

TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION

2023 OCT 30 AM 11:24

TO BE COMPLETED BY STAFF

Case Number: # 3515

Town Clerk Stamp

Submittal Accepted: min Xing Date 10/11/23
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: 11 Morrell St

Assessor's Map Sheet, Block, & Lot: 6-69-4

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: 11 Morrell St Weymouth MA 02191

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): David Sirais

Applicant's Address: 11 Morrell St Weymouth MA 02191

Contact Information: Email David.Sirais@gmail.com Phone 774-392-1858

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: Steve DesRoches / CY Romans

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.

10/11/2023 [Signature] David Sirais
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):

1 car garage w/ attached mud room. Structure is 14' x 18' 6".

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

Remove garage in order to bring foundation to code. Extend structure back 8'. Finish space into family room w/ 1/2 bath.

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 IV Residential District R-1

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:

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	6,000	6,000
Dwelling Units	1	1	1
Frontage (ft.)	40'	60'	60'
Lot Width (ft.)	120'	60'	60'
Front Yard Setback (ft.)	18'	17.9'	17.9'
Front Yard Setback (ft.) – corner lots	N/A	N/A	N/A
Side Yard Setback (ft.)	10'	12.2'	12.2'
Side Yard Setback (ft.)	10'	5.8'	5.8'
Rear Yard Setback (ft.)	20'		47.6'
Height (ft.) & # of Stories	35' 2 1/2 stories	1 1/2 stories	1 1/2 stories
Lot Coverage	30%		
Off-Street Parking Spaces	2		
Off-Street Loading Spaces	N/A		
Parking Setback	N/A		
Accessory Structure Setback	N/A		
Landscaping	N/A		
Floor Area Ratio	N/A		
Signage	N/A		
Other:	N/A		

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 neighborhood. This structure will be used for family use.

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

No, I am building in the footprint of existing structure.

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

No, there is already a structure there. This new updated structure won't add any hazards or traffic.

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

Yes, updated utilities will be to code.

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

The new structure will improve the aesthetic of the home and beautify the neighborhood.

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 Yard setback

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

Since The home was built.

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.

Home predates zoning laws.

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

Structure already exists and fits w/ the layout of 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:

1 driveway spot exists and will remain.

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:

New structure will stay within the current side yard setback. This project will only improve the look and function.