



TOWN SEAL
tel: 781-631-1529

fax: 781-631-2617

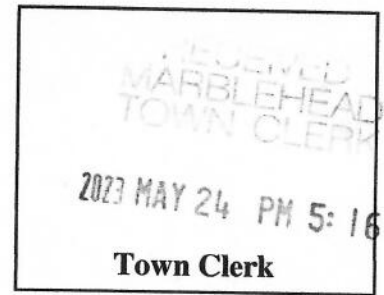
Revision Date: 12-02-20

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 25 LUCE STREET

Assessor Map(s) 132 Parcel Number(s) 20

OWNER INFORMATION

Signature _____ date _____

Name (printed) DAVID PATTEN

Address 25 LUCE ST.

Phone Numbers: home 703.615.5787 work _____

E-mail DAVIDPATTEN@VERIZON.NET fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature [Signature] date 5.24.23

Name (printed) VERONICA HOBSON / TAPROOT DESIGN

Address 37 BIRCH ST MARBLEHEAD MA

Phone Numbers: home 781.864.2304 work _____

E-mail VERONICA@TAPROOT-DESIGN.COM fax _____

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

- SEE ATTACHED -

- 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)

[Signature]
5/24/23

Reviewed by
Building Department
For Zoning Board
Of Appeals

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

Town of Marblehead
ZBA-APPLICATION

Revision Date: 12-02-2020

Page 2 of 3

Project Address 25 WICK ST.

Map(s) / Parcel(s) 132/20

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(2) and Table 2)
☒ Parking (Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply))
☒ Other Non-conformities (explain) Setback - APPROVED BY CHDC & ZBA
☐ No Existing Dimensional Non-conformities 11/2018

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 checked="" type="checkbox"/>	No <input type="checkbox"/>
Planning Board	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Reviewed by
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 [Signature]

Date 5/24/23

Town of Marblehead
ZBA-APPLICATION
 Page 3 of 3

Revision Date: 12-02-2020

Project Address 25 LEE ST.

Map(s) / Parcel(s) 132/20

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 4 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)

EXISTING

PROPOSED

3508 #

3508 #

138

138

1133

1231

237

237

4

4

4

4

4

4

1508 #

1606 #

2000 #

1902 #

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)

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

138

138

445

445

1060

1040

1133

1231

594

653

4

4

4

4

50

69

288

288

3708 #

3884 #

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

= + 176 #

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

= 4.75 %

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

= .54

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

= .49

This worksheet applies to the following plan(s):

1. plan by/dated

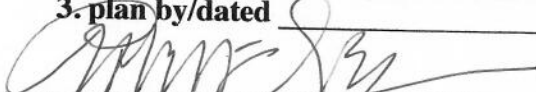
TAPROOT DESIGN INC 5/24/23

2. plan by/dated

NORTH SHORE SURVIVIT 5/23/23

3. plan by/dated

Building Official



Date 5/24/23

Reviewed by
Building Department
For Zoning Board
Of Appeals

ZONING BOARD OF APPEALS

Reviewed by
Building Department
For Zoning Board
Of Appeals

Applicant: David and Cheryl Patten

Address: 25 Lee Street (Map 132, Parcel 20)

District: Shoreline Central Residence & Central Residence Districts

Relief: A Special Permit to construct additions to an existing single-family dwelling that currently exceeds the right-side yard setback by 3.7', sits on the left side lot line (is adjoined with 27 Lee St), and exceeds the height limit by 5.8'. The lot has less than the required lot area and no parking.

The proposed rear addition will exceed the right-side setback by 2.0'+/- and the proposed attic dormer addition will exceed the left side setback by 7.0'+/-.

With a net increase of 175 sf, the proposed structure would increase the overall GFA by 4.75% and decrease the Open Area Ratio from 0.54 to 0.49.

