

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

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE
2022 MAY -6 AM 11:13

TO BE COMPLETED BY STAFF

Case Number: 3477

Submittal Accepted: _____ Date 5/6/22
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

Town Clerk Stamp

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 396 Green St

Assessor's Map Sheet, Block, & Lot: 121/21

Zoning District: R-1 Overlay District: _____

OWNER OF RECORD (S) (print & sign): Brianne Walsh

(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: 396 Green St

Norfolk County Registry of Deeds Book and Page No. 27236/539

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): Brianne Walsh

Applicant's Address: 396 Green St

Contact Information: Email walshbrianne@yahoo.com Phone 781-789-7032

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: Jeff Rangel

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.

Brianne Walsh 5-3-22

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):

Special Permit under Section 120-40 of the zoning ordinance

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):

976sq/ft single family home with attached 1 car garage.

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

Full demo of existing garage and foundation to install new foundation and frame to support addition of master bath above the garage area. Removed existing roof of main house and frame to plans to add a 2nd bath and additional bedroom so the children can have their own bedrooms.

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).

Special Permit under Section 120-40 of the zoning ordinance

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.)	25,000	7,500	7,500
Dwelling Units	1	1	1
Frontage (ft.)	18	24.47	24.7
Lot Width (ft.)	120	80	80
Front Yard Setback (ft.)	18	24.47	24.47
Front Yard Setback (ft.) – corner lots			
Side Yard Setback (ft.)	10	6.4	6.4
Side Yard Setback (ft.)	10	16.4	16.4
Rear Yard Setback (ft.)	24	41.3	41.3
Height (ft.) & # of Stories	35	<=35	
Lot Coverage	30%	17%	17%
Off-Street Parking Spaces	2	2	2
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.

Yes. This is a residential street. We are not extending closer towards the street, just looking to increase the square footage of the 2nd level to add another bedroom and bath and a half. A similar cape was renovated 10 doors down from us only a couple of years ago so it blends with the neighborhood well.

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

No, the home will continue to resemble homes on the street with the same size and character. We are just expanding the top floor to make room for bathrooms and an additional bedroom for our children.

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

None. The existing front wall and foundation will remain meaning the addition will not extend towards the sidewalk or street.

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

Yes the property will maintain proper utilities as we are adding an additional bedroom and 2 bathrooms.

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

The property would be maintained as our primary residence which is the reason for our request. Our children need their own bedrooms and additional baths to be able to stay in our home.

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):

side setback is 6.4' not the required 10'

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

The home was bought as it is today in 2009 and constructed in 1948.

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

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

The addition will not be substantially more detrimental than the existing nonconforming use to the neighborhood

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

currently 4

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 not be detrimental to the neighborhood at all.

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.

