

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

TO BE COMPLETED BY STAFF

Case Number: # 3263

Town Clerk Stamp

Submittal Accepted: [Signature]

Signature of Planning Dept. Staff for minimal requirements

Date 8/13/15

Determined to be complete and may now be filed with Town Clerk: _____

Signature of Principal Planner or Director

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE
2015 AUG 13 AM 10:31

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 15 Filomena Street

Assessor's Map Sheet, Block, & Lot: Map 22, Block 249, Lot 26

Zoning District: Business B-2

Overlay District: _____

OWNER OF RECORD (S) (print & sign): Virginia Lee Voss

(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: 15 Filomena Street, Weymouth, MA 02189

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. 167441

NAME OF APPLICANT (S) (print & sign): Stephen Zeboski

Applicant's Address: 214 Quincy Ave., Braintree, MA 02184

Contact Information: Email _____

Phone _____

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

NAME & AFFILIATION OF REPRESENTATIVE:

Address: Gregory F. Galvin, 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.

Stephen Zeboski
Applicant / Petitioner - Date (sign & print)

by Gregory F. Galvin 8/13/15

NATURE OF REQUEST

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

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

Article XIII Sec. 120-40 Extension or change by special permit. Art. VIII Sec. 120-27(A)

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):

Currently there is a single family dwelling in deplorable condition, containing approximately 897 sq. ft.

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

The applicant seeks to construct a new single family dwelling containing approximately 672 sq. ft.

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).

Article VIII, Sec. 120-27A

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 prior approvals. Single family dwelling constructed before zoning.

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.)	None	3,349	3,349
Dwelling Units	1 by special permit	1	1
Frontage (ft.)	None	60'	60'
Lot Width (ft.)	None	Varies	Varies
Front Yard Setback (ft.)	None	9.5'	12.7'
Front Yard Setback (ft.) – corner lots	N/A	N/A	N/A
Side Yard Setback (ft.)	None	9'	10'+
Side Yard Setback (ft.)			
Rear Yard Setback (ft.)	None	13.9'	14.8'
Height (ft.) & # of Stories	<6 stories	1 1/2 stories	2 stories
Lot Coverage	None		
Off-Street Parking Spaces	Two	None	Two
Off-Street Loading Spaces	N/A		
Parking Setback	None		
Accessory Structure Setback	None		
Landscaping	None		
Floor Area Ratio	None		
Signage	N/A		
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 current use is a nonconforming single family home, constructed before zoning. The applicant is seeking to remove an unsightly structure and rebuild it.

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

The current structure is unsightly and the new structure will improve the character of the neighborhood.

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

The applicant is seeking to construct a new single family dwelling to replace the existing dwelling.

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 add off-street parking there-by providing additional facilities to the site.

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

This project will provide a new more aesthetically pleasing single family home to the neighborhood with off street parking.

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):

The current use is allowed by special permit. The single family home was constructed before the approval of zoning in Weymouth.

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

Since 1942.

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.

At the time of construction zoning hadn't been adopted in Weymouth.

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

The applicant is shrinking the building and provides more set-back space all around the home.

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

None currently. There will be two provided.

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:

The use of the building will not change and 2 off-street parking spaces will be provided.

