

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
34 LAKESIDE AVENUE**

(To be mailed forthwith to the owner and applicant, if not the owner.)

Owner:	Christine & Matthew Kenney	Date:	, 2017
Address:	34 Lakeside Avenue Weymouth, MA 02189		
Applicant:	Christine & Matthew Kenney	Case #:	3325
Address:	34 Lakeside Avenue Weymouth, MA 02189		
Representative:	N/A	Site Address:	34 Lakeside Avenue
		Sheet:	23
		Block:	302
		Lot:	27

Zoning District: R-1

Board of Zoning Appeals application filed on February 1, 2017.

After a public hearing on March 1, 2017, advertised in the Weymouth News on February 15, and February 22, 2017, the Board of Zoning Appeals at its meeting of March 1, 2017

VOTED TO GRANT THE SPECIAL PERMIT under Weymouth Zoning Ordinance 120-40 Extension or change to a non-conforming structure;
to grant relief for the petitioner to construct a ~8' x 19' first floor addition and a ~16' x 19' second story addition to the existing single-family dwelling located on a ~7270 SF lot, per "Plot Plan of Land, 34 Lakeside Avenue, Weymouth, Massachusetts, Norfolk County" prepared by Hoyt Land Surveying, dated January 27, 2017; and "Addition & Renovations to 34 Lakeside Avenue, Weymouth, MA" prepared by Fitzroy Design, dated January 30, 2017.

FINDINGS:

1. The specific site is an appropriate location for such a use.
The site is an existing single-family home. The changes are not further encroaching on setbacks.
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
4. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use.
5. That the public convenience and welfare will be substantially served with the proposal.

Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

After the twenty (20) day appeal period has passed, the Town Clerk will send to the petitioner: (1) the certificate that no appeal was filed, (2) the certificate of granting of variance and/or special permit and (3) Record of Proceedings. The petitioner shall record these documents with the Norfolk Registry of Deeds, Dedham, MA, with the appropriate filing fee.

When a receipt from the Registry of Deeds is presented to the Building Inspector (to show that the decision has been recorded), the proper permit will be issued.

Decision filed with the Town Clerk on , 2017

IMPORTANT: Notice is further given that any person aggrieved by this decision may appeal, according to MGL Chapter 40A, Section 17, and said appeal, if any, must be filed with the Town Clerk within twenty (20) days after the filing of the decision with the Town Clerk.

Robert J. Luongo, Director of Planning and Community Development

BOARD OF ZONING APPEALS (BZA)
RECORD OF MINUTES AND PROCEEDINGS
Wednesday, March 1, 2017

Members Present: Richard McLeod, Chairman
Kemal Denizkurt
Jonathan Moriarty
Chuck Golden
Brandon Diem
Ed Foley - absent

Also Present: Robert Luongo, Planning Director
Eric Schneider, Principal Planner
Janet Murray, Recording Secretary

Chairman McLeod called the Board of Zoning Appeals meeting to order at 7:00 p.m. at the McCulloch Building, 182 Green Street and explained the procedures that would be followed to the people present.

Case #3325 - The petitioner, Christine & Matthew Kenney, for property located at 34 Lakeside Avenue, also shown on the Weymouth Town Atlas sheet 23, block 302, lot 27, located in a R-1 zoning district. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

120-40 Special Permit for Extension or change to a nonconforming structure

Presently located on the approximately 7270 square foot lot is an existing single-family dwelling. The petitioner seeks to construct an approximate 8' X 19' square foot addition and an approximate 16' X 19' square foot second-story addition to the existing dwelling.

Mr. Golden made a motion to open the public hearing and was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

Mr. Moriarty made a motion to waive the reading of the public notice and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Ms. Kenney appeared before the board. She stated that she would like to put an addition onto the house that does not extend beyond the existing footprint. She said they were extending the first floor by 8 feet and build a second story onto the existing structure.

She noted that the home was built very close to the street.

Mr. Schneider stated that Mary Ellen Schloss, Conservation Commissioner, did a site visit today to review what needs to change. There is a shed that encroaches onto town property.

Mr. Moriarty made a motion to close the public hearing and was seconded by Mr. Golden

Mr. Denizkurt made a motion to approve the request for a special permit for case #3325.

6. The specific site is an appropriate location for such a use.
The site is an existing single-family home. The changes are not further encroaching on setbacks.
7. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.
8. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
9. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use.
10. That the public convenience and welfare will be substantially served with the proposal.

The motion was seconded by Mr. Moriarty. Voted 4-0.

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

, 2017

Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Christine & Matthew Kenney, 34 Lakeside Avenue, Weymouth, MA 02189, affecting the rights of the owner with respect to land or buildings at 34 Lakeside Avenue, also shown on the Weymouth Town Atlas Sheet 23, Block 303, Lot 27, and the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said variance – special permit, and that copies of said decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

Robert J. Luongo, Planning Director

Kathleen Deree, Town Clerk

Case # 3325

Date of Hearing: 3/1/2017