

**TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION**

TO BE COMPLETED BY STAFF	
Case Number: <u>3259</u>	Town Clerk Stamp
Submittal Accepted: _____	Date _____
<small>Signature of Planning Dept. Staff for <u>minimal</u> requirements</small>	
Determined to be complete and may now be filed with Town Clerk: _____	
<small>Signature of Principal Planner or Director</small>	

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE
2015 JUL 23 PM 2:36

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 17 Clematis Ave

Assessor's Map Sheet, Block, & Lot: Sheet 9, Block 139, Lot 17

Zoning District: R-1 Overlay District: _____

OWNER OF RECORD (S) (print & sign): Nancy Banatt
(The owner of record is the person or entity who owns title to the property as of today's date)

Address of owner of record: 17 Clematis Ave Weymouth 02188

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): Nancy Banatt

Applicant's Address: 17 Clematis Ave Weymouth MA 02188

Contact Information: Email nancy.Banatt@thewinegroup.com Phone _____

Check if you are an: owner(s) ☒ lessee(s) ☐ optionee (s) ☐ 757-403-0864

NAME & AFFILIATION OF REPRESENTATIVE: _____

Address: _____

Contact Information: Email _____ Phone _____

NAME OF ENGINEER AND / OR ARCHITECT: Easton Pool - Dave Hoback

Prior to submitting your application you must review this entire package and the Board Rules and Regulations outlining the Board's policies and procedures. Your signature signifies that you have read the required material and you will be expected to adhere to them.

I (we) hereby certify that I (we) have read the Board of Zoning Appeals Rules and Regulations and that the statements within my (our) application are true and accurate to the best of my (our) knowledge.

Nancy Banatt 7-14-15
Applicant / Petitioner - Date (sign & print)

NATURE OF REQUEST

Application is for: _____ Special Permit _____ Variance Other: _____

Applicable Section of Zoning Ordinance (specify Section (s) of the Zoning Ordinance from which relief is sought):

looking to install an inground pool in side yard

The above relief and Ordinance sections will be further reviewed after a complete package is submitted. This may be amended by the Planning or Building staff during the application review process after having the benefit of plan to accurately advertise the application before the Board.

PETITIONER'S DESCRIPTION AND NARRATIVE:

To be completed by all Board of Appeals Applicants. Attach additional sheets as necessary.

1. Describe what is presently located on the property (use as much detail as possible including all uses and square footage of each use): There are 3 oak trees, deck, stone walkway, shed, retaining wall
2. The applicant seeks to (describe what you want to do on the property in as much detail as possible): I would like to install an inground pool in the side yard area.
3. Such a use is permitted by the Town of Weymouth Zoning Ordinance under Article (insert Article, Section of the Zoning Ordinance which permits the proposed use of the property).
4. Are you aware if this property has been previously granted approvals from any Town Board or Commission? If so, please list (provide dates of previous approvals, book and page numbers or any recorded decisions and copies of past decisions).
Yes, June 15 2011 for a 2nd floor dormer
Case # 3135
5. Any other additional information as relevant to the Variance or Special Permit:

ZONING COMPUTATION WORKSHEET

(To be attached with all Board of Zoning Appeals Applications)

The Zoning Computation Worksheet must be completed by the Applicant / Petitioner. All information should be measured and calculated in accordance with the Weymouth Zoning Ordinance (Section 120-51 Table 1 "Schedule District Regulations" and other applicable sections of the Zoning Ordinance). The information should be based on engineer/surveyor/architectural prepared plans and or calculations. Further guidance can also be provided by the Board's step-by-step application instructions and by contacting the Planning or Building Department while completing this section.

Data	Required	Existing	Proposed
Use			
Lot Area / Size (Sq. Ft.)			
Dwelling Units			
Frontage (ft.)			
Lot Width (ft.)			
Front Yard Setback (ft.)			
Front Yard Setback (ft.) – corner lots			
Side Yard Setback (ft.)			
Side Yard Setback (ft.)			
Rear Yard Setback (ft.)			
Height (ft.) & # of Stories			
Lot Coverage			
Off-Street Parking Spaces			
Off-Street Loading Spaces			
Parking Setback			
Accessory Structure Setback			
Landscaping			
Floor Area Ratio			
Signage			
Other:			

SPECIAL PERMIT APPLICATION

To be completed for Special Permit Applications only.

SPECIAL PERMIT FINDINGS OF FACT

In the spaces below explain how the adverse effects of the proposal will not outweigh its beneficial impacts to the Town with respect to each of the following considerations per Article XXV, Section 120-122 of the Zoning Ordinance. The Special Permit Granting Authority may approve any such application for a special permit **only** if it finds that, in its judgment, all of the following conditions are met. (Attach additional supporting documentation as necessary).

1. Is the specific site an appropriate location for such a use? Please explain.

The pool will be located in the side yard so that
I can leave the existing trees in the backyard.

