



TOWN SEAL

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Revision Date: 12-14-15

# Town of Marblehead **ZONING BOARD OF APPEALS**

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

## **ZBA APPLICATION**

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Town Clerk

Project Address 10 Harvard Street, Marblehead, MA 01945  
Assessor Map(s) 918 Parcel Number(s) 9 - 0

### **OWNER INFORMATION**

Signature [Signature] date April 10, 2020  
Name (printed) James L. Tedford III, and Meredith M. Tedford  
Address 10 Harvard Street, Marblehead, MA 01945  
Phone Numbers: home - - work 617-852-9015; 781-696-3249  
E-mail Meredith.tedford@gmail.com; jamietedford3@gmail.com fax - -

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

Signature [Signature] date April 10, 2020  
Name (printed) Robert C. McCann, Esq. 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

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

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

### **PROJECT DESCRIPTION AND RELIEF REQUESTED**

The Applicant requests that the Zoning Board of Appeals issue a Special Permit granting approval for construction of additions and improvements to the pre-existing non-conforming single-family dwelling which has less than the required Side Yard Set Back, Rear Yard Set Back and exceeds the maximum allowed Height located on a Lot having less than the required Lot Area on the property at **10 HARVARD STREET** in an **SHORELINE EXPANDED SINGLE RESIDENCE DISTRICT**. A portion of the proposed construction will be in the Rear Yard Set Back and the dwelling will continue to have non-conforming, but reduced, Height as a result of the change in the low spot.

The proposed construction includes:

- Removal of the harbor side living room/deck and construction of a deck with stairs and a second floor balcony above in its place, a portion of which will be in the Rear Yard Set Back;
- Construction of an associated expanded, conforming, deck and stairs;
- Construction of a second story above the existing first story portion of the dwelling connecting the garage to the harbor portion of the dwelling, a portion of which will be in the Rear Yard Set Back;
- Addition of air conditioning condenser units as shown on the Survey;
- Miscellaneous minor conforming additions to the front of the house;
- General renovations and restorations of the dwelling.

The construction will add a net 117 square feet of Gross Floor Area (an increase of 1.9% GFA) and the Open Space Ratio will change from 1.48 to 1.46 (.02%).

Approval by the Marblehead Conservation Commission has been obtained and recorded. Planning Board review is not applicable.



**Town of Marblehead**  
**ZBA-APPLICATION**

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Revision Date: 12-14-2015

Project Address 10 Harvard Street, Marblehead, MA 01945

Map(s) / Parcel(s) 918 / 9 - 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 Dwelling with attached garage

**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(4) 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(4) 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 type="checkbox"/>	No	<input checked="" type="checkbox"/>

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

Yes ☒ No ☐ (explain) \_\_\_\_\_

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

Date \_\_\_\_\_

**Town of Marblehead**  
**ZBA-APPLICATION**  
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Revision Date: 12-14-2015

Project Address 10 Harvard Street, Marblehead, MA 01945 Map(s) / Parcel(s) 918 / 9 - 0

**NET OPEN AREA (NOA)**

Lot area = A

**EXISTING**

13,500

**PROPOSED**

13,500

**Area of features**

footprint of accessory building(s)

-

-

footprint of building

2,987

2,692

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

900

1,171

number of required parking spaces 2 x (9' x 20' per space)

324

324

area of pond(s), or tidal area(s) below MHW

-

-

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

-

-

Sum of features = B

4,211

4,187

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

9,289

9,313

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

-

-

basement or cellar (area > 5' in height)

456

456

1st floor (12' or less in height) NOTE: [for heights exceeding

3,206

2,692

2nd floor (12' or less in height) 12' see definition

1,834

2,404

3rd floor (12' or less in height) of STORY §200-7]

759

759

4th floor (12' or less in height)

-

-

attic (area > 5' in height)

-

-

area under deck (if > 5' in height)

-

-

roofed porch(es)

-

61

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

6,255

6,372

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

= 117

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

= 1.9 %

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

= 1.48

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

= 1.46

This worksheet applies 1. plan by/dated Ebban Creek dated April 2020

to the following plan(s): 2. plan by/dated North Shore Survey dated January 30, 2020

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

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

Date \_\_\_\_\_