



TOWN SEAL  
tel: 781-631-1529

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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

2022 JUL 28 AM 10:55

Town Clerk

Project Address 239-241 Humphrey Street

Assessor Map(s) 13 Parcel Number(s) 8-0

### **OWNER INFORMATION**

Signature [Signature] date July 27, 2022

Name (printed) Joshua Chmara

Address 19 Fieldbrook 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 July 27, 2022

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

Address 2 Hooper Street Marblehead, MA 01945

Phone Numbers: home \_\_\_\_\_ work 781 631 8830 x 3

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

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

SEE ATTACHED DESCRIPTION

- 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)

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

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals  
7-27-22

**PROJECT DESCRIPTION & RELIEF REQUESTED**

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

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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**

Page 2 of 3

Revision Date: 12-02-2020

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 ☒ (explain) mixed commercial and residential

**PROPOSED CHANGE OF USE**

No ☐ Yes ☒ (explain) Converted Dwelling (two residential units)

**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 type="checkbox"/>	No <input checked="" type="checkbox"/>
Historic District Commission	Yes <input type="checkbox"/>	No <input checked="" 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 \_\_\_\_\_

Date 7-27-2022

**Revision Date:** 12-02-2020

Map(s) / Parcel(s) 13/8-0

**PROPOSED**

8320

## 0

2409

164

648

0

0

3221

5099

## 0

2209

2409

1568

764

0

0

0

74

7024

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9

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Date 7-27-2022