Proposal: The proposal before the board is to construct a 6'-0" deep by 16'-4" wide single-story addition along the rear elevation of the second (main living) floor that will allow for an expanded kitchen with small mudroom nook that will extend into the right-side setback. The right side wall of the addition will be in line with the existing exterior wall of the home.

We are also proposing to construct a dormer to the rear left of the attic that will provide additional headroom in the existing primary bath and dressing rooms.

The home was before the Zoning Board of Appeals with a similar application in 2014 that was approved but not filed or executed.

An application for the replacement of the existing shed was presented and approved in 2018 and was completed the following year.



TOWN SEAL
tel. 781-631-1529

fax: 781-631-2617

Revision Date: 1-16-14

Town of Marblehead **ZONING BOARD OF APPEALS**

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

ZBA APPLICATION

PAGE 1 of 3

Town Clerk

Project Address 25 LEE STREET

Assessor Map(s) 132 Parcel Number(s) 70

OWNER INFORMATION

Signature _____ date _____

Name (printed) DAVID & CHERYL PATTEN

Address 25 LEE STREET MARBLEHEAD MA 01945

Phone Numbers: home 702 615 5787 work _____

E-mail DAVEPATTEN@VERIZON.NET fax _____

Reviewed by
Building Department
For Zoning Board
Of Appeals

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature [Signature] date _____

Name (printed) BRENDAN ABEL (WALTER JACOB ARCHITECTS LTD.)

Address 3 PLEASANT STREET MARBLEHEAD MA

Phone Numbers: home _____ work 781 631 7440

E-mail WALTER@ARCHITECT.WA.COM fax _____

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

1. EXPANSION OF THE KITCHEN & REAR ONTO A SIDE SETBACK WHICH REDUCES OPEN AREA ON A LOT HAVING LESS THAN REQUIRED LOT AREA, SIDE SETBACK, REAR SETBACK, PARKING & EXCEEDS MAX HEIGHT.
2. ADDITION OF A SHED DORMER WHICH PEAKS @ LESS THAN MAX HEIGHT.

- Please schedule a zoning review with the Building Department by calling 781-631-2220, and a review with the Engineering Department by calling 781-631-1529. Application must be complete and correct or a processing delay or the need to re-file may result.
- Submit 12 copies of each of the following to the Town Engineer's Office: this signed application (3 pages); the current survey plan as prepared by a Registered Professional Land Surveyor; and the project design plans.
- An applicant who holds any relevant permits previously issued, must have the permit(s) available for review by the Board of Appeals at the hearing. (Section 3(D), Board of Zoning Appeals Rules & Regulations).

REQUIRED SIGNATURES

1. Building Commissioner (pages 2 and 3)

2. Engineering Administrator William Lapham date 11.6.2014

3. Town Clerk's stamp

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

2014

Town of Marblehead
ZBA-APPLICATION
Page 2 of 3

Revision Date: 1-16-2014

Project Address 25 LEE STREET

Map(s) / Parcel(s) 132/20

ZONING DISTRICT (circle all that apply)

B BI BR CR SCR ECR GR SGR SR SSR ESR SESR HBR L SU

CURRENT USE (explain) TWO FAMILY DWELLING

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

Yes ☒ No ☐ (explain) BY SPECIAL PERMIT

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) SHEDS W/ SIDE & REAR SETBACKS
- ☐ No Existing Dimensional Non-conformities

Reviewed by
Building Department
For Zoning Board
Of Appeals

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 (§200-30-1)
- ☐ 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 checked="" type="checkbox"/>	No <input type="checkbox"/>
Planning Board	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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

Yes ☒ No ☐ (explain) _____

Building Official

[Signature]

Date 11-4-2014

Town of Marblehead
ZBA-APPLICATION
Page 3 of 3

Reviewed by
Building Department
For Zoning Board
Of Appeals
Revision Date: 1-16-2014

Project Address 25 LEE STREET

Map(s) / Parcel(s) 132/20

NET OPEN AREA (NOA)

