



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

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2025 JAN 28 AM 11:42

Town Clerk

Project Address 17 Hawkes Street Unit 5

Assessor Map(s) 115 Parcel Number(s) 29 5

OWNER INFORMATION

Signature John Heish date 1-27-2025
Name (printed) Hawkes Street Properties, LLC
Address 12548 Lake Denise Blvd. Clermont FL 34711
Phone Numbers: home _____ work see contact info below
E-mail _____ fax _____

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature MW date 1/27/2025
Name (printed) Matthew Wolverton, Law Offices of Lausier & Lausier, LLC
Address 2 Hooper Street Marblehead, MA 01945
Phone Numbers: home 781 631 8830 x 2 work _____
E-mail matt@lausierlaw.com fax 781 631 8840

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

SEE ATTACHED DESCRIPTION

Reviewed by _____

Building Department
For Zoning Board
Of Appeals

- 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) Seth C 1-27-2025
2. Town Clerk's stamp (upper right corner)

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

Town of Marblehead
ZBA-APPLICATION
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Revision Date: 12-02-2020

Project Address 17 Hawkes Street Unit 5 Map(s) / Parcel(s) 115/29 5

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 commercial and residential building
Unit 5 is a residential unit

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 _____

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ADDITIONAL HEARINGS REQUIRED

Conservation Commission Yes _____ No
Historic District Commission Yes _____ No
Planning Board Yes _____ No

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

Yes No _____ (explain) _____

Building Official 

Date 1-27-2025

Town of Marblehead
ZBA-APPLICATION
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Revision Date: 12-02-2020

Project Address 17 Hawkes Street Unit 5 Map(s) / Parcel(s) 115/29 5

| <u>NET OPEN AREA (NOA)</u> | <u>EXISTING</u> | <u>PROPOSED</u> |
|---|------------------------|------------------------|
| Lot area = A | <u>4765</u> | <u>4765</u> |
| Area of features | | |
| footprint of accessory building(s) | <u>0</u> | <u>0</u> |
| footprint of building | <u>1500</u> | <u>1500</u> |
| footprint of deck(s), porch(es), step(s), bulkhead(s) | <u>195</u> | <u>195</u> |
| number of required parking spaces <u>10</u> x (9'x 18' per space) | <u>1620</u> | <u>1620</u> |
| area of pond(s), or tidal area(s) below MHW | <u>0</u> | <u>0</u> |
| other areas (explain) _____ | <u>0</u> | <u>0</u> |
| Sum of features = B | <u>3315</u> | <u>3315</u> |
| Net Open Area (NOA) = (A - B) | <u>1441</u> | <u>1441</u> |

GROSS FLOOR AREA (GFA)

| | | |
|---|-------------|-------------|
| accessory structure(s) | <u>0</u> | <u>0</u> |
| basement or cellar (area >5' in height) | <u>0</u> | <u>0</u> |
| 1st floor (12' or less in height) <u>NOTE:</u> [for heights exceeding | <u>1415</u> | <u>1415</u> |
| 2nd floor (12' or less in height) 12' see definition | <u>1416</u> | <u>1416</u> |
| 3rd floor (12' or less in height) of STORY §200-7] | <u>0</u> | <u>0</u> |
| 4th floor (12' or less in height) | <u>0</u> | <u>0</u> |
| attic (area >5' in height) | <u>0</u> | <u>0</u> |
| area under deck (if >5' in height) | <u>40</u> | <u>40</u> |
| roofed porch(es) | <u>0</u> | <u>0</u> |
| Gross Floor Area (GFA) = sum of the above areas | <u>2871</u> | <u>2871</u> |

| | |
|--|--------------|
| Proposed total change in GFA = (proposed GFA - existing GFA) | <u>= 0</u> |
| Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100 | <u>= 0 %</u> |
| Existing Open Area Ratio = (existing NOA ÷ existing GFA) | <u>= .50</u> |
| Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA) | <u>= .50</u> |

This worksheet applies 1. plan by/dated North Shore Survey Nov. 25, 2024
 to the following plan(s): 2. plan by/dated Robert Zarelli April 7, 2010
 3. plan by/dated _____

Building Official

 Date 1-27-2025

PROJECT DESCRIPTION & RELIEF REQUESTED

17 Hawkes Street, Unit 5, Marblehead, MA 01945
Hawkes Street Properties, LLC

The Applicant requests that the Zoning Board of Appeals issue a Special Permit under the Zoning By-law to remove a condition contained in a prior Special Permit limiting Unit 5, a residential unit, of the **SEVENTEEN HAWKES STREET CONDOMINIUM**, to owner occupancy. The property at 17 Hawkes Street consists of a lot with less than the required Lot Area, Open Space Ratio and Required Parking. No external construction is proposed, all on the property located at **17 HAWKES STREET** in a **BUSINESS RESIDENTIAL DISTRICT**.

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