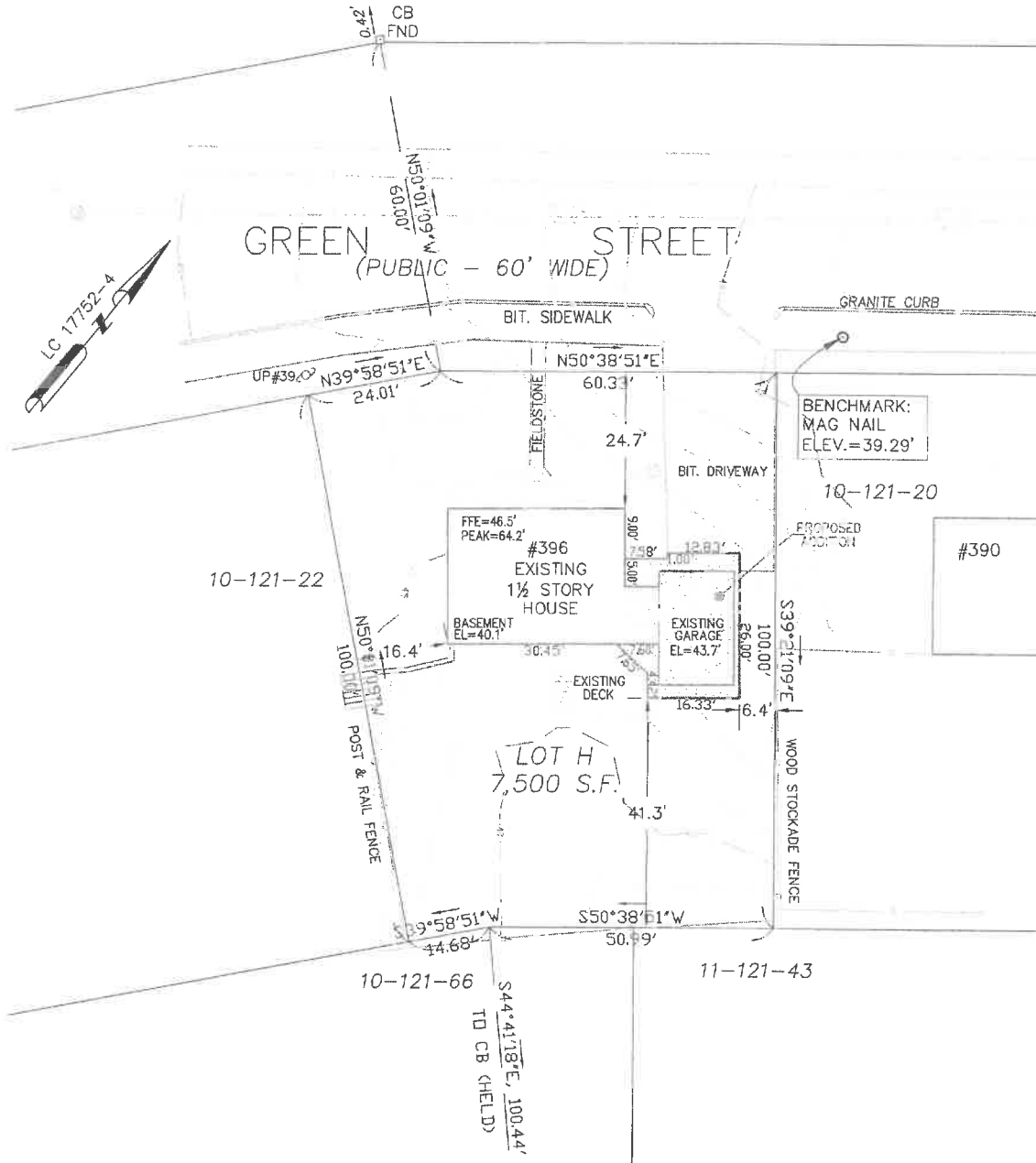
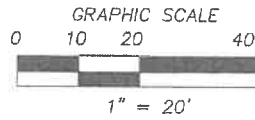
NOTE THAT THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMENTS SET FORTH IN CHAPTER 40A SECTION 10 OF THE GENERAL LAWS AND IN ARTICLE XXIV SECTION 120-119 OF THE WEYMOUTH ZONING ORDINANCE ARE SATISFIED. EACH OF THE ABOVE FINDINGS MUST BE ANSWERED IN DETAIL. ATTACH ADDITIONAL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

PARCEL INFORMATION

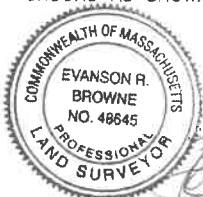
OWNER: BRIANNE WALSH
 PARCEL ID: 10-121-21
 DEED REFERENCE: BOOK 27236, PAGE 539
 PLAN REFERENCE: BOOK 2794, PAGE 600
 ZONING DISTRICT: R1 (RESIDENCE)

PLOT PLAN 396 GREEN STREET WEYMOUTH, MA

SCALE: 1" = 20'
 DATE: APRIL 8, 2022



I HEREBY CERTIFY THAT THE EXISTING STRUCTURES SHOWN ON THIS PLAN WERE LOCATED BY AN INSTRUMENT SURVEY AND ARE LOCATED ON THE GROUND AS SHOWN HEREIN.



EVANSTON R. BROWNE

ZONING TABLE

ZONING DISTRICT: R-1

TABLE OF MINIMUM SETBACKS:

REQUIRED	PROVIDED
AREA-25,000	AREA-7,500
WIDTH-120'	WIDTH-80'
FRONT-18'	FRONT-24.7'
REAR-24'	REAR-41.3'
SIDE-10'	SIDE-6.4'
HEIGHT-35'	HEIGHT ≤ 35'
COVERAGE-30%	COVERAGE-17%

NOTES:

1. ELEVATIONS REFERENCE TOWN OF WEYMOUTH DATUM AND ARE IN U.S. SURVEY FEET.
2. UTILITIES FROM RECORD PLANS AND FIELD SURVEY. CALL DIG SAFE 811 72 HOURS PRIOR TO EXCAVATIONS FOR VERIFICATION.

