



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

RECEIVED
MARBLEHEAD
TOWN CLERK

2023 APR -6 PM 12:09

Town Clerk

Project Address 5 Curtis Street

Assessor Map(s) 135 Parcel Number(s) 50

OWNER INFORMATION

Signature _____ date _____

Name (printed) Ryan and Maggie Wheeler

Address 5 Curtis Street, Marblehead MA 01945

Phone Numbers: home 781-367-6824 work _____

E-mail ryanwheeler1125@gmail.com fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature Craig Bosworth date 4-3-2023

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) _____

[Signature]

4-5-23

Reviewed by
Building Department
For Zoning Board
Of Appeals

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

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Revision Date: 12-02-2020

Project Address 5 Curtis Street **Map(s) / Parcel(s)** 135 - 50

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)

X **Frontage** - Less than required (§200-7 and Table 2)

X **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)

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

X **Other Non-conformities** (explain) detached garage

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)

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

Other Non-conformities (explain)

No New Dimensional Non-conformities

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For Zoning Board
Of Appeals

ADDITIONAL HEARINGS REQUIRED

Conservation Commission Yes _____ No ☒ X

Historic District Commission Yes No X
Yes No X

Planning Board Yes No X
Yes No X

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

Yes X No (explain)

Building Official

Date 4-5-23

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

Project Address 5 Curtis Street

Map(s) / Parcel(s) 135 - 50

NET OPEN AREA (NOA)

EXISTING

PROPOSED

Lot area = A

7222

7222

Area of features

footprint of accessory building(s)

539 SF

539 SF

footprint of building

1340 SF

1340 SF

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

206 SF

206 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

2409

2409 SF

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

4813 SF

4813 SF

GROSS FLOOR AREA (GFA)

accessory structure(s)

539

539

basement or cellar (area > 5' in height)

1058 SF

1058 SF

1st floor (12' or less in height) NOTE:

[for heights exceeding

1340 SF

1340 SF

2nd floor (12' or less in height)

12' see definition

753 SF

1210 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)

0

0 SF

roofed porch(es)

113 SF

113 SF

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

3803 SF

4260 SF

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

457 SF

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

12.02 %

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

1.27

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

1.13

This worksheet applies

1. plan by/dated North Shore Survey

x 3-23-23

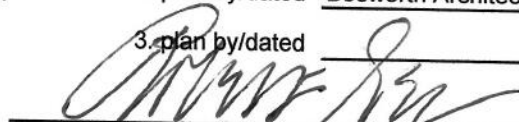
to the following plan(s):

2. plan by/dated Bosworth Architect LLC

x 3-22-23

3. plan by/dated _____

Building Official



Date 4-5-23

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BOSWORTH
ARCHITECT L.L.C.

March 22, 2023

Zoning Board of Appeals

Mary Alley Municipal Building
7 Widger Road
Marblehead, MA 01945

RE: Zoning Board of Appeals Application – **5 Curtis Street**

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 the required Lot Area, Frontage, Front Yard Setback, Side Yard Setback and Tandem Parking. The existing property also has a detached accessory structure with Non-Conforming Setbacks.

This proposal is two small additions over the existing first floor footprint. These additions will provide for a new master bedroom and master bathroom. The proposed additions are compliant with the dimensional regulations. The only reason we seek approval from the ZBA is the fact the current house is non-conforming, and we are greater than the 10% allowable Expansion limit for a Non-conforming Building.

The proposed additions of 457 s.f. will be a 12.02 % change to the existing GFA.

Thank you,

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

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**Town of Marblehead
Zoning Board of Appeals**

Mary Alley Municipal Building
7 Widger Road
Marblehead, MA 01945
Telephone: 781-631-1529
Fax: 781-631-2617

**PAYMENT OF LEGAL ADVERTISEMENT
ACKNOWLEDGEMENT FORM***

M.G.L. Chapter 40A, Zoning, Section 11, mandates that hearings must be advertised in a local newspaper. The Town of Marblehead requires that the applicant, or the applicant's representative, pay for the advertisements.

Name of party responsible for the payment of the advertisement:

Ryan & Maggie Wheeler

Address:

5 Curtis Street, Marblehead MA. 01945

Phone Number:

781-367-6824 (Ryan)

Email:

Ryanwheeler1125@gmail.com

Signature of Property Owner, or Authorized Representative:

Craig Bosworth – Architect

***Please note the party responsible for payment will be billed directly from the advertising newspaper, in most instances the Marblehead Reporter, or the Salem News**