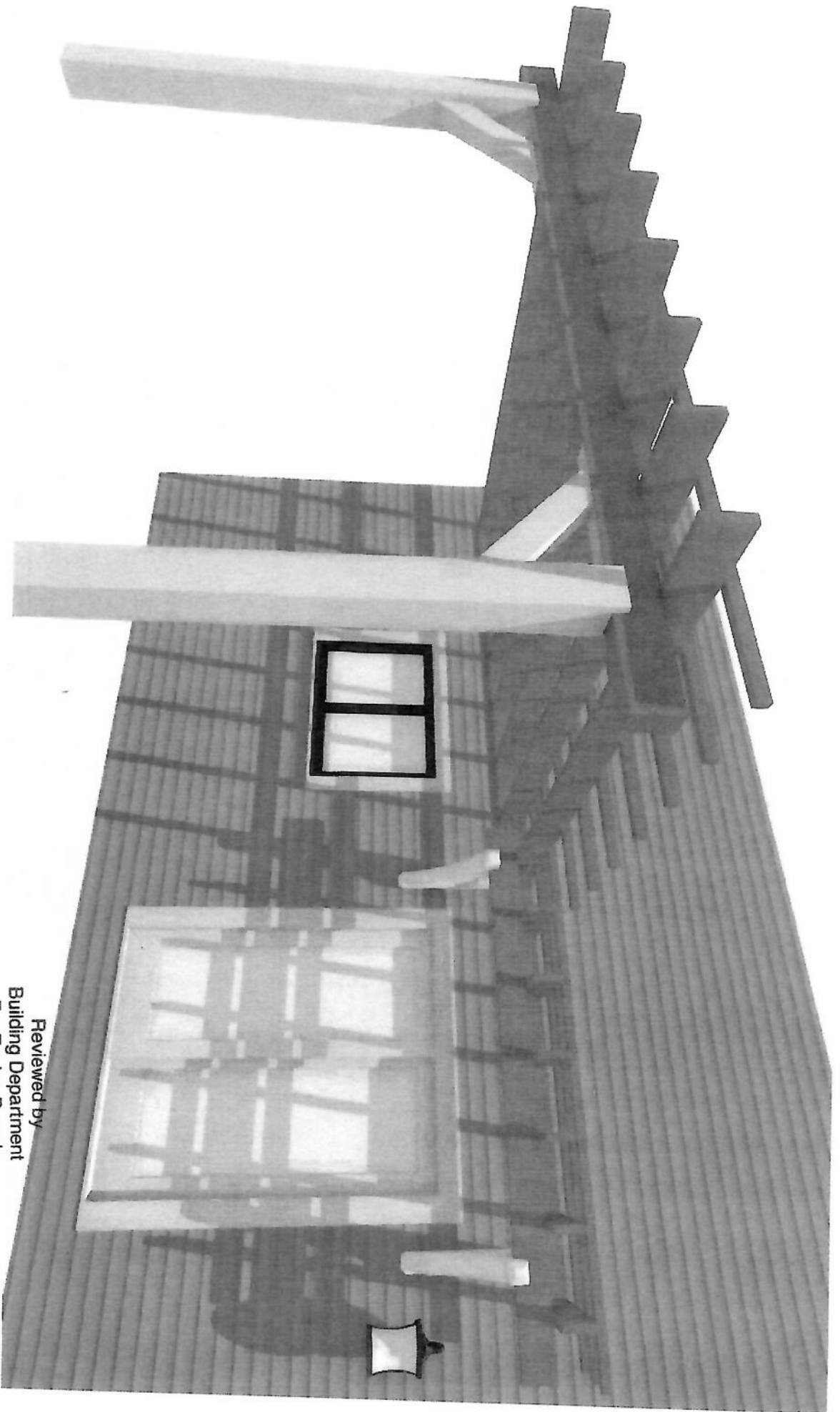
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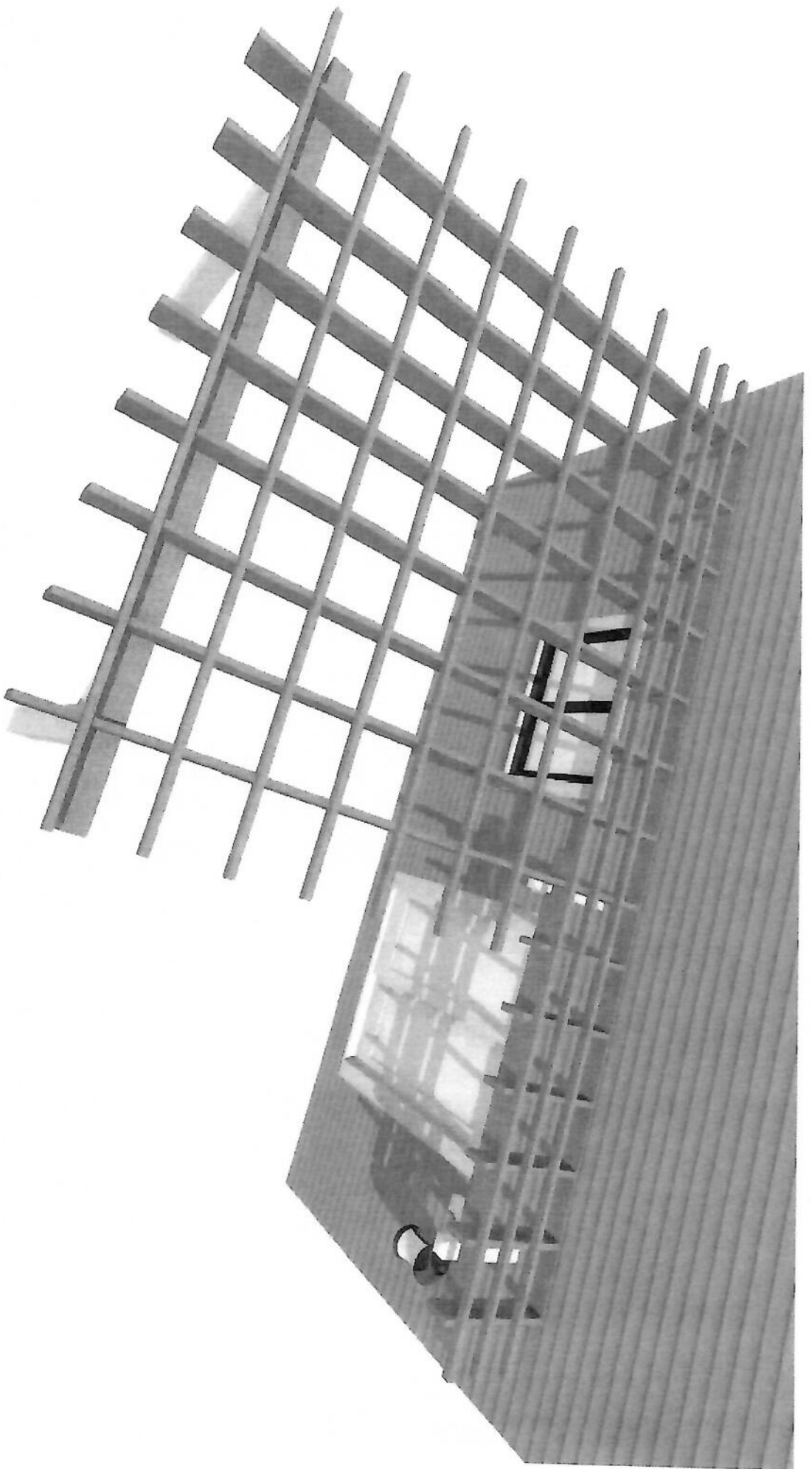
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