SECOND FLOOR EXPANSION \
GARAGE REPLACEMENT PLANS
36 Green Street Weymouth, Massachusetts



2X12 STRINGERS
@ 17"OC

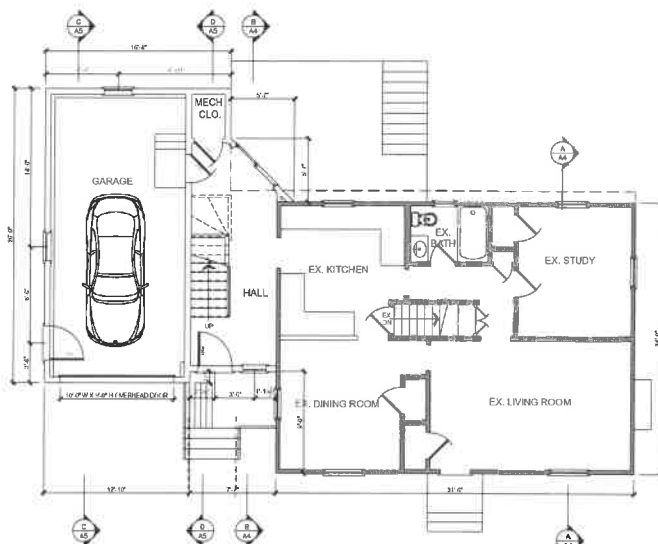
LOCUS MAP
Not to Scale

LIST OF DRAWINGS

- CO COVER SHEET
- D1 EXISTING CONDITION FLOOR PLANS
- A1 FOUNDATION & FRAMING PLANS \ CONCRETE & STEEL SPECIFICATION
- A2 PROPOSED FIRST FLOOR PLAN
- A3 PROPOSED SECOND FLOOR & ROOF PLAN
- A4 BUILDING SECTIONS: 'A-A' & 'B-B' \ INSULATION REQUIREMENTS \ FRAMING AND SHEATHING SPECIFICATIONS
- A5 BUILDING ELEVATIONS: 'C-C' & 'D-D' \ INSULATION REQUIREMENTS
- A6 ENLARGED DETAILS
- A7 EXTERIOR BUILDING ELEVATIONS \ WINDOW & EXTERIOR DOOR SCHEDULE







PROPOSED FIRST FLOOR PLAN

DIMENSIONING NOTES

600 OUTSIDE DIMENSIONS ARE TO THE FACE OF
MASSARY CONCRETE AND/or STEEL

100 INTERIOR DIMENSIONS ARE TO THE FINISHED FACE
OF THE WALLS

GRAPHIC LEGEND

- DIRECTION OF VIEW
 SECTION LINE (C-C, D-D, E-E)
 CUTTING PLANE
 FACE IN SECTION
 PROPOSED FULL HEIGHT WALLS
 EXISTING FULL HEIGHT WALLS
 EXISTING DOOR TO BE REPLACED
 PROPOSED DOOR (6' 0" x 2' 0" or 7' 0" x 2' 0" or 7' 0" x 2' 0")
 LOCATION OF EXISTING CABINETS, COUNTERTOPS AND SINKS TO BE REPLACED
 NOTE KEY VOLUME OF NOTES ON THIS SHEET

ARCHITECT
JRA
JAMES R. ANDERSON, INC.
ARCHITECTS
300 GREELE STREET WENMOUTH, MA 01983

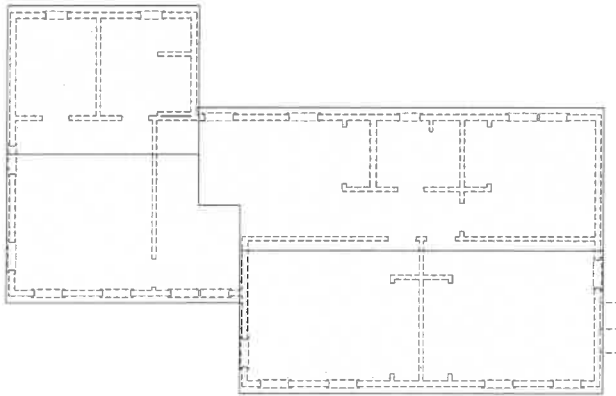
RESIDENTIAL FLOOR ADDITION
300 GREELE STREET WENMOUTH, MA 01983

