



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 APR 28 PM 3:20  
Town Clerk

Project Address 46 Harbor Ave  
Assessor Map(s) 908 Parcel Number(s) 18

### **OWNER INFORMATION**

Signature \_\_\_\_\_ date \_\_\_\_\_  
Name (printed) Tyler Dittrich  
Address 46 Harbor Ave.  
Phone Numbers: home \_\_\_\_\_ work \_\_\_\_\_  
E-mail ttdittrich@gmail.com fax \_\_\_\_\_

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

Signature [Signature] date \_\_\_\_\_  
Name (printed) Jeff Tucker  
Address 56 Atlantic Ave Marblehead Ma 01945  
Phone Numbers: home 781- 631- 3546 work \_\_\_\_\_  
E-mail jeff@tuckerarch.com fax \_\_\_\_\_

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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

The proposed project is to build a new detached garage on an existing non conforming site with less than required Lot Area, Lot Width, Frontage, and Side Yard Setbacks. The new non conformities of the proposed garage are less than required Lot Area, Lot Width, Frontage and Side Yard Setbacks.

- 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] 4-28-2025
2. Town Clerk's stamp (upper right corner)

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

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

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Project Address 46 Harbor Ave

Map(s) / Parcel(s) 908 / 18

**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

**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

**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"/>

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

Yes ☒ No ☐ (explain) \_\_\_\_\_

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

Date 4-28-2025

Town of Marblehead  
**ZBA-APPLICATION**  
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**NET OPEN AREA (NOA)**

Lot area = A

EXISTING  
12760

PROPOSED  
12760

**Area of features**

footprint of accessory building(s)

92

984

footprint of building

1355

1355

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

275

275

number of required parking spaces \_\_\_\_\_ x (9'x 18' per space)

324

324

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

0

0

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

0

0

Sum of features = B

2046

2938

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

10714

9822

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

92

1876

basement or cellar (area >5' in height)

580

580

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

1355

1355

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

1094

1094

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

0

0

4th floor (12' or less in height)

0

0

attic (area >5' in height)

283

283

area under deck (if >5' in height)

0

0

roofed porch(es)

86

86

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

3490

5274

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

= 1784

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

= 51.12 %

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

= 3.07

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

= 1.86

This worksheet applies 1. plan by/dated \_\_\_\_\_

to the following plan(s): 2. plan by/dated \_\_\_\_\_

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

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

Date 4-28-2025