



TOWN SEAL
tel: 781-631-1529

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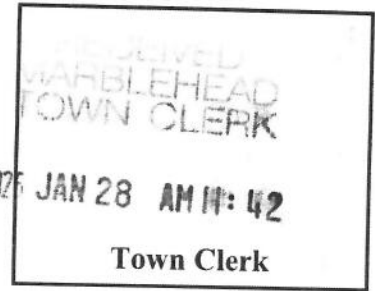
Revision Date: 12-02-20

Town of Marblehead **ZONING BOARD OF APPEALS**

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

ZBA APPLICATION

PAGE 1 of 3



Project Address 17 Hawkes Street Unit 5

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

OWNER INFORMATION

Signature *John Smith* 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 *Matthew Wolverton* 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) *[Signature]* 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 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)

- 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)
 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)
 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) _____
X No New Dimensional Non-conformities

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ADDITIONAL HEARINGS REQUIRED

Conservation Commission	Yes <u> </u>	No <u>X</u>
Historic District Commission	Yes <u> </u>	No <u>X</u>
Planning Board	Yes <u> </u>	No <u>X</u>

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

Yes X No (explain) _____

Building Official [Signature] 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

NET OPEN AREA (NOA)

	<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) NOTE: [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) = 0

Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100 = 0 %

Existing Open Area Ratio = (existing NOA ÷ existing GFA) = .50

Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA) = .50

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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