DATE: 1/24/2023
BY: JRA
CHECKED BY: JRA
DATE: 1/24/2023

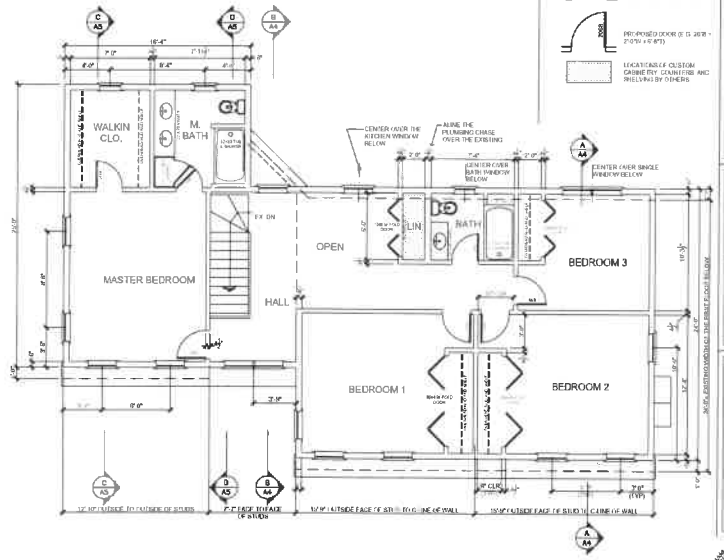
PROPOSED FIRST FLOOR PLAN



DATE: 1/24/2023
BY: JRA
CHECKED BY: JRA
DATE: 1/24/2023
PROJECT NO.: A2
A OF 9



PROPOSED ROOF PLAN



PROPOSED SECOND FLOOR PLAN

DIMENSIONING NOTES

- 100. OUTSIDE DIMENSIONS ARE TO THE FACE OF MAJOR CONCRETE AND/or STUD.
- 101. INTERIOR DIMENSIONS ARE TO THE FINISHED FACE OF THE WALL BOARD.

GRAPHIC LEGEND

- DIRECTION OF VIEW
- SECTION D (C - C - C)
- CUTTING PLANE
- BASE FOR SECTION
- PROPOSED FULL HEIGHT WALLS
- EXISTING FULL HEIGHT WALLS
- EXISTING DOOR TO REMAIN
- PROPOSED DOOR (3'0" x 6'8")
- LOCATION OF CUSTOM CHIMNEY CANTILEVER NOT PRELIMINARY BY OTHERS



