

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

TO BE COMPLETED BY STAFF

Case Number: 3320 Town Clerk Stamp
DEC 16 2016

Submittal Accepted: _____ Date _____
Signature of Planning Dept. Staff for minimal requirements

Determined to be complete and may now be filed with Town Clerk: _____
Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 32-38 Washburn Street

Assessor's Map Sheet, Block, & Lot: 23--304--36

Zoning District: Residential R-1 Overlay District: N/A

OWNER OF RECORD (S) (print & sign): Ryder Development Corp.
(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: 847 Washington Street, Weymouth

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. 194104

NAME OF APPLICANT (S) (print & sign): Ryder Development Corp.

Applicant's Address: 847 Washington St., Weymouth, MA 02189

Contact Information: Email _____ Phone _____

Check if you are an: owner(s) ☒ lessee(s) ☐ optionee (s) ☐

NAME & AFFILIATION OF REPRESENTATIVE:

Address: Gregory F. Galvin, Esq., 775 Pleasant St., Weymouth, MA 02189

Contact Information: Email ggalvin@gregorygalvin.com Phone 781-340-5335

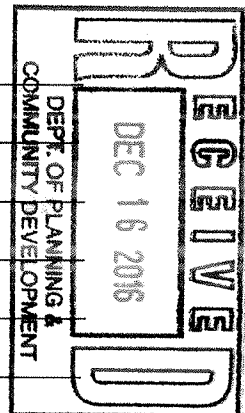
NAME OF ENGINEER AND / OR ARCHITECT: Hoyt Land Surveying

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.

Gregory F. Galvin, Esq. Dec. 2, 2016

Applicant / Petitioner - Date (sign & print)



NATURE OF REQUEST

Application is for: ☒ Special Permit ☐ Variance Other: Finding

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

Article XIII, S. 120-39 Continuation; 120-40 Extension or Change; 120-70(B) off-street pa

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):

Presently there are 2 buildings on one lot, a single family dwelling and a 3-family dwelling all with on off-street parking.

2. The applicant seeks to (describe what you want to do on the property in as much detail as possible):

Applicant seeks to rehabilitate the single family and to remove the 3-family and construct a duplex (2-family) back from the street to provide for 4 off-street parking spaces and green 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).

The present use is non-conforming and under S. 120-39, it is allowed to continue so long as there is a finding that it is not substantially more detrimental to the neighborhood.

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).

N/A

5. Any other additional information as relevant to the Variance or Special Permit:

The applicant is proposing to reduce the density by removing one dwelling and to provide off-street parking for 2 units(4 spaces).

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		Multi-family	Multi-family
Lot Area / Size (Sq. Ft.)	25,000	6,062	Same
Dwelling Units	One	Four	Three
Frontage (ft.)	40	96.42	Same
Lot Width (ft.)	120	Varies 96.42 to 60.65	Same
Front Yard Setback (ft.)	18	7	(Same) and 20.8
Front Yard Setback (ft.) - corner lots	-	-	-
Side Yard Setback (ft.)	10	4.7	(Same) 10.6
Side Yard Setback (ft.)	-	-	-
Rear Yard Setback (ft.)	24	7.1	Same
Height (ft.) & # of Stories	2-1/2 (35)	Same	Same
Lot Coverage	30%	36%	36%
Off-Street Parking Spaces	6	0	4
Off-Street Loading Spaces	-	-	-
Parking Setback	18'	0	0
Accessory Structure Setback	-	-	-
Landscaping	70%	<70%	<70%
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 site is in the R-1 zoning district however has four units in two buildings. Further the site abuts multi-family dwellings to the rear and across the street, as well as others lots in the neighborhood.

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

Although the zoning district is a single-family district there are other multi-family uses in the immediate neighborhood.

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

Currently there is no off-street parking for these dwellings, the applicant is proposing to provide 4 off-street spaces thereby reducing the non-conforming use and to lessen street congestion.

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

The applicant will provide the necessary and appropriate facilities and utilities for the new construction as well as add green space.

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

By providing off-street parking the applicant will be providing a convenience of lessening vehicular congestion on the street and will rehabilitate the existing dilapidating buildings.

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):

There are four-dwelling units in two buildings on an undersized single-family lot, without proper set-backs and no off-street parking.

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

Before zoning.

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.

Buildings predate zoning.

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

The applicant intends to reduce the non-conforming character of the lot, as provided in S. 120-39

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

There are no off-street parking spaces for this lot. The applicant will provide for four spaces for the new duplex.

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:

It will reduce the density and provide for some off-street parking.

VARIANCE APPLICATION

To be completed for Variance applications only.

VARIANCE FINDINGS OF FACT:

Criteria for approval. The Board may approve any such application for a Variance **only** if it finds that, in its judgment, all of the following conditions are met.

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

1. Describe how a literal enforcement of the provision of the Town of Weymouth Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner.

N/A

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

N/A

3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance.

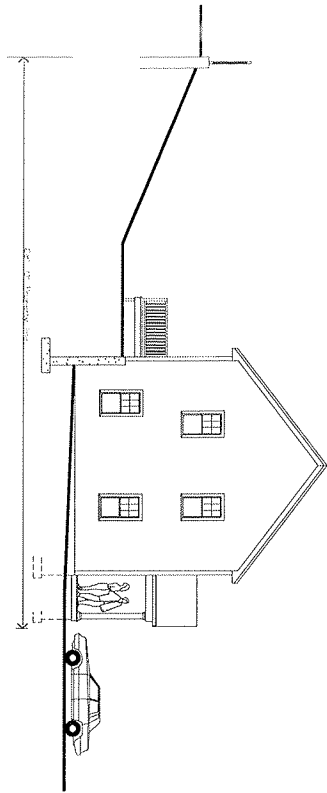
N/A

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship.