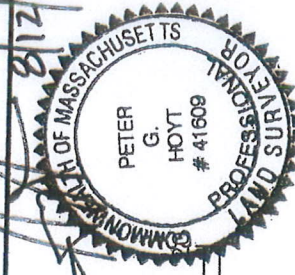
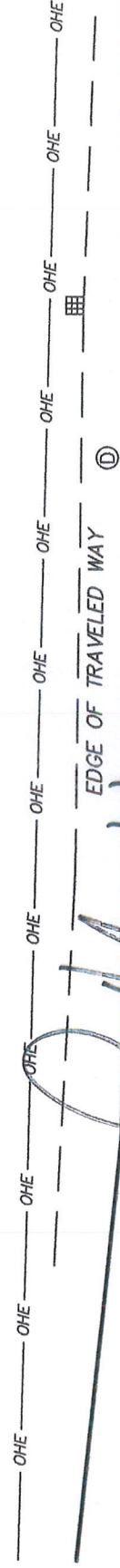
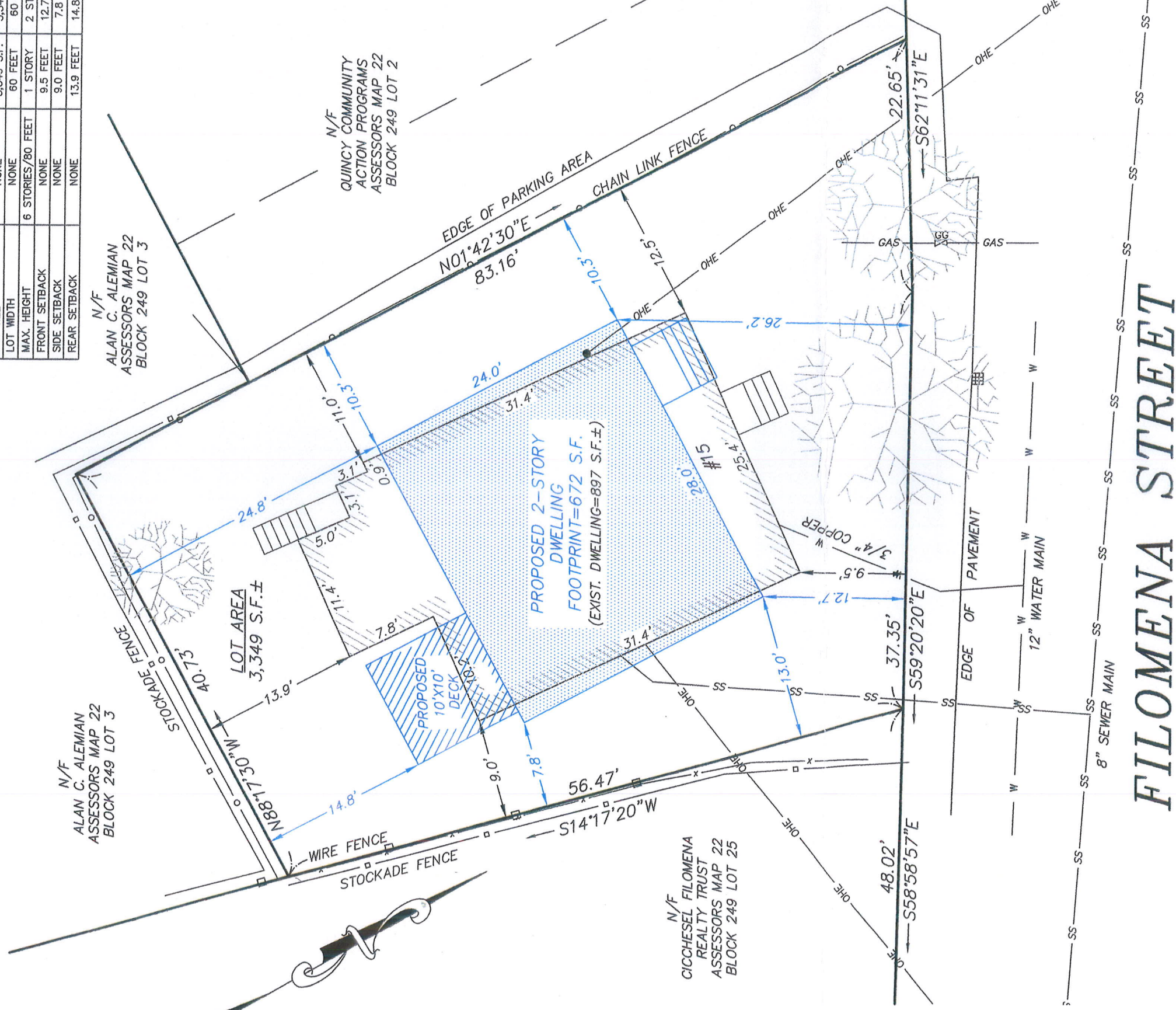
DIMENSIONAL REQUIREMENTS ZONING DISTRICT: GENERAL BUSINESS B-2				
ZONING TABLE 1	REQUIRED	EXISTING	PROPOSED	
LOT SIZE	NONE	3,349 S.F.	3,349 S.F.	
LOT WIDTH	NONE	60 FEET	60 FEET	
MAX. HEIGHT	6 STORIES/80 FEET	1 STORY	2 STORIES	
FRONT SETBACK	NONE	9.5 FEET	12.7 FEET	
SIDE SETBACK	NONE	9.0 FEET	7.8 FEET	
REAR SETBACK	NONE	13.9 FEET	14.8 FEET	

N/F
ALAN C. ALEMIAN
ASSESSORS MAP 22
BLOCK 249 LOT 3

N/F
ALAN C. ALEMIAN
ASSESSORS MAP 22
BLOCK 249 LOT 3

N/F
QUINCY COMMUNITY
ACTION PROGRAMS
ASSESSORS MAP 22
BLOCK 249 LOT 2

N/F
CICCHESEL FILOMENA
REALTY TRUST
ASSESSORS MAP 22
BLOCK 249 LOT 25



Sheet Title	Project Name	Prepared for
PLOT PLAN OF LAND HOYT LAND SURVEYING 1287 WASHINGTON STREET WEYMOUTH, MASSACHUSETTS TEL: 781-682-9192	15 FILOMENA STREET WEYMOUTH, MASSACHUSETTS	STEPHEN ZEBOSKI
	Scale 1"=10'	Date AUGUST 12, 2015