

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

2022 JUL 15 PM 2:38

TO BE COMPLETED BY STAFF

Case Number: #3483 Town Clerk Stamp
 Submittal Accepted: [Signature] Date 7/15/22
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: _____

Assessor's Map Sheet, Block, & Lot: Block 43-503-73

Zoning District: R1 Overlay District: _____

OWNER OF RECORD (S) (print & sign): _____

(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: 16 CHERRY LN.

Norfolk County Registry of Deeds Book and Page No. 29907 551

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): GREGORY + MICHELLE BANKS

Applicant's Address: 16 CHERRY LN.

Contact Information: Email _____ Phone _____

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: _____

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] 7/11/22
 Applicant / Petitioner - Date (sign & print)

NATURE OF REQUEST

Application is for: X 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):

14'x22' ONE CAR GARAGE 308 SQ FT.
10'x16' FAMILY ROOM 160 SQ FT.
32'x24' CAPE STYLE HOUSE 768 SQ F.F.

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

DEMOLISH EXISTING FAMILY ROOM AND GARAGE
REPLACE WITH 24'-0" x 22'-0" FAMILY ROOM - DINING
AREA AND ENTRY 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).

YES, SINGLE FAMILY HOME

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:

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.)		8400 SF	SAME
Dwelling Units		1	SAME
Frontage (ft.)		75.00	SAME
Lot Width (ft.)		75.00	SAME
Front Yard Setback (ft.)		21.2	29.6
Front Yard Setback (ft.) - corner lots		-	-
Side Yard Setback (ft.)		RIGHT 8.9	SAME
Side Yard Setback (ft.)		LEFT 8.0	SAME
Rear Yard Setback (ft.)		55.7	55.7
Height (ft.) & # of Stories		1 1/2	1 1/2
Lot Coverage		1344 sq ft	1326 sq ft
Off-Street Parking Spaces		2	2
Off-Street Loading Spaces		NA	NA
Parking Setback			
Accessory Structure Setback			
Landscaping			
Floor Area Ratio			
Signage		NA	NA
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.

YES - RESIDENTIAL NEIGHBORHOOD STAYING THE SAME

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

PROPOSED USAGE IS KEEPING WITHIN EXISTING
USES OF NEIGHBORHOOD - SINGLE FAMILY

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

NO ENCRoACHMENT OF ROADWAY TO EFFECT
PEDESTRIANS OR CARS

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

ALL APPROPRIATE FACILITIES, UTILITIES AND PUBLIC
SERVICES ALREADY EXIST AT SITE

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

YES WILL ALLOW MORE ROOM FOR
EXISTING FAMILY TO LIVE

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):

CURRENTLY NOT NONCONFORMING

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

N/A

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.

N/A

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

THE NEW LIVING FOOTPRINT WILL CONFORM TO CURRENT ZONING WITH THE EXCEPTION OF LEFT SIDE

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

2 CURRENT 2 PROPOSED

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:

FOOTPRINT WILL NOT BE CHANGING - JUST REMOVING GARAGE SPACE AND CHANGING TO LIVING SPACE

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.

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.

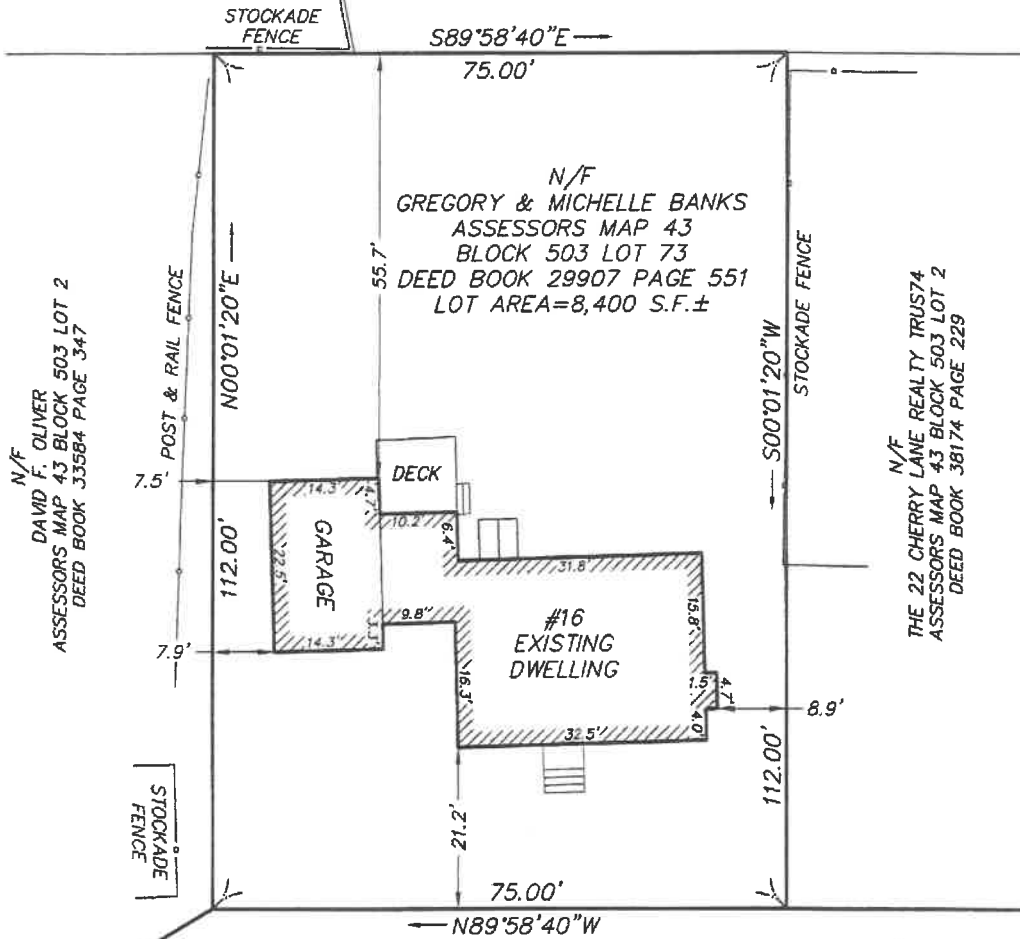
3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance.

