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TOWN CLERK'S OFFICE

TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION

TO BE COMPLETED BY STAFF

Case Number: 3446

Town Clerk Stamp

Submittal Accepted: [Signature]

Date 4/22

Signature of Planning Dept. Staff for minimal requirements

Determined to be complete and may now be filed with Town Clerk: [Signature]

Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 33 Brook Terrace

Assessor's Map Sheet, Block, & Lot: Sheet 16, Block 214, Lot 16

Zoning District: _____ Overlay District: _____

OWNER OF RECORD (S) (print & sign): Christopher + Stephanie Hamilton

(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: 33 Brook Terrace, Weymouth, MA 02188

Norfolk County Registry of Deeds Book and Page No. Book 25949, Page 246

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): Christopher + Stephanie Hamilton

Applicant's Address: 33 Brook Terrace, Weymouth, MA 02188

Contact Information: Email kingsway94@yahoo.com Phone 617 285 7798

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

NAME & AFFILIATION OF REPRESENTATIVE: _____

Address: _____

Contact Information: Email _____ Phone _____

NAME OF ENGINEER AND / OR ARCHITECT: Kristen Morrison Architects

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.

[Signature] 4/12/21
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): 120-40

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 is currently a 18'x9' (under block 1.5 car garage w/ 2 windows that don't open & a steel interior door leading into a "breezeway" which connects the garage & basement. There is currently a deck above the breezeway.

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

would like to demo the current 1.5 car garage & "breezeway" & replace w/in the existing footprint, a new 1.5 car garage, (18'x9') along w/ the current "breezeway", adding a family room above the garage & replacing the deck w/ a 3-season porch

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).

120-40 existing residential house, no alteration of use or structure proposed

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).

NO

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

The existing "breezeway" previously had a 3-season porch above it but it was infested w/ ants so in 2009 we removed the porch & put a deck over the "breezeway."

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.)		5378	
Dwelling Units		1	
Frontage (ft.)		80	
Lot Width (ft.)		60	
Front Yard Setback (ft.)		18.6	
Front Yard Setback (ft.) - corner lots		L=15.71 R=10	
Side Yard Setback (ft.)		20.1 + 20.2	
Side Yard Setback (ft.)		18	
Rear Yard Setback (ft.)		9.3 + 12.9	
Height (ft.) & # of Stories			
Lot Coverage			
Off-Street Parking Spaces		4	
Off-Street Loading Spaces		—	
Parking Setback			
Accessory Structure Setback			
Landscaping			
Floor Area Ratio			
Signage			
Other:			

** new structure will be built in the same footprint of previous structure*

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.

Yes - existing house, in residential neighborhood -
proposed project w/in the same footprint.

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

No - it will improve the area; we have had a few
houses in the neighborhood that have been remodeled/expanded,
which can improve property values.

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

No - we are keeping our project w/in the current
footprint of our existing house.

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

Yes - project will be built to Weymouth's
building code

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

Existing garage is not up to current
standards of building & has been
recommended to be replaced to conform
to current building / zoning standards.

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):

existing structure non conforming to setback -
proposed rebuild stays w/in same footprint

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

1928

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.

yes b/c zoning was not regulated until
1940's

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

Does not increase preexisting nonconformity
rebuild will be done in same footprint.

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

We can currently fit 4 cars in our driveway & we
will continue to have the same spots.

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:

Architectural style of addition & size are
w/in the character of existing neighborhood.