2. Will the proposed use / structure be detrimental or adversely affect the character of the neighborhood or town? Please explain.

No, it will be completely fenced in

3. Is there potential for nuisance or serious hazard to vehicles or pedestrians? Please explain.

No, there will be locks on the gates

4. Will adequate and appropriate facilities, utilities and other public services be provided for the proper operation of the proposed use? Please explain.

Yes

5. Will the public convenience and welfare be substantially serviced with this proposal? Please explain.

No

SUPPLEMENTARY QUESTIONS - SECTION 120-40 SPECIAL PERMITS

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure or Use
(Article XIII "Nonconforming Uses" Section 120-40 "Extension or Change")**

To be completed by Applicants applying for a Special Permit under Section 120-40 Only.

EXTENSION OR CHANGE FINDINGS OF FACT:

Any lawful structure or use in existences at the time the Zoning Ordinance was adopted or amended may be extended or altered, provided that no such extension or alteration shall be permitted unless there is a finding by the Board of Zoning Appeals that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use or structure to the neighborhood.

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities):

2. Indicate how long the nonconforming aspects of the structure have been in existence:

3. At the time the nonconformity was created (the structure or use initiated) was it compliant with the current zoning requirements? Past zoning ordinances are available for research at the Town Clerk's office and Planning Department. Past zoning maps are available at the Planning Department.

4. Explain how the extension, alteration, or change itself complies with the current Zoning Ordinance requirements:

5. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed:

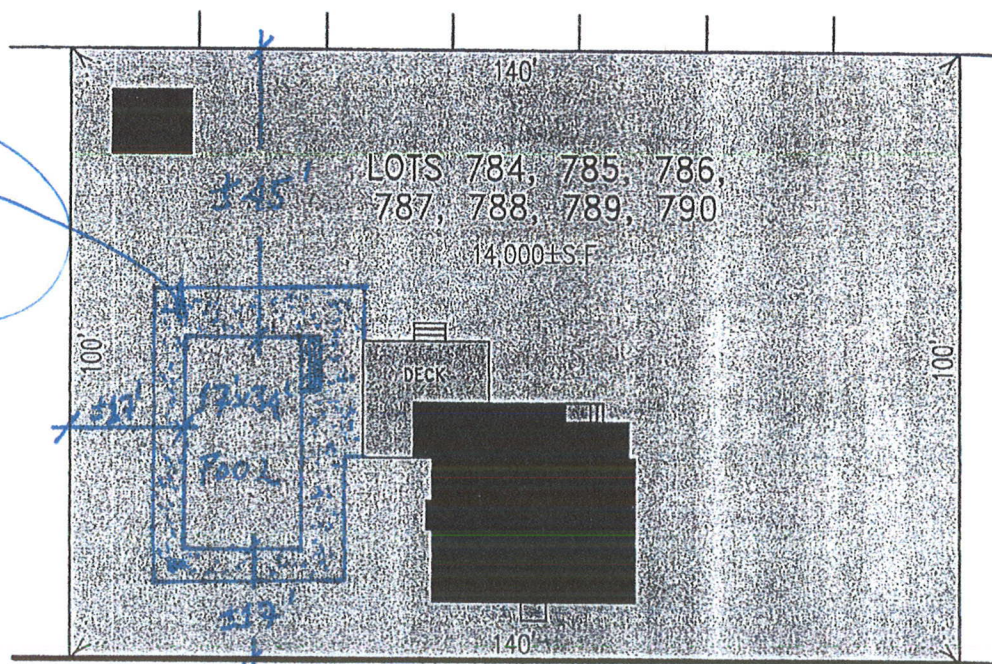
6. Explain how the use or structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:



LOT 723 LOT 722 LOT 721 LOT 720 LOT 719 LOT 718 LOT 702

STAMPED
CONCRETE
PATIO

LOT 783



LOT 791

CLEMATIS AVENUE



John S. Lauretani

SCALE: 1" = 30'

MORTGAGE LENDER**USE ONLY****plotplans.com**

**DES LAURIERS
& ASSOCIATES, INC.**
101 CONSTITUTION BLVD, SUITE D
FRANKLIN, MA 02038
(800)287-8800 FAX: (508)528-4011

**THOMAS F. WILLIAMS
& ASSOCIATES, P.C.**
ATTORNEYS AT LAW

21 McGrath Highway • Suite 501
Quincy, MA 02169
tel (617) 847-4200 • fax (617) 328-8504
www.lawofficetwilliams.com

**MORTGAGE INSPECTION PLAN**

ADDRESS: 17 CLEMATIS AVENUE, WEYMOUTH, MA
LENDER: BLUE DOOR MORTGAGE, LLC

THERE ARE NO DEEDED EASEMENTS IN
THE ABOVE REFERENCED DEED OR
ENCROACHMENTS WITH RESPECT TO
DWELLING SITUATED ON THIS LOT
EXCEPT AS STATED ON THE DEED OF
RECORD SHOWN