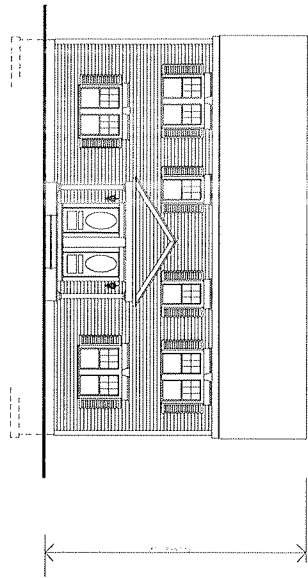
N/A

NOTE THAT THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMENTS SET FORTH IN CHAPTER 40A SECTION 10 OF THE GENERAL LAWS AND IN ARTICLE XXIV SECTION 120-119 OF THE WEYMOUTH ZONING ORDINANCE ARE SATISFIED. EACH OF THE ABOVE FINDINGS MUST BE ANSWERED IN DETAIL. ATTACH ADDITIONAL SHEETS IF NECESSARY.

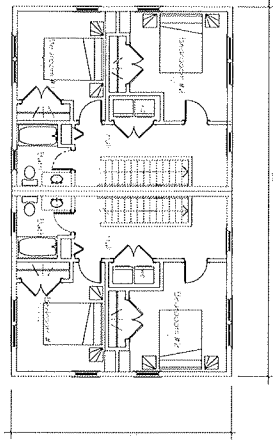
Left Side Elevation



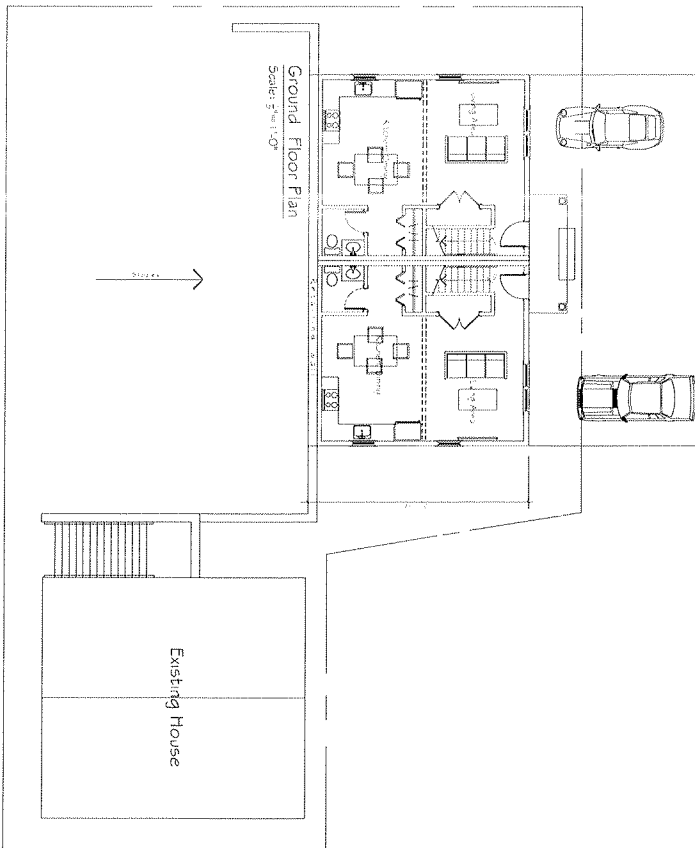
Front Elevation
Scale: 1/8" = 1'-0"



Second Floor Plan



Ground Floor Plan
Scale: 1/8" = 1'-0"



Existing House

Residential Development Plans for:

Washburn Street - Weymouth, MA

Brian R. Saluti
Architect, Inc.

P.O. Box 520
Sharon, MA 02067
(617)827-9416
www.salutiarchitect.com

PROJECT

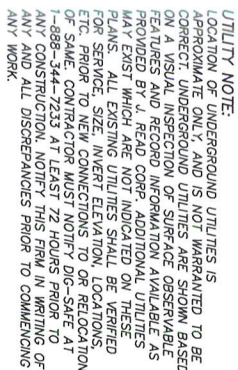
DESIGN PROJECT #

DESIGNED BY
BS

SCALE

TITLE

DATE



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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WYOMOUTH DPW USE ONLY

VERTICAL DATUM
TOWN OF WEMYSS

HORIZONTAL DATUM:
NAD 83

FLOOD PLAIN NOTE

RECORDING, AS SHOWN ON
FIRM 25021C0233E DATED
7-17-12.

THIS PLAN IS THE RESULT OF AN ACTUAL
ON THE GROUND SURVEY.

PETER G. HOYT P.L.S. DATE

SCALE 1" = 10' DATE: 10-31-16

GRAPHIC SCALE SCALE: 1"=10'

HOYT LAND SURVEYING
1287 WASHINGTON STREET
WEYMOUTH MA. 02189
781-682-9192