Lot area = A

EXISTING

PROPOSED

3508

3508

Area of features

footprint of accessory building(s)

150

150

footprint of building

1167

1264

footprint of deck(s), porch(es), step(s), bulkhead(s) 242+36+52

330

278

242+30

number of required parking spaces x (9' x 20' per space)

—

—

area of pond(s)

—

—

tidal area(s) below MHW

—

—

other areas (explain)

—

—

Sum of features = B

1647

1692

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

1861

1816

GROSS FLOOR AREA (GFA)

accessory structure(s)

150

150

basement or cellar (area > 5' in height)

445

445

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

1159

1159

2nd floor (12' or less in height) 12' see definition

1167

1264

3rd floor (12' or less in height) 3rd STORY (200-7)

724

757

4th floor (12' or less in height)

—

—

attic (area > 5' in height)

—

—

area under deck (if > 5' in height)

242

242

roofed porches

—

—

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

3887

4017

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

= 130

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

= 3.34 %

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

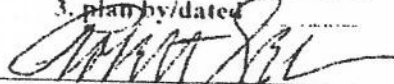
= 0.48

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

= 0.45

This worksheet applies 1. plan by/dated WALTER JACOB ARCHITECTS LTD.
to the following plan(s): 2. plan by/dated NORTH SHORE SURVEY CORP.
3. plan by/dated —

Building Official



Date 11-4-2014



TOWN SEAL
tel: 781-631-1529

fax: 781-631-2617

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

PAGE 1 of 3

RECEIVED
MARBLEHEAD
TOWN CLERK

2018 OCT 11 PM 2:40

Town Clerk

Project Address 25 LEE STREET

Assessor Map(s) 132 Parcel Number(s) 20

OWNER INFORMATION

Signature [Signature] date _____

Name (printed) Cheryl Patten David Patten

Address 25 Lee St Marblehead, MA 01945

Phone Numbers: home 703-615-5787 work _____

E-mail davepatten@verizon.net fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature _____ date _____

Name (printed) _____

Address _____

Phone Numbers: home _____ work _____

E-mail _____ fax _____

Reviewed by
Building Department
For Zoning Board
Of Appeals

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

REMOVE EXISTING SHED & CONSTRUCT NEW SHED ON EXISTING
FOOTPRINT. SHED EXCEEDS SIDETYARD SETBACK BY 4.0' +/- &
ON A LOT WITH LESS THAN REQUIRED LOT AREA. PROJECT
RESULTS IN NO CHANGE TO THE GFA or HOA, SAVE 1.0'.

- 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)

Reviewed by
Building Department
For Zoning Board
Of Appeals

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

Town of Marblehead
ZBA-APPLICATION
Page 2 of 3

Revision Date: 12-14-2015

Project Address 25 LEE ST. Map(s) / Parcel(s) 132/20

ZONING DISTRICT (circle all that apply)

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

CURRENT USE (explain) ACCESSORY STRUCTURE - SHED

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
Historic District Commission
Planning Board

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Reviewed by
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 [Signature] Date 10/10/18

**Town of Marblehead
ZBA-APPLICATION**

Page 3 of 3

Revision Date: 12-14-2015

Project Address 25 LEG ST.

Map(s) / Parcel(s) 132/20

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)

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)

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)

Reviewed by
Building Department
For Zoning Board
Of Appeals

This worksheet applies to the following plan(s):
1. plan by/dated 10/9/18 TAPROOT DESIGN, INC.
2. plan by/dated 8/23/18 HARVEY SHORE STREET
3. plan by/dated _____

Building Official _____

Date 10/10/18

EXISTING

PROPOSED

3508 #

3508 #

139

138

1167

1167

330

330

360 *

360 (*None exist)

-

-

-

-

1996 #

1995 #

1512 #

1513 #

139

138

445

445

1159

1159

1167

1167

724

724

-

-

-

-

242

242

-

-

3876 #

3875 #

= - 1 #

= 0.0 %

= .39

= .39