



TOWN SEAL

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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

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2022 FEB 16 AM 11:50  
Town Clerk

Project Address \_\_\_\_\_ 325 Ocean Avenue, Marblehead, MA 01945

Assessor Map(s) \_\_\_\_\_ 913 \_\_\_\_\_ Parcel Number(s) \_\_\_\_\_ 5 - 0

### **OWNER INFORMATION**

Signature \_\_\_\_\_ date \_\_\_\_\_ February 16, 2022

Name (printed) \_\_\_\_\_ Hugh J. Scandrett and Sue M. Scandrett

Address \_\_\_\_\_ 8 Cutting Lane, Weston, MA 02493

Phone Numbers: home \_\_\_\_\_ 978-808-9112 work \_\_\_\_\_ - - see below for contact - representative

E-mail \_\_\_\_\_ scandrett@comcast.net \_\_\_\_\_ fax \_\_\_\_\_ - -

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

Signature \_\_\_\_\_ date \_\_\_\_\_ February 16, 2022

Name (printed) \_\_\_\_\_ Robert C. McCann \_\_\_\_\_ McCann & McCann, P.C.

Address \_\_\_\_\_ 89 Newbury Street, Suite 302, Danvers, MA 01923

Phone Numbers: home \_\_\_\_\_ - - work \_\_\_\_\_ 978-739-8484

E-mail \_\_\_\_\_ rmccann@mccannlaw.com \_\_\_\_\_ fax \_\_\_\_\_ 978-739-8455

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

SEE ATTACHED DESCRIPTION

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

- 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) \_\_\_\_\_ FEB 16, 2022

2. Town Clerk's stamp (upper right corner)

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

**PROJECT DESCRIPTION & RELIEF REQUESTED**

325 Ocean Avenue, Marblehead, MA 01945  
Hugh J. Scandrett and Sue M. Scandrett

The Applicants request that the Zoning Board of Appeals issue a Special Permit under the Zoning By-Laws allowing construction of a detached walkway roof between the house and the garage which will be partially in the Side Yard Set Back, the placement of a generator in the Side Yard Set Back which will exceed the maximum allowed decibels prescribed in § Section 200-27 of the By-Laws and construction of certain additions to a pre-existing non-conforming single-family dwelling having greater than the maximum allowed Height on a conforming Lot located at **325 Ocean Avenue** in a **SHORELINE EXPANDED SINGLE RESIDENCE ZONING DISTRICT**. The additions to the dwelling will be constructed partially in the restricted Height area but will not exceed or increase the current maximum Height or ridge line. The Lot contains a pre-existing non-conforming garage located in the Side Yard Set Back which is being renovated and restored, only.

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

**Project Address** 325 Ocean Avenue, Marblehead, MA 01945 **Map(s)/Parcel(s)** 913 / 5 - 0

**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

**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)

**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)

<b>X</b>	<b>Side Yard Setback - Less than required (Table 2) – <u>Garage Only</u></b>
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<b>X</b>	<b>Height</b> – Exceeds maximum allowed (§200-7 and Table 2)
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**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)** \_\_\_\_\_

### 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)

<b>X</b>	<b>Side Yard Setback</b> - Less than required (Table 2) – <b><u>detached walkway roof only</u></b>
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**X 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 Nonconforming Building (§200-30.D)**

**Other Non-conformities** (explain) \_\_\_\_\_

### No New Dimensional Non-Conformities

**ADDITIONAL HEARINGS REQUIRED**

**Conservation Commission** Yes X No       

**Historic District Commission** Yes \_\_\_\_\_ No X

Planning Board Yes X No \_\_\_\_\_

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

Yes ☒ No ☐ (explain) \_\_\_\_\_

### Building Official

Date 2-16-2022

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

Project Address 325 Ocean Avenue, Marblehead, MA 01945 Map(s)/Parcel(s) 913 / 5 - 0**NET OPEN AREA (NOA)****EXISTING****PROPOSED**Lot area = A 49,000 49,000**Area of features**footprint of accessory building(s) 752 867footprint of building 2,950 3,007footprint of deck(s), porch(es), step(s), bulkhead(s) 771 885number of required parking spaces 2 x (9'x18' per space) 324 324area of pond(s), or tidal area(s) below MHW 0 0other areas (explain) 0 0**Sum of features = B** 4,797 5,083**Net Open Area (NOA) = (A - B)** 44,203 43,917**GROSS FLOOR AREA (GFA)**accessory structure(s) 752 867basement or cellar (area >5' in height) 2,607 2,6071st floor (12' or less in height) NOTE:[for heights exceeding 2,885 3,0302nd floor (12' or less in height) 12' see definition 1,951 2,2343rd floor (12' or less in height) of STORY §200-7] 0 04th floor (12' or less in height) 0 0attic (area >5' in height) 304 304area under deck (if >5' in height) 254 254roofed porch(es) 102 165**Gross Floor Area (GFA) = sum of the above areas** 8,855 9,461**Proposed total change in GFA** = (proposed GFA - existing GFA) = 606**Percent change in GFA** = (proposed total change in GFA ÷ existing GFA) x 100 = 6.84 %**Existing Open Area Ratio** = (existing NOA ÷ existing GFA) = 4.99: 1.00**Proposed Open Area Ratio** = (proposed NOA ÷ proposed GFA) = 4.64: 1.00This worksheet applies **1. plan by/dated December 21, 2021 by North Shore Survey**to the following plan(s): **2. plan by/dated February 9, 2022 by Howell Custom Building Group****3. plan by/dated**Building Official [Signature] Date 2-16-2022