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.

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.

N/F
JAMES & JOHN DOLL
ASSESSORS MAP 43
BLOCK 503 LOT 1
DEED BOOK 15881 PAGE 446

N/F
ROBERT & LINDA LUNDQUIST
ASSESSORS MAP 43 BLOCK 503 LOT 29
DEED BOOK 5018 PAGE 481



CHERRY LANE



GRAPHIC SCALE

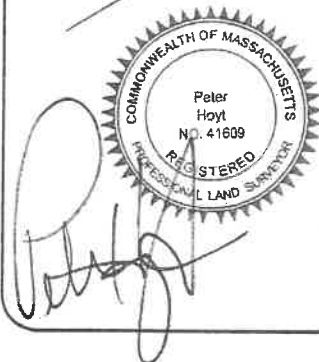
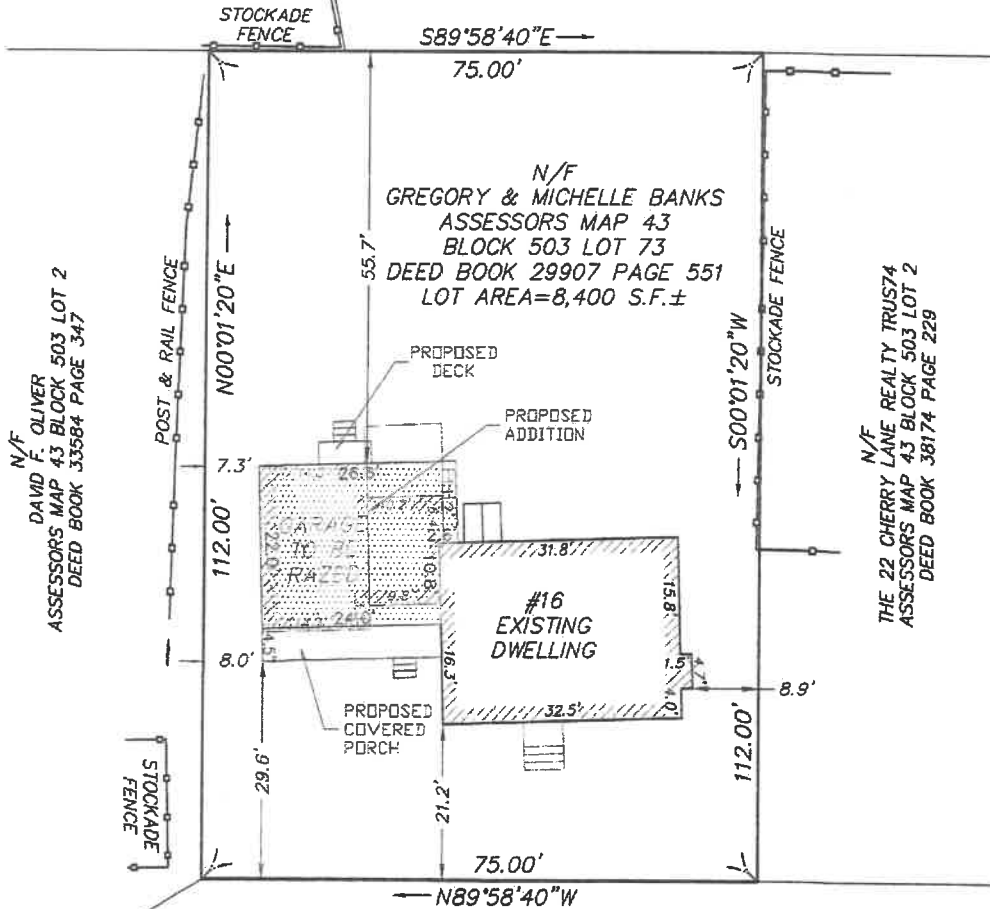


PLOT PLAN OF LAND

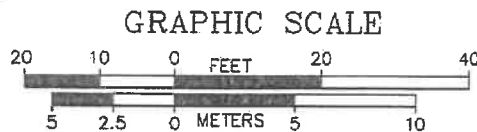
Project Name 16 CHERRY LANE WEYMOUTH, MASSACHUSETTS NORFOLK COUNTY	Prepared for GREGORY BANKS 16 CHERRY LANE WEYMOUTH, MASSACHUSETTS	Fig. No. 1
HOYT LAND SURVEYING 1287 WASHINGTON STREET WEYMOUTH, MASSACHUSETTS TEL: 781-682-9192		Scale 1"=20' Date SEPT. 22, 2021 Project No. File No.

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BLOCK 503 LOT 1
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CHERRY LANE



PROPOSED ADDITION

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HOYT LAND SURVEYING 1287 WASHINGTON STREET WEYMOUTH, MASSACHUSETTS TEL: 781-682-9192	Scale 1"=20'	Date 04/29/2022
	Project No.	File No.