



**Town of Marblehead**  
**Zoning Board of Appeals**

2025 JUN 24 PM 4:50

Town Clerk Stamp

**APPEAL FORM**

(Appeal of the Building Commissioner's Action/Inaction Regarding Zoning Enforcement)

Date: 6/24/25

With respect to the property at (address): 27 SPARHAWK TERRACE

Assessor Map Number: 177 Parcel Number: 39

Pursuant to Chapter 40A, §8 of the General Laws and Chapter 200-2-I of the Marblehead Zoning Bylaw and **Section 7 of the Rules and Regulations of the Board of Zoning Appeals**, I (we) respectfully appeal to the Board of Appeals the following action taken or not taken, or determination made, by the Building Commissioner and/or Local Inspector:

(a) the failure to take a requested enforcement action. The written request for enforcement, the written response (if any), and a written statement specifying the grounds for this appeal are attached to this Form

(b) the failure to issue a requested building permit. The application for the building permit, the written notice (if any) of the denial of the permit, and a written statement specifying the grounds for this appeal are attached to this Form.

(c) an order or decision of the Building Commissioner and/or Local Inspector. The written order or decision (if any) and a written statement specifying the grounds for this appeal are attached to this Form.

Applicant Signature: Edward Nilsson

Applicant Name Printed: EDWARD NILSSON

Applicant Address: 28 NAUGLES AVENUE

Applicant Phone Number: (Home) 978-578-0180 Work) 978-741-5777 (Fax) ENILSSON@NSAARC.HT.COM  
(Email) ENILSSON@NSAARC.HT.COM

Form Complete: Town Engineer's Office: Rich Lyons Date: 6-24-25  
(Signature)

Eng. Dept. - MaryAlley Municipal Building, 7 Widger Road, Marblehead, MA 01045  
Phone: 781-631-1529 Fax: 781-631-2617

Revision Date: 9/22/2011

Edward & Frances Nilsson  
28 Naugus Avenue  
Marblehead, MA 01945

June 23, 2025

**Marblehead Building Department**  
7 Widger Road  
Marblehead, MA 01945

**Re: Complaint for enforcement of Zoning Bylaw: Bldg. Permit BL-24-52**

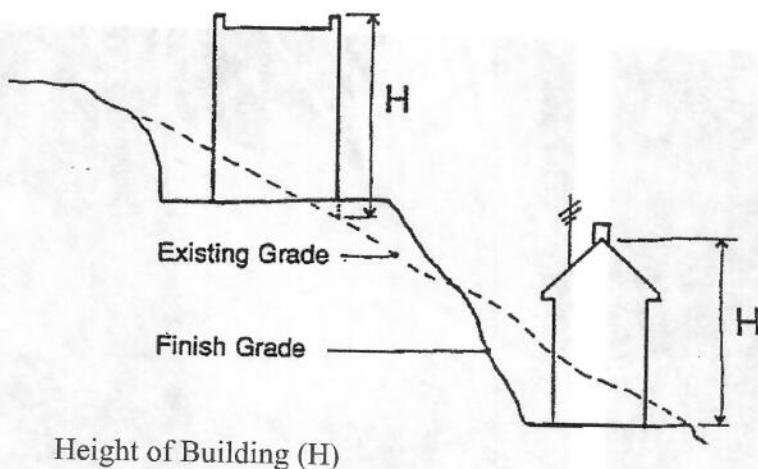
This letter is to request enforcement of the Marblehead Zoning Bylaw by the Building Commissioner regarding the height of the building under construction at 27 Sparhawk Terrace. In accordance with Article II, Definitions, section 200-7, the building height is calculated as:

**HEIGHT OF BUILDING**

Building height shall be measured from the highest point of any roof or parapet to the lowest point of the original grade or the lowest point of the finished grade of the ground adjoining the building, whichever makes the building height greater. (See illustrative sketch<sup>[2]</sup> and § 200-16G for application.)

**200-16G.**

Maximum building height. In all zone districts the maximum height of any building shall be 35 feet...



The permit drawing (Page No. 6) indicates a dimension from the pre-existing lowest point (Elev, 83.60) to the ridge (Elev. 118.42) for a building height of 34.82. However, the existing grade is approximately 5' lower on the southeast corner of the building (see attached photos 3,4 & 5), for a total height of approximately 40' measured from the pre-existing grade as portrayed in the sketch above. The building looms over our back deck, (see photos 1 & 2) as the house should have been placed further back or lowered 5' to conform to the bylaw. This is to request the Building Commissioner enforce the Zoning Bylaw.

Cc: Marblehead Planning Board



5. Photo of southeast corner showing building height exceeding the Zoning Bylaw.



6. 27 Sparhawk Terrace Permit drawing No. 6, marked-up to show excessive height.

