

TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION 2021 SEP 16 AM 11: 58

TO BE COMPLETED BY STAFF

Case Number: 3463
 Submittal Accepted: Monica Kennedy Date 9/10/21
 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

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 28 Reservoir Run

Assessor's Map Sheet, Block, & Lot: 48-508-103

Zoning District: R-1 WPD Overlay District: _____

OWNER OF RECORD (S) (print & sign): Burns Family Trust

(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: 28 Reservoir Run, Weymouth, MA 02190

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. 200476

NAME OF APPLICANT (S) (print & sign): Richard M Burns, Trustee Richard M Burns

Applicant's Address: 28 Reservoir Run, Weymouth, MA 02190

Contact Information: Email Burnsrm@comcast.net Phone 617-217-8701

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: 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.

Richard M Burns, Trustee 9/3/21 Richard M. Burns, Trustee
 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):

S 120-40 Lot width at front building line not less than 120ft

Proposed reconfiguration would reduce the lot width at the front building line from 117.6 ft to 106.1 ft

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):

Presently there is a single family residence located on the subject property. This proposal contemplates no change to that usage

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

Applicant seeks to exchange on a formal/legal basis parcels containing 694.5 sq ft of property with abutting neighbor in order to straighten our abutting lot lines to eliminate the potential for placement there on of a fence or other boundary object in the area in close proximity to and in full view of applicant's family room window.

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).

Single family residence in an R-1 zone

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).

None of which applicant is aware

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

Proposed lot line changes would reflect and formalize the manner in it has been maintained for 35 years.

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		Single Family	Single Family
Lot Area / Size (Sq. Ft.)	25,000	15,001	15,001
Dwelling Units		1	1
Frontage (ft.)	40	130.37	109.57
Lot Width (ft.)	120	117.64	106.07
Front Yard Setback (ft.)	18	29.55	29.55
Front Yard Setback (ft.) – corner lots			
Side Yard Setback (ft.)	10	19.2	19.2
Side Yard Setback (ft.)	10	16.6	18.6
Rear Yard Setback (ft.)			
Height (ft.) & # of Stories	35 ft. 2.5 story	24ft 2 story	24ft 2 story
Lot Coverage	30%	1463 sq ft. 9.75%	9.75%
Off-Street Parking Spaces		4	4
Off-Street Loading Spaces			
Parking Setback			
Accessory Structure Setback		N/a	N/a
Landscaping		Residential	Residential
Floor Area Ratio		N/a	N/a
Signage		None	None
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. Single family residence in R-1 zone

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

No. Proposed use would be entirely consistent with the historical use.

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

N/A

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

N/A

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

N/A

VARIANCE APPLICATION

To be completed for Variance applications only.

N/A

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.