



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

ZBA APPLICATION

PAGE 1 of 3

2023 JUN 26 PM 12:27

Town Clerk

Project Address 41 Stony Brook Road

Assessor Map(s) 172 Parcel Number(s) 15 & 16

OWNER INFORMATION

Signature _____ date _____

Name (printed) Michael Klatwitter & Lori Arena

Address 41 Stony Brook Road, Marblehead MA 01945

Phone Numbers: home _____ work 617-448-3070

E-mail mike.klatwitter@gmail.com fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature Craig Bosworth date 6-22-2023

Name (printed) Craig Bosworth – Bosworth Architect L.L.C

Address 78 Front Street, Marblehead. MA.

Phone Numbers: home N/A work 781-631-1982

E-mail craig@boswortharchitect.com fax N/A

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

See attached Project Description.

- Please schedule a zoning 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) _____

6/26/23
Reviewed by
Building Department
For Zoning Board
Of Appeals

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

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Project Address 41 Stony Brook Road **Map(s) / Parcel(s)** 172-15 & 16

B B1 BR CR SCR ECR GR SGR(SR)SSR ESR SESR HBR U SU

CURRENT USE CONFORMS TO ZONING (Article IV, Table 1)

Yes X **No** _____ (explain) - _____

No X **Yes** (explain)

(explain) _____

PROPOSED CONSTRUCTION QUALIFIES AS “Building New” (§200-7) Yes _____ No 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)

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(4) and Table 2)

 Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)

<u>X</u>	Other Non-conformities (explain)	Existing shed in the side-yard setback
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No Existing Dimensional Non-conformities

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(4) and Table 2)

Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)

X Exceeds 10% Expansion Limits for Non-conforming Building (§200-30.D)

Other Non-conformities (explain)

No New Dimensional Non-conformities

Conservation Commission	Yes	No	X
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	Yes	No	X
Historic District Commission			

Planning Board	Yes	No	X
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DESIGN & SURVEY PLANS MEET -ZBA- RULES & REGULATIONS (Sections 3(A) and 3(C))

Yes ☒ **No** ☐ (explain) *9*

Building Official *[Signature]* Date *6/26/23*

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

Project Address	41 Stony Brook Road	Map(s) / Parcel(s)	172 - 15 & 16
<u>NET OPEN AREA (NOA)</u>		<u>EXISTING</u>	<u>PROPOSED</u>
Lot area = A		14310	14310
Area of features			
footprint of accessory building(s)		136 SF	136 SF
footprint of building		1278 SF	1488 SF
footprint of deck(s), porch(es), step(s), bulkhead(s)		540 SF	524 SF
number of required parking spaces 2 x (9'x18' per space)		324 SF	324 SF
area of pond(s), or tidal area(s) below MHW		0 SF	0 SF
other areas (explain)		0	0 SF
Sum of features = B		2278	2472 SF
Net Open Area (NOA) = (A - B)		12032 SF	11838 SF
<u>GROSS FLOOR AREA (GFA)</u>			
accessory structure(s)		136	136
basement or cellar (area > 5' in height)		786 SF	1005 SF
1st floor (12' or less in height) NOTE:	[for heights exceeding	1278 SF	1497 SF
2nd floor (12' or less in height)	12' see definition	1085 SF	1287 SF
3rd floor (12' or less in height)	of STORY ~200-7]	0	0 SF
4th floor (12' or less in height)		0	0
attic (area > 5' in height)		0	0
area under deck (if > 5' in height)		397	397 SF
roofed porch(es)		19 SF	19 SF
Gross Floor Area (GFA) = sum of the above areas		3701 SF	4341 SF

Proposed total change in GFA = (proposed GFA - existing GFA) = 640 SF

Percent change in GFA = (proposed total change in GFA / existing GFA) x 100 = 17.29 %

Existing Open Area Ratio = (existing NOA / existing GFA) = 3.25

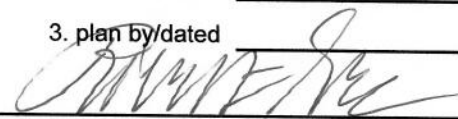
Proposed Open Area Ratio = (proposed NOA / proposed GFA) = 2.73

This worksheet applies 1. plan by/dated North Shore Survey 24-May-23

to the following plan(s): 2. plan by/dated Bosworth Architect LLC 10-Jun-23

3. plan by/dated

Building Official


Reviewed by Building Department
For Zoning Board
On Appeals Date 6/26/2023



BOSWORTH
ARCHITECT L.L.C.

June 10, 2023

Zoning Board of Appeals

Mary Alley Municipal Building
7 Widger Road
Marblehead, MA 01945

RE: Zoning Board of Appeals Application – **41 Stony Brook Road**

Zone: **Single Residence**

PROJECT DESCRIPTION

We request the approval from the Board of Appeals for a Dimensional Special Permit for the proposed new construction to an existing non-conforming single-family dwelling with less than required Lot Width, Frontage and Side Yard setback located at 43 Stony Brook Road, Marblehead, MA.

This proposal is to build a new addition which will include a new work out bonus room in the basement, and the necessary office space on the first floor for Mike who permanently works from home. The second floor will have dormers added to the left hand side of the house to provide for a master closet, a new second floor laundry room and with the new footprint of the addition we will have a functional bedroom size. Lastly, we will rework one of the bathrooms to better fit the needs of this family.

The full addition is compliant with dimensional regulations with the exception our existing footprint (right side entry stair) is within the side yard setback making this an existing non-conforming dwelling. We are asking for approval as the additions are greater than the 10% allowed for a non-conforming structure. The Open Area Ratio when complete will still be a generous 2.73 : 1:00 as they have a large lot area.

Thank you,

Craig Bosworth N.C.A.R.B.
Bosworth Architect LLC

Reviewed by
Building Department
For Zoning Board
Of Appeals