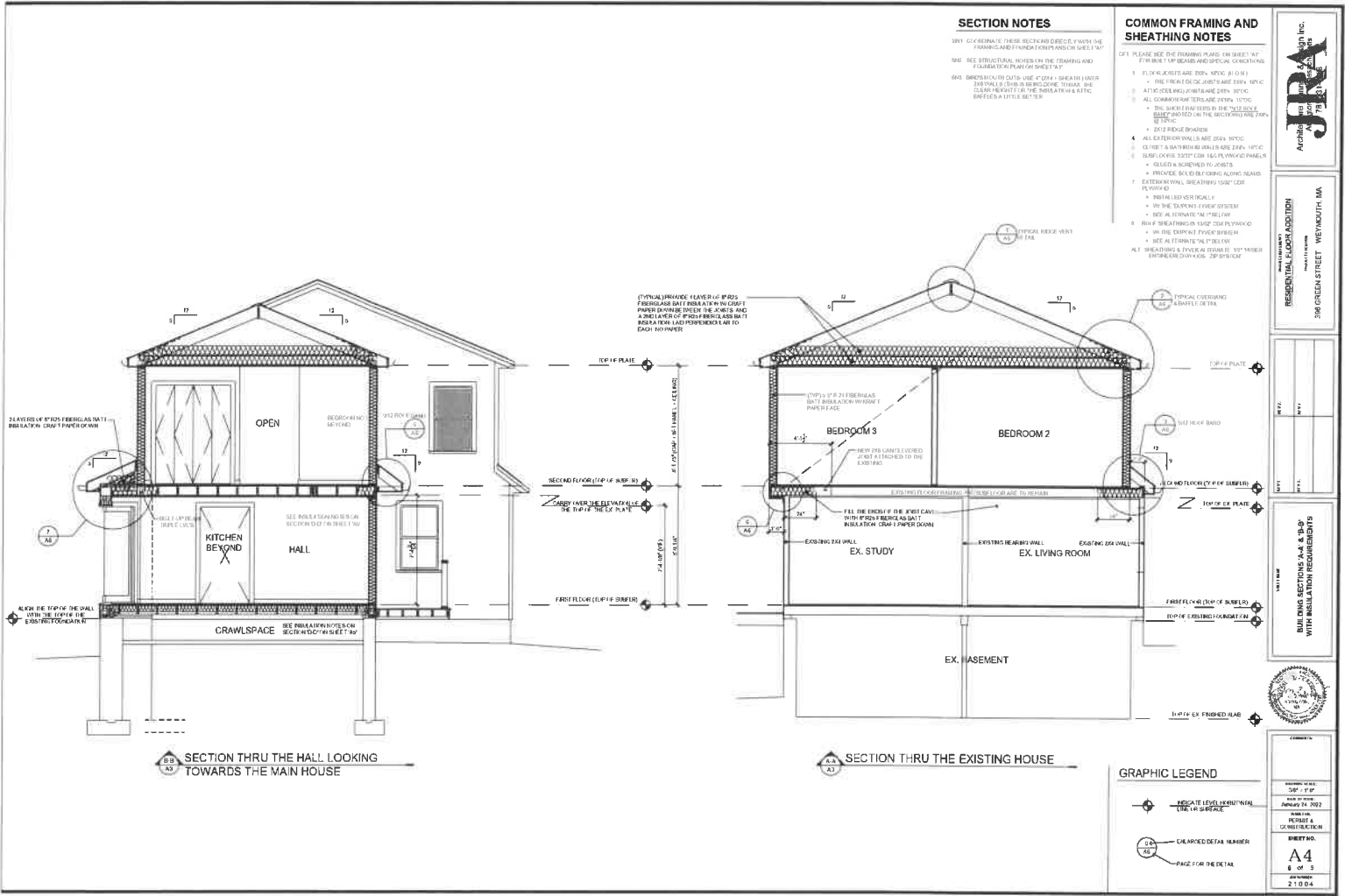
JRA
ARCHITECTURAL
JANUARY 2002

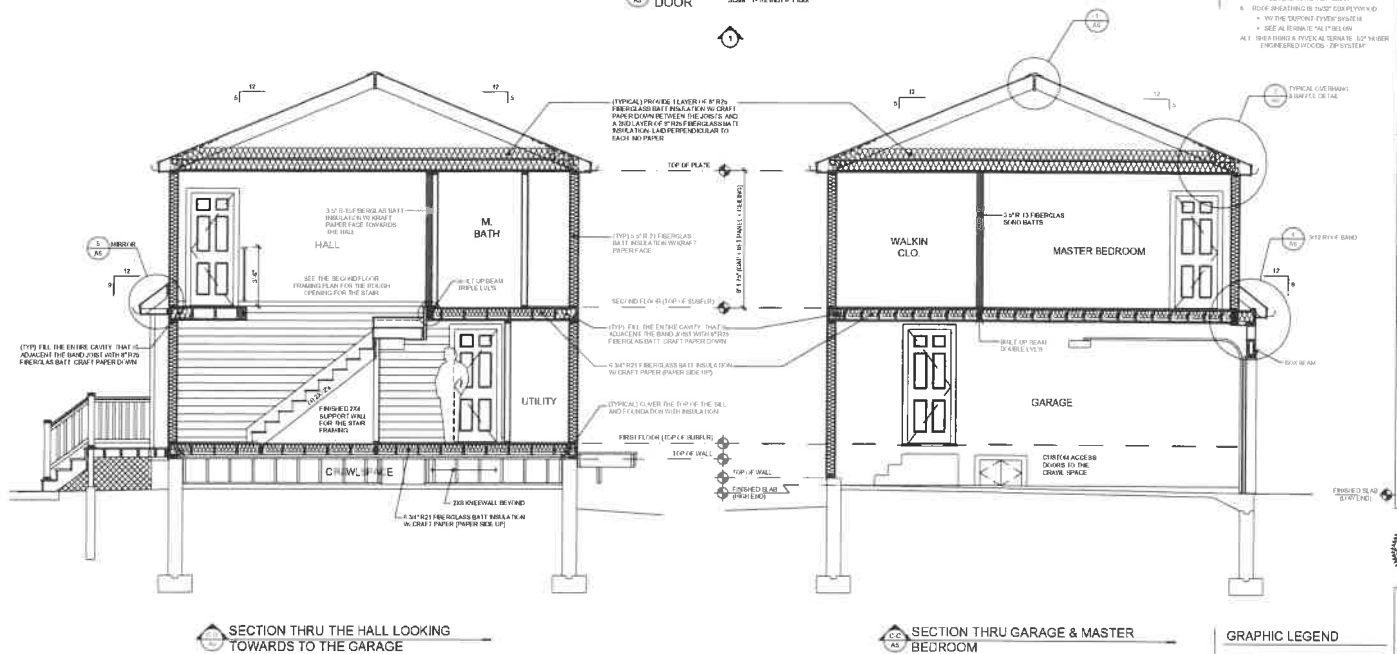
RESIDENTIAL FLOOR ADDITION
300 GREEN STREET WESTMOUTH, MA

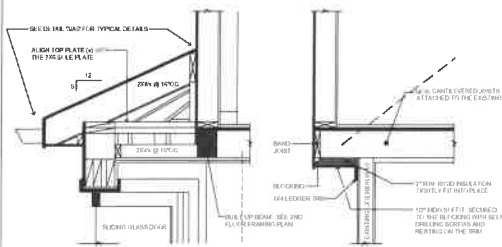
PROPOSED SECOND FLOOR & ROOF PLANS



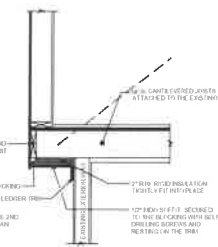
CONTRACT
PROJECT NO. 21-034
DATE: January 24, 2002
PROJECT: RESIDENTIAL FLOOR ADDITION
SHEET NO. A3
3 of 3



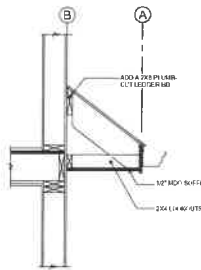




