



TOWN SEAL

tel: 781-631-1529

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Revision Date: 12-14-15

Town of Marblehead **ZONING BOARD OF APPEALS**

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

ZBA APPLICATION

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2023 OCT 13 AM 11:29

Town Clerk

Project Address 41 Smith Street

Assessor Map(s) 70 Parcel Number(s) 3

OWNER INFORMATION

Signature _____ date _____

Name (printed) Charles and Monika Ngowe

Address 41 Smith Street, Marblehead, MA 01945

Phone Numbers: home _____ work _____

E-mail cngowe@gmail.com and mdominska@gmail.com fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature [Signature] date _____

Name (printed) Walter Jacob

Address 3 Pleasant Street, Marblehead, MA 01945

Phone Numbers: home _____ work 781-631-7440

E-mail max@architectwaj.com fax 781-631-7441

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

This project includes renovations and an addition to a single family residence on an existing non-conforming lot that has less than required lot width, lot area, and lot frontage. The existing structure encroaches on the front and side yard setbacks. The proposed work includes interior improvements at the second level and the addition of a third level. The proposed work encroaches on the front & side yard setbacks and exceeds the 10% expansion limit for non-conforming lots.

- 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) [Signature]

2. Town Clerk's stamp (upper right corner) 10-13-23

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

Reviewed by
Building Department
For Zoning Board
Of Appeals

Town of Marblehead
ZBA-APPLICATION

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Revision Date: 12-14-2015

Project Address 41 SMith Street

Map(s) / Parcel(s) 70/3

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 ☒ No ☐ (explain) _____

PROPOSED CHANGE OF USE

No ☒ Yes ☐ (explain) _____

PROPOSED CONSTRUCTION QUALIFIES 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(4) 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(4) 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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DESIGN & SURVEY PLANS MEET -ZBA- RULES & REGULATIONS (Sections 3(A) and 3(C))

Yes ☒ No ☐ (explain) _____

Building Official _____

Date 10-13-23

Town of Marblehead
ZBA-APPLICATION

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Revision Date: 12-14-2015

Project Address 41 Smith Street

Map(s) / Parcel(s) 70/3

NET OPEN AREA (NOA)

Lot area = A

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 20' 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)

EXISTING

PROPOSED

±6,500

±6,500

0 sf

0 sf

±1,385 sf

±1,385 sf

±62 sf

±62 sf

350 sf

350 sf

0 sf

0 sf

0 sf

0 sf

1,797

1,797

4,703

4,703

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)

12' see definition

3rd floor (12' or less in height)

of STORY §200-7]

4th floor (12' or less in height)

attic (area >5' in height)

area under deck (if >5' in height)

roofed porch(es)

0 sf

0 sf

0 sf

0 sf

±1,285 sf

±1,285 sf

±1,392 sf

±1,417 sf

0 sf

±1,166 sf

0 sf

0 sf

±98 sf

0 sf

0 sf

0 sf

0 sf

0 sf

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

±2,775 sf

±3,868 sf

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

= 1,093

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

= 39.387

%

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

= 1.694

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

= 1.215

This worksheet applies 1. plan by/dated N.° SHORE SURVEY 9-20-23
to the following plan(s): 2. plan by/dated WALTER JACOB ARCHITECTS LTD 10-24-23
3. plan by/dated _____

Building Official _____

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