

## Town of Marblehead ZONING BOARD OF APPEALS

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

2022 JUL 28 AM 10: 55

ECEIVED

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 239-241 Humphrey Street		
Assessor Map(s) 13 Parcel Number(s	s)8-0	
Name (printed) Joshua Chmara	dateJuly 27, 2022	
Address19 Fieldbrook Road Marblehead, MA 01945		
Phone Numbers: home E-mail	work see contact info belowfax	
APPLICANT or REPRESENTATIVE INFORMATION Signature Name (printed) Matthew Wolverton Law Office Address 2 Hooper Street Marblehead,	date July 27, 2022 s of Lausier & Lausier LLC	
Phone Numbers: home		
E-mail matt@lausierlaw.com		
PROJECT DESCRIPTION & RELIEF REQUESTED (attach additional page if necessary)  SEE ATTACHED DESCRIPTION		
<ul> <li>Please schedule a Zoning / Application review with the Buildin</li> <li>Obtain the Town Clerk's stamp and submit 12 copies of each of the signed and stamped application (3 pages);</li> <li>current survey plan (not older than 90 days) as prepare the project design plans as required;</li> <li>check for the applicable fee payable to the Town of Ma</li> <li>Any relevant permit(s) that were previously issued must be avained scheduled hearing. (Section 3(D), Board of Zoning Appeals Ruil</li> <li>REQUIRED SIGNATION</li> <li>Building Commissioner (pages 1, 2 and 3)</li> <li>Town Clerk's stamp (upper right corner)</li> </ul>	the following to the Town Engineer's Office:  ad by a Registered Professional Land Surveyor;  rblehead.  allable for review by the Board of Appeals at the les & Regulations).	

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

#### PROJECT DESCRIPTION & RELIEF REQUESTED

Reviewed by Roard

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Chappeals

239 – 241 Humphrey Street, Marblehead, MA 01945 Joshua Chmara

The Applicant requests that the Zoning Board of Appeals issue a Special Permit for use and dimension under the Zoning By-laws pursuant to § 200-30B(2) allowing a change of use from a combined residential and non-residential building, a pre-existing non-conforming use, to a use as a converted dwelling as defined in 200-11A(1)(d) of the Zoning By-laws, consisting of two dwelling units, and allowing the proposed addition of front entrance steps and landing which will be located within the Front Yard Setback, on the property having less than the required Lot Area, Lot Open Area, Front Yard Setback and Parking with a pre-existing non-conforming structure located at 239-241 HUMPHREY STREET in a SINGLE RESIDENCE DISTRICT. The exterior lines of the structure are not being materially altered.

### Town of Marblehead ZBA-APPLICATION

Revision Date: 12-02-2020

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Project Address 239-241 Humphrey Street Map(s) / Parcel(s) 13/8-0 **ZONING DISTRICT** (circle all that apply) B B1 BR CR SCR ECR GR SGR (SR) SSR ESR SESR HBR U SU CURRENT USE (explain) Combined Residential and Non-Residential CURRENT USE CONFORMS TO ZONING (Article IV, Table 1) Yes \_\_\_\_ No X (explain) mixed commercial and residential PROPOSED CHANGE OF USE No \_\_\_\_ Yes X (explain) Converted Dwelling (two residential units) 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) 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) Side Yard Setback - Less than required (Table 2) Height - Exceeds maximum allowed (§200-7 and Table 2) X Open Area - Less than required (§200-7, §200-15.B(2) and Table 2) X 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) X 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 Building Department ADDITIONAL HEARINGS REQUIRED Though South Board **Conservation Commission** Yes \_\_\_\_ No X **Historic District Commission** Yes No **Planning Board** Yes No DESIGN & SURVEY PLANS MEET -ZBA- RULES & REGULATIONS (Sections 3(A) and 3(C)) No (explain) **Building Official** Date 7-27-2022

# Town of Marblehead <u>ZBA-APPLICATION</u> Page 3 of 3

PLICATION Revision Date: 12-02-2020

Project Address 239-241 Humphrey Street	_Map(s) / Parcel(s) 13/8-0		
NET OPEN AREA (NOA)	EXISTING	PROPOSED	
Lot area = A	8320	8320	
Area of features footprint of accessory building(s)	0	0	
footprint of building	2409	2409	
footprint of deck(s), porch(es), step(s), bulkhead(s)	396	164	
number of required parking spaces x (9'x 18' per space)	648	648	
area of pond(s), or tidal area(s) below MHW		0	
other areas (explain)	0	0	
Sum of features = B	3453	3221	
Net Open Area $(NOA) = (A - B)$	4867	5099	
GROSS FLOOR AREA (GFA)			
accessory structure(s)	0	0	
basement or cellar (area >5' in height)	2209	2209	
1st floor (12' or less in height) NOTE: [for heights exceeding	2409	_2409	
2nd floor (12' or less in height) 12' see definition	1568	1568	
3rd floor (12' or less in height) of STORY §200-7]	764	764	
4th floor (12' or less in height)	0	0	
attic (area >5' in height)	0	0	
area under deck (if >5' in height)	28	0	
roofed porch(es)	37	74	
Gross Floor Area (GFA) = sum of the above areas	7015	7024	
<u>Proposed total change in GFA</u> = (proposed GFA - existing GF	FA)	= 9	
Percent change in GFA = (proposed total change in GFA ÷ exist			
Existing Open Area Ratio = (existing NOA ÷ existing GFA)	avien Ook Book	= 0.13 %	
Percent change in GFA = (proposed total change in GFA ÷ exist Existing Open Area Ratio = (existing NOA ÷ existing GFA)  Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA)	Sting GFA) X 1000 Co.	= <u>0.69</u> = 0.73	
This worksheet applies 1. plan by/dated EASTERN LANGE to the following plan(s): 2. plan by/dated DIZDARSON (3. plan by/dated	- 2	5-26-2022	
Building Official Date 7-27-2022			