



Town of Marblehead  
**ZONING BOARD OF APPEALS**

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

RECEIVED  
2023 OCT 19 AM 8:58  
Town Clerk

TOWN SEAL  
tel: 781-631-1529  
fax: 781-631-2617  
Revision Date: 12-02-20

**ZBA APPLICATION**  
PAGE 1 of 3

Project Address 84 Harbor Ave  
Assessor Map(s) 918 Parcel Number(s) 3 & 3A

**OWNER INFORMATION**

Signature [Signature] O.B.O. JEROME & HOLLY O'NEILL date 10/16/23  
Name (printed) Jerome & Holly O'Neill  
Address 18 Orchard Street, Marblehead, MA  
Phone Numbers: home 978-968-513 work 617-434-7730  
E-mail hollyaoneill@gmail.com fax N/A

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

Signature [Signature] date 10/16/23  
Name (printed) Tobin Shulman  
Address 126 Dodge Street, Beverly, MA  
Phone Numbers: home 617-460-4504 work 978-927-3745  
E-mail tobin@svdesign.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) [Signature]  
2. Town Clerk's stamp (upper right corner) 10-18-23

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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



Project Description & Relief Request

Jerome and Holly O'Neill  
84 Harbor Ave  
Marblehead, MA 01945

*Reviewed by  
Building Department  
For Zoning Board  
Of Appeals*

The property located at 84 Harbor Ave is in the Shoreline Expanded Single Residence (SESR) Zoning District. The lot is non-conforming in regard to Lot Area, Lot Width, and Lot Frontage. The existing single family home is non-conforming in regard to its Rear Yard Setback, Side Yard Setback, and Building Height.

The owners propose the demolition of the existing home, and the construction of a new single family home, moved back on the lot and complying with the setback and building height requirements. The foundation of the existing home will partially remain, as it is integrated with the seawall.

Town of Marblehead  
ZBA-APPLICATION

Revision Date: 12-02-2020

Page 2 of 3

Project Address 84 Harbor Ave Map(s) / Parcel(s) 918 / 3 & 3A

ZONING DISTRICT (circle all that apply)

B BI BR CR SCR ECR GR SGR SR SSR ESR **SES** HBR U SU

CURRENT USE (explain) Single Family Residence

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) \_\_\_\_\_
- 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(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

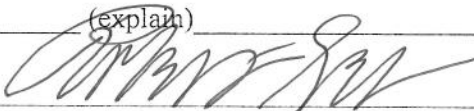
ADDITIONAL HEARINGS REQUIRED

Conservation Commission	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Historic District Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Planning Board	Yes <input checked="" type="checkbox"/>	No <input 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  Date 10-18-23

**Town of Marblehead**  
**ZBA-APPLICATION**  
 Page 3 of 3

Revision Date: 12-02-2020

Project Address 84 Harbor Ave

Map(s) / Parcel(s) 918 / 3 & 3A

**NET OPEN AREA (NOA)**

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>
Lot area = A	26,400	26,400
<b>Area of features</b>		
footprint of accessory building(s) - ex. garage, new cabana and shed	370	505
footprint of building	2,130	3,030
footprint of deck(s), porch(es), step(s), bulkhead(s)	495	215
number of required parking spaces <u>2</u> x (9'x 18' per space)	324	324
area of pond(s), or tidal area(s) below MHW	removed from lot area	removed from lot area
other areas (explain) _____		
<b>Sum of features = B</b>	3,319	4,074
<b>Net Open Area (NOA) = (A - B)</b>	23,081	22,326

**GROSS FLOOR AREA (GFA)**

accessory structure(s) - ex. garage, new cabana and shed	370	640
basement or cellar (area >5' in height)	1,330	0
1st floor (12' or less in height) <small>NOTE: [for heights exceeding</small>	1,940	3,030
2nd floor (12' or less in height) <small>12' see definition</small>	1,125	2,990
3rd floor (12' or less in height) <small>of STORY §200-7]</small>	0	0
4th floor (12' or less in height)	0	0
attic (area >5' in height)	0	0
area under deck (if >5' in height)	135	0
roofed porch(es)	425	200
<b>Gross Floor Area (GFA) = sum of the above areas</b>	5,325	6,860

<b><u>Proposed total change in GFA</u></b> = (proposed GFA - existing GFA)	= 1,535
<b><u>Percent change in GFA</u></b> = (proposed total change in GFA ÷ existing GFA) x 100	= 28.8 %
<b><u>Existing Open Area Ratio</u></b> = (existing NOA ÷ existing GFA)	= 4.33
<b><u>Proposed Open Area Ratio</u></b> = (proposed NOA ÷ proposed GFA)	= 3.25

This worksheet applies 1. plan by/dated North Shore Survey Corporation, September 12, 2023  
 to the following plan(s): 2. plan by/dated SV Design, LLC, 10/16/2023  
 3. plan by/dated \_\_\_\_\_

Building Official \_\_\_\_\_

Date 10-18-23

Reviewed by  
 Building Department  
 For Zoning Board  
 Of Appeals