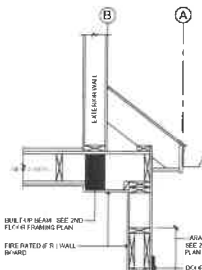
7
A6
DETAIL AT THE SLIDING
GLASS DOOR



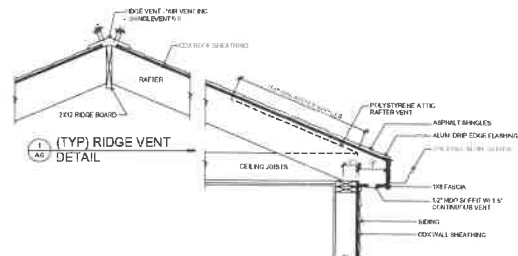
8
A6
FLOOR OVERHANG DETAIL



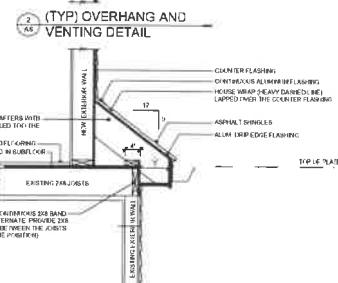
9
A6
9/12 ROOF BAND DETAIL
AT THE ENTRANCE



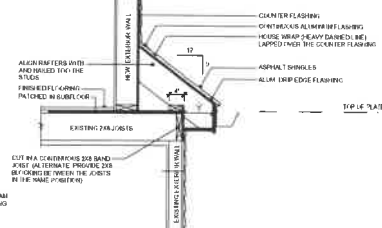
10
A6
9/12 ROOF BAND DETAIL
AT THE GARAGE DOOR



11
A6
(TYP) RIDGE VENT
DETAIL



12
A6
(TYP) OVERHANG AND
VENTING DETAIL



13
A6
9/12 ROOF BAND DETAIL
AT THE EXISTING HOUSE