108 Front St



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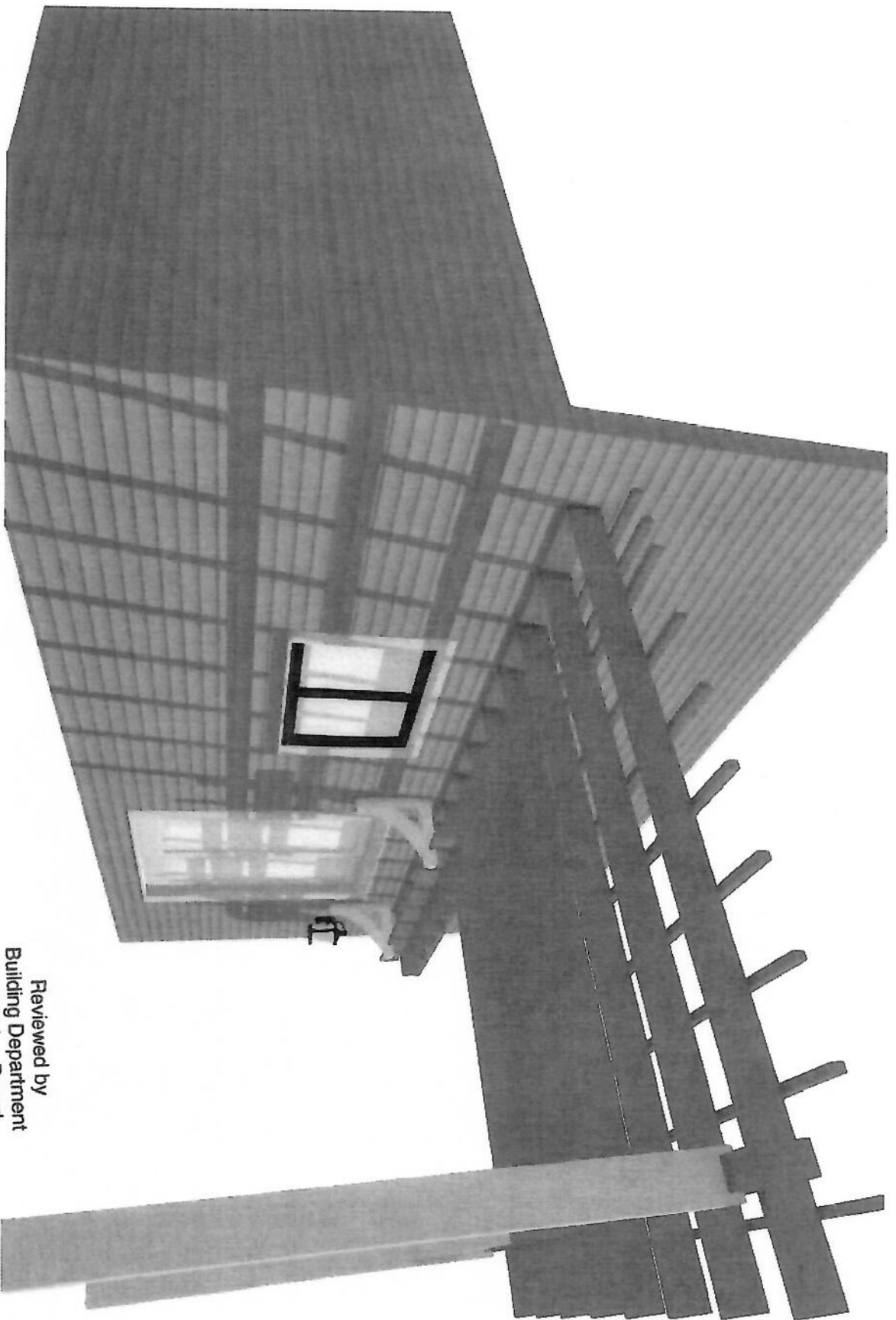
106 Front St



Reviewed by  
Building Department  
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108 Faint St

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals



108 Front St