



TOWN SEAL  
tel: 781-631-1529

fax: 781-631-2617

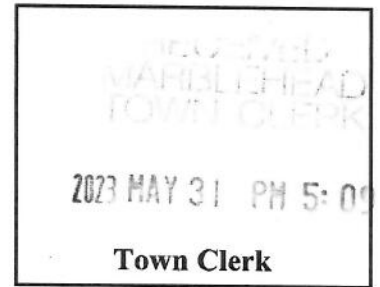
Revision Date: 12-02-20

# 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 12 Davis Road Marblehead, MA 01945

Assessor Map(s) 195 Parcel Number(s) 7-0

### **OWNER INFORMATION**

Signature \_\_\_\_\_ date \_\_\_\_\_

Name (printed) Davis Point, LLC

Address 12 Davis Road Marblehead, MA 01945

Phone Numbers: home \_\_\_\_\_ work see contact info below

E-mail \_\_\_\_\_ fax \_\_\_\_\_

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

Signature [Signature] date 5-31-2023

Name (printed) Matthew Wolverton Law Offices of Lausier & Lausier, LLC

Address 2 Hooper Street Marblehead, MA 01945

Phone Numbers: home 781 631 8830 x3 work same

E-mail matt@lausierlaw.com fax 781 631 8840

### **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) 5/31/23

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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

## Page 2 of 3

Revision Date: 12-02-2020

**Project Address** 12 Davis Road **Map(s) / Parcel(s)** 195/7-0

**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 residential

**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)

<b>X</b>	<b>Lot Width - Less than required (§200-7)</b>
----------	--

**x 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)

  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)

**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)

**x Side Yard Setback - Less than required (Table 2)**

**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)

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

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

**No New Dimensional Non-conformities**

**ADDITIONAL HEARINGS REQUIRED**

<b>Conservation Commission</b>	Yes	<input checked="" type="checkbox"/>	No
--------------------------------	-----	-------------------------------------	----

	Yes	No
Historic District Commission	Yes	No

	Yes	No
Planning Board	X	

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 5/31/23

Town of Marblehead  
ZBA-APPLICATION  
Page 3 of 3

Revision Date: 12-02-2020

Project Address 12 Davis Road

Map(s) / Parcel(s)

195 - 7

**NET OPEN AREA (NOA)**

**EXISTING**

**PROPOSED**

Lot area = A

43430

43430

**Area of features**

footprint of accessory building(s)

0 SF

0 SF

footprint of building

2941 SF

4015 SF

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

216 SF

537 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

7350 SF

7350 SF

other areas (explain) \_\_\_\_\_

0

0 SF

**Sum of features = B**

10831

12226 SF

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

32599 SF

31204 SF

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

0

0

basement or cellar (area > 5' in height)

1600 SF

2700 SF

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

[for heights exceeding

2673 SF

3747 SF

2nd floor (12' or less in height)

12' see definition

2785 SF

3450 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

roofed porch(es)

544 SF

835 SF

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

7602 SF

10732 SF

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

= 3130 SF

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

= 41.17 %

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

= 4.29

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

= 2.91

**This worksheet applies**

1. plan by/dated North Shore Survey

24-May-23

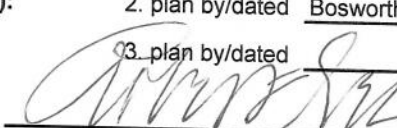
**to the following plan(s):**

2. plan by/dated Bosworth Architect LLC

22-May-23

3. plan by/dated \_\_\_\_\_

**Building Official**



Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

Date 5/31/23

**PROJECT DESCRIPTION & RELIEF REQUESTED**

12 Davis Road, Marblehead, MA 01945  
Davis Point, LLC

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

The Applicant requests that the Zoning Board of Appeals issue a Special Permit under the Zoning By-Laws allowing the construction of an addition to a pre-existing non-conforming single-family dwelling that exceeds the allowed Height on a Lot having less than required Lot Width and Frontage located at **12 DAVIS ROAD** in a **SHORELINE EXPANDED SINGLE RESIDENCE DISTRICT and EXPANDED SINGLE RESIDENCE DISTRICT**. The proposed addition to the dwelling will be constructed partially within the Side Yard Setback, will increase the Height and will increase the Gross Floor Area by more than the allowed ten (10%) percent but will otherwise conform to all other Dimensional Regulations.